



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

L-1

For the meeting of: June 23, 2015

Date: June 1, 2015

To: Board of Supervisors

From: Phillip R. Crandall, Director *PRC*
Department of Health and Human Services

Subject: Public Hearing on transfer of 2011 State/Local Program Realignment funds from Social Services sub-account to Mental Health sub-account for Fiscal Year (FY) 2014-2015

RECOMMENDATION(S):

That the Board of Supervisors:

1. Open the public hearing;
2. Receive public testimony;
3. Close the hearing;
4. Find that the decision to make a change in its allocation of 2011 Social Services realignment monies is based on the most cost-effective use of available resources to maximize client outcomes;
5. Direct the Clerk of the Board to send a certified copy of these findings to the Department of Health and Human Services;
6. Direct the Department of Health and Human Services to forward a document containing this finding to the State Controller; and
7. Direct the Auditor-Controller to transfer \$5,000,000 of 2011 state/local program realignment funds from Social Services sub-account to Mental Health sub-account.

SOURCE OF FUNDING:

Social Services Realignment Funds

DISCUSSION:

Prepared by Connie Beck, Assistant Director-Administration

CAO Approval *Amy Wilson*

REVIEW:

Auditor *WJW*

County Counsel _____

Personnel _____

Risk Manager _____

Other _____

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. K-1, L-1

Meeting of: 6/2/2009, 7/16/2013

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Sundberg* Seconded by Supervisor *Bass*

Ayes *Sundberg, Fennell, Bohm, Bass*

Nays _____

Abstain _____

Absent *Lovelace*

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *June 23, 2015*

By: *Kathy Hayes*
Kathy Hayes, Clerk of the Board

Senate Bill 1020, the 2011 Public Safety Realignment legislation, allows Humboldt and Placer Counties to operate an integrated and comprehensive county health and human services system. This increases the ability to reallocate money between the Protective Services Subaccount and the Behavioral Health Subaccount within the Support Services Account of the 2011 County Local Revenue Fund, consistent with the provisions of Welfare and Institutions Code Section 18986.86.

This transfer is also consistent with the provisions of 2011 Public Safety Realignment and with the provisions of integrated health and human services systems contained in Welfare and Institutions Code Section 18986.86.

The transfer of funds is recommended due to federally required electronic health record conversion, increased populations requiring behavioral health services and supports as a result of the Affordable Care Act (ACA), Managed Care, Health and Human Services Realignment, Prison Realignment and an increase of needed services to severely mentally ill and homeless.

FINANCIAL IMPACT:

The transfer of \$5,000,000 does not affect currently budgeted Social Services program service levels.

This transfer of funds supports the Boards Strategic Framework by creating opportunities for improved health and safety and protecting vulnerable populations.

OTHER AGENCY INVOLVEMENT:

County Administrative Office, Auditor-Controller and State Controller

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could elect not to authorize the transfer of these funds. This is not recommended as the Department is taking this action to assure its ability to meet the expanded mandates and entitlement obligations of Behavioral Health under the Affordable Care Act.

ATTACHMENTS:

- Attachment 1: **Assembly Bill 315**
- Attachment 2: **Assembly Bill 1881**
- Attachment 3: **Senate Bill 1020**

Assembly Bill No. 315

CHAPTER 264

An act to repeal Section 18986.88 of the Welfare and Institutions Code, relating to health and human services.

[Approved by Governor October 5, 2007. Filed with
Secretary of State October 5, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

AB 315, Berg. Integrated health and human services programs.

Existing law permits the Counties of Alameda, Mendocino, Humboldt, and any other county, as determined by the Secretary of California Health and Human Services to, until January 1, 2009, implement, upon approval of that county, and with the assistance and participation of the appropriate state departments, a program for the funding and delivery of services and benefits through an integrated and comprehensive county health and human services system, subject to certain limitations.

This bill would eliminate the repeal date of these provisions, thus extending their duration indefinitely.

The people of the State of California do enact as follows:

SECTION 1. Section 18986.88 of the Welfare and Institutions Code is repealed.

Assembly Bill No. 1881

CHAPTER 655

An act to amend Sections 18986.86, 18986.87, and 18986.88 of the Welfare and Institutions Code, relating to health and human services.

[Approved by Governor September 21, 2004. Filed
with Secretary of State September 21, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1881, Berg. Integrated health and human services programs.

Existing law authorizes the Counties of Humboldt, Mendocino, and Alameda, until January 1, 2005, to implement a program for the funding and delivery of services and benefits through an integrated and comprehensive county health and human services system, subject to certain limitations. Existing law requires a participating county to evaluate its program and to submit its final report to the Governor or the Governor's designee and the Legislature by no later than January 1, 2004.

This bill would extend the authority to implement an integrated health and human services program in accordance with the above provisions to any additional county or counties, as determined by the Secretary of California Health and Human Services. The bill would extend the duration of the program to January 1, 2009. The bill would also extend the date for submission of the final report to July 1, 2008.

The people of the State of California do enact as follows:

SECTION 1. Section 18986.86 of the Welfare and Institutions Code is amended to read:

18986.86. (a) Humboldt County, Mendocino County, Alameda County, and any additional county or counties, as determined by the Secretary of California Health and Human Services, with the assistance and participation of the appropriate state departments, within the existing resources of those departments, may implement a program, upon approval of the county board of supervisors for the funding and delivery of services and benefits through an integrated and comprehensive county health and human services system.

(b) In providing services through an integrated system to families and individuals, the program may, among other things, do all of the following:

(1) Implement and evaluate a system of universal intake for those seeking services.

(2) Implement and evaluate a system whereby a family or individual eligible for more than one service may be provided those services through an integrated, coordinated service plan.

(3) Implement and evaluate a system of administration that integrates and coordinates the management and support of client services.

(4) Implement and evaluate a system of reporting and accountability that provides for the combined provision of services as provided for in paragraph (2), without the loss of state or federal funds provided under current law.

(5) In consultation with the appropriate state departments, as designated by the Secretary of Health and Human Services, any participating county may develop specific goals in addition to those specified in paragraphs (1) to (4), inclusive, to achieve an integrated and comprehensive county health and human services system.

(c) The integrated system may include any or all of the following:

- (1) Adoption services.
- (2) Child abuse prevention services.
- (3) Child welfare services.
- (4) Delinquency prevention services.
- (5) Drug and alcohol services.
- (6) Mental health services.
- (7) Eligibility determination.
- (8) Employment and training services.
- (9) Foster care services.
- (10) Health services.
- (11) Public health services.
- (12) Housing services.
- (13) Medically indigent program services.

(d) (1) Part 2.6 (commencing with Section 56) of Division 1 of the Civil Code shall apply to the programs or services providing integrated services.

(2) Before a program obtains an individual's medical information, including mental health and drug treatment records, his or her informed authorization shall be obtained, or the informed authorization of his or her custodial parent, or his or her guardian shall be obtained if the individual is a minor, unless the minor is authorized to give consent.

(3) Medical information shall not be disclosed to any individual who is not authorized to have that information pursuant to the authorization provided in paragraph (2).

(4) Medical information shall not be disclosed for any purpose that is not authorized by the authorization in paragraph (2).

(5) The sharing of information permitted under paragraphs (2), (3), and (4) shall be governed by memoranda of understanding among the agencies represented on the team. These memoranda shall specify the types of information that may be shared without a signed release form, and the process to be used to ensure that current confidentiality requirements, as described in subdivision (d), are met.

(6) Any client shall have access to his or her medical information and shall have the right to correct any inaccurate information contained in the medical information.

(e) Programs or services shall be included in the program only to the extent that federal funding to either the state or the county will not be reduced as a result of the inclusion of the services in the project. This program shall not generate any increased expenditures from the General Fund.

(f) Each participating county and the appropriate state departments shall jointly seek federal approval of the program, as may be needed to ensure its funding and allow for the integrated provision of services.

(g) This chapter shall not authorize each participating county to discontinue meeting its obligations under current law to provide services or to reduce its accountability for the provision of these services.

(h) This chapter shall not authorize a participating county to reduce the county's eligibility under current law for state funding for the services included in the program.

(i) A participating county shall utilize any and all state general and county funds that it is legally allocated or entitled to receive. Through the creation of integrated health and social services structures, the county shall maximize federal matching funds.

(j) The Secretary of Health and Human Services shall designate a lead department to coordinate the state's participation in the county's program.

(k) The appropriate state departments, as designated by the Secretary of Health and Human Services, that are assisting, participating, and cooperating in the implementation of the program authorized by this chapter shall have the authority to waive regulations regarding the method of providing services and the method of reporting and accountability, as may be required to meet the goals set forth in subdivision (b). However, the departments shall not waive regulations pertaining to privacy and confidentiality of records, civil service merit systems, or collective bargaining. The departments shall not waive regulations if the waiver results in a diminished amount or level of services or benefits to eligible recipients as compared to the benefits and services that would have been provided to recipients absent the waiver.

SEC. 2. Section 18986.87 of the Welfare and Institutions Code is amended to read:

18986.87. (a) A participating county shall, in consultation with the appropriate state departments, as designated by the Secretary of Health and Human Services, develop outcomes and performance measures specific to the project prior to the implementation of the pilot program. Implementation of a pilot program pursuant to this chapter shall occur no later than January 1, 2009.

(b) A participating county shall evaluate its program with the participation of the appropriate state departments, as designated by the Secretary of Health and Human Services, and prepare interim and final evaluations and submit them to the Governor or the Governor's designee and the appropriate policy committees of the Legislature. The interim report shall be submitted not later than six months following the third year of the implementation of the program. The final report shall be submitted not later than July 1, 2008.

(c) Each participating county shall provide for the evaluation of the program.

SEC. 3. Section 18986.88 of the Welfare and Institutions Code is amended to read:

18986.88. This chapter shall remain in effect only until January 1, 2009, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2009, deletes or extends that date.

SB 1020
(2011)

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

This act is titled and may be cited as 2011 Realignment Legislation.

SEC. 2.

Section 30025 of the Government Code is amended to read:

(4) Each county treasurer, and city and county treasurer, or other appropriate official, shall create the Protective Services Subaccount and the Behavioral Health Subaccount within the Support Services Account.

(A) Any county or city and county may only annually reallocate money between subaccounts in the Support Services Account, provided that the reallocation may not exceed 10 percent of the amount deposited in the immediately preceding fiscal year in the subaccount in the Support Services Account with the lowest balance.

(B) A county or city and county shall, at a regularly scheduled public hearing of its governing body, document that any decision to make any change in its allocation between the Protective Services Subaccount or Behavioral Health Subaccount moneys among services, facilities, programs, or providers as a result of reallocating funds pursuant to subparagraph (A) was based on the most cost effective use of available resources to maximize client outcomes.

(C) Any reallocation made pursuant to this paragraph shall only be in effect for the fiscal year in which the reallocation is made, and the reallocation shall be neither a permanent allocation nor a permanent funding source for any program or service receiving funds from the reallocation.

(D) Any county or city and county that reallocates funds pursuant to this paragraph shall forward a copy of the documentation in subparagraph (B) to the Controller. The Controller shall make an annual report to the fiscal committees of the Legislature of transfers made and shall forward copies of the documentation to other interested parties upon request.

(E) Notwithstanding subparagraph (A), any county authorized to operate an integrated and comprehensive county health and human services system pursuant to Chapter 12.95 (commencing with Section 18989), Chapter 12.96 (commencing with Section 18986.60), or Chapter 12.991 (commencing with Section 18986.86) of Part 6 of Division 9 of the Welfare and Institutions Code may reallocate money between the Protective Services Subaccount and the Behavioral Health Subaccount within the Support Services Account of the County Local Revenue Fund 2011 established pursuant to paragraph (3), consistent with the provisions and restrictions contained in Chapter 12.95 (commencing with Section 18989), Chapter 12.96 (commencing with Section 18986.60), or Chapter 12.991

(commencing with Section 18986.86) of Part 6 of Division 9 of the Welfare and Institutions Code.

(F) The Counties of Alameda, Los Angeles, Marin, San Diego, San Francisco, and San Joaquin shall create, within the Behavioral Health Subaccount created pursuant to this paragraph, a County Women and Children's Residential Treatment Services Special Account.

Reference:

GOVERNMENT CODE - GOV

TITLE 3. GOVERNMENT OF COUNTIES [23000. - 33205.]

(Title 3 added by Stats. 1947, Ch. 424.)

DIVISION 3. FINANCIAL PROVISIONS [29000. - 30608.]

(Division 3 added by Stats. 1947, Ch. 424.)

CHAPTER 6.3. Local Revenue Fund 2011 [30025. - 30029.12.]

(Chapter 6.3 added by Stats. 2011, Ch. 40, Sec. 3.)