



San Bernardino County

Legislation Text

File #: 6687, Agenda Item #: 16

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

September 13, 2022

FROM

GEORGINA YOSHIOKA, Interim Director, Department of Behavioral Health

SUBJECT

Deferred Entry of Judgement Program Services for San Bernardino County

RECOMMENDATION(S)

1. Approve the following list of certified agencies to provide Deferred Entry of Judgement Program services for San Bernardino County, for the period of October 1, 2022 through September 30, 2023:
 - a. High Desert Child, Adolescent & Family Services Center
 - b. Inland Behavioral & Health Services
 - c. Mental Health Systems
 - d. Valley Improvement Programs, Inc.
2. Approve the Letter of Certification template for Deferred Entry of Judgement Program in relation to the provision of services by certified agencies for San Bernardino County, effective October 1, 2022 through September 30, 2023, with one one-year option to extend the term of services.
3. Authorize the Assistant Executive Officer of Department Operations, the Deputy Executive Officer of Human Services, or the Director of the Department of Behavioral Health to execute the Letter of Certification template with the individual certified agencies, including any non-substantive changes to the Letter of Certification template in relation to the provision of Deferred Entry of Judgement Program services, for the period of October 1, 2022 through September 30, 2023, on behalf of the County, subject to review by County Counsel.

(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 Department of Behavioral Health (DBH) will receive administrative fee revenue, generated by participants in the program, in an estimated amount of \$1,850. Adequate appropriation and revenue have been included in DBH's 2022-23 budget and will be included in the 2023-24 recommended budget.

BACKGROUND INFORMATION

Approval of this item will allow DBH to enter into an agreement for the Letters of Certification template with the certified agencies to continue Deferred Entry of Judgement (DEJ) services for the period of October 1, 2022

through September 30, 2023, which allows for an additional one-year option to extend the term of the agreement.

The DEJ Program 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. DBH has been responsible for the certification and monitoring of Board of Supervisors (Board) approved DEJ agencies providing countywide program services to eligible San Bernardino County residents since 1994. DEJ program requirements are developed and maintained by DBH per California Penal Code Sections 1000-1000.8 and Chapter 1.5 of Title 9 of the California Code of Regulations, as there are no state required licenses for DEJ providers.

Most recently, on April 7, 2015 (Item No. 20), the Board approved a list of certified agencies and the Letter of Certification template for DEJ Program services, for the period of July 1, 2015 through June 30, 2018. The template included the option of two one-year extensions contingent upon provider performance and compliance to program standards.

On May 22, 2018 (Item No. 33), the Board approved a list of certified agencies and the Letter of Certification template for DEJ Program services, for the period of July 1, 2018 through June 30, 2019. The template included the option of one additional one-year extension contingent upon provider performance and compliance to program standards.

On April 30, 2019 (Item No. 28), the Board approved a list of certified agencies and the Letter of Certification template for DEJ Program services, for the period of July 1, 2019 through September 30, 2022. The template included the option of two one-year extensions contingent upon provider performance and compliance to program standards. Using a one-year option to extend, the Letter of Certification template will allow the certified agencies to continue to provide DEJ services through September 30, 2023.

The Board has historically authorized the Assistant Executive Officer of Department Operations, the Deputy Executive Officer of Human Services, or the DBH Director to execute the Letter of Certification template with the individual certified agencies, including any non-substantive changes. This is requested as DBH needs the flexibility to make any non-substantive changes and have the Letter of Certifications in effect as soon as possible in order to avoid a gap in service and maintain compliance with participant service needs.

DBH monitors its certified providers for compliance with the San Bernardino County Department of Behavioral Health Deferred Entry of Judgement Program Standards and verifies that all agencies have adequate administrative, fiscal, and operational capabilities to provide appropriate DEJ services for residents. DEJ participants are referred by the courts only to agencies certified by DBH and approved by the Board. Offenders who successfully complete the DEJ counseling program and comply with all requirements of the judicial tribunal are then entitled to have their cases dismissed.

PROCUREMENT

For this type of service, a procurement is not required as the County's current providers remain eligible to provide these services as DBH may only refer program certified agencies to the Board for approval.

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

REVIEW BY OTHERS

This item has been reviewed by Behavioral Health Contracts (Ellayna Hoatson, Contracts Supervisor, 388-0858) on August 17, 2022; County Counsel (Dawn Martin, Deputy County Counsel, 387-5455) on August 17, 2022; Finance (Christopher Lange, Administrative Analyst, 386-8393) on August 19, 2022; and County

Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on August 23, 2022.