



Board Agenda Item 39

DATE: August 7, 2018

TO: Board of Supervisors

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

SUBJECT: Master Agreement with Short-Term Residential Treatment Programs and Out-of-State Group Homes for Specialty Mental Health Services

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a Master Agreement with multiple Short-Term Residential Treatment Programs and out-of-state group homes for the provision of specialty mental health services to clients residing in their program, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two option one-year extensions, total not to exceed \$4,500,000.**
- 2. Authorize the Director of the Department of Behavioral Health, or designee, to add and/or delete Short-Term Residential Treatment Programs and out-of-state group homes to/from the Master Agreement.**

Approval for the first recommended action will allow mental health providers within Short-Term Residential Treatment Programs (STRTPs) located in California and group homes located out-of-state to provide specialty mental health services to foster care clients placed in their care. This action also allows for this agreement to supersede in its entirety and render null and void the Agreement between parties identified in County Agreement No. 14-313-1, effective January 1, 2019.

Approval of the second recommended action will allow for the addition/deletion of STRTPs and out-of-state group homes as they become licensed and meet program requirements. This second recommended action also allows for funding reallocation, as necessary, within the master agreement among the existing and/or new agencies to meet service needs, without exceeding the annual contract maximum. The recommended master agreement will be offset by Medi-Cal Federal Financial Participation (FFP) and Mental Health Realignment revenues, with no increase in Net County Cost.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If your Board does not approve the first recommended action, youth placed within STRTPs or out-of-state group homes will not be able to receive direct care from the mental health providers within that agency. Non-approval of the second recommended action would require the Department to return to your Board each time there is a change in service need requiring the addition and/or deletion of a STRTP and/or fund reallocation. Without approval of these recommended actions, youth in the foster care/child welfare system may experience a gap and/or delay in essential specialty mental health services.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The maximum amount of the recommended master agreement (\$4,500,000) will be fully offset with Medi-Cal FFP and Mental Health Realignment. Sufficient appropriations and estimated revenues are included in the Department's Org 5630 FY 2017-18 Adopted Budget and will be included in future budget requests for the duration of the contract.

DISCUSSION:

On October 11, 2015, Assembly Bill 403 was signed into law; allowing the State of California to implement provisions of the Continuum of Care Reform (CCR). The intent of these provisions is to reduce the use of congregate care placement settings, formerly referred to as Rate Classification Level (RCL) 12 to 14, as well as increase the use home-based family care via new reforms and accountability measures designed to improve outcomes for children in foster care. These changes include the creation of a new youth residential licensing category - the Short-Term Residential Treatment Program (STRTP) - to replace the group home RCL structure. STRTPs will provide short-term, specialized, and intensive treatment, and 24-hour care and supervision to youth and non-minor dependents placed within their agency. With the establishment of this new residential licensing category, agencies licensed as group homes within the State of California are required to transition to an STRTP by December 31, 2018.

On September 25, 2016, Assembly Bill 1997 adopted additional changes to further facilitate implementation of CCR. These changes include the requirement for STRTPs to provide specialty mental health services to youth and non-minor dependents placed in their care. This would allow for the timely provision of services and greater care coordination for foster youth in the system. Once licensure from the California Department of Social Services is achieved, the STRTP has twelve months to obtain mental health program approval, including Medi-Cal certification, by its local Mental Health Plan. For group homes converting to STRTPs within Fresno County, this mental health program approval would be completed via the Fresno County Department of Behavioral Health (DBH)

Currently, children in Fresno County requiring RCL 12-14 level of care are placed in group homes located throughout the State and receive services via County Agreement No. 14-313, approved by your Board on June 10, 2014. An amendment to this agreement was approved by your on July 11, 2017, which extended this agreement to two additional one-year terms. RCL 12-14 group homes will continue to provide services under this Agreement until December 31, 2018, or until they become fully licensed as an STRTP; whichever applies sooner; after which it will be superseded by the recommended agreement.

At the last report, there are 75 facilities within the State of California licensed as an STRTP. Additionally, there are currently ten group homes within Fresno County somewhere in the process of converting to an STRTP. Fresno County currently has 74 DSS and 28 Probation youth and non-minor dependents who are currently placed within a group home setting either in or outside of the State of California. Of the total placed, there are 2 youth placed in out-of-state of group homes. Access to these STRTPs and out-of-state group homes is imperative in meeting the varying needs of foster youth in need of placement and reduces the potential for gaps or delays in service.

For Fresno County clients placed in a California STRTP located outside of Fresno County, presumptive transfer will be put into place. On September 25, 2016, Assembly Bill 1299 was signed into law; allowing for the presumptive transfer of the responsibility for providing or arranging mental health services for foster youth from their county of jurisdiction to the foster child's county of residence. This would further aid in the timely provision of services and greater care coordination for foster youth. In the event that a waiver of presumptive transfer is approved, then the responsibility remains with the county of jurisdiction.

While out-of-state group homes are not required to be licensed as an STRTP, Assembly Bill 403 does require that they meet the certification requirements of an STRTP. Prior to placement of youth in an

out-of-state group home, the facility must submit a written plan of operation ensuring that the facility will operate in compliance with STRTP requirements, obtain a letter of recommendation for its program from a California county placing agency, have a MHP-approved site certification that is in good standing, and obtain or be in the process of obtaining national accreditation.

The recommended agreement would ensure the necessary flexibility in budget and capacity for STRTPs and out-of-state group homes to meet capacity needs for the youth, without a gap or delay in services. Furthermore, the DBH Director would be able to add and/or delete STRTPs to/from the recommended master agreement, based on service need and successful performance of specialty mental health services to the youth in their direct care. Additionally, this Agreement will supersede in its entirety and render null and void the Agreement between parties identified in County Agreement No. 14-313-1, effective January 1, 2019. If approved, the recommended agreement will become effective upon execution, and may be terminated by the County, DBH, or its designees, or the individual agencies, upon providing a 60-day advanced written notice.

OTHER REVIEWING AGENCIES:

The Behavioral Health Board was notified of the recommended actions at the March 21, 2018 meeting.

REFERENCE MATERIAL:

BAI #17, June 10, 2014
Assembly Bill 403, 2015
Assembly Bill 1997, 2016
Assembly Bill 1299, 2016
BAI #40, July 11, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Master Agreement

CAO ANALYST:

Ronald Alexander