



Monterey County

Board of Supervisors
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

Legistar File Number: A 19-301

August 27, 2019

Introduced: 7/16/2019

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 a Memorandum of Understanding template for the provision of Therapeutic Services to students with each of the following Monterey County School Districts ("School Districts"): Alisal Union, Salinas City Elementary, and Soledad Unified School Districts, for a total maximum amount for all School Districts of \$1,054,578, see Exhibit A for total amount per School District, for the term retroactive to August 1, 2019 through June 30, 2020; and
- b. Accept the Director of Health's recommendation to incorporate non-standard indemnification, limitation on liability, and insurance provisions; and
- c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments to each MOU that, in total, do not exceed ten percent (10%) of the initial liability of each MOU, as shown in Exhibit A, and that do not significantly change the scope of services.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding template for the provision of Therapeutic Services to students with each of the following Monterey County School Districts ("School Districts"): Alisal Union, Salinas City Elementary, and Soledad Unified School Districts, for a total maximum amount for all School Districts of \$1,054,578, see Exhibit A for total amount per School District, for the term retroactive to August 1, 2019 through June 30, 2020; and
- b. Accept the Director of Health's recommendation to incorporate non-standard indemnification, limitation on liability, and insurance provisions; and
- c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments to each MOU that, in total, do not exceed ten percent (10%) of the initial liability of each MOU, as shown in Exhibit A, and that do not significantly change the scope of services.

SUMMARY/DISCUSSION:

The Memorandum of Understanding (MOU) with the School Districts expired on June 30, 2019. The School Districts seek to continue their partnership with the Monterey County Health Department Behavioral Health Bureau (MCBHB) for the provision of therapeutic services for students identified as having trouble with their educational goals due to social, emotional or behavioral issues. Through the MOUs, MCBHB will deploy Psychiatric Social Workers ("Therapist") to School Districts to provide an array of therapeutic services to students including individual therapy, group therapy, family therapy, parent and/or teacher consultation, treatment planning, classroom observation, teacher training, parent education, support with psychiatric appointments, referrals for crisis intervention, and intensive

in-home behavioral intervention and support as needed. The School Districts agree to pay the non-Federal Financial Participation (FFP) portion of the costs, up to the total maximum funding amount, since MCBHB is reimbursed FFP directly by the Department of Health Care Services.

The MOU is delayed in being brought before your Board due to negotiations to the total contribution amount with each individual School District. To ensure continuity in the provision of services to students in School Districts, who shall return to school in August, the Department seeks authorization to retroactively execute MOUs with the School Districts effective August 1, 2019.

The MOU contains non-standard risk provisions: Mutual Indemnification, Limitation of Liability, increased per occurrence and aggregate liability limits for Professional and General Liability, and endorsement to County Professional Liability and Commercial General Liability adding Schools Districts as supplemental members. The Health Department recommends the modification to the indemnification, liability, and insurance provisions.

This work supports the following Monterey County Health Department 2018-2022 Strategic Plan Initiative: 3. Ensure access to culturally and linguistically appropriate, customer-friendly, quality health services. It also supports one of the ten essential public health services, specifically: 7. Link people to needed personal health services and assure the provisions of health care when otherwise unavailable.

OTHER AGENCY INVOLVEMENT:

County Counsel and Auditor-Controller have reviewed and approved this MOU as to legal form and fiscal provisions respectively. Risk Management has not approved this MOU due to non-standard indemnification, limitation of liability, and insurance provisions.

FINANCING:

These Agreements are funded by Federal Financial Participation (FFP) (36%) and School District reimbursement (64%) as the local required match for FFP. The associated revenue and expenditures, \$1,650,319, are included in the Health Department's Behavioral Health (HEA 012, Unit 8410) Fiscal Year (FY) 2019-20 Adopted 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.

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Approved By: Elsa M. Jimenez, Director of Health, 4526

Attachments:

Memorandum of Understanding School District Template is on file with the Clerk of the Board

Exhibit A is on file with the Clerk of the Board