



RESOLUTION NO. XXX-XXXX
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**TO EXEMPT BOARD OF SUPERVISOR PROCUREMENT POLICY C-17 COMPETITIVE BIDDING
REQUIREMENTS FOR SPECIFIED BEHAVIORAL HEALTH SERVICES ACT SERVICES DURING
FISCAL YEARS 2026 - 2029**

WHEREAS, in March 2024, voters passed Senate Bill (SB) 326, the Behavioral Health Services Act (BHSA), as part of Proposition 1 known as Behavioral Health Transformation (BHT), which replaces and modernizes the Mental Health Services Act (MHSA) of 2004;

WHEREAS, BHSA reforms behavioral health care funding to prioritize and expand services for people with the most significant mental health needs, to include treatment for people with substance use disorders (SUDs), provision of ongoing resources for housing interventions, and continued investments in prevention, early intervention, and innovative pilot programs;

WHEREAS, on behalf of the County of El Dorado (County), the Health and Human Services Agency (HHS) is required to prepare a Three-Year Expenditure BHSA Integrated Plan (IP) which will describe the planned behavioral health services, programs, and expected outcomes for the specified three-year plan period;

WHEREAS, the BHSA IP is similar to the County's historical MHSA Three-Year Program and Expenditure Plan (MHSA Plan) in that it describes planned behavioral health programs and outcomes over a three-year period. The MHSA Plan focused exclusively on MHSA funded expenditures, while the BHSA IP serves as a three-year spending plan that describes how county behavioral health departments plan to use all available behavioral health funding to meet statewide and local outcome measures, reduce disparities, and address the unmet behavioral health needs in the community;

WHEREAS, the California Department of Health Care Services (DHCS) has released BHSA policy guidance to counties in staggered modules beginning February 2025 continuing through May 2025, in which ongoing BHSA policy modules continue to be developed and released;

WHEREAS, development of the County's BHSA IP is a collaborative process in which stakeholders and providers have opportunity to participate in this open and transparent process. BHSA statute requires HHS to hold a Community Planning Process for development of the IP, in which community members and stakeholders have been or will be engaged between July 2025 and March 2026, and will include community meetings, a 30-day public comment period, and a Public Hearing to be held before the County's Behavioral Health Commission. BHSA also expanded the list of mandatory stakeholders previously required by MHSA;

WHEREAS, County's HHS Behavioral Health Division (BHD) maintains approximately 60 contracts with providers (contractors) to deliver necessary and, in some cases, mandated services, currently categorized as MHSA services, in which most, if not all, of these contracts will need to be amended or replaced to comply with the BHSA reformed and expanded service requirements;

WHEREAS, under the BHSA, counties must submit their draft BHSA IP to DHCS by March 31, 2026, which must include all budgeted behavioral health programs and contracted Behavioral Health Division (BHD) services, in which DHCS reserves the right to direct any required changes to a county's BHSA IP prior to a county's Board of Supervisors approval;

WHEREAS, pursuant to County Board of Supervisor (Board) Procurement Policy C-17 (Procurement Policy C-17), all contracts for services greater than \$100,000 require a competitive selection process. Procurement Policy C-17 further states that when state or federal funding is involved, state and federal regulations must be consulted for competitive bidding requirements. While State law (SB 326 and Proposition 1) does not include competitive procurement requirements for state BHSA funding, any other funding sources used in payment of the BHSA services agreements will be consulted as required under Procurement Policy C-17;

WHEREAS, to enable HHSA BHD to submit its draft BHSA IP to DHCS by the submission deadline, the Board exempts specific BHSA-service agreements over \$100,000 from Policy C-17 competitive bidding requirements, including any amendments thereto, that are entered into during the County's BHSA IP three-year planned period of July 1, 2026 through June 30, 2029, for the following specified BHSA related services: Access Outreach and Engagement, Adult and Children's Outpatient Services, Inpatient and Residential Treatment and Care, Crisis Remediation and Prevention, Housing Supports and Stability, Early Intervention, and SUD services;

WHEREAS, HHSA will bring all BHSA associated contracts over Purchasing Agent signature authority to the Board for their approval and execution authority, following County Counsel and Risk Management approval thereof;

WHEREAS, following the conclusion of HHSA BHD's public planning processes and DHCS' acceptance of the County's draft BHSA IP, HHSA will bring the finalized BHSA IP to the Board for their approval and acceptance; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of El Dorado does hereby:

Exempt the County's Procurement Policy C-17 competitive bidding requirements for HHSA BHSA-related agreements for services over \$100,000, including any amendments thereto, with contractors/providers of the following BHSA associated services: Access Outreach and Engagement, Adult and Children's Outpatient Services, Inpatient and Residential Treatment and Care, Crisis Remediation and Prevention, Housing Supports and Stability, Early Intervention, and SUD services, resulting from the July 1, 2026 implementation of, and for the duration of, the County's Fiscal Years 26-29 BHSA Integrated Plan;

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 27th day of January 2026, by the following vote of said Board:

Attest: _____
Kim Dawson
Clerk of the Board of Supervisors

Ayes: _____
Noes: _____
Absent: _____

By: _____
Deputy Clerk _____
Chair, Board of Supervisors _____