



Health & Human Services
Agency
COUNTY OF TULARE
AGENDA ITEM

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: June 29, 2010

Public Hearing Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

CONTACT PERSON: Philip Delgado PHONE: 642-7453

SUBJECT: Approval of a Memorandum of Understanding (MOU) between the County of Tulare, Health & Human Services Agency and the Tulare County Office of Education (TCOE) for the Fiscal Year 2010/2011.

REQUEST(S):

That the Board of Supervisors:

1. Approve a Memorandum of Understanding (MOU) with the Tulare County Office of Education to receive funds in the amount of \$177,578 for the continued provision of mental health services to Special Education Pupils (SEP) pursuant to the requirements of Assembly Bill 3632 from July 1, 2010 to June 30, 2011.
2. Authorize the Chairman of the Board to sign three (3) copies of the MOU.

SUMMARY:

The State is mandated by the Federal Government to provide services to SEP children. The State of California previously complied with this mandate by requiring local education agencies (LEAs) to provide these services. In 1984, AB 3632 transferred the mental health treatment/assessment responsibility from LEAs to local mental health agencies (MHAs).

The State Legislature, in the Budget Act each year, provides federal "Individuals with Disabilities Education Act" (IDEA) local assistance funding for provision of mental health services by transmitting the funds to county offices of education.

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Assembly Bill 1807 mandates that each fiscal year, the California Department of Education (CDE) shall distribute these funds to county offices of education, which will transfer these funds (via a contractual agreement) to county MHAs. Consistent with an allocation to TCOE, an MOU is necessary for the proper and timely reimbursement of mental health services provided by Tulare County HHSA Department of Mental Health to SEP children. This MOU will create a contractual agreement with TCOE so that the County of Tulare will be reimbursed an estimated amount of \$177,578 for the continuance of HHSA providing mental health services to SEP children for the Fiscal Year 2010-2011. There is an average of twenty-five (25) SEP children who benefit from these services.

The Board is advised that this MOU contains a mutual indemnification provision that is a deviation from County Contract Protocol.

FISCAL IMPACT/FINANCING:

Tulare County HHSA will bill TCOE for SEP services. Estimated revenue and expenditures in the amount of \$177,578 will be included in the proposed Fiscal Year 2010/2011 budget. No Net County Cost.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's Five-Year Strategic Plan includes the Quality of Life initiative to promote and encourage the provision of quality support services for children in Tulare county. Approval of this MOU authorizes funding of mental health services provided by Tulare County Mental Health to children with disabilities in Tulare County.

ALTERNATIVES:

The Board could choose to take no action; however selection of this alternative is not recommended. These services are mandated by the Federal Government to be provided by the Local Mental Health Agency through AB 3632.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

Tulare County Office of Education.
County Counsel.

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ADMINISTRATIVE SIGN-OFF:

A handwritten signature in black ink, appearing to read 'Cheryl L. Duerksen', written over a horizontal line.

Cheryl L. Duerksen, Ph.D.
Director, Mental Health

Cc: Auditor/Controller
County Counsel
County Administrative Office (3)

Memorandum of Understanding

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

IN THE MATTER OF:

Approval of a Memorandum of)
Understanding (MOU) between the)
County of Tulare, Health & Human)
Services Agency and the Tulare)
County Office of Education (TCOE))
for the Fiscal Year 2010/2011.)

RESOLUTION NO. _____
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: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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