



Agenda Item

DATE: September 14, 2010

TO: Board of Supervisors

FROM: Donna Taylor, RN, Director, Department of Behavioral Health *Donna Taylor*

SUBJECT: Approval to Join California Mental Health Services Authority, via Joint Powers Agreement

RECOMMENDED ACTION:

1. Approve and Authorize the County of Fresno to join the California Mental Health Services Authority (CalMHSA) to jointly develop, implement, administer, and provide fiscal oversight of Mental Health Services Act (MHSA) Prevention and Early Intervention Statewide (PEI) Projects.
2. Approve and Authorize the Director, Department of Behavioral Health, or designee, power to execute CalMHSA Joint Powers Authority (JPA) Agreement and any other related documents and act as the Fresno County representative to the CalMHSA.
3. Approve and Authorize the State Department of Mental Health (DMH) to assign Fresno County's PEI Statewide projects allocation for Suicide Prevention, Student Mental Health Initiative, and Stigma and Discrimination reduction to CalMHSA pursuant to Enclosure C of DMH Notice 10-06 (\$3,994,000).

Approval of the Recommended Actions would allow Fresno County to assign PEI Statewide funds (\$998,500 each year from FY 08-09 through FY 2011-2012) to CalMHSA to efficiently develop and implement mental health services for underserved communities throughout Fresno County and the State of California, with no net County cost.

ALTERNATIVE ACTION(s):

DMH has provided three options for California Counties to assign Statewide PEI funds. Local community input process and Mental Health Board support have identified the option to join the JPA and assign funds to that authority. Lack of action could prompt reversion of Fresno County's Statewide funds.

ADMINISTRATIVE OFFICE REVIEW *Boyle*

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FISCAL IMPACT:

There is no net County cost associated with the recommended actions. Fresno County's MHSAs PEI total Statewide allocation \$3,994,000 (\$998,500 each year for FY 08-09 through FY 2011-2012) would be assigned to CalMHSA for the efficient administration of various mental health programs. Program development and administration costs as well as other program oversight costs charged by the CalMHSA JPA will be approximately 5% (\$49,925) of each fiscal year's PEI Statewide allocation. In addition, a one time JPA application fee of \$500 will be assessed to join the CalMHSA JPA. Statewide funds were not budgeted for in the County budget process for the current fiscal year as it was anticipated that these projects would be implemented at a regional/State level. The MHSAs funding allows for full reimbursement of direct and indirect costs.

IMPACTS ON JOB CREATION:

There is no impact on jobs creation resulting from the recommending actions. It is anticipated that contracted positions will be created as Statewide PEI programs are fully implemented.

DISCUSSION:

State Department of Mental Health (DMH) Information Notices 10-05 and 10-06 provide counties with the option of choosing one or more of the following three options to implement Statewide PEI programs.

Option 1: A County may act jointly with one or more other Counties to implement a statewide program through California Mental Health Services Authority (CalMHSA), a Joint Powers Authority (JPA), pursuant to Welfare and Institutions Code section 5897, subdivision (a);

Option 2: A County may act jointly with one or more other Counties to implement a statewide and/or a regional replicable program through a multi-County collaborative;

Option 3: A County may assign funds to DMH for DMH to implement a statewide program.

The Statewide PEI programs referenced in DMH Notices 10-05 and 10-06 for which the above options are available are for the following Statewide projects:

1. Suicide Prevention
2. Student Mental Health Initiative
3. Stigma and Discrimination Reduction

Recommended Action 1 authorizes the County to join CalMHSA, a Joint Powers Authority. By joining CalMHSA JPA, Fresno County will enjoy the benefits of program, administrative, and fiscal oversight of the three Statewide PEI programs. Administrative costs will be reduced by sharing costs with other counties. Program design will be enhanced with the cooperation and expertise of other member counties. In addition other benefits of joining the CalMHSA JPA include:

- Through counties acting jointly, there is increase cost efficiency in administration. Rather than individual counties complying with reporting requirements, this task would be centralized, resulting in cost avoidance.
- Instead of individual counties developing multiple requests for proposals and contracts with providers the JPA would facilitate the efficient use of county and provider resources to accomplish the agreed upon goals.

- A centralized entity would be capable of negotiating cost effective rates with various subcontractors statewide and greatly reduce the cost of overhead administration. Subcontractors would have a reduced ability to increase rates based on multiple demands.
- Through counties acting jointly, local needs can be identified and connected with like local needs in potentially different regions of the state. Fresno County has and will remain active in the Statewide planning process to ensure our regional, cultural and linguistic needs are met.

Recommended Action 2 allows the Director, Department of Behavioral Health or designee the power to execute CalMHSA JPA agreements and any other related documents and act as the Fresno County representative to the CalMHSA. The authority of the JPA as stated in the JPA Agreement will be in accordance with Article 1, Chapter 5, Division 7, Title 1 of the California Government Code. Such authority and powers of the JPA will include such items, but not limited to, entering into contracts, incurring debts, liabilities, and obligations, acquiring, holding, disposing of property, and investing funds as appropriate. The voting process for the JPA will be such that measures may normally be passed by a simple majority of County representatives (members) present and voting. The JPA Agreement states that only those members who represent counties participating in a specific program will be counted in determining whether there is approval by a majority. There are provisions in the JPA Agreement that states that if a member County motions and there is a second to the motion a weighted voting process will be conducted. In the weighted voting process each County will have one vote and then each county will have additional votes based on a formula determined on the most recent census information. In discussions with the JPA, they have commented that they have followed the voting provisions of other State agencies such as California Association of Counties (CSAC) and they foresee regional components being developed that will lead for the most part voting based on a simple majority. A County can withdraw from the JPA Agreement upon written notice to the JPA as to its intent to leave the JPA.

Recommended Action 3 authorizes DMH to assign Fresno County's MHSA PEI Statewide allocation for Suicide Prevention, Student Mental Health Initiative, and Stigma and Discrimination Reduction projects to CalMHSA pursuant to Enclosure C (attached) of DMH Notice 10-06. A subsequent MHSA State Agreement amendment will be brought back to your Board detailing the assignment of funds to CalMHSA.

The Statewide projects described above are separate to the County's Approved local MHSA PEI plan approved by the State in August 2009. The local PEI plan includes 11 programs covering children and youth, transition age youth, adults, and older adult age populations from underserved populations of Fresno County. The three Statewide projects addressed in the recommended actions brought to your Board today will have regional and statewide impact, with the goal of supplementing local PEI programs. In accordance with State MHSA guidelines a 30 day public comment period was conducted to obtain feedback from various stakeholders on the options available and the recommendations provided by the Department. Two public stakeholder meetings were conducted to discuss the Statewide projects as well as two separate discussions at the Mental Health Board.

OTHER REVIEWING AGENCIES:

On July 21, 2010, the Mental Health Board was informed of the Department's recommendations to join the CalMHSA. On August 18, 2010 the Mental Health Board approved the Department's recommendations.

REFERENCE MATERIAL:

None