



Board Agenda Item 25

DATE: January 9, 2018

TO: Board of Supervisors

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

SUBJECT: Retroactive Substance Abuse Prevention and Treatment Agreement

RECOMMENDED ACTION(S):

Approve and authorize the County Behavioral Health Director/Alcohol and Other Drug Program Administrator to execute retroactive Substance Abuse Prevention and Treatment Agreement No. 17-94127 with the California Department of Health Care Services, including required certifications, for the provision of substance use disorder treatment services to County residents, effective July 1, 2017 through June 30, 2020 (\$13,932,099).

Approval of the recommended action will enable the Department of Behavioral Health to continue receiving Federal Substance Abuse Prevention and Treatment (SAPT) funds that are dispersed through the California Department of Health Care Services (DHCS) to finance County substance use disorder (SUD) treatment and primary prevention programs, with no increase to Net County Cost. County Behavioral Health Director/Alcohol and Other Drug Program Administrator signature authority is requested to remain consistent with Agreement No. 17-94070 that was approved by the Board of Supervisors on October 17, 2017 and to expedite the signing of documents issued by DHCS related to this agreement that do not result in additional County costs. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended action is not approved, the County would not receive the Federal funding for mandated SUD and primary prevention programs during the contract period. DHCS would be forced to contract directly with the prevention and treatment providers for these services.

RETROACTIVE AGREEMENT:

The recommended agreement, including exhibits, were received from DHCS on October 27, 2017 and is retroactive to July 1, 2017. The agreement did not come to your Board sooner due to necessary departmental review upon receipt.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The recommended agreement will provide \$13,932,099 in revenue to the County over FYs 2017-18, 2018-19, and 2019-20 to administer SUD treatment and primary prevention programs; the annual allocation will be \$4,644,033. Sufficient appropriations and estimated revenues have been included in the Department's Org 5630 FY 2017-18 Adopted Budget and will be included in subsequent budget requests for the duration of the contract term.

DISCUSSION:

Since FY 1989-90, DHCS has contracted with the County to provide SUD treatment services. The recommended agreement provides Federal funding dispersed through DHCS to support alcohol and drug treatment services for County residents. With these funds, the County contracts with local providers to deliver SUD treatment services to more than 700 residents annually who do not qualify for Drug Medi-Cal (DMC) and have no alternative payment options. In addition, these funds provide primary prevention program activities that serve more than 100,000 residents.

Historically, DHCS combined the DMC and Substance Abuse Prevention and Treatment (SAPT) Block Grant allocation into one agreement. Beginning in FY 2017-18, the two funding sources were moved to separate agreements. Agreement No. 17-94070 with DHCS was approved by your Board on October 17, 2017.

With your Board's approval, the recommended agreement will allow DBH to continue to provide SUD treatment and primary prevention services to County residents. Disputes related to the provision of treatment services or to DHCS financial audits must be resolved using the dispute resolution process stated in the recommended agreement. Further, by executing the recommended agreement the County is agreeing to indemnify DHCS for any intellectual property claims arising from the agreement and for any and all claims and losses accruing or resulting from the performance of this agreement. The cancellation clause gives DHCS the right to terminate the recommended agreement without cause; however, the County is not given the same right.

REFERENCE MATERIAL:

BAI #43, October 17, 2017
BAI #19, December 9, 2014

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement No. 17-94127 with DHCS

CAO ANALYST:

Sonia M. De La Rosa