

**ORANGE COUNTY BOARD OF SUPERVISORS**

**MINUTE ORDER**

**July 20, 2010**

Submitting Agency/Department: HEALTH CARE AGENCY

Approve Joint Exercise of Powers agreement creating California Mental Health Services Authority; approve Health Care Agency participation and membership in California Mental Health Services Authority to jointly develop and fund mental health services and authorize Director or designee to execute agreement and to act as member representative; and authorize Director or designee to execute Supplemental Mental Health Services Act Prevention and Early Intervention Statewide Programs assignment agreement for reassignment of funds - All Districts (Continued from 6/29/10, Item 17)

**The following is action taken by the Board of Supervisors:**

APPROVED AS RECOMMENDED  OTHER

**Unanimous**  (1) NGUYEN: Y (2) MOORLACH: Y (3) CAMPBELL: Y (4) NELSON: Y (5) BATES: Y  
*Vote Key: Y=Yes; N=No; A=Abstain; X=Excused; B.O.=Board Order*

**Documents accompanying this matter:**

- Resolution(s)
- Ordinances(s)
- Contract(s)

Item No. 23

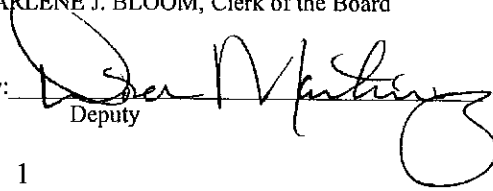
Special Notes:

Copies sent to:

CEO  
HCA – Mary Hale



I certify that the foregoing is a true and correct copy of the Minute Order adopted by the Board of Supervisors, Orange County, State of California.  
DARLENE J. BLOOM, Clerk of the Board

By:   
Deputy



**AGENDA STAFF REPORT**

**Agenda Item**

**ASR Control 10-000835**

**MEETING DATE:** 06/29/10  
**LEGAL ENTITY TAKING ACTION:** Board of Supervisors  
**BOARD OF SUPERVISORS DISTRICT(S):** All Districts  
**SUBMITTING AGENCY/DEPARTMENT:** Health Care Agency (Approved)  
**DEPARTMENT CONTACT PERSON(S):** Mary Hale (714) 834-7024

**SUBJECT:** Joint Powers Agreement MHSA PEI Statewide Projects

<b>CEO CONCUR</b> Concur	<b>COUNTY COUNSEL REVIEW</b> Approved Agreement to Form	<b>CLERK OF THE BOARD</b> Consent Calendar 3 Votes Board Majority
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**Budgeted:** N/A                      **Current Year Cost:** N/A                      **Annual Cost:** N/A  
**Staffing Impact:** No                      **# of Positions:**                      **Sole Source:** N/A  
**Current Fiscal Year Revenue:** N/A  
**Funding Source:** N/A

**Prior Board Action:** Minute Order dated 11/25/08- Approve supplemental Assignment Agreement with State Department of Mental Health for Mental Health Services Act Prevention and Early Intervention

**RECOMMENDED ACTION(S):**

1. Approve the Joint Exercise of Powers Agreement creating the California Mental Health Services Authority.
2. Approve the Health Care Agency participation as a member in the California Mental Health Services Authority in order to jointly develop and fund mental health services as determined on a regional, statewide, or other basis.
3. Authorize the Health Care Agency Director, or designee, on behalf of the Board of Supervisors, to execute the Joint Exercise of Powers Agreement and to act as the member representative in the California Mental Health Services Authority.
4. Authorize the Health Care Agency Director, or designee, on behalf of the Board of Supervisors, to execute the Supplemental Mental Health Services Act Prevention and Early Intervention Statewide Programs Assignment Agreement for the reassignment of funds to the California Department of Mental Health, to fund a contract between the department and California Mental Health Services Authority/Joint Exercise of Powers Agreement, for the development, implementation, and administration of the three statewide projects in the amount of \$13,336,800.

**SUMMARY:**

The Health Care Agency requests approval of its membership and participation in the California Mental Health Services Authority/ Joint Exercise of Powers Agreement as the central entity to administer the Statewide Projects in accordance with the guidelines established by the Mental Health Services Oversight and Accountability Commission, and approval to assign funds to the Department of Mental Health to contract

with the California Mental Health Services Authority/ Joint Exercise of Powers Agreement for administration of three statewide projects.

**BACKGROUND INFORMATION:**

In November 2004, the California voters approved Proposition 63, the Mental Health Services Act (MHSA). MHSA provides the State of California, Department of Mental Health (DMH) the opportunity for increased funding, personnel, and other resources in support of county mental health programs.

In accordance with MHSA, the Health Care Agency (HCA) was notified by DMH on September 11, 2008 of an opportunity to participate in the state-administered Statewide Projects funded by the Prevention and Early Intervention (PEI) Component of the MHSA. The MHSA PEI Statewide Projects were to be administered by the DMH in collaboration with the Mental Health Services Oversight and Accountability Commission (OAC) and the California Mental Health Directors Association. On November 25, 2008, your Honorable Board approved the Supplemental MHSA PEI Statewide Projects Assignment Agreement with DMH in the amount of \$13,336,800 and funds were transferred to administer three PEI Statewide Projects: Suicide Prevention, Student Mental Health Initiative, and Stigma and Discrimination Reduction. However, no action has been taken by DMH to implement Statewide Projects with these funds and their continued resource constraints make future progress unlikely.

As HCA already assigned funding to DMH, recently released guidelines developed by OAC allow us to either leave the money with DMH to administer the programs, or transfer the funds from DMH to California Mental Health Services Authority (CalMHSA)/Joint Exercise of Powers Agreement (JPA) to implement the three statewide projects in accordance with the contractual arrangement between DMH and CalMHSA/JPA. If the funds stay with DMH, there is a potential risk that it will revert and be reallocated to other counties.

The JPA is considered the most viable administrative mechanism to implement the PEI statewide projects on behalf of counties that already assigned their funds to DMH. In addition to granting the members a voice in the process, it promotes consistency and includes incentives such as streamlined reporting processes. This option also further protects the funds from reversion. The agreement contains a provision that requires a member to cover related attorney fees in incidents of default. This recommended approach as well as joining CalMHSA/JPA as a member was approved by the MHSA Steering Committee on May 3, 2010.

The Health Care Agency requests that your Board approve its membership and participation in the CalMHSA/Joint Exercise of Powers Agreement, as well as the reassignment of funds to DMH for the purpose of subcontracting with the JPA to administer the statewide projects, as referenced in the Recommended Actions.

**FINANCIAL IMPACT:**

There is no financial impact on the Orange County budget as the funds are being held by DMH in the State Mental Health Services Trust Fund and are not appropriated in the County budget.

**STAFFING IMPACT:**

N/A

**ATTACHMENT(S):**

A. California Mental Health Services Authority Joint Exercise of Powers Agreement

B. Supplemental MHSA PEI Statewide Programs Assignment Agreement