



## Legislation Details (With Board Report)

<b>File #:</b>	A 21-011	<b>Name:</b>	CSVS Amendment No 3
<b>Type:</b>	BoS Agreement	<b>Status:</b>	Passed - Health Department
<b>File created:</b>	1/5/2021	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	1/26/2021	<b>Final action:</b>	1/26/2021

**Title:**

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 3 to Agreement A-13816 between Clinica de Salud del Valle de Salinas (CSVS) and the County of Monterey, on behalf of the Monterey County Health Department, Behavioral Health Bureau for the purpose of referral to behavioral health services for CSVS patients, retroactive to November 1, 2020, for a revised term of November 1, 2017 through October 31, 2022; and
- b. Continue to 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 two additional amendments to the Agreement, subject to County Counsel approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Amendment No 3, 3. Amendment No 2, 4. Amendment No 1, 5. Agreement, 6. Completed Board Order Item No. 34

Date	Ver.	Action By	Action	Result
1/26/2021	1	Board of Supervisors	approved - health department	Pass

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 3 to Agreement A-13816 between Clinica de Salud del Valle de Salinas (CSVS) and the County of Monterey, on behalf of the Monterey County Health Department, Behavioral Health Bureau for the purpose of referral to behavioral health services for CSVS patients, retroactive to November 1, 2020, for a revised term of November 1, 2017 through October 31, 2022; and
- b. Continue to 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 two additional amendments to the Agreement, subject to County Counsel approval.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Approve delegation of authority to the Director of Health or Assistant Director of Health to execute Amendment No. 3 to Agreement A-13816 between Clinica de Salud del Valle de Salinas (CSVS) and the County of Monterey, on behalf of the Monterey County Health Department, Behavioral Health Bureau for the purpose of referral to behavioral health services for CSVS patients, retroactive to November 1, 2020, for a revised term of November 1, 2017 through October 31, 2022; and
- b. Continue to 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 two additional amendments to the Agreement, subject to County Counsel approval.

**SUMMARY:**

This proposed Amendment No. 3 to Agreement A-13816, retroactive to November 1, 2020 , for a revised term

of November 1, 2017 through October 31, 2022, 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. The 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, while 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 Act, 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 2018-2022 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, 755-1295

Approved by:

Date: \_\_\_\_\_  
Elsa M. Jimenez, Director of Health, 755-4526

**Attachments:**

Amendment No 3 is on file with the Clerk of the Board

Amendment No 2 is on file with Clerk of the Board

Amendment No 1 is on file with the Clerk of the Board

Agreement is on file with Clerk of the Board