



Legislation Details (With Board Report)

File #:	A 23-129	Name:	Assignment and Assumption Dycora Transitional Health and Inspire Behavioral Health
Type:	BoS Agreement	Status:	Passed
File created:	4/11/2023	In control:	Board of Supervisors
On agenda:	5/2/2023	Final action:	5/2/2023

Title: a. Approve and authorize the Contracts & Purchasing Officer to execute the Acknowledgement and Consent to the Assignment and Assumption Agreement between Dycora Transitional Health - San Jose, LLC (Assignor) and Inspire Behavioral Health, LLC (Assignee), for the same total agreement amount of \$1,671,716, effective June 13, 2022.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Assignment & Assumption Agreement, 3. Agreement, 4. Completed Board Order Item No. 17, 5. Assignment & Assumption Agreement (Fully Executed)

Date	Ver.	Action By	Action	Result
5/2/2023	1	Board of Supervisors		

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RECOMMENDATION:

It is recommended that the County of Monterey Board of Supervisors:

a. Approve and authorize the Contracts & Purchasing Officer to execute the Acknowledgement and Consent to the Assignment and Assumption Agreement between Dycora Transitional Health - San Jose, LLC (Assignor) and Inspire Behavioral Health, LLC (Assignee), for the same total agreement amount of \$1,671,716, effective June 13, 2022.

SUMMARY/DISCUSSION:

Effective July 1, 2020, the County and Assignor entered into Mental Health Services Agreement A-14891 (the "Agreement") to provide mental health services to gravely disabled Monterey County adult residents with severe psychiatric disabilities in a secure Skilled Nursing Facility as an Institution for Mental Disease (IMD).

Under the provisions of the Assignment and Assumption Agreement before your Board, the Assignor, Dycora Transitional Health - San Jose, LLC, wishes to assign to the new entity Inspire Behavioral Health, LLC, the Assignee, all of its rights, title and interest in and to, and all of its obligations under, the Agreement as of June 13, 2022, and Assignee desires to accept such assignment and to assume such obligations as of June 13, 2022.

This Assignment and Assumption is made to confirm the County's acknowledgement and consent of Assignor intentions to assign its rights, title, and interest in and to, and all of its obligations under, the aforementioned Agreement to Assignee, and Assignee accepts such assignment and to assume such obligations.

Although this transition to a new corporate entity was formally effective on June 13, 2022, the County was not notified of the transition until several months later, when a new invoice letterhead was submitted to Behavioral Health Accounting for payment. The Assignor had been transferring payments made to it under the provisions of Agreement A-14891 to the Assignee, in an internal accounts receivable process. Now that the Assignee is formally invoicing Monterey County Behavioral Health under the new corporate name, this Assignment and Assumption Agreement needs to be formalized to transfer the provisions of the current contract under the name of the Assignor, to their control, to which all parties agree.

As the existing MHS Agreement A-14891 with the Assignor was approved and authorized by your Board on July 21, 2020, a transfer of the roles and responsibilities and obligations to the Assignee should also be approved and authorized by the Board.

This Assignment & Assumption was additionally delayed in being presented to your board for several months due to the inability of the vendor's Insurance broker to provide complete Insurance as required by County Risk Management and Contracts & Purchasing vendor guidelines.

This work supports the Monterey County Health Department 2018-2022 Strategic Plan Goal: 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:

The Offices of the County Counsel and County Auditor-Controller have reviewed and approved this Agreement as to legal form and fiscal provisions, respectively.

FINANCING:

There is no cost associated with this Assignment and Assumption Agreement.

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: Norm Morris, Management Analyst II, 796-1277

Approved by:

Date: _____

Elsa Mendoza Jimenez, Director of Health, 755-4526

Attachments:

Board Report

Assignment & Assumption Agreement

Agreement