



Board Agenda Item 43

DATE: June 20, 2017

TO: Board of Supervisors

SUBMITTED BY: Dawan Utecht, Director, Department of Behavioral Health

SUBJECT: Amendments to Various Substance Use Disorder Agreements

RECOMMENDED ACTION(S):

1. **Approve and authorize the Chairman to execute Amendment II to Agreement Nos. 13-572, 13-573, 13-574, and 13-575, for Substance Use Disorder Youth Treatment Services, effective July 1, 2017, with no change in term to June 30, 2018 and decreasing the maximum compensation by \$435,000 to a total of \$5,765,000.**
2. **Approve and authorize the Chairman to execute Amendment I to Master Agreement No. 16-295, for Adult Residential/Residential Perinatal Substance Use Disorder Treatment Services, effective July 1, 2017, with no change in term to June 30, 2021 and increasing the maximum compensation by \$1,200,000 to a total of \$20,450,000.**
3. **Approve and authorize the Chairman to execute Amendment I to Master Agreement No. 16-361, for Non Drug Medi-Cal Outpatient Services, effective July 1, 2017 with no change in term to June 30, 2019, and decreasing the maximum compensation by \$400,000 to a total of \$1,100,000.**
4. **Approve and authorize the Chairman to execute Amendment II to Master Agreement No. 15-245, for Residential Detoxification/Stabilization Services, effective July 1, 2017, with no change in term to June 30, 2020 and increasing the maximum compensation by \$842,630 to a total of \$1,959,352.**
5. **Approve and authorize the Chairman to execute Amendment I to Master Agreement No. 15-300, for Sober Living Housing, effective July 1, 2017, with no change in term to June 30, 2020 and increasing the maximum compensation by \$158,951 to a total of \$1,148,186.**
6. **Approve and authorize the Chairman to execute Amendment I to Master Agreement No. 13-709, for Family Focused Prevention Services, to change the compensation amount per provider, effective upon execution with no change to the compensation amount or term of December 3, 2013 to June 30, 2018 (\$1,200,000).**
7. **Approve and authorize Chairman to execute clause and exhibit changes within the Substance Use Disorder Agreements, as depicted in Attachment A.**

There is no additional Net County Cost associated with the recommended actions. Approval of the recommended actions will allow the Department of Behavioral Health to decrease the annual maximums for underutilized adolescent outpatient and Non Drug Medi-Cal Outpatient agreements. The decrease will allow the Department to fund additional beds needed for substance use disorder Adult and Perinatal Residential, Residential Detoxification and Stabilization, and Sober Living. Additionally, the Department will be able to reallocate funding within the Family-Focused Prevention Agreement.

Approval of the final recommended action will allow for language changes to substance use disorder services agreements as depicted in Attachment A, to provide consistency in interpreting the terms and conditions of substance use disorder services agreements.

ALTERNATIVE ACTION(S):

There are no viable alternative actions. The amendments will increase the compensation necessary to add beds to residential programs and will facilitate agreement administration and monitoring. If your Board does not approve the recommended actions, additional beds for residential services will not be made available to minimize wait time for treatment, which will be a requirement upon implementation of the Drug Medi-Cal Organized Delivery System (DMC-ODS) Waiver. Without approval, much needed Family Focused Prevention services will not be expanded. Agreements will not be updated with current contract language related to Trafficking Victims Protection Act and language required by the State-County contract related to the distribution of sterile needles, unlawful alcohol and drug use, fidelity to evidence-based practices and annual confidentiality oaths from County and provider staff. Administrative Policy No. 5 language would remain in the agreements despite its elimination by the Board.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Services are fully funded with Substance Abuse Prevention and Treatment (SAPT) Federal Block Grant funds, Drug Medi-Cal, Mental Health Realignment, Mental Health Services Act, and Alcohol Assessment fees. Sufficient appropriations and estimated revenues will be included in the Department's Org 5630 FY 2017-18 Recommended Budget and included in future fiscal year budget requests for the balance of the contract terms.

The recommended amendments allow for the following:

- Funding from current Youth Treatment Services (YTS) contracts will be decreased in the final year by \$435,000 and reallocated to current residential contracts.
- Funding from Agreement No. 16-361 for Non-DMC Outpatient Services will be decreased \$200,000 annually and reallocated to current residential contracts (total decrease is \$400,000).
- Funding increases will occur for:
 - 1) Master Agreement No. 15-245 for Residential Detoxification/Stabilization services, total increase is \$842,630;
 - 2) Master Agreement No. 15-300 for Sober Living Housing, total increase is \$158,951; and,
 - 3) Master Agreement No. 16-295 for Adult Residential/Residential Perinatal Substance Use Disorder Treatment, total increase is \$1,200,000, a net increase of \$1,366,581.

The effect of the removal of the Administrative Policy No. 5 language in various agreements are included in Attachment B.

DISCUSSION:

A review of the YTS agreements utilization trends revealed that year-to-date billing for adolescent outpatient Non-DMC services was substantially below contract maximums. The Department implemented a beneficiary eligibility process at the beginning of FY 2016-17 that requires providers to submit proof of DMC ineligibility with all Non-DMC billing including YTS. This change in policy appears to have resulted in a significant usage reduction. Projections for FY 2017-18 suggest that annual awards can be safely decreased as depicted in Attachment A so that funds may be redirected where they are needed. Approval of the first recommended action will allow the Department to reallocate funds from YTS contracts to Adult and Perinatal Residential, Residential Detoxification and Stabilization, and Sober Living Housing Agreements to increase the number of County-funded beds reducing client wait times.

The County is planning to opt-in to the DMC-ODS Waiver, which requires counties to develop a broad

continuum of services at different levels of care and to improve service accessibility for beneficiaries. The waiver requires counties to eliminate wait lists for services to beneficiaries. Currently, beneficiaries can experience considerable wait times for entry to residential substance use disorder programs. These services are one of the most challenging elements of the continuum to expand.

The recommended amendment to Master Agreement No. 13-709 for Family Focused Prevention Services will allow the Department to reallocate funding within the agreement without increasing the term maximum. The reallocation will expand Central California Recovery (CCR) services to offer three 16-week sessions of the Celebrating Families! curriculum based on demand. The recommended amendment will adjust the current maximum compensation per provider from \$12,000 to \$40,000 and increase CCR's budget to \$29,520, with no change to the contract maximum.

Additionally, a review of substance use disorder agreements confirmed the need to update contract sections that are no longer current or applicable, or were not included in the original agreement or prior amendments. The language updates, included on Attachment A, include a revised Modification clause; Trafficking in Persons Provisions clause; the addition of clauses for Unlawful Use of Drugs and Alcohol, Restriction of Distribution of Sterile Needles, Confidentiality Oath and Fidelity to Evidence-Based Practices; and, removal of Administrative Policy No. 5. The proposed amendments will ensure consistency in interpreting the terms and conditions of these agreements. No extension or change to the term is included in the proposed amendments.

REFERENCE MATERIAL:

Youth Treatment Service Agreements with Eminence Healthcare, Inc., WestCare California, Inc., Mental Health Systems, Inc., Promesa Behavioral Health:

BAI #37, May 24, 2016 - Amendment I, Agt. Nos. 13-572, 13-573, 13-574, & 13-575

BAI #28, September 17, 2013 - Agt. Nos. 13-572, 13-573, 13-574, & 13-575

Residential/Perinatal Master Agreement:

BAI #33, June 7, 2016 - Agt. No. 16-295

Drug and Non-Drug Medi-Cal Adult Outpatient Services Master Agreements:

BAI #30, June 21, 2016 - Agt. Nos. 16-360 & 16-361

California Health Collaborative:

BAI #37, July 12, 2016 - Agt. No. 16-430

Youth Leadership Institute:

BAI #37, July 12, 2016 - Agt. No. 16-431

LPC Consulting Associates:

BAI #37, July 12, 2016 - Agt. No. 16-432

Family Focused Master Agreement

BAI #32, December 3, 2013 - Agt. No. 13-709

Family Development Center, LLC:

BAI #42, June 3, 2014 - Agt. No. 14-292

Touchstone Medical Group:

BAI #42, October 28, 2014 - Amendment I, Agt. No. 14-101

BAI #42, March 25, 2014 - Agt. No. 14-101

BAART Behavioral Health, Inc.

BAI #37, May 24, 2016 - Amendment II, Agt. No. 13-492

BAI #42, October 28, 2014 - Amendment I, Agt. No. 13-492

BAI #40, August 20, 2013 - Agt. No. 13-492

Residential Detoxification/Stabilization Services Master Agreement

BAI #37, May 24, 2016 - Amendment I, Agt. No. 15-245

BAI #36, June 16, 2015 - Agt. No. 15-245

Master Agreement for Sober Living Housing

BAI #35, June 15, 2015 - Agt. No. 15-300

Promesa Behavioral Health

BAI #30, April 4, 2017 - Agt. No. 17-121

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A

Attachment B

On file with Clerk - Amendment II to Agt. No. 13-572 with Eminence Healthcare, Inc.
On file with Clerk - Amendment II to Agt. No. 13-573 with WestCare California, Inc.
On file with Clerk - Amendment II to Agt. No. 13-574 with Mental Health Systems, Inc.
On file with Clerk - Amendment II to Agt. No. 13-575 with Promesa Behavioral Health
On file with Clerk - Amendment I to Master Agt. No. 13-709 for Family Focused Prevention Services
On file with Clerk - Amendment II to Master Agt. No. 15-245 for Residential Detoxification and Stabilization Services
On file with Clerk - Amendment I to Master Agt. No. 15-300 for Sober Living Housing Services
On file with Clerk - Amendment I to Agt. No 16-430 with California Health Collaborative
On file with Clerk - Amendment I to Master Agt. No. 16-295 for Adult and/or Perinatal Residential
On file with Clerk - Amendment I to Agt. No 16-431 with Youth Leadership Institute
On file with Clerk - Amendment I to Agt. No 16-432 with LPC Consulting Associates
On file with Clerk - Amendment III to Agt. No. 13-492 with BAART Behavioral Health, Inc.
On file with Clerk - Amendment II to Agt. No. 14-101 with Touchstone Medical Group
On file with Clerk - Amendment I to Agt. No. 14-292 with Family Development Center, LLC
On file with Clerk - Amendment I to Master Agt. No. 16-360 for Drug Medi-Cal Outpatient
On file with Clerk - Amendment I to Master Agt. No. 16-361 for Non-Drug Medi-Cal Adult Outpatient
On file with Clerk - Amendment I to Agt. No. 17-121 with Promesa Behavioral Health, Inc.

CAO ANALYST:

Sonia De La Rosa