

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF APPROVE AN)
 AMENDMENT TO A MEMORANDUM OF) Resolution No. 2018-0193
 UNDERSTANDING WITH THE CALIFORNIA) Agreement No. 27482-A
 DEPARTMENT OF STATE HOSPITALS)
 AND THE CALIFORNIA MENTAL HEALTH)
 SERVICES AUTHORITY)

UPON MOTION OF SUPERVISOR CROCKER, SECONDED BY SUPERVISOR SHUKLIAN, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD MARCH 20, 2018, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS CROCKER, VANDER POEL, SHUKLIAN, WORTHLEY AND ENNIS
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE



ATTEST: MICHAEL C. SPATA
 COUNTY ADMINISTRATIVE OFFICER/
 CLERK, BOARD OF SUPERVISORS

BY: *Dilany Porello*
 Deputy Clerk

1. Approved an amendment to Agreement No. 27482, to extend the term of the Memorandum of Understanding an additional three years and increase the amount by \$3,376,644 (\$1,125,548 for each of the three additional Fiscal Years), retroactive to July 1, 2016 through June 30, 2019. This amendment is retroactive due to being provided by the State in 2017 and the time needed to process and prepare the agenda item;
2. Found that the Board had authority to enter into the proposed amendment to the Memorandum of Understanding as of July 1, 2016 and that it was in the County's best interest to enter into the amendment on that date; and
3. Authorized the Health & Human Services Agency Director or designee to sign seven (7) copies of the amendment.

HHS
 Auditor
 Co. Counsel

HAR
 3/20/2018



**Health & Human Services
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: March 20, 2018

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Timothy D. Durick, Psy.D. PHONE: 624-8000

SUBJECT: Approve an Amendment to a Memorandum of Understanding with the California Department of State Hospitals and the California Mental Health Services Authority

REQUEST(S):
That the Board of Supervisors:

1. Approve an amendment to Agreement No. 27482, to extend the term of the Memorandum of Understanding an additional three years and increase the amount by \$3,376,644 (\$1,125,548 for each of the three additional Fiscal Years), retroactive to July 1, 2016 through June 30, 2019. This amendment is retroactive due to being provided by the State in 2017 and the time needed to process and prepare the agenda item;
2. Find that the Board had authority to enter into the proposed amendment to the Memorandum of Understanding as of July 1, 2016 and that it was in the County's best interest to enter into the amendment on that date; and
3. Authorize the Health & Human Services Agency Director or designee to sign seven (7) copies of the amendment.

SUBJECT: Approve an Amendment to a Memorandum of Understanding with the California Department of State Hospitals and the California Mental Health Services Authority

DATE: March 20, 2018

SUMMARY:

Tulare County Health and Human Services Agency, Mental Health Branch, under California Welfare and Institutions Code 4100 et seq., determines the appropriateness, screens, and authorizes all referrals for treatment in State operated hospitals for Tulare County consumers who are in need of Acute 24-hour inpatient or continuous skilled nursing care on an extended basis. Under this Memorandum of Understanding (MOU), the California Department of State Hospitals (DSH) provides Lanterman-Petris-Short hospital services only to those persons referred by the County, specifically for advanced medical/nursing care, as well as psychiatric issues.

This amendment extends the term of the MOU for an additional 3 years. The MOU requires counties to reimburse DSH for the use of state hospital beds/services. In each fiscal year covered by this agreement, it is anticipated that 3 beds will be utilized (2 acute beds and 1 skilled nursing bed). The bed rate has remained frozen for 5 years and will continue to be frozen for the remainder of the term.

The Board approved the original MOU on January 5, 2016. The original MOU contained the following deviations from standard County boilerplate: 1) County must sign the MOU first; 2) the MOU includes mutual indemnification; 3) there is no dispute resolution clause; and 4) there is no early termination clause. This Amendment does not affect those deviations, but it also requires the County to sign first and has a multi-year term.

FISCAL IMPACT/FINANCING:

The funds for the purchase of state hospital beds are included in the Fiscal Year 2016/2017 budget and was included in the 2017/2018 and 2018/2019 budgets. It is estimated that the total cost for Tulare County for this MOU will be \$3,376,644 (\$1,125,548 in each of the respective fiscal years.) Any excess use charges are calculated by the State twice during the fiscal year and the State Controller is directed to make an adjustment for the County to reflect any excess use charge. The County will be charged for either the contract amount or for the actual cost of the County's state hospital use, whichever is greater. Funds for this MOU are paid with realignment revenue. There is no additional net cost to the County General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Quality of Life initiative that encourages innovative provision of quality supportive services for at-risk adults, youth, and children in state and federally mandated programs. This agreement increases the ability to fulfill that obligation by providing additional beds for County consumers that are in need of this level of care.

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ADMINISTRATIVE SIGN-OFF:



Timothy D. Durick, Psy.D.
Director of Mental Health

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) Amendment