



**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

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: April 30, 2019 REVISED

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: Cassandra Lewis PHONE: 624-8000				

SUBJECT: Approve an agreement with Richard Sigmund

REQUEST(S):

That the Board of Supervisors:

1. Approve an agreement with Richard Sigmund, to provide Hearing Officer Services for Certification and Riese Hearings in the amount not to exceed \$500,000 (\$250,000 per fiscal year 2018/2019 and 2019/2020), effective from July 1, 2018 through June 30, 2020. This agreement is retroactive due to inadvertent delays in obtaining the needed documents for the contract. It was impracticable for the Board to take action prior to July 1, 2018 due to the time needed to process, prepare, and submit the agenda item;
2. Find that the Board had authority to enter into the proposed agreement as of July 1, 2018, and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorize the Chairman of the Board to sign two (2) copies of the new agreement.

SUMMARY:

The Tulare County Health and Human Services Agency (HHSA), Mental Health Branch, Provides mandated services to Tulare County Mental Health Plan consumers. If a consumer is deemed a danger to others, themselves, or is gravely disabled due to a mental health impairment they may be detained in a facility for treatment and evaluation per Welfare and Institution Code 5250 and/or 5270.15. The consumer is entitled to a Fair Hearing that must be conducted by either a Certification Review Hearing Officer or a Court Appointed Commissioner or

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Referee.

Richard Sigmund is the appointed secondary Hearing Officer for Tulare County Mental Health consumers. This appointment is needed to relieve the current Hearing Officer Ralph Agnello during times of leave and to establish a continuum of service when this occurs. The duties of the hearing officer have intensified due to an increase of the number of beds at Kaweah Delta Mental Health Hospital. It is anticipated that in Fiscal Years 2018 through 2020, Richard Sigmund will serve approximately 1,000 mental health consumers at Kaweah Delta Mental Health Hospital.

This agreement did not include a Request for Proposal because per Welfare and Institution Code Section 5256.1, the certification review hearing officer is Court-appointed. Richard Sigmund has been selected by the court as the secondary Hearing Officer for certification reviews and hearings within Tulare County.

The following terms deviate substantively from the standard County boilerplate: 1) Insurance requirements for General Liability and Worker's Compensation have been waived by Risk Management. Also, Risk Management waived the reduction limits for Auto Insurance; and 2) This agreement is Multi-Year.

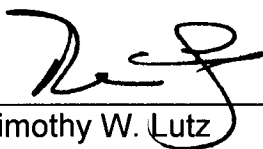
FISCAL IMPACT/FINANCING:

The budgeted costs associated with this contract were included in the HHSA 3311 budget, line 7043, professional services, for a maximum reimbursement of \$500,000; \$250,000 which have been included in the Fiscal Year 2018-2019 budget and \$250,000 which was included in the Fiscal Year 2019-2020 budget. This agreement is funded with Mental Health realignment revenues. 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 to promote health and well-being for the citizens of Tulare County. The Hearing Officer will help fulfill this initiative by providing mandated legal services to our consumers.

ADMINISTRATIVE SIGN-OFF:



Timothy W. Lutz
Agency Director

cc: County Administrative Office

Attachment(s) Agreement

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

IN THE MATTER OF APPROVE AN) Resolution No. _____
AGREEMENT WITH RICHARD SIGMUND) Agreement No. _____
)
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

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3. Authorized the Chairman of the Board to sign two (2) copies of the new agreement.