

RESPONSE TO GRAND JURY REPORT

Report Title: BeHold: The Department of Mental Health's Management of the Public Guardian Office and Patients' Rights Advocate

Report Date: 6/23/20

Response by: Humboldt County Board of Supervisors

FINDINGS

1. The county agrees with the finding numbered F1.
2. The county partially agrees with the findings numbered F2, F3, and F4.
3. The county disagrees with none of the findings.

RECOMMENDATIONS

1. Recommendation numbered R2 has been implemented.
2. Recommendations numbered R2 will be implemented.
3. Recommendation numbered _____ is in the process of being implemented.
4. Recommendations numbered _____ require analysis.
5. Recommendation numbered R3 will not be implemented.

Date: _____ Signed: _____

Number of pages attached: _____



COUNTY OF HUMBOLDT
COUNTY ADMINISTRATIVE OFFICE
MANAGEMENT & BUDGET TEAM

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INTEROFFICE MEMORANDUM

TO: BOARD OF SUPERVISORS
FROM: AMY S. NILSEN, COUNTY ADMINISTRATIVE OFFICER
SUBJECT: RESPONSE TO 2019-2020 GRAND JURY REPORT "BEHOLD: THE DEPARTMENT OF MENTAL HEALTH'S MANAGEMENT OF THE PUBLIC GUARDIAN OFFICE AND PATIENTS' RIGHTS ADVOCATE"
DATE: 8/25/2020

In the Grand Jury Report, Inspections of Custody and Correction Facilities in Humboldt County, the Grand Jury has requested that your Board respond to Findings 1 through 4 and Recommendations 1 through 3. I am proposing the following response as detailed below.

FINDINGS

Finding 1: *The Public Guardian Office is understaffed. (R1, R2, R3)*

Response: Partially Agree

Steps have been taken over the past two years to address this prior to the Grand Jury report. The Public Guardian's (PG) Office requested support in 2018 and received an extra help fiscal assistant from May through July 2018 and then an office assistant from December 2019 until March 2020. An office assistant was hired permanently in March 2020. Additionally, an allocation for another Deputy Public Guardian was approved for Fiscal Year (FY) 2020-21 and is available to be filled as of July 1, 2020.

Finding 2: *Mental Health, which administers the Public Guardian Office, did not take sufficient proactive measures to help the Public Guardian Office manage the increased caseload when a key staff member took extended leave. (R1, R2, R3)*

Response: Partially agree

Mental Health has added an office assistant that was hired permanently in March 2020 and the Board approved another Deputy Guardian in (FY 2020-21). DHHS will continue to monitor the status of employees on leave with Human Resources to evaluate the opportunity to hire when extra help is needed. Sometimes, the PG office is supported and supplemented with Behavioral staff. (R1, R2, R3)

Finding 3: *The present Public Guardians are unable to meet their obligations to clients adequately because they are burdened with inordinately high caseloads. (R1, R2, R3)*

Response: Partially agree

A large portion of funding to the Public Guardian Office comes from outside the purview of Behavioral Health Administration, but often times staff assists the PG office with clients. BH staff manage many of the day-to-day activities for high needs clients and can bill insurance for services, which is more fiscally prudent. (R1, R2, R3)

Finding 4: *The Humboldt County Memorandum Of Understanding with employees has language that restricts the replacement of employees when a full-time employee is out on prolonged medical leave. (R3)*

Response: Partially agree

When a situation such as a full-time employee is out on a prolonged medical leave, extra help employees can be hired if the budget allows. It can be difficult to know the need for hiring extra help when it is unknown how long the employee will be on extended leave. (R3)

RECOMMENDATIONS

Recommendation 2: *The Humboldt County Civil Grand Jury recommends that the Board of Supervisors ensure that adequate funding is budgeted for the hiring of an additional deputy public guardian. (F1, F2, F3)*

Response: This recommendation was implemented on July 1, 2020

Recommendation 2: *The Humboldt County Civil Grand Jury recommends that the Department of Health and Human Services hire an additional (fourth) deputy public guardian in order to ensure the office can manage its caseloads. (F1, F2, F3)*

Response: This recommendation will be implemented.

The Board approved allocating this position for FY 2020-21 and is available to be filled as of July 1, 2020.

Recommendation 3: *The Humboldt County Civil Grand Jury recommends that the Department of Health and Human Services develop and implement a process to mitigate the effects of the increased workload on remaining staff when a staff member takes an extended leave. (F1, F2, F3, F4)*

Response: This recommendation will not be implemented because it is not warranted or is not feasible

DHHS has a process for hiring extra staff when needed. This is done most often when the leave is determined to be for a significant amount of time. However, leave is protected by state and federal labor laws and the position must be held for the individual out on leave and therefore additional staff cannot always be hired when another staff is on leave. Also, the PG office does not have dedicated state or federal funding and relies on financing through the General Fund, Social Services and Behavioral Health.