

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

August 20, 2024

FROM

GEORGINA YOSHIOKA, Director, Department of Behavioral Health

SUBJECT

Deferred Entry of Judgment Program Services for San Bernardino County

RECOMMENDATION(S)

1. Approve the Letter of Certification template for the Deferred Entry of Judgment Program in relation to the provision of Deferred Entry of Judgment Program services by certified agencies for San Bernardino County, effective upon execution through September 30, 2029.
2. Authorize the Assistant Executive Officer or the Director of the Department of Behavioral Health to execute the Letter of Certification template with the individual certified agencies, including making any non-substantive changes to the Letter of Certification template in relation to the provision of Deferred Entry of Judgment Program services, for the period of October 1, 2024 through September 30, 2029, on behalf of the County, subject to review by County Counsel.

(Presenter: Georgina Yoshioka, Director, 252-5142)

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 Department of Behavioral Health (DBH) will receive revenue, generated by participants in Deferred Entry of Judgment (DEJ) Programs, in an estimated annual amount of \$129, which will partially offset the costs of administering this certification process. Adequate appropriation and revenue have been included in DBH's 2024-25 budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

DBH is responsible for providing mental health and substance use disorder (SUD) services to county residents experiencing severe mental illness and/or SUD. DBH Substance Use Disorder and Recovery Services (SUDRS) provides a full range SUD prevention and treatment services and education for communities and residents throughout the county, through contracts with community-based organizations and County-operated clinics with the goal of promoting prevention, intervention, recovery, and resiliency for individuals and families.

The DEJ Program, also known as PC1000, provides diversionary substance misuse education and counseling services in lieu of prosecution for first-time, non-violent adult offenders or for certain specified drug offenses. Since 1994, DBH has been responsible for the certification and

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monitoring of Board of Supervisors (Board) approved DEJ Program agencies providing countywide program services to eligible County residents.

DBH monitors its certified providers for compliance with the DEJ Program standards and verifies that all agencies have adequate administrative, fiscal, and operational capabilities to provide appropriate DEJ services for residents. DEJ Program participants are referred by the courts to agencies who are both certified by DBH and approved by the Board. Offenders who successfully complete the DEJ Program and comply with all requirements of the judicial tribunal are then entitled to have their cases dismissed, allowing them to reintegrate into the community and seek employment and other opportunities without having an offense on their records. Approval of this item will allow DBH to continue to provide the DEJ Program services.

The Board historically has authorized the Assistant Executive Officer or the Director of DBH to execute the Letter of Certification template with the individual certified agencies, including any non-substantive changes. DBH made this request as it needs the flexibility to make any non-substantive changes required by the Department of Health Care Services and have the Letter of Certifications in effect as soon as possible to avoid a gap in service for current DEJ Program enrollees and maintain compliance with DEJ Program participant service needs.

DBH ensures that all certified providers comply with Title 9, California Code of Regulations, Chapter 3: Program for Alcohol and Drug-Impaired Drivers, Penal Code Sections 1000-1000.8, Chapter 1.5 of Title 8 of the California Code of Regulations and verifies that all agencies possess adequate administrative, fiscal, and operational capabilities to provide appropriate DEJ services for county residents.

During 2022-23, three clients enrolled in the DEJ Program, and one client completed the DEJ Program requirements. The client who completed the DEJ Program will have their case dismissed and the charge cleared from their record. DBH anticipates serving three clients annually in the DEJ Program. DBH charges a one-time administrative fee for oversight and monitoring of \$43 per client.

PROCUREMENT

A procurement is not required for this type of service, as the County's providers must be eligible to provide these services and DBH may only refer DEJ Program certified agencies to the Board for approval.

REVIEW BY OTHERS

This item has been reviewed by Behavioral Health Contracts (Lisa Rivas-Ordaz, Contracts Supervisor, 386-8264) on July 11, 2024; County Counsel (Dawn Martin, Deputy County Counsel, 387-5455) on July 23, 2024; Finance (Paul Garcia, Administrative Analyst, 386-8392) on July 29, 2024; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) August 5, 2024.

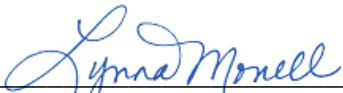
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Record of Action of the Board of Supervisors
San Bernardino County

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 20, 2024



cc: File - Behavioral Health w/attach
CCM 08/22/2024