



# County of Monterey

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

## Board Report

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**File #:** A 23-153, **Version:** 1

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- a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding 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, 2022, for a term of November 1, 2022 through October 31, 2025;
- b. Accept non-standard risk provisions (indemnity, insurance) as recommended by the Director of Health; 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 significantly alter the scope of services.

### RECOMMENDATION:

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

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding 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, 2022, for a term of November 1, 2022 through October 31, 2025;
- b. Accept non-standard risk provisions (indemnity, insurance) as recommended by the Director of Health; 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 significantly alter the scope of services.

### SUMMARY/DISCUSSION:

The County had a multi-year Memorandum of Understanding (MOU) with Clinic de Salud del Valle which expired on October 31, 2022. This proposed MOU continues the collaboration between Clinica de Salud del Valle de Salinas (CSVS) and the County of Monterey and identifies the roles and responsibilities of each party with respect to referrals to behavioral health services for CSVS patients.

CSVS, a California non-profit corporation, is a federally qualified health center providing primary care services in Monterey County. This MOU 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 MOU clearly defines the roles and responsibilities of CSVS and the Monterey County Health Department's Behavioral Health Bureau with respect to patient referrals. This MOU is retroactive to November 1, 2022 due to lengthy MOU language negotiations between CSVS and the County of Monterey.

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

**FINANCING:**

Approval of this MOU 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: Jenny Pelagio, Management Analyst II, 755-4694

Approved by:

\_\_\_\_\_ Date \_\_\_\_\_

Elsa Mendoza. Jimenez, Director of Health, 755-4526

Attachments:

Board Report

Memorandum of Understanding