



COUNTY OF HUMBOLDT

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Informational Report: 24-1601

File Number: 24-1601

Authorization to Apply for and Accept Funding Made Available through the California Department of State Hospitals' Incompetent to Stand Trial (IST) Diversion and Community-Based Restoration Infrastructure Project

STRATEGIC PLAN:

The recommended actions support the following areas of the Board of Supervisors' Strategic Plan:

Area of Focus: Safe & Healthy Communities

Strategic Plan Category: 1002- Remove barriers to quality healthcare

DISCUSSION:

On March 15, 2023, the California Department of State Hospitals released a Request for Proposals for the first round of funding made available through the Incompetent to Stand Trial Diversion and Community-Based Restoration Infrastructure Project. This funding opportunity has been approved through the 2022 Budget Act, Senate Bill No. 154 and Welfare and Institutions Code Section 4361.6, and is open to California counties that commit to contract with the Department of State Hospitals for the development and implementation of an ongoing diversion and/or community-based restoration program. The purpose of the IST Diversion and Community-Based Restoration Infrastructure Project is to increase access to diversion and community-based treatment for eligible individuals found IST on felony charges. A total of \$468,800,000 in one-time funds is available to develop residential housing settings in support of individuals who are participating in either diversion or community-based restoration programs funded by the Department of State Hospitals. Startup funds at a rate of \$93,750 per bed will be provided for each bed in a residence to cover the down payment, renovation, necessary retrofitting and furnishings for staff and patients.

The ongoing cost of operating the homes will be provided through a separate per-patient rate paid to counties or service providers, who are responsible for securing client housing and providing wraparound treatment services. Counties will receive \$125,000 per felony IST trial client, apportioned over 18 months, treated in either a community-based restoration or diversion program through a separate program services contract. This rate is intended to support an intensive community treatment model with increased frequency of clinical contacts and access to psychiatry services, as well as all wraparound services and housing costs for an average 18-month length of stay. Counties may subcontract with service providers to secure client housing and/or provide wraparound services.

This residential housing program will complement the Institutions for Mental Diseases and Sub-Acute Infrastructure Program funded by the 2021 Budget Act. Institutions for mental diseases and sub-acute beds are a key component for treating individuals identified as IST on felony charges in the community. The Department of State Hospitals is currently developing new Institutions for mental diseases and sub-acute capacity across the state. These beds will be available as a step-down stabilization option for felony IST clients transitioning from jail to the community-based restoration or diversion programs and can also be used when IST clients receiving treatment in these community programs need a higher level of care. Together, these programs will support a comprehensive continuum of community placement and housing options for individuals deemed incompetent to stand trial on felony charges across the state.

The IST Diversion and Community-Based Restoration Infrastructure Project will consist of two rounds of funding. The first round of funding includes a non-competitive rolling allocation schedule open to all counties or non-county entities partnering with a county. The second round of funding will be allocated based on the amount of funds remaining after the first round. Applications for the first round of funding are due Dec. 31, 2024, and all funds

must be expended by June 30, 2028.

To be eligible for funding made available through the IST Diversion and Community-Based Restoration Infrastructure Project, counties must commit to contracting with the Department of State Hospitals to operate a diversion and/or community-based restoration program, which would utilize the beds created by the grant funds. Such services will be supported by a \$228 per day reimbursement per resident, up to a maximum of \$125,000 for an anticipated period of 18 months. Residences must provide individuals with access to supportive staff and a variety of therapeutic and wraparound supportive services, including, without limitation, all of the following: intensive case management; mental health treatment; substance use disorder treatment; medication management; peer support services; vocational and rehabilitative services; assistance with filling out job applications and benefits entitlement paperwork; group counseling sessions and wellness groups; family reunification services; linkages to community resources; criminal justice coordination and transportation to/from medical appointments.

FINANCIAL IMPACT:

The IST Diversion and Community-Based Restoration Infrastructure Project is budgeted through a cost-per-bed formulation, based on a county's total incompetent to stand trial determinations in FY 2021-2022. The maximum funding allocation for Humboldt County is \$5,156,250. To calculate the funding amount, the Department of State Hospitals assumed a flat rate of \$750,000 for each eight bed residence, which equates to \$93,750 per bed. Residences can be larger or smaller than eight beds, but the cost per bed \$93,750. There is no match requirement for funding made available through the IST Diversion and Community-Based Restoration Infrastructure Project.

The application for funding made available through the IST Diversion and Community-Based Restoration Infrastructure Project submitted by the Humboldt County DHHS will propose to subcontract with a provider that would acquire and rehabilitate a 55 bed facility for a total of \$5,156,250 in funding made available to the County of Humboldt. The number of beds may be scaled down during the project planning phase if needed. Eligible uses of these funds are limited to down payment, renovation, necessary retrofitting, new construction and furnishings for staff and patients. These residences must provide bedrooms, bathroom facilities, shared living spaces and access to outdoor spaces. The County has a severe shortage of appropriate housing settings for the incompetent to stand trial population.

The ongoing cost of operating the homes will be provided through a separate per-patient rate paid to the DHHS or to service providers, who are responsible for securing client housing and providing wraparound treatment services. Counties will receive \$125,000 per felony incompetent to stand trial client over a period of 18 months.

STAFFING IMPACT:

The recommended actions will not impact current staffing levels.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to authorize the Department of Health and Human Services Director, or a designee thereof, to apply for and accept, if awarded, funding made available through the Incompetent to Stand Trial Diversion and Community-Based Restoration Infrastructure Project. However, this alternative is not recommended since the County of Humboldt is required to provide appropriate housing settings to the felony incompetent to stand trial population and there is currently a severe shortage of appropriate housing settings for this population.

ATTACHMENTS:

1. Letter of Intent to Contract with the California Department of State Hospitals
2. Letter of Support from the Humboldt County Superior Court
3. Letter of Support from the Humboldt County District Attorney's Office
4. Letter of Support from the Humboldt County Public Defender's Office

- 5. Letter of Support from the Humboldt County Department of Health and Human Services - Behavioral Health
- 6. County's Certification of Prevailing Wage
- 7. County's Certification of Funding Terms

PREVIOUS ACTION/REFERRAL:

Meeting of: None

File No.: None

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I, Kaleigh Maffei, certify that this is a true copy of Agenda Item No. 24-1601, passed by the Board of Supervisors on 12/10/2024.

Attest: _____

Date Certified