



## Legislation Text

---

**File #:** 18-1398, **Version:** 1

---

Health and Human Services Agency recommending the Board:

- 1) Approve and authorize the Chair to sign Amendment I to Agreement for Services 3132 with Nelson S. Jacinto doing business as Grace Home II, a licensed residential care facility for the elderly, for the provision of long-term, twenty-four hour program and facilities for mentally ill adults, for a term retroactive to June 1, 2018 through September 30, 2021, with a maximum contractual obligation of \$220,000;
- 2) Find that the County does not possess the facilities or personnel for adult residential treatment and has determined, in accordance with County Ordinance Section 3.13.030, it is more economical and feasible to engage an independent contractor for these services;
- 3) Authorize the Director of the Health and Human Services Agency to sign the termination letter for Agreement for Services 485-S1711 with Danilo and Gloria Ibanez, doing business as Grace Home; and
- 4) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 3132, including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management. (Est. Time: 5 Min.)

**FUNDING:** 100% Mental Health Realignment.

**DISCUSSION / BACKGROUND:**

On May 9, 2017, the Board of Supervisors approved Agreement 485-S1711, with Danilo and Gloria Ibanez, doing business as (dba) Grace Home (File ID: 17-0428: Agenda No.15) for a term June 1, 2017 through September 30, 2020. May 15, 2018, the Contractor notified Health and Human Services Agency (HHSA) that the Ibanez's were in the process of transferring (assigning) ownership to Nelson S. Jacinto, dba Grace Home II, effective June 1, 2018.

Historically, assignments of ownership have been processed via an amendment to the current agreement, thereby retaining the original agreement but transferring the agreement to the new owner, but due to new requirements in the FENIX system there was confusion that resulted in a new agreement with the new owner.

The new agreement was drafted and processed according to standard protocol, and was approved by the Board of Supervisors on August 14, 2018 (File ID: 18-0939; Agenda No. 12). Unfortunately, the new Agreement was erroneously processed and effective upon execution and did not consider the effective date of the change in ownership (June 1, 2018), thereby causing a gap in services. As a result, an Amendment has been developed to make the term of the Agreement to be retroactive to the effective date of the change in ownership. Approval of this Amendment is necessary to issue payment to the contractors for services provided after the change in ownership and prior to the effective date of the new Agreement.

HHSA contracts with the State to serve as the Mental Health Plan (MHP) for the County. As a result of a shortage of residential beds throughout the State, HHSA, as the MHP, contracts with as many

long-term residential treatment facilities as possible in order to ensure capacity and availability of services on an “as needed” basis.

Grace Home II is licensed as a Residential Care Facility for the Elderly by the State of California to provide twenty-four (24) hour care and rehabilitation services designed to assist clients with mental disorders. HHSA does not have long-term residential facilities and must contract for these services. Services are provided on an “as requested” basis.

**ALTERNATIVES:**

The Board may decline to approve the recommended Amendment I; however, invoices for clients who were already residing at the facility and received services during the time between transfer (assignment) of ownership and the start date of the new Agreement would not be paid.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

Approved by County Counsel on September 11, 2018, Risk Management on September 13, 2018, and Human Resources on September 14, 2018.

**CAO RECOMMENDATION:**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT:**

There is no impact on Net County Cost associated with this Amendment. Sufficient appropriations have been included in the 2018-19 budget, and will be included for the term of the Agreement.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk of the Board to obtain signature of Chair on two (2) original Amendments I for Agreements for Services 3132.
- 2) Clerk of the Board to return one (1) fully executed Amendment to the HHSA Contracts Unit on Briw Road.

**STRATEGIC PLAN COMPONENT:**

N/A

**CONTACT**

Patricia Charles-Heathers, Ph.D., M.P.A., Director