



Board Agenda Item 39

DATE: November 18, 2025

TO: Board of Supervisors

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

SUBJECT: Participation Agreement with the California Mental Health Services Authority for Quality Measures and Performance Improvement Program

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a Participation Agreement with the California Mental Health Services Authority for Quality Measures and Performance Improvement Program, effective upon execution through December 31, 2029, total not to exceed \$54,000; 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 Quality Measures and Performance Improvement related reports and forms, without modifying the maximum compensation.**

Approval of the first recommended action will assign funding to the California Mental Health Services Authority (CalMHSA) to provide program management and oversight of the Quality Measures and Performance Improvement Program. The program will support the County in meeting the Healthcare Effectiveness Data and Information Set ("HEDIS") reporting requirements for Measurement Year 2025. Approval of the second recommended action will allow the Department of Behavioral Health Director, or designee, to sign related reports and forms, without modifying the maximum compensation, and act as a representative of the County. The services are funded with Behavioral Health Services Act (BHSA) planning funds, with no increase in Net County Cost. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended actions, the County will not receive any support in meeting the HEDIS reporting requirements for Measurement Year 2025. The County would be out of compliance and may face administrative and/or monetary sanctions from the Department of Health Care Services (DHCS).

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Services (\$54,000) are fully funded with BHSA planning funds. Sufficient appropriations and estimated revenues are included in the Department's Org 5630 FY 2025-26 Adopted Budget.

DISCUSSION:

On September 14, 2010, the Board approved Agreement No. 10-489 with 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, the Board approved Amendment No. 10-489-1 with 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.

Improving quality outcomes, reducing health disparities, and driving delivery system transformation and innovation through value-based initiatives, modernization of systems, and payment reform is one of the goals of the California Advancing and Innovating Medi-Cal (CalAIM) Act. Additionally, the Medicaid and Children's Health Insurance Program Managed Care Final Rule (42 CFR, 438.340) requires each state Medicaid agency to produce a written quality strategy to assess and improve the quality of health care and services provided by all Medicaid managed care entities in that state.

On December 29, 2023, DHCS released Behavioral Health Information Notice No: 24-004 which clarifies requirements for county behavioral health plans to establish Quality Improvement Systems and to collect and submit performance measurement data required. DHCS has identified measures that county Behavioral Health Plans shall report to DHCS as a part of their Quality Improvement Systems. These measures are to be reported to DHCS on an annual basis.

On April 22, 2025, your Board approved Agreement No. 25-148 with CalMHSA for the provision of program management and oversight of the Quality Measures and Performance Improvement Program, to provide support for the County to meet the Healthcare Effectiveness Data and Information Set ("HEDIS") reporting requirements for Measurement Year 2024.

The recommended Participation Agreement will grant CalMHSA authority to provide program management and oversight of the Quality Measures and Performance Improvement Program for participating counties. The program ensures Counties are in compliance with DHCS reporting requirements for Measurement Year 2025. CalMHSA will utilize data provided by the County to calculate the required Behavioral Health Plan measures.

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. The agreement includes a limitation of liability to funds paid to CalMHSA, and a mutual indemnity clause

The agreement also includes an End User Licensing Agreement (EULA) with the National Committee for Quality Assurance (NCQA). The EULA also has a limitation on liability and approval of this agreement would indicate the County is agreeing to abide by the laws of Washington, D.C, agreeing to indemnify NCQA, agreeing to arbitration and waiving the County's right to seek relief in a court of law, and agreeing not to participate in a class action lawsuit against NCQA. The EULA also has a clause that allows NCQA to make changes to the agreement at any time. The Agreement includes a clause in Section IV of Exhibit B allowing for immediate termination of the agreement upon a material change to the EULA. The Department will regularly monitor the NCQA website regarding the terms of the EULA to ensure that there are no material changes.

The Department believes that the benefit of the contract as written outweighs any potential risks and recommends approval of the agreement. The County is required to use a NCQA accredited vendor for this service, resulting in the potential risks of this agreement remaining present regardless of vendor. The JPA with CalMHSA allows the County to leverage resources so CalMHSA can provide the services at a reduced cost, as compared to trying to contact with another NCQA accredited vendor, which would result in a much higher cost.

The recommended Participation Agreement is effective upon execution through December 31, 2029. This

Participation Agreement will be amended annually for the continuation of each additional measurement year. The County may withdraw from the Program and terminate the Agreement upon six (6) months' written notice to CalMHSA. Upon cancellation, termination or other conclusions of this contract, any County funds remaining undisbursed after CalMHSA satisfies all obligations arising from the administration of the program shall be returned to the County.

REFERENCE MATERIAL:

BAI #28, April 22, 2025
BAI #57, June 13, 2013
BAI #39, September 14, 2010

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with CalMHSA

CAO ANALYST:

Ronald Alexander Jr.