



## Legislation Details (With Text)

**File #:** 16-0487      **Version:** 2

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

**File created:** 4/28/2016      **In control:** Board of Supervisors

**On agenda:** 1/3/2017      **Final action:** 1/3/2017

**Title:** Health and Human Services Agency, Behavioral Health Division, recommending the Board approve and authorize the Chair to sign a termination letter addressed to BHC Heritage Oaks Hospital, Inc., due to the Contractor's failure to provide the staff and services required under Agreement for Services 329-S1611. The termination shall be effective the same day as the Board's approval of said termination.

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2A - Termination Letter 1-3-17, 2. Executed Termination Letter, 3. A - Approved Contract Routing Sheet BHC Heritage Oaks 6-28-16, 4. B - BHC Heritage Oaks Hospital Agreement 6-28-16, 5. Executed Agreement 329-S1611

Date	Ver.	Action By	Action	Result
1/3/2017	2	Board of Supervisors	Approved	Pass
6/28/2016	1	Board of Supervisors	Approved	Pass

Health and Human Services Agency, Behavioral Health Division, recommending the Board approve and authorize the Chair to sign a termination letter addressed to BHC Heritage Oaks Hospital, Inc., due to the Contractor's failure to provide the staff and services required under Agreement for Services 329-S1611. The termination shall be effective the same day as the Board's approval of said termination.

**FUNDING:** N/A

### DEPARTMENT RECOMMENDATION

Health and Human Services Agency (HHSA), Behavioral Health Division, recommending the Board approve and authorize the Chair to sign a termination letter addressed to BHC Heritage Oaks Hospital, Inc., due to the Contractor's failure to provide the staff and services required under Agreement for Services 329-S1611. Said termination shall be effective the same day as the Board's approval of said termination.

### DISCUSSION / BACKGROUND

The County contracts with the State of California to serve as the Mental Health Plan (MHP) for the County of El Dorado. As the MHP, there are mandated services required of the County. Mandated services include, but are not limited to, Psychiatric Emergency Services, including assessment of a person to determine whether they shall be evaluated and treated pursuant to Welfare and Institutions Code (WIC) Section 5150. Historically, HHSA Behavioral Health staff provided in-person after-hours behavioral health crisis response for children under the age of 18.

In March of 2015, HHSA, through the County's Chief Administrative Office, Procurement and Contracts Division, released Request for Proposal (RFP) #15-952-046. This RFP requested qualified proposals for the provision of on-call after-hours crisis response services for those persons identified as being in need of a WIC 5150 assessment. BHC Heritage Oaks Hospital, Inc. was the only respondent to the RFP. Per policy, after thorough evaluation of BHC Heritage Oaks Hospital, Inc.'s proposal, HHSA determined that this vendor was qualified to provide the requested services and the proposal met with HHSA's requirements. On July 28, 2015, the Chief Administrative Office, Procurement and Contracts Division, on behalf of HHSA, awarded RFP #15-952-046 to BHC Heritage Oaks Hospital, Inc., for the provision of on-call after hours crisis response services (File 15-0771, Item 11). On June 28, 2016, the Board Chair signed Agreement for Services 329-S1611 with BHC Heritage Oaks Hospital, Inc. for the provision of on-call after-hours crisis response services (File 16-0487, Item 21).

Pursuant to the terms outlined in "Article I - Scope of Services" in Agreement for Services 329-S1611, BHC Heritage Oaks Hospital, Inc., agreed to provide the staffing and equipment necessary to provide on-call after-hours crisis response services. Since execution of Agreement for Services 329-S1611, BHC Heritage Oaks Hospital, Inc. has failed to provide the necessary staffing and services. On November 21, 2016, via certified, return-receipt mail, HHSA notified BHC Heritage Oaks Hospital, Inc., of their default in performing the required services. Further, in accordance with Article XI, "Default, Termination, and Cancellation," Section A, "Default," BHC Heritage Oaks Hospital, Inc. failed to cure the default. Therefore, HHSA requests the Board's approval to terminate Agreement for Services 329-S1611, to be effective the same date as the Board's approval to terminate the Agreement.

#### **ALTERNATIVES**

Disapproval of the request to terminate Agreement for Services 329-S1611 will result in HHSA continuing to respond to after-hours crisis calls, while funds are encumbered for this service to be provided by BHC Heritage Oaks Hospital, Inc.

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

#### **CAO RECOMMENDATION**

It is recommended that the Board approve the Department's recommendation.

#### **FINANCIAL IMPACT**

Upon Board approval of this termination, HHSA will continue to provide the after-hours crisis response services for children under the age of 18, until such time alternative coverage can be obtained. There is no Net County Cost associated with this action as sufficient appropriations were included in the fiscal year 2016-17 budget, and will be included in future budgets 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 termination letters for Agreement for Services 329-S1611, and return one (1) original to HHSA Contracts Unit at 3057 Briw Road.
- 2) Clerk of the Board to provide one (1) certified minute order approving the termination.

#### **STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

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