



## Legislation Text

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**File #:** 17-0993, **Version:** 1

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Health and Human Services Agency, recommending the Board:

- 1) Approve and authorize the Chair to sign Agreement for Services 052152-S1811 (Agreement) with the University of the Pacific, Stockton for the provision of certification review hearing officer services, with a term to begin upon execution through September 30, 2020, a maximum contractual obligation of \$90,000; and
- 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to the Agreement, including amendments that do not increase the maximum dollar amount or the term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

**FUNDING:** Mental Health Realignment.

**DEPARTMENT RECOMMENDATION:**

The Health and Human Services Agency (HHSA) recommending approval of Agreement 152-S1811 with the University of the Pacific (UOP) to provide mandated certification review hearing officer (CRHO) services on behalf of the County. A person detained under Welfare and Institutions Code (WIC) Sections 5150 (also known as a 72-hour hold), 5250 (also known as a 14-day hold) or 5270 (also known as a 30-day hold), and who has received an evaluation, must undergo a certified hearing review (Hearing). The Hearing is to determine whether the facility has probable cause to detain the person for the remainder of the specific hold period, and is to be held within four (4) days of the person being detained in the psychiatric health facility. These Hearings are held at the County-owned Psychiatric Health Facility in accordance with WIC Section 5256.1.

Additionally, HHSA has determined, in accordance with County Ordinance Section 3.13.030, an independent contractor is required to provide said services as a CRHO in accordance with WIC Section 5256.1, which states that no employee of a county mental health program, or of any facility designated by a county and approved by the State Department of Social Services as a facility for 72-hour treatment and evaluation, may serve as a Certification Review Hearing Officer.

**DISCUSSION / BACKGROUND:**

WIC (commencing with Section 5200) sets forth the parameters which must be followed if a person is detained for 72 hours under Section 5150, or under court order for evaluation, including a scheduled evaluation to determine the need to continue detention, called "Certification Review Hearings" for persons detained on an involuntary civil commitment to a mental health institution. Furthermore, WIC Section 5256.1 states that Certification Review Hearings shall be conducted by either a court appointed commissioner, a referee, or a CRHO and sets forth specific qualifications of a CRHO.

County Procurement and Contracts issued a Request For Qualifications (RFQ 17-918-071) on behalf of HHSA on May 24, 2017. The University of the Pacific, McGeorge School of Law (UOP) was the only respondent, and submitted the proper documentation showing that they met the qualifications of the RFQ. Subsequently, Procurement and Contracts issued the award letter naming UOP, as the Successful Statement of Qualifications for RFQ 17-918-071.

Lastly, UOP has conducted Certification Review Hearings in Sacramento County since July 2013, Yolo County since October 2014, and San Joaquin County since June 2015. Their Certification Review Hearing Officers have each conducted thousands of Certification Review Hearings. In 2016, their CRHOs conducted over 7,000 Review Hearings in Sacramento County and are expected to conduct a similar number of Review Hearings in 2017.

**ALTERNATIVES:**

Disapproval of Agreement for Services 152-S1811 will result in an inability to meet the mandated Certification Review Hearing requirements, as required in WIC.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

County Counsel and Risk Management.

**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 2017-2018 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 Agreements for Services 152-S1811.
- 2) Clerk of the Board to return one (1) fully executed Agreement to the HHSA Contracts Unit at 3057 Briw Road.

**STRATEGIC PLAN COMPONENT:**

County Strategic Plan, Goal #5 - Healthy Communities: Improved health, well-being, and self-sufficiency of El Dorado County communities, residents, and visitors.

**CONTACT**

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