



Monterey County

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Board Report

Legistar File Number: A 17-448

December 12, 2017

Introduced: 11/9/2017

Version: 1

Current Status: Agenda Ready

Matter Type: BoS Agreement

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with Clinica de Salud del Valle de Salinas (CSVS) for the referral of CSVS patients to the Monterey County Health Department, Behavioral Health Services, retroactive from November 1, 2017 through October 31, 2018; and
- b. Accept non-standard risk provisions (indemnity, insurance) as recommended by the Director of Health; and
- c. Authorize the Director of Health or Assistant Director of Health to sign up to four amendments to the Agreement, subject to County Counsel approval.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with Clinica de Salud del Valle de Salinas (CSVS) for the referral of CSVS patients to the Monterey County Health Department, Behavioral Health Services, retroactive from November 1, 2017 through October 31, 2018; and
- b. Accept non-standard risk provisions (indemnity, insurance) as recommended by the Director of Health; and
- c. Authorize the Director of Health or Assistant Director of Health to sign up to four amendments to the Agreement, subject to County Counsel approval.

SUMMARY:

This proposed Agreement, retroactive to November 1, 2017 through October 31, 2018, between Clinica de Salud del Valle de Salinas (CSVS) and the County of Monterey, identifies the roles and responsibilities of each party with respect to referrals to behavioral health services for CSVS patients.

DISCUSSION:

CSVS, a California non-profit corporation, is a federally qualified health center providing primary care services in Monterey County. This proposed Agreement was developed in the interest of collaborating for more effective behavioral health treatment of CSVS patients who are exhibiting mental health challenges and/or substance abuse issues. The Agreement clearly defines the roles and responsibilities of CSVS and the Monterey County Health Department's Behavioral Health Bureau with respect to patient referrals.

This Agreement contains no indemnity provision. It contains a non-standard comprehensive liability coverage and professional liability provision. This is because the Federally Supported Health Centers Assistance Act of 1992 and 1995 grants medical malpractice liability protection to HRSA-supported health centers such as CSVS through the Federal Tort Claims Act (FTCA). Under the FTCA, health

centers are considered Federal employees and are immune from lawsuits, with the Federal government acting as their primary insurer.

This work supports the Monterey County Health Department 2011-2015 strategic plan initiatives: 1) Empower the community to improve health through programs, policies, and activities; and 2) Enhance community health and safety by emphasizing prevention. It also supports one of the ten essential public health services, specifically: 7) Link people to needed personal health services and assure the provision of health care when otherwise unavailable.

OTHER AGENCY INVOLVEMENT:

County Counsel and the Auditor-Controller have reviewed and approved the proposed Agreement as to Legal Form; there are no fiscal provisions in this proposed Agreement. Risk Management has reviewed but not approved the lack of an indemnity provision and the non-standard insurance provision.

FINANCING:

Approval of this Agreement will have no impact on the County General Fund.

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, ext. 1295

Approved by: Elsa M. Jimenez, Director of Health, ext. 4526

Attachment:

Memorandum of Understanding is on file with Clerk of the Board

