



## Legislation Text

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**File #:** 24-0258, **Version:** 1

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Health and Human Services Agency (HHS) recommending the Board:

- 1) Receive a presentation from HHS staff, to include representatives from the El Dorado County Sheriff's Office (EDSO), County Probation Department (Probation), and the six local County providers that the HHS Behavioral Health Division is recommending to award Opioid Remediation funds, who will present their plan on how they intend to utilize these funds for remediation and abatement of opioid use in El Dorado County;
- 2) Make findings that the provision of Opioid Remediation services provided by Subrecipients are in the public's best interest and that due to the limited timeframes, temporary or occasional nature, or schedule for the project or scope of work, the ongoing aggregate of work to be performed is not sufficient to warrant addition of permanent staff in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(C), El Dorado County Charter, Section 210(c)(6);
- 3) Approve and authorize the Chair to sign Funding Out Agreement 8320 with Probation, in the amount of \$193,000.48, and for the term of execution through June 30, 2025;
- 4) Approve and authorize the Chair to sign Funding Out Agreement 8322 with El Dorado County Sheriff's Office (EDSO), in the amount of \$132,020.80, and for the term of execution through June 30, 2025;
- 5) Approve and authorize the Chair to sign Funding Out Agreement 8332 with Barton Healthcare System, in the amount of \$248,296, and for the term of execution through June 30, 2025;
- 6) Approve and authorize the Chair to sign Funding Out Agreement 8333 with El Dorado County Community Health Center, in the amount of \$54,625.12, and for the term of execution through June 30, 2025;
- 7) Approve and authorize the Chair to sign Funding Out Agreement 8335 with Marshall Medical Center, in the amount of \$322,877.77, and for the term of upon execution through June 30, 2025;
- 8) Approve and authorize the Chair to sign Funding Out Agreement 8338 with Shamanic Living Center, doing business as Recovery In Action (RIA), in the amount of \$37,547.20, and for the term of execution through June 30, 2025;
- 9) Approve and authorize the Chair to sign Funding Out Agreement 8339 with Summitview Child & Family Services, Inc., in the amount of \$199,848, and for the term of execution through June 30, 2025;
- 10) Approve and authorize the Chair to sign Funding Out Agreement 8340 with Mountain High Recovery Center, in the amount of \$77,819.60, and for the term of execution through June 30, 2025;
- 11) Authorize the HHS Director to execute amendments relating to Funding Out Agreements 8320, 8322, 8332, 8333, 8335, 8338, 8339, and 8340, contingent upon approval by County Counsel and Risk Management, which do not increase the maximum dollar amount or term of the Agreements; and
- 12) Authorize the HHS Director, Chief Assistant Director, and Behavioral Health Director, to execute programmatic, administrative, and fiscal documents relating to Funding Out Agreements 8320, 8322, 8332, 8333, 8335, 8338, 8339, and 8340.

**FUNDING:** 100% State California Department of Health Care Services Opioid Settlement Disbursement Fund.

## **DISCUSSION / BACKGROUND:**

The opioid overdose epidemic is a major public health crisis that has impacted nearly every region and demographic group in the United States (US). According to research published by the Centers for Disease Control and Prevention (CDC), from 1999-2021, nearly 645,000 people died from an overdose involving an opioid, which included overdose deaths caused from prescription and illicit opioids. Per the CDC, the number of people who died from a drug overdose in 2021 was over six times the number in 1999. The number of drug overdose deaths increased more than 16% from 2020 to 2021, with CDC reporting that 75% of the nearly 107,000 drug overdose deaths in 2021 involved an opioid. While the rise in opioid deaths can be attributed to more than one factor, CDC determined that the increased prescription of opioids directly contributed to increased overdose deaths involving prescription opioids.

Consequently, state, local, and tribal governments brought lawsuits against pharmaceutical and drug distribution alleging drug manufacturers and distributors improperly marketed and distributed opioids across the US, leading to the deaths of hundreds of thousands of Americans. Beginning in 2021, lawsuits were settled for large amounts, with the funding settlements to provide substantial funds to county and city governments for the abatement of the opioid epidemic. These settlements were awarded at up to \$26 billion in total, in which the State of California (State) is expected to receive approximately \$2.5 billion which will be paid through 2038. Within the State, the Department of Health Care Services (DHCS) was tasked with overseeing local county and city governments (called "Participating Subdivisions") Opioid Settlements.

In early 2023, the County of El Dorado (County) received settlement funding from the DHCS in the amount of \$1,688,059. DHCS, as the funding administrator, stipulated that opioid settlement funds must be spent on opioid remediation activities, and outlined that allowable services include activities tied to the ending, reduction, or lessening the effects of the opioid epidemic in communities and include prevention, intervention, harm reduction, treatment, and recovery services.

Subsequently, on June 15, 2023, HHSA's Behavioral Health Division initiated outreach to opioid abatement providers within the community to invite them to apply to the County's Opioid Settlement Fund Request for Applications (RFA), for the total funding amount of \$1,266,044. This is an amount that represents the entire settlement funding allocation, minus administrative costs and the State required contingency set aside for the plaintiff National Attorney's Fee fund. As outlined in the RFA, grantee awards would be divided among the eligible applicants at varying amounts, in which to be considered, each applicant had to submit a detailed plan for community opioid abatement services, provide a budget outlining their funding request, and agree to the stipulation that County subawarded opioid funds must be used by subrecipients for opioid abatement within the community per the DHCS allowable uses requirements. The RFA was published for one month and applications were accepted through August 15, 2023.

On September 15, 2023, following the conclusion of the RFA, a County evaluation panel completed their review of applicants (refer to Attachment Q, Memo to Board from HHSA). The panel's recommendation included all of the Funding Agreements presented herein (Nos: 8320, 8322, 8332, 8333, 8335, 8338, 8339, and 8340.)

HHSA recommends the Board approve these Funding Out Agreements to allow these community providers and County Probation and EDSO to deliver opioid abatement services to individuals with

Opioid Use Disorder (OUD); vulnerable populations at risk for opioid abuse and misuse in El Dorado County; pregnant or parenting women with OUD and any co-occurring substance use or mental health conditions, and the needs of their families, including babies with Neonatal Abstinence Syndrome (NAS); unhoused individuals and families; those transitioning out of incarceration; and other populations negatively impacted by opioid use. HHSA anticipated outcomes of sub-awarding this funding include the remediation and abatement of opioid use in El Dorado County.

Funding Out Agreements are exempt from County Board of Supervisors Procurement Policy C-17 as the County utilizes this agreement type to pass through funding awards to providers (Subrecipients) to provide services within the community, rather than to provide direct services to County clients (which is done under an Agreement for Services).

**ALTERNATIVES:**

Should the Board decline to approve this recommendation, HHSA would need to come up with alternatives that meet the DHCS settlement agreement requirements for abatement of the opioid epidemic.

**PRIOR BOARD ACTION:**

N/A

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

County Counsel, Human Resources, and Risk Management. Auditor was notified of Agreements 8320, 8322, 8332, 8335, and 8339 in accordance with Policy B-12.

**CAO RECOMMENDATION:**

Approve as recommended.

**FINANCIAL IMPACT:**

There is no General Fund Cost associated with this Agenda item as these agreements are funded entirely by the California DHCS Opioid Settlement Disbursement Fund. Sufficient appropriations were included in the Fiscal Year (FY) 2023-24 Budget as well as the FY 2024-25 Budget request and will be included in future budgets for the terms of the agreements.

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

Clerk of the Board to obtain signature of Chair on the original Funding Out Agreements 8320, 8322, 8332, 8333, 8335, 8338, 8339, and 8340.

**STRATEGIC PLAN COMPONENT:**

N/A

**CONTACT:**

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