

the provision of non-County department of mental health treatment services to clients with psychiatric impairments and disabilities for contracts with providers over \$100,000, and for \$100,000 or less;

b. Authorize the Director of Health to sign contracts with non-County providers of mental health treatment services using the MHS Agreement template in substantially the same form as that which has been presented to the Board, without material change to its content;

c. Authorize the Director of Health to sign future contracts with non-County department providers of mental health services of \$100,000 or less using the MHS Agreement template; and

d. Authorize the Director of Health to sign future amendments that incorporate the revised test of the MHS Agreement template and associated Exhibits where amendments do not exceed 10% of the original contract amount and do not significantly change the scope of work or result in an increase in County General Fund Contribution.

SUMMARY/DISCUSSION:

The Monterey County Health Department - Behavioral Health Bureau currently utilizes an MHS Agreement template for the provision by non-County department providers of all mental health services to clients with psychiatric impairments and disabilities. Behavioral Health has revised and updated the template, including revising and adding exhibits, to clarify and strengthen requirements regarding contract payment reimbursement and cost and revenue reporting by providers as follows:

- The reference to “local” was added to State and Federal rules, laws, and regulations throughout the boilerplate, when applicable. The Mental Health Services Act (MHSA) has been revised to designate authority on a local level to each of the counties throughout the state to implement the MHSA Plan.
- The reference to the Department of Mental Health (DMH) was changed to ‘State’ or California Department of Health Care Services (DHCS). The State is going through a reorganization and reassignment of mental health oversight functions. As of July 1, 2012, DMH will no longer exist as a state-level department in California.
- The revised Agreement and new Exhibits provide clarification to the responsibilities and obligations of mental health services providers under Medi-Cal’s and MHSA’s current applicable federal, state, and local laws, rules, regulations, and Behavioral Health’s requirements associated with contract payment, and cost and revenue reporting. For example:
 - Exhibit B: Payment and Billing Provisions is revised to stipulate Provisional Payments, Allowable Costs and Cost Control, Payment and Billing Limitations, Provider Revenues, and Cash Flow Advances.
 - Exhibit H: a new exhibit template for Providers’ use to submit the contracted Budget and Expenditures and report to the County changes during the contract term.
 - Exhibit I: a new exhibit for Providers, describing the importance of submitting Annual Reports and Cost Report Settlement on a timely basis, which outline the Audit Requirements and options for repayment to the County. In addition, Providers are required to attend a one-time mandatory Cost Report Training in Fiscal Year 2012-13.
- The Insurance section was revised to reflect what is currently used in the County’s Professional Services Agreement (PSA) template and at the same time removing language that is not applicable to Behavioral Health services.
- The General Provisions section was updated to reflect the general provisions of the County’s standard Professional Services Agreement (“PSA”).

- The signature page of the Agreement was revised to reflect the current PSA template in regards to processing contracts through the approving officials for Agreements of \$100,000 or less. Using this revised approving process would eliminate presenting Agreements of \$100,000 or less to the Board of Supervisors once the new boilerplate has been approved as the official County's Mental Health Services Agreement template.

Behavioral Health requests the flexibility to provide non-material changes to the new boilerplate's content for clarification purposes should the need arise. Content and reference to the arranged alphabet order of the Exhibits are subject to change in future Agreements according to the specific contract needs.

OTHER AGENCY INVOLVEMENT:

The Auditor-Controller, County Counsel, and Risk Management have reviewed and approved this MHA template as to fiscal provisions, legal form, and insurance requirements. This MHA Agreement template is on file with Clerk of the Board.

FINANCING:

Approval of this action has no impact on the County General Fund.

Prepared by: Gloria Rodriguez, Management Analyst, 8986

Approved by: Ray Bullick, Director of Health, 4526

Attachments:

Agreement boilerplate in on file with the Clerk of the Board

Exhibit B: Payment and Billing Provisions

Exhibit H: Budget and Expenditure Report

Exhibit I: Annual Report(s), Cost Report Settlement, and Audit