



## Legislation Details (With Text)

**File #:** 19-0525      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 3/25/2019      **In control:** Board of Supervisors

**On agenda:** 4/30/2019      **Final action:** 4/30/2019

**Title:** Health and Human Services Agency (HHS) recommending the Board:  
 1) Accept funding from the California Department of Health Care Services in the amount of \$26,929,563 for the provision of Drug Medi-Cal Organized Delivery System services for the period of June 1, 2019 through June 30, 2021;  
 2) Delegate authority to the HHS Director to sign Agreement 18-95146 for same;  
 3) Authorize the HHS Director to execute any additional documents or amendments related to Agreement 18-95146 contingent upon approval by County Counsel and Risk Management; and  
 4) Authorize the HHS Director, Assistant Director of Administration and Finance, or Chief Fiscal Officer to administer any subsequent administrative documents relating to said funding, including required fiscal and programmatic reports. (Est. Time: 5 Min.)

**FUNDING:** Federal Medi-Cal with matched funding from State General Fund and 2011 Behavioral Health Realignment.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved CRS 04-30-19, 2. B - Agreement 18-95146 04-30-19

Date	Ver.	Action By	Action	Result
4/30/2019	1	Board of Supervisors	Approved	Pass

Health and Human Services Agency (HHS) recommending the Board:  
 1) Accept funding from the California Department of Health Care Services in the amount of \$26,929,563 for the provision of Drug Medi-Cal Organized Delivery System services for the period of June 1, 2019 through June 30, 2021;  
 2) Delegate authority to the HHS Director to sign Agreement 18-95146 for same;  
 3) Authorize the HHS Director to execute any additional documents or amendments related to Agreement 18-95146 contingent upon approval by County Counsel and Risk Management; and  
 4) Authorize the HHS Director, Assistant Director of Administration and Finance, or Chief Fiscal Officer to administer any subsequent administrative documents relating to said funding, including required fiscal and programmatic reports. (Est. Time: 5 Min.)

**FUNDING:** Federal Medi-Cal with matched funding from State General Fund and 2011 Behavioral Health Realignment.

**DISCUSSION / BACKGROUND:**

The mission of the Health and Human Services Agency Substance Use Disorder (SUD) Program is to provide an array of evidence-based services designed to prevent and reduce alcoholism and drug addiction through education, prevention, treatment, and counseling services offered directly through County of El Dorado Behavioral Health SUD Program, and through contracts with community agencies.

Funding for these valuable services has varied over the years; however, since at least 1990, the County of El Dorado has received State and Federal funding through agreements with the State of California Department of Health Care Services (DHCS) to provide SUD treatment services and prevention programs, including Drug Medi-Cal (State and Federal) and Federal Substance Abuse Prevention and Treatment Block Grants (SAPT).

SUD services provided to Medi-Cal beneficiaries (known as Drug Medi-Cal (DMC), may be accessed by beneficiaries through treatment providers whom DHCS has certified to provide DMC services. State funding for DMC services was historically provided via the State General Fund; however this funding was realigned in the Governor's budget in 2011, and since 2011 has been provided via State Behavioral Health Realignment funds. In addition, the implementation of the Affordable Care Act expanded availability of Medi-Cal services, and included SUD services as a covered component. To accommodate this anticipated increase in DMC services, the State incorporated additional DMC funding from the State General Fund, specifically for those counties who implemented the expanded part of the Intensive Outpatient Treatment service for the DMC population.

In August 2015, DHCS announced approval, by the Center for Medicare and Medicaid Services (CMS), of California's Drug Medi-Cal Organized Delivery System (DMC-ODS) Waiver amendment which provides a continuum of care for substance use disorder treatment services. The DMC-ODS enables more local control and accountability, provides greater administrative oversight, creates utilization controls to improve care and efficient use of resources, implements evidence based practices in substance abuse treatment, and coordinates with other systems of care. DMC-ODS waiver program participating counties will administer, or arrange for substance use disorder treatment for DMC beneficiaries.

The DMC-ODS is a voluntary pilot program that offers California counties the opportunity to expand access to quality care for Medi-Cal enrollees with Substance Use Disorders (SUD). The goal of the DMC-ODS is to demonstrate how organized SUD care improves beneficiary health outcomes, while decreasing system-wide health care costs. Counties that choose to participate in the DMC-ODS are required to provide access to a full continuum of SUD benefits utilizing the American Society of Addiction Medicine (ASAM) Criteria. This approach is expected to provide eligible enrollees with access to the care and services they need for a sustainable and successful recovery.

DMC-ODS services are expanded beyond those currently provided, as demonstrated below:

Benefits available from both the New DMC-ODS Waiver Benefits as well as (current) standard Drug Medi-Cal Benefits:

- 1) Outpatient Services
- 2) Intensive Outpatient Services
- 3) Narcotic Treatment Program Services

Additional benefits available from the New DMC-ODS Waiver:

- 1) Residential Treatment services through DMC-ODS have no bed limitation and multiple levels of care; however, standard DMC Benefits are limited to Perinatal clients in facilities with less than 16 beds.
- 2) Withdrawal Management services through DMC-ODS is a continuum of care; however, standard

DMC Benefits are limited to Inpatient Hospital Detoxification.

3) Recovery Services, Case Management, Physician Consultation, Additional Medication-Assisted Treatment, and Partial Hospitalization benefits are provided through DMC-ODS; however, none of these services are provided by standard DMC Benefits.

In addition, the waiver includes an exemption from the Institution for Mental Disease (IMD) exclusion, which prohibits Medi-Cal from using federal funding for the treatment of SUD and mental health conditions in facilities with more than 16 beds for adults age 21 to 64 with Medi-Cal. The exemption to this exclusion allows for federal matching funds to be used for SUD treatment which frees up grant funds that were previously supporting these services to fund other programs not covered by Medi-Cal.

The waiver also expands workforce capacity by allowing licensed practitioners of the healing arts (LPHA's) to determine medical necessity and to direct treatment plans.

On May 23, 2017, the Board authorized the County to "opt in" to the Federal 1115 Waiver for a Drug Medi-Cal Organized Delivery System (DMC Waiver), thereby allowing HHSA to continue evaluation of the feasibility of participating in this pilot project. Subsequently, in August 2017, HHSA submitted its DMC-ODS Implementation Plan.

Approval of Funding Agreement 18-95146 will allow the County to move forward with the DMC-ODS Waiver plan and begin contracting with DMC-ODS certified service providers.

**ALTERNATIVES:**

The Board could decline to accept funding for the Drug Medi-Cal Organized Delivery System pilot program, in which case there would be no increase in the current level of services provided by the Alcohol and Drug Program.

**PRIOR BOARD ACTION:**

- 1) 17-0525 05/23/17 Approved participation in the DMC-ODS Waiver plan.
- 2) 19-0027 01/29/19 Approved MOU with California Health and Wellness for Medi-Cal Managed Care Services (a requirement of the DMC-ODS Waiver).
- 3) 19-0125 02/06/19 Approved MOU with Anthem Blue Cross for Medi-Cal Managed Care Services (a requirement of the DMC-ODS Waiver).

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

Approved by County Counsel and Risk Management.

**CAO RECOMMENDATION:**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT:**

There is no Net County Cost associated with this Agenda item. Services provided under the DMC-ODS Waiver will be funded by Federal Financial Participation (FFP) funds that will be matched with State General Fund (SGF) and 2011 Realignment funds. Since many of the individuals in need of these services are in the expanded population enrolled in Medi-Cal, the FFP portion will cover between 90% - 95% of the cost for those individuals. The County has negotiated rates with the State Department of Health Care Services.

2011 Realignment funds would provide the match from the Behavioral Health Subaccount. It should be noted that 2011 Realignment is funded by a dedicated portion of statewide sales tax. As long as statewide sales tax continues to grow, "Growth" dollars are available to be allocated to counties to ensure that the cost of Federal entitlements are covered. Growth funds are allocated by formula to counties, 50% weighted by approved county claim amounts and 50% weighted toward the County's share of statewide Medi-Cal beneficiaries. Drug Medi-Cal is an entitlement program, which will obligate the County to provide services even if funding declines.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Following Board approval, Clerk of the Board to provide one (1) certified Minute Order to HHSА Contracts. Please email [hhsa-contracts@edcgov.us](mailto:hhsa-contracts@edcgov.us) when the certified Minute Order is ready for pick up.

### **STRATEGIC PLAN COMPONENT:**

County Strategic Plan:

Goal #1 - "Public Safety: Protects the community, prevents crime, enforces the law, administers justice, provides rehabilitative services, and promptly responds to emergency and calls for service."

Goal #5 - "Healthy Communities: Improved health, well-being and self-sufficiency of El Dorado County communities, residents and visitors."

### **CONTACT**

Don Semon, Director