

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

August 8, 2023

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Grant Awards from the Department of Health Care Services, Providing Access and Transforming Health – Justice-Involved Planning and Capacity Building Program – Round 2 and Round 3

RECOMMENDATION(S)

1. Accept the following grant awards and approve the corresponding Acknowledgment of Grant Terms and Conditions, including a non-standard term, from the Department of Health Care Services for the Providing Access and Transforming Health – Justice-Involved Planning and Capacity Building Program, for the performance period of January 30, 2023 through December 31, 2026:
 - a. Round 2 grant award in the amount of \$1,801,607, **Contract No. 23-859.**
 - b. Round 3 grant award in the amount of \$5,000,000, **Contract No. 23-860.**
2. Authorize the Sheriff/Coroner/Public Administrator, Undersheriff, or Sheriff Executive Officer, to electronically sign and accept the Acknowledgment of Grant Terms and Conditions, referenced in Recommendation No. 1, as required by the Department of Health Care Services, for the Providing Access and Transforming Health – Justice-Involved Planning and Capacity Building Program grants.
3. Direct the Sheriff/Coroner/Public Administrator, Undersheriff, or Sheriff Executive Officer, to transmit the Acknowledgment of Grant Terms and Conditions for the grants referenced in Recommendation No. 1 to the Clerk of the Board of Supervisors within 30 days of execution.
(Presenter: Ernie Perez, Deputy Chief, 387-3760)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

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

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

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

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The Sheriff/Coroner/Public Administrator (Department) will receive reimbursement in an amount not to exceed \$6,801,607, (Round 2: \$1,801,607; Round 3: \$5,000,000), from the Department of Health Care Services (DHCS) for the Providing Access and Transforming Health (PATH), Justice-Involved Planning and Capacity Building Program Grant (Grant), Round 2 and Round 3. A budget adjustment is not requested at this time but may be included in a future midyear budget report to be presented to the Board of Supervisors

**Grant Awards from the Department of Health Care Services, Providing
Access and Transforming Health - Justice-Involved Planning and
Capacity Building Program - Round 2 and Round 3
August 8, 2023**

(Board) for approval, if necessary. Sufficient appropriation will be included in future recommended budgets.

BACKGROUND INFORMATION

California State Assembly Bill 133 (Chapter 143, Statutes 2021) authorized PATH funding to support the planning processes related to the implementation of the full suite of statewide California Advancing and Innovating Medi-Cal (CalAIM) initiatives, such as the Justice-Involved Planning and Capacity Building Program that builds on the successful work conducted under Whole Person Care (WPC). The PATH Grant will build capacity and expand access to necessary pre-release and post-release services under CalAIM.

The Grant provides funding opportunities to correctional agencies, correctional institutions, and county departments of social services in three rounds. On October 25, 2022 (Item No. 86), the Board accepted the grant award for the PATH, Round 1 funding in the amount of \$300,000, for the period of July 1, 2022 through December 31, 2026, to identify and scope out the processes, protocols, and information technology (IT) system infrastructure modifications necessary to implement or modify pre-release Medi-Cal enrollment and suspension processes. The funding will also be used to reimburse Arrowhead Regional Medical Center (ARMC) for consulting costs to facilitate the assessment of current Medi-Cal enrollment and suspension processes for individuals housed in County adult and juvenile correctional facilities. Subsequently, in March and June of 2023, DHCS released the applications for Round 2 and Round 3, respectively, for funding to support implementation.

PATH Grant Round 2 provides funding to support entities as they implement the processes, protocols, and IT system modifications that were identified during Round 1. PATH Grant Round 3 funding is dedicated exclusively to justice-involved pre-release services, behavioral health linkage implementation, and Medi-Cal application and suspension processes.

On March 29 and July 6, 2023, the County Chief Executive Officer approved the submission of the Department's applications for the PATH Grant, Round 2 and Round 3, respectively. On July 11, 2023, DHCS notified the Department of the award for both rounds, with a performance period of January 30, 2023 through December 31, 2026. The Department will use the funding from Round 2 to fund staffing, technology upgrades and modifications to physical infrastructure to assist with the completion of Medi-Cal applications at the County's detention facilities. The Department will create an implementation plan and budget to be submitted to DHCS within 180 days of Round 3 funds being awarded. The implementation plan will describe how the PATH funding will be utilized to support the planning for, and implementation of, Medi-Cal Reentry Services and behavioral health linkages in order to demonstrate operational readiness as required by DHCS. Eligible expenses can be claimed retroactively to the beginning of the Grant period. The award is being presented to the Board for acceptance at the earliest available meeting after completion of the required financial and legal reviews.

The Grant also includes an Acknowledgment of Grant Terms and Conditions (AGTC), that outlines the allowable use of the funding and other responsibilities for the Department. Additionally, the AGTC indicates that DHCS has designated a third-party administrator (TPA), to administer and communicate with the Department with respect to the Grant, and contains a non-standard term and condition that differs from the standard County contract as follows:

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August 8, 2023**

The AGTC requires the TPA, acting solely on behalf of DHCS, to be held harmless as a condition to receive Grant funding.

- The County standard contract requires the Contractor to indemnify and hold harmless the County in accordance with County Policy 11-07.
- Potential Impact: The Grant will require the County to indemnify and hold harmless the TPA, its officers, agents, employees, representatives, and/or designees from and against any and all liability, actions, claims, demands, or suits, and all related costs, attorney fees, and expenses arising out of, or relating to the receipt of Grant funds. The County could be liable for potential harm or loss incurred by the TPA.

The Department recommends acceptance of the Grant and approval of the AGTC, including the non-standard term, as the benefits from funding provided by DHCS outweigh any risks associated with implementation of services for eligible participants. County Counsel and Risk Management have reviewed and provided input on the proposed Grant award.

The Sheriff/Coroner/Public Administrator, Undersheriff or Sheriff Executive Officer, is required by DHCS to accept and sign the Grant's AGTC electronically within 30 days of notification. Authorization is requested for the Sheriff/Coroner/Public Administrator, Undersheriff, or Sheriff Executive Officer to electronically accept the terms and conditions related to the PATH Grant award.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Miles Kowalski, Deputy County Counsel, 387-5455) on July 21, 2023; Risk Management (Victor Tordesillas, Director, 386-8621) on July 21, 2023; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on July 21, 2023; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on July 23, 2023.

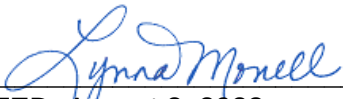
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Record of Action of the Board of Supervisors
San Bernardino County

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: August 8, 2023



cc: Sheriff - Welty w/agrees
Contractor - c/o Sheriff w/agree
File - w/agree
CCM 08/14/2023