

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

January 28, 2025

FROM

GEORGINA YOSHIOKA, Director, Department of Behavioral Health

SUBJECT

Amendment to Participation Agreement with California Mental Health Services Authority for Psychiatric Inpatient Concurrent Review

RECOMMENDATION(S)

1. Approve **Amendment No. 1** to Participation **Agreement No. 23-190** (State Agreement No. 1121-PICR-2022-SJC), retroactive to January 1, 2025, with the California Mental Health Services Authority for Psychiatric Inpatient Concurrent Review, changing the payment schedules, decreasing the amount of the contract by \$240,954 from \$2,313,184 to the not to exceed amount of \$2,072,230, and extending the term by six months, for the total contract period of March 14, 2023 through June 30, 2025.
 2. Authorize the Director of the Department of Behavioral Health, as the County Mental Health Plan Director, to sign and submit Amendment No. 1 to the Participation Agreement.
 3. Direct the Director of the Department of Behavioral Health, as the County Mental Health Plan Director, to transmit Amendment No. 1 to the Participation Agreement to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Georgina Yoshioka, Director, 252-5142)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

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 will not result in the use of Discretionary General Funding (Net County Cost). The Participation Agreement (PA) with the California Mental Health Services Authority (CalMHSA), for the provision of the psychiatric inpatient concurrent review and authorization process through a web-enabled utilization review platform, in an amount not to exceed \$2,072,230 will be funded by the 1991 Realignment. Adequate appropriation and revenue have been included in the Department of Behavioral Health's (DBH) 2024-25 budget.

BACKGROUND INFORMATION

CalMHSA is a Joint Powers Authority (JPA), comprised of the City of San Bernardino and San Bernardino County (County) mental health plans, that provide administrative and fiscal services for member cities and counties to maximize resources for the most efficient use of purchasing products, develop requests for proposals, and coordinate implementation of statewide or multi-county projects, such as the statewide Suicide Prevention and Stigma and Discrimination Reduction campaigns. The California Behavioral Health Directors Association sponsored the

**Amendment to Participation Agreement with California Mental Health
Services Authority for Psychiatric Inpatient Concurrent Review
January 28, 2025**

formation of the JPA to jointly develop and fund mental health services and education programs. DBH has been a member of the JPA since November 2008.

On March 14, 2023 (Item No. 9), the Board of Supervisors (Board) approved PA No. 23-190 (State Agreement No. 1121-PICR-2022-SJC) with CalMHSA in the amount of \$2,313,184, for the term of March 14, 2023 through December 31, 2024, and designated the Director of DBH, as the County Mental Health Plan Director, to sign and submit the PA as required by CalMHSA.

In May 2023, DBH implemented concurrent review, an authorization process where inpatient services are reviewed for medical necessity as the services are being provided. This differs from the prior practice of retrospective review, where services were reviewed and approved/denied after the patient discharged from the hospital. Concurrent review enables hospitals to receive prompt feedback and adjust subsequent documentation to meet Medi-Cal standards while patients are receiving inpatient care. This results in a higher likelihood of approval for services reimbursed to contractors. Additionally, inpatient authorization regulations allow hospitals to be retroactively reimbursed for bed days provided in prior fiscal years in circumstances including hospitalizations that cross fiscal years, appealed bed days, and resubmitted documentation to correct administrative errors.

CalMHSA offers member cities and counties the ability to enter into the PA for a technology-assisted concurrent review process, which is a web-enabled utilization review platform with clinical services to carry out psychiatric inpatient concurrent review and authorization services. The new concurrent review process occurs while the patient is still in the hospital, so DBH is reviewing for authorization of mental health services to the patient concurrently with the inpatient hospital stay.

DBH is required to manage authorizations directly for inpatient acute psychiatric hospital services or to delegate authorization functions to an administrative entity. Continuing to contract with CalMHSA to utilize Acentra for the concurrent review of authorization for inpatient acute psychiatric hospitalizations in the County, using a technology-assisted concurrent review process, allows for a consistent and efficient review process across participating counties. This approach supports mental health plan compliance with the California Department of Health Care Services (DHCS) Behavioral Health Information Notice (BHIN) 19-026, or any subsequent BHIN, and the Parity in Mental Health and Substance Use Disorder Services Final Rule (Title 42 CFR, part 438.910) and BHIN 22-017, Concurrent Review Standards for Psychiatric Inpatient Hospital and Psychiatric Health Facility Services.

Approval of the amended PA will allow DBH to continue to utilize the technology-assisted concurrent review process to ensure a consistent and efficient method for its concurrent reviews and authorization requirements for inpatient acute psychiatric hospitalization. Utilizing the Psychiatric Inpatient Concurrent Review method will assist participating cities and counties in meeting the 24-hour requirement for concurrent review and authorization for inpatient acute psychiatric hospitalization and will support compliance with the DHCS requirements.

Approval of this amendment extends the term by six months and allows DBH the ability to perform the concurrent reviews for the remainder of the current fiscal year, as it is anticipated that CalMHSA will be providing new PAs yearly, beginning July 1, 2025, to continue the technology assisted process. This amendment also reflects updated terms to the payment schedules. Services did not start upon execution of the agreement which resulted in two months of no charges incurring. Due to this delayed start in services, the amount in the original

**Amendment to Participation Agreement with California Mental Health
Services Authority for Psychiatric Inpatient Concurrent Review
January 28, 2025**

agreement was overestimated. As services were not rendered, this payment was not required and impacted the agreement total. Additionally, CalMHSA is no longer supporting Short-Doyle Out of County concurrent reviews, which were included in the original agreement, resulting in a decrease of the costs associated with these services.

DBH will regularly monitor the review process to ensure the contractual requirements and quality of the documentation review are being met as it pertains to approval/denial of psychiatric inpatient hospital services. The initial agreement was provided by CalMHSA in August 2024, but due to changes required an updated agreement was not finalized or provided until December 19, 2024. Due to the required DBH fiscal, program, administrative and legal reviews, the item is being presented at this time as this is the first Board date available following receipt of approvals. While the retroactive approval does not have a significant immediate impact on the department's operations, timely approval is essential for the continuation of managing authorization requests across participating counties.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by Behavioral Health Contracts (Michael Shin, Contracts Manager, 388-0899) on December 23, 2024; County Counsel (Dawn Martin, Deputy County Counsel, 387-5455) on January 9, 2025; Finance (Allegra Pajot, Administrative Analyst, 388-0218) on January 10, 2025; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on January 10, 2025.

**Amendment to Participation Agreement with California Mental Health
Services Authority for Psychiatric Inpatient Concurrent Review
January 28, 2025**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.

Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: January 28, 2025



cc: DBH - Briseno w/agree for sign
Contractor - c/o DBH w/agree
File - w/agree

MBA 01/30/2025