



# Monterey County

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## Board Report

Legistar File Number: A 18-486

January 08, 2019

**Introduced:** 12/12/2018

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Agreement

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2 to Standard Agreement with Ben Bunyi, Consultant, for Utilization Review and Consultation services to Monterey County Health Department/Behavioral Health Bureau to extend the term for an additional seventeen (17) months for a revised term of February 1, 2018 to June 30, 2020 and add \$86,950 for a revised total Agreement amount not to exceed \$132,423; and
- b. Approve the non-standard Automobile Liability insurance provisions in the Agreement, as recommended by the Director of Health.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2 to Standard Agreement with Ben Bunyi, Consultant, for Utilization Review and Consultation services to Monterey County Health Department/Behavioral Health Bureau to extend the term for an additional seventeen (17) months for a revised term of February 1, 2018 to June 30, 2020 and add \$86,950 for a revised total Agreement amount not to exceed \$132,423; and
- b. Approve the non-standard Automobile Liability insurance provisions in the Agreement, as recommended by the Director of Health.

### SUMMARY/DISCUSSION:

The Health Department, Behavioral Health Bureau (“BHB”) is required to comply with federal and state laws and regulations regarding the provision of publicly-funded behavioral health services. Medi-Cal revenue to BHB would be jeopardized if compliance with Utilization Review requirements are delayed or not fully met.

A “Justification of Sole Source” was approved for the initial Agreement with Ben Bunyi, MS, LMFT, LPCC. At the time, BHB was not able to adequately address the increased volume of continuous utilization review required to comply with federal and state laws and regulations. Ben Bunyi has extensive knowledge of the Utilization Review processes involving the application of Medi-Cal regulations and documentation standards, intersection of regulatory requirements involved with Medi-Cal regulations, the Electronic Health Record system, and BHB’s business practices. Approval of this recommended Amendment No. 2 will continue the professional support services to assure BHB’s ability to comply with federal and state laws and regulations through the provision of these Utilization Review and consultation services through June 30, 2020.

The Contractor has provided proof of Commercial General Liability insurance as well as the additional insured and primary and non-contributory endorsements, and Professional Liability insurance.

However, the Contractor can only provide personal Automobile Liability insurance at lower liability

limits and cannot provide additional insured and primary and non-contributory endorsements, as required by the County. The Health Department recommends the modification to the insurance requirements as Ben Bunyi will not be providing any direct client services nor transportation to clients or County staff.

This Agreement contains the County's standard 30-day "no cause" provision (Section 7.01), a "good cause" provision effective immediately (Section 7.02), and a defunding provision (Section 7.03). While this work is not directly in support of a Monterey County Health Department 2018-2022 Strategic Plan initiative, it is in support of three (3) essential public health services, specifically: 4) Mobilize community partnerships and action to identify and solve health problems, 6) Enforce laws and regulations that protect health and ensure safety, 9) Evaluate effectiveness, accessibility, and quality of personal and population-based health services.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management and Auditor-Controller have reviewed and approved as to legal form and fiscal provisions, respectively. However, County Counsel-Risk Management cannot accept the non-standard insurance modification.

FINANCING:

This Agreement is funded by Federal Funding Participation (FFP) and Realignment funds. The funds for this Agreement are included in the Health Department's Behavioral Health Bureau (HEA012, Unit 8410) FY 2018-19 Adopted Budget. The funds for this Agreement for FY 2019-20 will be included in the Health Department's Behavioral Health Bureau (HEA012, Unit 8410) FY 2019-20 Requested Budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Alica Hendricks, Management Analyst III, 1295  
Approved by: Elsa M. Jimenez, Director of Health, 4526

Attachments:

Amendment No. 2 is on file with Clerk of the Board  
Amendment No. 1 is on file with Clerk of the Board  
Agreement is on file with Clerk of the Board