

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

June 8, 2021

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. 7** 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 \$100,281 for two additional Social Workers, from \$73,634,205 to a new total amount not to exceed \$73,734,486, with no change to the contract term of January 12, 2016 through January 11, 2022.
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 \$73,734,486 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 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 not result in the use of additional Discretionary General Funding (Net County Cost). The contract increase of \$100,281 funds two additional full-time Social Worker positions funded by Department of Behavioral Health (DBH) 1991 Realignment funds. Sufficient appropriation is included in the Department's 2021-22 recommended budget.

BACKGROUND INFORMATION

Title 15, California Code of Regulations, Article 11 identifies the responsibility of the Sheriff/Coroner/Public Administrator (Department) to provide 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, including a range of diagnostic, treatment, and follow-up services with the goals of improving clinical outcomes and stabilizing patients to their highest level of wellness so they may successfully integrate into the community upon release.

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Comprehensive mental healthcare includes Crisis Stabilization, Step Down, Residential Treatment Unit-type housing and medication management. The Department partners with DBH for mental health assessments of arrestees with the Triage Engagement and Support Team (TEST) prior to custody, with the goal of diversion instead of incarceration. Furthermore, both departments have collaborated since 2016 for the Corrections To A Safer Community (CTASC) program, with the goal to have DBH staff working on discharge planning at the West Valley Detention Center for all seriously mentally ill (SMI) patients in specialized correctional housing.

The Department has contracted with Liberty Healthcare Corporation (Liberty) for the provision of comprehensive mental health and programming services in the County's detention facilities since 2016. Due to the number of incarcerated patients with mental health needs increasing to more than 25% (approximately 1,500 inmates) of the current inmate population, the Department recommends amending the contract with Liberty, effective June 9, 2021, to increase the number of full time equivalent positions (FTEs) from 103.35 to 105.35, increasing the Social Worker FTEs from 2 to 4. The increase in staffing is another step in adequately addressing the mental health needs of inmates incarcerated in the County's detention facilities. Approval of Recommendation No. 2 will allow the Sheriff/Coroner/Public Administrator to make changes to the number of FTEs, if necessary, to address changes in the workload. Any such change orders cannot exceed the maximum contract amount of \$73,734,486 nor amend the contract term. The contract may be terminated by either party upon 120 days' written notice.

PROCUREMENT

On January 12, 2016 (Item No. 43), as a result of a competitive process, the Board approved Contract No. 16-08 with 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 programming services in the County's detention facilities. Subsequently, the Board approved six 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 FTE positions, from 13 to 24.75; 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 period 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 FTEs, from 24.75 to 39.75, and increased the contract amount by \$4,682,952, with no change to the contract period.

Amendment No. 3 (December 18, 2018; Item No. 74): increased the total contract by \$9,415,761, and extended the term of the contract by one year through January 11, 2020.

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

Amendment No. 5 (January 7, 2020; Item No. 33): increased the number of staff by 20 FTEs from 42.75 to 62.75; and increased the total contract amount by \$4,506,178, with no change to the contract period.

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Amendment No. 6 (June 23, 2020; Item No. 94): increased the number of staff by 40.6 FTEs from 62.75 to 103.35; increased the total contract amount by \$27,464,933; and extended the term through January 11, 2022.

Due to the ongoing effort to maintain adequate mental health services for inmates within the County's detention facilities, the Department recommends adding the 2 additional FTEs. The amendment will provide continuity of service and address timing constraints associated with the County's mandate to provide these services. The Department will begin a formal procurement process by August 2021 and anticipates a new contract for mental health services will be presented to the Board for approval prior to January 2022. Purchasing concurs that a non-competitive justification exists to give adequate time to complete a formal procurement process.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Richard D. Luczak, Deputy County Counsel, 387-5455) on May 3, 2021; Purchasing (Michael Candelaria, Lead Buyer, 387-0321) on May 3, 2021; Finance (Carolina Mendoza, Administrative Analyst, 387-0294) on May 19, 2021; and County Finance and Administration (Kelly Welty, Deputy Executive Officer, 387-5423) on May 19, 2021.

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

APPROVED (CONSENT CALENDAR)

Moved: Janice Rutherford Seconded: Joe Baca, Jr.

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 8, 2021



cc: Sheriff- Ades w/agree
Contractor- C/O Sheriff w/agree
File- w/agree
LA 06/15/2021