

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

May 24, 2022

FROM

GEORGINA YOSHIOKA, Interim Director, Department of Behavioral Health

SUBJECT

Non-financial Memorandum of Understanding with Ontario Police Department for Dedicated Office Space

RECOMMENDATION(S)

Approve non-financial (**County Contract No. 22-360**) Memorandum of Understanding with Ontario Police Department for dedicated office space for the Department of Behavioral Health staff to provide crisis services, including non-standard terms, for the period of July 1, 2022 through June 30, 2027.

(Presenter: Georgina Yoshioka, Interim Director, 388-0801)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

This item does not impact Discretionary General Funding (Net County Cost). The non-financial Memorandum of Understanding (MOU) will allow the Department of Behavioral Health (DBH) to utilize no-cost office space located within the Ontario Police Department (OPD), in order for DBH to provide crisis services through the Triage, Engagement and Support Team (TEST) program.

BACKGROUND INFORMATION

The recommended non-financial MOU will allow DBH to continue utilizing space at OPD from July 1, 2022 through June 30, 2027, and may be terminated by either party without cause. The MOU reaffirms DBH's commitment to provide access to crisis triage by a mental health specialist for underserved populations at a variety of collaborated sites throughout San Bernardino County, and outlines the use of no-cost office space within OPD for DBH to continue to provide TEST services. TEST staff provide specialized crisis intervention, continuum of care, and intensive case management for individuals experiencing an urgent psychiatric health condition with up to 59 days of linking the consumer with appropriate DBH and community resources for continued stability and follow up services.

Since 2015, DBH has partnered with various key agencies for no cost office space to place DBH crisis triage staff in underserved areas throughout San Bernardino County including OPD, who has been a collaborative partner since 2017. Agencies request DBH TEST services and are evaluated to determine appropriateness for participation based on the availability of like services from other sources. DBH currently manages 28 TEST locations, known as 'point of access'

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agencies, such as law enforcement, hospital emergency departments, colleges, and agencies within the judicial court system to assist consumers experiencing a mental health crisis. The team's co-located program allows immediate access to crisis triage by a mental health specialist. These DBH TEST services are currently being provided in 11 police department locations including Barstow, Chino, California State University San Bernardino Campus, Fontana, Montclair, Ontario, Redlands, Rialto, San Bernardino, Upland, and Victor Valley College.

In 2020-21, there were a total of 10,542 encounters with co-located DBH TEST staff, many of which resulted in crisis stabilization instead of unnecessary incarcerations and/or hospitalizations. Crisis stabilization with case management and linkage to appropriate services reduce expenditures for law enforcement resources and hospital emergency departments.

The MOU with OPD includes the following indemnification language that differs from the standard County contract terms:

Per the MOU, each party is required to defend, indemnify or hold the other party harmless to the extent arising out of the respective party's breach of the MOU and negligent or wrongful acts or omissions in connection with its performance under the MOU.

- County Policy 11-07 requires the contractor to indemnify the County against all claims arising out of the contract from any cause whatsoever.
- Potential Impact: By agreeing to indemnify OPD, the County could be contractually waiving the protection of sovereign immunity. If the County is sued for any claim resulting from its own breach of the MOU and negligent or wrongful acts or omissions in connection with its performance under the MOU, the County may be solely liable for the costs of defense and damages.

DBH recommends approval of this non-financial MOU, including the non-standard term, as it will allow DBH to continue utilizing space at OPD to provide crisis triage by a mental health specialist for underserved populations.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by Behavioral Health Contracts (Ellayna Hoatson, Administrative Supervisor, 388-0858) on April 20, 2022; County Counsel (Dawn Martin, Deputy County Counsel, 387-5455) on April 25, 2022; Finance (Christopher Lange, Administrative Analyst, 386-8392) on May 3, 2022; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on May 10, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Janice Rutherford
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 24, 2022



cc: DBH - Ramos w/agree
Contractor - C/O DBH w/agree
File - w/agree
CCM 05/27/2022