



Legislation Text

File #: 13-0474, **Version:** 5

Health and Human Services Agency, Sheriff's Office and Probation Department recommending the Board consider the following:

1) Approve and authorize the Chair to sign Amendment 3 to Agreement for Services 034-S1411 with California Forensic Medical Group for the provision of health services in the two jail facilities and the two juvenile detention facilities for the term of July 1, 2013 through June 30, 2018, increasing the maximum contractual obligation to \$3,414,794 for Fiscal Year 2015/16, making the following changes:

- a) Add mental health services for the juvenile detention facilities at an additional cost of approximately \$33,350/year;
 - b) Identify the Sheriff's Office as the contract administrator for medical and mental health services in the jails and identify the Probation Department as the contract administrator for medical and mental health services in the juvenile detention facilities; and
 - c) Amend the annual cost adjustment methodology from a variable annual adjustment to a standard annual adjustment of 3.6 percent totaling \$117,258; and
- 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 034-S1411, 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.

FUNDING: General Fund.

DEPARTMENT RECOMMENDATION

Health and Human Services Agency, the Sheriff's Office and Probation Department recommending the Board:

- 1) Approve and authorize the Chair to sign Amendment 3 to Agreement for Services 034-S1411 with California Forensic Medical Group for the provision of health services in the two jail facilities and the two juvenile detention facilities for the term of July 1, 2013 through June 30, 2018, increasing the maximum contractual obligation to \$3,414,794.37 for Fiscal Year 2015/16, making the following changes:
 - a. Add mental health services for the juvenile detention facilities at an additional cost of approximately \$33,350/year,
 - b. Identify the Sheriff's Office as the contract administrator for medical and mental health services in the jails and identify the Probation Department as the contract administrator for medical and mental health services in the juvenile detention facilities, and
 - c. Amend the annual cost adjustment methodology from a variable annual adjustment to a standard annual adjustment of 3.6% totaling \$117,258.70; and
- 2) Authorize the Purchasing Agent, or their designee to execute further documents relating to Agreement for Services 034-S1411, 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.

DISCUSSION / BACKGROUND

Pursuant to California Penal Code Section 4011 and California Code of Regulations Title 15, the

County is responsible for the provision of health care for detained adults and children. These services have been provided via contract(s) with CFMG since 2005. On June 25, 2013, the Board of Supervisors approved Agreement for Services 034-S1411 with CFMG for the term July 1, 2013 through June 30, 2018 (File ID 13-0474, Item 49). Amendment 1 to that Agreement 034-S1411 was approved by the Board of Supervisors October 29, 2013, updating language to state that the Contractor shall invoice for Base Rates on a monthly basis in increments of one-twelfth (1/12) of the total twelve (12) month base rate amount as adjusted for each respective year of the Agreement, and incorporated new County standard language regarding Access to Records (File ID 13-0474, Item 9). On August 12, 2014, the Board approved Amendment 2 to that Agreement for Services 034-S1411, which clarified the handling of payments for Inmate or Ward hospitalizations and increased the maximum obligation of the agreement by \$250,000 to provide sufficient funding for mandated payments for hospitalized Inmates and Wards (File ID 13-0474, Item 14).

Historically, mental health services for the Wards at the two juvenile detention facilities have been provided by the HHSA Mental Health Division with no cost to the Probation Department, and as a result reducing the ability of the Mental Health Division to provide outpatient psychiatry and mental health services to the community. Amendment 3 to Agreement for Services 034-S1411, transfers the responsibility for mental health and pharmaceutical services from the Mental Health Division to CFMG.

Additionally, the current Agreement for Services 034-S1411 provides for an annual adjustment of the compensation for services based on the medical index of the Consumer Price Index in the San Francisco-Oakland Region as published by the U.S. Bureau of Labor Statistics (BLS). HHSA received notice from CFMG and confirmation from BLS that the data for this category is no longer available on a reliable basis, and CFMG requested a new index. Multi-year analysis of the percent change in CPI index of all urban consumers in the West between the years of 2005 and 2015 resulted in an average of 3.62%. Discussion with both CFMG and the County's Chief Administrative Office resulted in a recommendation to change from the original variable annual adjustment, to a standard annual adjustment of 3.6% effective upon execution of Amendment 3 and for the remainder of the term of this Agreement. Transition from a variable annual adjustment to a preset percentage limits the maximum annual increase and provides for predictable costs and the ability to project costs for future budget processes.

ALTERNATIVES

Disapproval of Amendment 3 Agreement for Services 034-S1411 would result in the responsibility for psychiatry and other mental health services in the juvenile detention facilities remaining with the HHSA Mental Health Division, reducing outpatient mental health services in the community. In addition, disapproval of Amendment 3 would result in unpredictable future costs due to changes in inflation.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Chief Administrative Office, County Counsel, Human Resources, Probation Department, Risk Management, and Sheriff's Office.

CAO RECOMMENDATION

It is recommended that the Board approve this item.

FINANCIAL IMPACT

Sufficient appropriations were included in the Fiscal Year 2015-16 budget to address the increased costs and will be included in future year budget requests.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1. Clerk of the Board to obtain signature of Chair on two (2) original Amendment 3 to Agreement for Services 034-S1411.
2. Clerk of the Board to return one (1) fully executed Amendment 3 to HHSA at 3057 Briw Road.

STRATEGIC PLAN COMPONENT

N/A

CONTACT

Randy Peshon, Undersheriff
Brian Richart, Chief Probation Officer
Don Ashton, Director, HHSA