



County of Monterey

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

Legislation Details (With Board Report)

File #:	A 17-341	Name:	Special Education Local Plan Area
Type:	BoS Agreement	Status:	Passed
File created:	7/28/2017	In control:	Board of Supervisors
On agenda:	8/3/2017	Final action:	8/3/2017
Title:	<p>a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding with Monterey County Special Education Local Plan Area for reimbursement to the County for the provision of mental health and residential treatment services for a total amount not to exceed \$2,808,658.27 effective July 1, 2017 through June 30, 2018, subject to further review and approval of County Counsel, County Risk Manager, and County-Auditor Controller; and</p> <p>b. Accept the Director of Health's recommendation to incorporate non-standard indemnification and insurance provisions; and</p> <p>c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$280,865.82) of the original Memorandum of Understanding amount and do not significantly change the scope of services.</p>		
Sponsors:	Ray Bullick		
Indexes:			
Code sections:			
Attachments:	1. Board Report, 2. Completed Board Order, 3. Fully Executed Agreement		

Date	Ver.	Action By	Action	Result
8/3/2017	1	Board of Supervisors	approved	Pass

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding with Monterey County Special Education Local Plan Area for reimbursement to the County for the provision of mental health and residential treatment services for a total amount not to exceed \$2,808,658.27 effective July 1, 2017 through June 30, 2018, subject to further review and approval of County Counsel, County Risk Manager, and County-Auditor Controller; and
- b. Accept the Director of Health's recommendation to incorporate non-standard indemnification 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 that do not exceed ten percent (10%) (\$280,865.82) of the original Memorandum of Understanding amount and 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 with Monterey County Special Education Local Plan Area for reimbursement to the County for the provision of mental health and residential treatment services for a total amount not to exceed \$2,808,658.27 effective July 1, 2017 through June 30, 2018, subject to further review and approval of County Counsel, County Risk Manager, and County-Auditor Controller; and
- b. Accept the Director of Health's recommendation to incorporate non-standard indemnification 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 that do not exceed ten percent (10%) (\$280,865.82) of the original Memorandum of

Understanding amount and do not significantly change the scope of services.

SUMMARY/DISCUSSION:

The Special Education Local Plan Area (SELPA) acknowledges that its member Local Education Agencies are mandated to provide students a free and appropriate public education (FAPE), including mental health services, Home Alternative to Residential Treatment services and residential placements pursuant to students' Individualized Education Plan (IEP). For a number of years SELPA entered into a MOU with the Monterey County Behavioral Health Bureau (MCBHB) for the provision of these services to special education students and seeks to continue its partnership with MCBHB. Through this MOU, MCBHB will deploy Psychiatric Social Workers ("Therapist") School Districts to provide an array of services including individual and group counseling provided to a student; individual or group counseling provided to parents of special education students; consultation services provided to parents, students, teachers and other school personnel; and planning and implementing a program of psychological counseling for special education students and parents. SELPA agrees to pay the non-Federal Financial Participation (FFP) portion of the therapists' costs up to the total maximum funding amount since MCBHB is reimbursed FFP directly by Department of Health Care Services; and reimburse the full cost of the provision of HART and Residential Treatment services.

The MOU between SELPA and the County expired on June 30, 2017. Since prior to the expiration of the former MOU, the MCBHB has been working on the new MOU with the SELPA, which is currently undergoing final negotiations to the insurance and indemnification provisions, which are not the standard County provisions. To ensure continuity in the provision of services pursuant to students' IEP, the Department seeks authorization to execute a MOU with SELPA effective July 1, 2017 subject to further review and approval of County Counsel, County Risk Manager, and County Auditor Controller.

This work supports the following Monterey County Health Department 2011-2015 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:

The Monterey County Behavioral Health Bureau, Health Department prepared this report.

FINANCING:

The costs of this agreement are funded by Special Education Local Plan Area reimbursement (SELPA 100%). The associated revenue and expenditures, \$2,808,658.27, are included in the Health Department's Behavioral Health (HEA 012, Unit 8410) Fiscal Year (FY) 2017-18 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.

Prepared by: Charise Walters, Management Analyst II, 4703

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