

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

December 17, 2019

FROM

JOHN McMAHON, Sheriff/Coroner/Public Administrator

SUBJECT

Amendment to Contract with Liberty Healthcare Corporation for Mental Health Services

RECOMMENDATION(S)

1. Approve **Amendment No. 5** to **Contract No. 16-08** with Liberty Healthcare Corporation for the provision of comprehensive mental health and programming services in the County's detention facilities, increasing the contract amount by \$4,506,178, from \$41,663,094 to a new total amount not to exceed \$46,169,272, including shift and location differentials, without changes to the contract period of January 12, 2016 through January 11, 2021.
2. Authorize the Sheriff/Coroner/Public Administrator, Undersheriff, Assistant Sheriff, or Captain of the Bureau of Administration to execute change orders to the contract, as needed, subject to review by County Counsel, as long as the total aggregate amount of such change orders does not exceed the maximum contract amount of \$46,169,272 and the change orders do not amend the contract term.
3. Direct the Sheriff/Coroner/Public Administrator, Undersheriff, Assistant Sheriff, or Captain of the Bureau of Administration to transmit all contract change orders to Contract No. 16-08 to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: John Ades, Captain, 387-0640)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will result in the use of additional Discretionary General Funding (Net County Cost) in an amount not to exceed \$4,506,178, increasing the contract from \$41,663,094 to \$46,169,272 for the provision of comprehensive mental health and programming services, including shift work and location differentials in the County's detention facilities. Currently, the annual funding for these services in the amount of \$9,752,089 is comprised of Public Safety Realignment revenue (AB109) (\$7,143,174) and Net County Cost (\$2,608,915).

The Sheriff/Coroner/Public Administrator (Department) will request budget adjustments on a future quarterly budget report presented to the Board of Supervisors (Board) for approval.

BACKGROUND INFORMATION

Title 15, California Code of Regulations, Article 11 identifies the Department's responsibility for providing medical, mental health and dental care for correctional patients. Correctional mental health services are defined as actions taken for the mental well-being of the inmate population,

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including a range of diagnostic, treatment, and follow-up services. Mental health services include the use of a variety of therapies to alleviate symptoms, attain appropriate functioning, prevent relapse, and help inmates to develop and pursue their personal recovery plans. The Department continues to treat inmates identified as “seriously mentally ill” (SMI) as required by the Lanterman-Petris-Short (LPS) Act through the Crisis Stabilization Unit (CSU) and a correctional LPS unit. The LPS Act provides guidelines for handling involuntary civil commitment of individuals to mental health institutions in the State of California. The LPS Act set the precedent for modern mental health commitment procedures in the United States.

The Department partners with the County’s Department of Behavioral Health (DBH) for mental health assessments to arrestees prior to custody, with the goal of diversion instead of incarceration with the Triage Engagement and Support Team (TEST). Furthermore, both departments have collaborated since 2016 for the Corrections To A Safer Community (CTASC) program, with recent meetings and goals to have DBH staff working on discharge planning at the West Valley Detention Center for all SMI patients in specialized correctional housing.

PROCUREMENT

On January 12, 2016 (Item No. 43), as a result of a competitive process, the Board approved Contract No. 16-08 with Liberty Healthcare Corporation (Liberty) at a cost not to exceed \$3,047,314 for the period of January 12, 2016 through January 11, 2017 with the option to extend the term for two additional one-year periods for the provision of comprehensive mental health and program services in the County’s correctional facilities.

Subsequently, the Board approved four amendments to Contract No. 16-08 with Liberty as follows:

Amendment No. 1 (August 23, 2016; Item No. 78): increased the level of mental health services by an additional 11.75 Full Time Equivalent (FTE) positions, from 13 FTEs to 24.75 FTEs; provided for costs of living increases; increased the contract amount by \$14,161,308; and amended the contract from a one-year term to a three-year term for a new contract term of January 12, 2016 through January 11, 2019, with two one-year options to extend the term.

Amendment No. 2 (March 28, 2017; Item No. 55): increased the number of staff provided by 15 FTE, from 24.75 FTEs to 39.75 FTEs, and increased the contract amount by \$4,682,952 with no change to the contract period of January 12, 2016 through January 11, 2019.

Amendment No. 3 (December 18, 2018; Item No. 74): extended the term of the contract by one year from January 12, 2019 through January 11, 2020; provided for costs of living increases; and increased the total contract amount by \$9,415,761 from \$21,891,574 to \$31,307,335.

Amendment No. 4 (August 20, 2019; Item No. 60): increased the number of Mental Health Registered Nurse (RN) positions from 10 FTEs to 13 FTEs, increasing the total staffing levels provided by Liberty from 39.75 to 42.75 FTEs. This amendment increased the total contract amount by \$10,355,759 from \$31,307,335 to \$41,663,094, and extended the term through January 11, 2021.

Due to the increased need for mental health services in the County’s detention facilities, the Department recommends amending the contract with Liberty, effective January 12, 2020, to increase the number of FTEs provided from 42.75 to 62.75 as follows: Psychiatrist from 7.75 to

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9.75 FTE's; Licensed Clinical Supervisor from 2.00 to 3.00 FTE's; Mental Health Clinicians from 15 to 29 FTE's; Mental Health RN from 13 to 16 FTE's. Depending on the assignment, positions may be eligible to receive shift and/or location differential pay (for those working at the High Desert Detention Center in Adelanto). The increased staffing will allow for the continued provision of comprehensive mental health and programming services for the remainder of the contract term. This contract may be terminated by either party upon 120 days written notice. As the final option to extend the term has been exercised, the Department will start the procurement process early next year, and anticipates a new contract for mental health services presented to the Board for approval prior to January 2021.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Richard D. Luczak, Deputy County Counsel, 387-5455) on December 2, 2019; Purchasing (Leo Gomez, Purchasing Manager, 387-2063) December 3, 2019; Finance (Carolina Mendoza, Administrative Analyst, 387-0294) on December 3, 2019; Finance (Chris Lange, Administrative Analyst, 386-8393) on December 9, 2019; and County Finance and Administration (Kelly Welty, Deputy Executive Officer, 387-5423) on December 4, 2019.

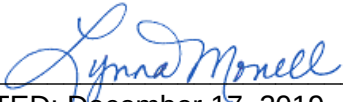
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Record of Action of the Board of Supervisors
County of San Bernardino

OFF CALENDAR

Moved: Robert A. Lovingood Seconded: Josie Gonzales
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 17, 2019



cc: File- Sheriff's
la 12/26/2019