



## Legislation Details (With Text)

**File #:** 23-0345

**On agenda:** 5/9/2023

**Final action:** 5/9/2023

**Enactment date:**

**Enactment #:** Agreement No. 23-207

**Title:** Approve and authorize the Chairman to execute retroactive Master Behavioral Health Workforce Participation Agreement with the California Mental Health Services Authority, for a variety of workforce, staffing, and training programs, effective April 1, 2023 through December 31, 2027, total not to exceed \$134,250; and approve and authorize the Department of Behavioral Health Director, or designee, to be the signatory and act as the Fresno County representative on behalf of the Board of Supervisors on associated California Mental Health Services Authority Peer Support Specialist Certification Program related reports and forms, without modifying the maximum compensation

**Attachments:** 1. Agenda Item, 2. Agreement A-23-207 Master Agreement with CalMHSA

Date	Ver.	Action By	Action	Result
5/9/2023	1	Board of Supervisors	Consent Agenda be approved	Pass

**DATE:** May 9, 2023

**TO:** Board of Supervisors

**SUBMITTED BY:** Susan Holt, Director, Department of Behavioral Health

**SUBJECT:** California Mental Health Services Authority Master Behavioral Health Workforce Participation Agreement

### RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute retroactive Master Behavioral Health Workforce Participation Agreement with the California Mental Health Services Authority, for a variety of workforce, staffing, and training programs, effective April 1, 2023 through December 31, 2027, total not to exceed \$134,250; and**
- 2. Approve and authorize the Department of Behavioral Health Director, or designee, to be the signatory and act as the Fresno County representative on behalf of the Board of Supervisors on associated California Mental Health Services Authority Peer Support Specialist Certification Program related reports and forms, without modifying the maximum compensation.**

Approval of the first recommended action will allow the Department of Behavioral Health (DBH) the ability to participate in training programs offered by California Mental Health Services Authority (CalMHSA). CalMHSA has created a new Behavioral Health Workforce Program that will act as the umbrella program for a variety of workforce, staffing, and training programs.

Approval of the second recommended action will allow the Department of Behavioral Health Director to sign related reports and forms, without modifying the maximum compensation, and act as a representative of the County. The agreement will be funded with Mental Health Services Act - Workforce Education and Training, with no increase in Net County Cost. This item is countywide.

### ALTERNATIVE ACTION(S):

Should your Board not approve the first recommended action, DBH would be unable to participate in CalMHSA's training programs, including Medi-Cal Peer Support Specialist Certification Program, which must adhere to the standards set forth in Behavioral Health Information Notice 21-041. Without the Peer Support Specialist Certification, peers delivering services in our system of care delivery will not have the opportunity to obtain certification and bill the State; this is a revenue source for Fresno County and its contracted providers with employed peers. If the second recommended action is not approved, the Department will return to the Board for all necessary action regarding reports and forms. This may cause a delay in accessing services.

#### RETROACTIVE AGREEMENT:

CalMHSA provided Fresno County a copy of the draft Master Behavioral Health Workforce Participation Agreement on March 7, 2023. The Agreement will be retroactive to April 1, 2023, with no costs incurred during the effective date and execution of this Agreement.

#### FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Costs for the Medi-Cal Peer Support Specialist Fee Schedule are funded by Mental Health Services Act - Workforce Education and Training for a maximum of \$134,250. DBH and its contracted Peer Support personnel will need to submit an application and take the certification exam through the CalMHSA Medi-Cal Peer Support Specialist Certification website in order to obtain certification; the application fee is \$100 per individual and the exam fee is \$150 per attempt. The Department expects approximately 77 Fresno County Peer Support Specialists to apply and take the exam. Through this agreement, CalMHSA provides training and certification courses, that may be made available via a virtual meeting platform or recorded online at CalMHSA's Learning Management System. Examples of potential trainings and certifications include substance use, mental health, law and ethics, 5150, and care coordination. Sufficient appropriations and estimated revenues are included in the Department's Org 5630 FY 2022-23 Adopted Budget and will be included in future budget requests.

#### DISCUSSION:

On September 14, 2010, your Board approved Agreement No. 10-489 with the California Mental Health Services Authority (CalMHSA), authorizing the Department to join the CalMHSA Joint Powers Authority (JPA), to develop, implement, administer and provide fiscal oversight of Mental Health Services Act (MHSA) projects.

On June 18, 2013, your Board approved Amendment No. 10-489-1 with the California Mental Health Services Authority (CalMHSA), broadening the stated purpose for the JPA to allow CalMHSA to perform additional services for Behavioral Health Departments acting alone or in collaboration with other Departments, which includes but is not limited to data management, research and development.

On September 25, 2020, legislation SB-803 Peer Support Specialist Certification Act was signed into law. This legislation required the State Department of Health Care Services (DHCS) to establish statewide requirements for counties or their representatives to use in developing certification programs for the certification of peer specialists, who are individuals who self-identify as having lived experience with the process of recovery from mental illness, substance use disorder, or both. The established Peer Support Specialist Certification program allowed California to join 48 other states and the United States Department of Veterans Affairs in using standardized curricula and certification protocols for having peer support services bill for the work provided.

On March 22, 2022, your Board approved Agreement No. 22-095 with California Mental Health Services Authority (CalMHSA), authorizing the Department to participate in the initial implementation of the Peer Support Specialist Certification program.

The recommended Agreement will allow DBH to continue to participate in the certification program developed by CalMHSA, and therefore continue to allow more Peer Support Specialists to become certified and be able

to bill the State for Medi-Cal services provided to persons served.

The Agreement varies from standard County template as it was drafted by CalMHSA. The template is utilized by CalMHSA to execute Participation Agreements with different Counties and is consistent statewide. It is disclosed that the County's standard indemnity and liability language is not contained within this Agreement. This agreement contains dual indemnity and damages paid by CalMHSA are capped. The Department believes that the benefits of the recommended agreement outweigh any potential risk and recommends approval of the agreement.

REFERENCE MATERIAL:

BAI #40, March 22, 2022

BAI #57, June 13, 2013

BAI #39, September 14, 2010

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Master Agreement with CalMHSA

CAO ANALYST:

Ron Alexander