



Legislation Text

File #: 16-0109, **Version:** 1

Health and Human Services Agency (HHSA) recommending the Board adopt and authorize the Chair to sign Resolution **022-2016**, which amends the Authorized Personnel Allocation Resolution for HHSA to add one (1) full time equivalent (FTE) Mental Health Clinician.

FUNDING: State and Federal Funds.

DEPARTMENT RECOMMENDATION

Health and Human Services Agency (HHSA) recommending the Board adopt a resolution adding (1) one full-time equivalent (FTE) Mental Health Clinician position to be funded by the cost savings resulting from the development of Restoration of Competency services provided directly by County staff as an alternative to complete reliance on contracted services to meet the needs of the community. HHSA will predominantly utilize the staff position to provide services, while retaining contractual providers to allow for times when the staff position may be vacant and/or to serve clients whose individual needs may require more restrictive setting.

HHSA budgets \$500,000 annually to pay for contracted Restoration of Competency services through contracted providers. The cost of a full-time Mental Health Clinician is \$161,545 (includes salary and benefits). The savings from reduced reliance on contracted providers will fund the allocation, so no additional funding is requested.

DISCUSSION / BACKGROUND

Pursuant to California Penal Code 1370.01, if an individual who is charged with a misdemeanor(s) is found incompetent to stand trial (IST) due to mental incompetence, it is the responsibility of the County Mental Health Director to ensure provision of speedy Restoration to Competency Services (ROC). The goal of ROC is to provide services in the least restrictive setting while improving the level of cognitive functioning of adult defendants whose return to court is hindered by an inability to comprehend basic legal proceedings and assist in their own defense. A successful ROC program consists of aggressive medication treatment and management of mental disorders, as well as intensive restorative treatment using educational interventions focused on assisting the defendant in learning, to the best of his/her ability, about the court system, how to help in his/her defense and to make rational decisions throughout the court process.

Traditionally El Dorado County has provided ROC services through contracts with for-profit Mental Health Rehabilitation Centers, or at a State Hospital, with a daily bed rate totaling approximately \$525/day. Most ROC services last an average of 60 - 90 days, for a total cost of approximately \$31,000 - \$47,000 per individual. However, some ROC services have lasted as long as one year, totaling approximately \$191,000. Due to changes in the justice system, including but not limited to the implementation of AB109/Prison Realignment, as well as Proposition 47 which reduced some crimes from felonies to misdemeanors, counties throughout the state, are seeing an increase in the number of clients requiring mandated ROC services. As a result, there has been an increase demand on bed space to the point that in many instances clients are waiting 4 - 6 weeks, and sometimes longer, for an available bed. In many instances, while the client is waiting for a bed, they

are in jail and their mental health condition deteriorates, while also extending incarceration past the time an inmate would serve if found guilty of the offense causing additional expenditures to the County.

In partnership with the Sheriff, HHSA proposes to implement a ROC treatment program designed to restore defendants to competency within the jail setting, and possibly in an out-patient setting, reducing the need for placement in specialized private settings. A local ROC Program will enable misdemeanor defendants who have been found incompetent to stand trial to receive more timely treatment resulting in a more prompt provision of due process and at the same time provide a less costly alternative with better outcomes.

Implementing a jail-based ROC Program in El Dorado County will be beneficial in the following ways:

▪Benefits to the Inmate and Family:

1. Foregoes lengthy waits for hospital admission and reduces delays in treatment
2. Avoids costly and potentially stressful transportation for hospital admission
3. Continuity of medical and mental health care in the jail as well as upon release from jail
4. Continuity of professional and natural supports, due to proximity to legal counsel, mental health system, family and friends
5. Quicker treatment resulting in faster adjudication of criminal charges
6. Transition back to general population is less disruptive, reducing the likelihood of medication changes, stress of hospital transfer, and potential cycling due to decompensation.

▪Benefits to the County:

1. Savings from reduced costs of transportation, long waits for hospital and treatment beds, increased length of ROC Program admission time, and length of stay in jail
2. In the jail, reduced strain in managing behavioral outbursts due to minimal admission delays, resulting in improved jail milieu
3. Reduction in risk of suicide, violence, injury and resulting litigation
4. In the judicial system, improved flow and timeliness in the disposition of cases.

ALTERNATIVES

Should the Board decline to adopt the proposed Resolution to add one FTE in support of the Restoration of Competence Services, HHSA will remain reliant on contracted providers for services while maintaining the status quo of lengthy delays in treatment and due process of adult defendants found incompetent to stand trial.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel, Sheriff, District Attorney, Public Defender, Superior Court, Human Resources.

CAO RECOMMENDATION

It is recommended that the Board approve this item.

FINANCIAL IMPACT

There is no Net County Cost associated with this Agenda item. Sufficient appropriations were included in the fiscal year (FY) 2015-16 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 provide one (1) certified Resolution to HHSA at 3057 Briw Road, and one (1) certified Resolution at Human Resources at 330 Fair Lane.
2. Clerk of the Board to obtain the signature of the Chair on the Budget Transfer Request and forward Budget Transfer request to the Auditor's Office for processing.

STRATEGIC PLAN COMPONENT

Health and Human Services Agency Strategic Plan Objective 2.4.2 "Maximize and stabilize available resources for mandated programs."

CONTACT

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