



**Health and 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: August 4, 2020

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: Donna Ortiz PHONE: 624-8000				

SUBJECT: Approve an agreement with Ralph Agnello, Attorney at Law

REQUEST(S):

That the Board of Supervisors:

1. Approve an agreement with Ralph Agnello, Attorney at Law, to provide Hearing Officer Services for Certification and Riese Hearings in an amount not to exceed \$250,000 retroactive to July 1, 2020 through June 30, 2021. This agreement is retroactive due to delays in obtaining signatures from the vendor. It was impracticable for the Board to take action prior to July 1, 2020 due to the time needed to process, prepare, and submit the agenda item.
2. Find that the Board has the authority to enter into the agreement as of July 1, 2020 and that it was in the County's best interest to enter into the agreement on that date.
3. Authorize the Chair of the Board to sign one (1) copy of the agreement.

SUMMARY:

Tulare County Health & 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 Institutions 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 Referee.

SUBJECT: Approve an agreement with Ralph Agnello, Attorney at Law

DATE: August 4,2020

Ralph Agnello, Attorney at Law, is the appointed Hearing Officer for Tulare County Mental Health consumers. The duties of the Hearing Officer have intensified due to an increase in the number of beds at Kaweah Delta Mental Health Hospital. It is anticipated that in Fiscal Years 2020 through 2021, Ralph Agnello, Attorney at Law will serve approximately 1225 mental health consumers at Kaweah Delta Mental Health Hospital.

This agreement did not include a Request for Proposal (RFP) because per Welfare and Institution Code 5256.1, the Certification Review Hearing Officer is court appointed. Ralph Agnello, Attorney at Law has been selected by the Court for Certification Reviews and hearings within Tulare County.

The agreement does not substantively deviate from the standard County boilerplate.

FISCAL IMPACT/FINANCING:

The budgeted costs associated with this contract will be included in the HHS 3311 budget, line 7043 professional services for Fiscal Year 2020-2021 in an amount not to exceed \$250,000. The average cost per consumer is \$116. The estimated amount is subject to change based on actual utilization. This agreement is funded with 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 residents of Tulare County. The Hearing Officer will help fulfill this Initiative by providing mandated legal services to Tulare County Mental Health consumers.

ADMINISTRATIVE SIGN-OFF:

/s/ Donna Ortiz

Donna Ortiz

Director of Mental health

cc: County Administrative Office

Attachment(s) Agreement

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

IN THE MATTER OF APPROVE AN)
AGREEMENT WITH RALPH AGNELLO,) Resolution No. _____
ATTORNEY AT LAW) 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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