



Legislation Text

File #: 19-1082, **Version:** 1

Health and Human Services Agency recommending the Board:

- 1) Approve and authorize the Chair to sign Agreement for Services 4161 with California Hearing Officers, LLP, for the provision of Certification Review Hearings as defined in Welfare and Institutions Code Section 5256.1, in the amount of \$200,000, for the term of 3 years from October 1, 2019, through September 30, 2022; and
- 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 4161, 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: 100% 1991 Realignment.

DISCUSSION / BACKGROUND:

El Dorado County provides for the operation of a sixteen-bed, twenty-four hours a day, Psychiatric Health Facility (PHF) to meet the needs of persons 18 years and older exhibiting acute psychiatric symptoms.

California Welfare and Institutions Code (WIC) Section 5000 et seq. (Lanterman-Petris-Short Act) was signed into law in 1967, went into full effect on July 1, 1972, and concerns the involuntary civil commitment of persons to a mental health institution. WIC Section 5150 provides for detention for up to seventy two (72) hours for observation of persons who, as a result of a mental disorder, may be a danger to themselves, to others or who may be gravely disabled. WIC Section 5250 et seq. provides a process whereby a person detained for seventy two (72) hours and has received an evaluation may be certified for not more than fourteen (14) days of intensive treatment related to the mental health disorder or impairment by chronic alcoholism under certain conditions; and WIC Section 5270.15 et seq. provides that upon the completion of a 14-day period of intensive treatment pursuant to Section 5250, the person may be certified for an additional period of not more than 30 days of intensive treatment under specific conditions. When a person is certified for intensive treatment pursuant to WIC Sections 5250 or Section 5270.15, WIC Section 5256 requires a certification review hearing be held within four days of the date on which the person is certified for intensive treatment. WIC Section 5256.1 requires that said certification review hearing be conducted by a court-appointed commissioner, a referee, or a certification review hearing officer (CRHO) and sets forth specific qualifications of said CRHO.

The County previously contracted with the University of the Pacific (#2600 152-S1811) to provide certification review hearing services on behalf of the County Health and Human Services Agency (HHSA) pursuant to WIC Section 5256 starting September 26, 2017, until it was terminated by the University on September 28, 2018. A new agreement was then obtained with California Hearing Officers beginning September 29, 2018. As they were a newly formed company, the contract term was only for one year. Services have been satisfactory and Contractor meets the requirements of WIC Section 5256.1 to perform the certification review hearing services required; renewal of a three year agreement is recommended.

In accordance with Board of Supervisors Policy C-17, Section 7.11, the contractor selections process for service contracts in excess of \$100,000 must include a review of the scope of services and contractor's professional qualification by a group of individuals (including at least one representative from outside the department requesting the services) qualified to judge the contractor's ability to perform the services. HHSa has documentation on file that such a review was performed for Agreement #4161 with California Hearing Officer, LLP.

ALTERNATIVES:

No viable alternative recommendations are available.

PRIOR BOARD ACTION:

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT:

County Counsel, Public Defender, & Mental Health Director must unanimously approve each Certification Review Hearing Officer (CRHO) listed on Exhibit A.

CAO RECOMMENDATION:

It is recommended that the Board approve this item.

FINANCIAL IMPACT:

This Agreement for Services is a renewal of a prior year agreement and continues to be funded with 1991 Realignment funding. Sufficient appropriations were included in the FY 2019-20 budget, and will be included each year of the active agreement.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Obtain signature of Chair on two (2) original Agreements for Services #4161.
- 2) Forward one (1) fully executed document to HHSa-Contracts Unit, 3057 Briw Road, Placerville for further processing.

STRATEGIC PLAN COMPONENT:

County Strategic Plan: Good Governance

Health and Human Services Agency Strategic Plan: Program Effectiveness/Integration

CONTACT

Don Semon, Director, Health and Human Services Agency