



BOARD OF COUNTY COMMISSIONERS

DATE: December 10, 2013

AGENDA ITEM NO. 30

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

County Administrator's Signature:

Subject:

Amendment No. 1 Substance Abuse Mental Health Funding Agreement with Personal Enrichment Through Mental Health Services (PEMHS)

Department:

Health and Community Services

Staff Member Responsible:

Gwendolyn Warren, Executive Director

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE AND EXECUTE AMENDMENT NO. 1 TO THE SUBSTANCE ABUSE MENTAL HEALTH SERVICE FUNDING AGREEMENT WITH PERSONAL ENRICHMENT THROUGH MENTAL HEALTH SERVICES, INC. (PEMHS) RETROACTIVE TO OCTOBER 1, 2013.

IT IS FURTHER RECOMMENDED AUTHORITY BE GRANTED FOR THE CHAIRMAN TO SIGN AND THE CLERK TO ATTEST.

Summary Explanation/Background:

The Department of Health and Community Services is requesting that the Board approve and execute Amendment No. 1 Substance Abuse Mental Health Funding Agreement with Personal Enrichment Through Mental Health Services, Inc. (PEMHS).

The Florida Substance Abuse and Mental Health (SAMH) Program is managed by the Florida Department of Children and Families and is the single state authority on substance abuse and mental health services in the state. The program oversees a statewide system of care for the prevention, treatment, and recovery of children and adults with serious mental illnesses and/or substance abuse disorders. The Department of Children and Families designates mental health and substance abuse providers throughout the state and requires, through Florida State Statute § 394.76, local participation on a state-to-local match ratio of 75-25%, respectively. Over the last 20 years, Pinellas County has provided this match funding to the local provider agencies, including PEMHS.

During the Fiscal Year 2012-2013 Budget Work Sessions, the Department reviewed the Florida Statute governing the SAMH program and match requirement, an opinion by the Florida Attorney General and the individual provider agencies' audited financial statements and determined that designated SAMH provider agencies had enough excess Operating Support and Revenue to meet the 25% local match requirement without the County's financial support. The agencies would continue to receive state aid for SAMH programs without an interruption to client services despite no longer receiving funding from the County.

PEMHS stated that without the County's funding, a 14-bed Crisis Stabilization Unit in St. Petersburg that treats individuals who are mentally ill and committed through the Baker Act would have to close. While PEMHS has sufficient funds to meet the state SAMH match, it is dependent on County funding to support the additional beds, which were opened in 2008 as a result of an increased demand for Baker Act beds.

The Department recommends a 120 day extension of financial support for PEMHS Crisis Stabilization Unit beds in Fiscal Year 2013-2014. This funding will support PEMHS Crisis Stabilization Unit to ensure 14 county beds remain open for individuals who are Baker Acted and need treatment.

Fiscal Impact/Cost/Revenue Summary:

The total amount of funding for this Amendment is an amount not to exceed \$846,534.00. Funding for this agreement will come from the Department of Health and Community Services' FY 2013-2014 appropriations. In addition, \$47,580.00 of the total funding will be utilized for Community Mental Health Services/Crisis Support/Emergency Services/FETC/Transportation. Amendment No. 1 will be effective retroactive to October 1, 2013. All of the services required by Amendment No. 1 shall be completed no later than March 31, 2014.


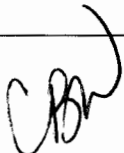


Exhibits/Attachments Attached:

1. Contract Review Transmittal Slip
2. Amendment No. 1—PEMHS
3. Board Order/Agenda Item September 18, 2012, Item No. 24

NON-PURCHASING CONTRACT REVIEW TRANSMITTAL SLIP**PROJECT: Amendment No. 1- Substance Abuse Mental Health (SAMH) Funding Agreement with Personal Enrichment Through Mental Health Services, Inc. (PEMHS)****CONTRACT NO.: N/A****ESTIMATED EXPENDITURE / REVENUE: \$ 846,534.00**
(Circle or underline appropriate choice above.)

In accordance with Contract Administration and its Review Process, the attached documents are submitted for your review and comment. Please complete this Non-Purchasing Contract Review Transmittal Slip below with your assessment, and **forward to the next Review Authority on the list, skipping any authority marked "N/A."** Indicate suggested changes by noting those in "Comments" column, or by revising, in RED, the appropriate section(s) of the document(s) to reflect the exact wording of the desired change(s).

OTHER SPECIFICS RELATING TO THE CONTRACT:

REVIEW SEQUENCE	DATE	INITIAL/ SIGNATURE	COMMENTS (IF ANY)	COMMENTS REVIEWED & ADDRESSED OR INCORPORATED
Originator: Gwendolyn Warren	10/25/13			
Risk Mgmt: Virginia Holscher	N/A			
Finance:** Cassandra Williams	11/5/13			
OMB:** Eric Naughton-	N/A			
Legal: Carl Brody	11/6/13			
Executive Director: Gwendolyn Warren	11/12/13			

Please return to Katherine Baird Adams By: ASAP.

All inquiries should be made to Katherine Baird Adams ext.4-8438.

** See Contract Review Process

**SUBSTANCE ABUSE MENTAL HEALTH (SAMH) FUNDING AGREEMENT
AMENDMENT No. 1**

THIS SAMH FUNDING AGREEMENT, entered into by and between PINELLAS COUNTY, a political subdivision of the State of Florida, hereinafter called the "COUNTY," and PERSONAL ENRICHMENT THROUGH MENTAL HEALTH SERVICES, INC. (PEMHS), hereinafter called the "SERVICE PROVIDER."

WITNESSETH:

WHEREAS, the County participates in funding substance abuse and mental health (SAMH) services within the County pursuant to Section 394.76(9)(a), Florida Statutes (2010); and

WHEREAS, PEMHS provides SAMH services within Pinellas County; and

WHEREAS, the County recognizes that the Service Provider is providing an essential service within the community; and

WHEREAS, the Service Provider has demonstrated financial need.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. Section 1 of the agreement shall be amended to add the following:

Additional funding is approved for the following SAMH service programs:

\$798,954.00 - Baker Act

\$ 47,580.00 - Community Mental Health Services/Crisis Support

Emergency Services/FETC/Transportation

2. Section 3 of the agreement shall be amended to read as follows:

The services of the SERVICE PROVIDER shall commence on October 1, 2013. All of the services required hereunder shall be completed no later than March 31, 2014.

3. Section 4 (a) of the agreement shall be amended to add the following:

The COUNTY agrees to pay the SERVICE PROVIDER in two payments (October - December and January - March) beginning on October 1, 2013 and authorizes the SERVICE PROVIDER to expend an amount which exceed the costs of services in an amount not to exceed Eight Hundred Forty Six Thousand Five Hundred Thirty Four Dollars and NO/00 (\$846,534.00).

4. Section 17 (c) (1) of the agreement is hereby amended to read:

The SERVICE PROVIDER shall not sell said property prior to March 31, 2014 unless express permission is obtained from the COUNTY in writing.

5. Section 17 (c) (3) of the agreement is hereby amended to read:

The COUNTY shall have the right to take exclusive possession, control, and all other ownership rights of said property whose value exceeds \$2,000.00 at any time prior to March 31, 2014 if the SERVICE PROVIDER violates any provision of this agreement, or if the SERVICE PROVIDER fails to use the property for the purposes of the project herein, or if the SERVICE PROVIDER ceases to exist for the purpose of this agreement.

6. All other terms and conditions of the aforesaid Agreement shall remain in full force and effect.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed on this the _____ day of _____, 2013.

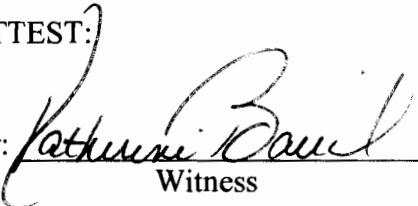
ATTEST:
KEN BURKE
Clerk of Circuit Court

By: _____
Deputy Clerk

PINELLAS COUNTY, FLORIDA, by and
through its Board of County Commissioners

By: _____
Chairman

Date: _____, 2013

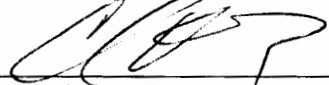
ATTEST:
By:  _____
Witness

PERSONAL ENRICHMENT THROUGH
MENTAL HEALTH SERVICES, INC.

By:  _____
Executive Director COO

Date: 11/15/13, 2013

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By:  _____
Assistant County Attorney

85869

24
JCC 09-18-12
2:03 P.M. Schmidt/BURGESS

#24 Master Substance Abuse and Mental Health Funding Agreement with recommendations for funding to state-contracted local community substance abuse and mental health agencies approved with authorization for the execution of individual agency agreements pursuant to the funding recommendations matrix, which has been filed and made a part of the record, in the amount of \$2,134,456.00 for Fiscal Year 2012-2013 (Health and Human Services).

Motion - Commissioner Latvala
Second - Commissioner Roche

During discussion and in response to comments and queries by Commissioner Bostock, Cliff Smith, Health and Human Services, provided input regarding the amount required to be matched and the Attorney General's opinion regarding in-kind services, and indicated that the total funding amount is the same as last year; that three agencies will receive funding in amounts comparable to last year; that although the County has the ability to use in-kind services in lieu of dollars this year, it will continue to provide the 25-percent match this year and has added a requirement that the agencies receiving funding must provide services at the County's medical homes; whereupon, he noted that the state dictates the amount of the match; and that the County has provided the 25-percent match in the past, although the funds can come from anywhere in the community.

Commissioner Bostock expressed concern that requiring services to be provided in the County's medical homes may diminish the services provided by the agencies; and in response to comments by Mr. Smith, indicated that not all of the low-income population qualify for the County's health plan; whereupon, Commissioner Bostock stated that the ramifications of the services requirement should be reviewed, and Mr. Smith agreed.

Vote - 7 - 0



BOARD OF COUNTY COMMISSIONERS

DATE: September 18, 2012

AGENDA ITEM NO.

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☐

County Administrator's Signature:

Subject:

Approval of the Master Substance Abuse and Mental Health (SAMH) Agreement

Department:

Health and Human Services

Staff Member Responsible:

Gwendolyn Warren, Director

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE THE MASTER SUBSTANCE ABUSE AND MENTAL HEALTH AGREEMENT AND FURTHER AUTHORIZE THE EXECUTION OF INDIVIDUAL AGREEMENTS PURSUANT TO THE ATTACHED FUNDING MATRIX.

Summary Explanation/Background:

The recommendations for funding have been reviewed and are for State-contracted community substance abuse and mental health agencies requiring local matches pursuant to F.S. 394.76 (9) (a) and for the negotiation of a portion of this funding to be used for the County Health Program's Behavioral Health services. Historically, this local match has been treated as a State mandated share of matching funds for state-contracted local mental health service providers treating the severely persistent mentally ill. The County has been responsible for providing matching funds to the eligible state funded programs on a state-to-local ratio of 75:25, to the extent that other local funds are not provided. However, after seeking further clarification on the requirements of this statute with the Florida Attorney General's Office, we were directed to the Florida Attorney General's Advisory Legal Opinion Division, to read a document on the subject of Substance abuse/mental health services, county funding, December 5, 2012, number AGO 2011-23 (Attachment 6). Through this document, we were informed that the match may be in-kind and is not required to come from county governments.

This recommendation supports the Commission's strategic plan to achieve cost savings from a collaborative work group for consolidation as well as the Health and Human Services initiative of leveraging community partnerships for the new Health Care delivery system. Per the Attorney General's opinion, we believe that the County can determine creative means to meeting the dollar amounts required for the Mental Health Match. Additionally, this recommendation includes negotiating for some of the county dollars to be used as leveraging to pay for a portion of the County Health Program's integrated service provision of behavioral health services by revising the Mental Health Match contracts to realign service delivery. We acknowledge the importance that County financial support has to community partners that provide mental health services in the County and believe these dollars are also needed for those services. However, we believe our recommendations will offset costs for the County. Realigning contracts will require agencies to provide additional behavioral health services to our medical clients in exchange for funds. For fiscal year 2013, three local state-contracted substance abuse and mental health agencies (Directions, Personal Enrichment Mental Health Services [PEMHS], and Suncoast) have requested match amounts that total \$2,134,456. These requested dollars provide a local match to assist in some of the services provided by the agencies.

Florida's publicly funded mental health and substance abuse services programs are administered by the Florida Department of Children and Families that contract with Central Florida Behavioral Healthcare Network (CFBHN) to manage their contracts.

All expenditures related to the Mental Health Match Program are in accordance with state claims payment processes and subject to state audit regulations. County payments are consistent with all State contracting requirements, terms, and conditions. Performance outcomes and reporting responsibilities align with State performance and reporting requirements.

Fiscal Impact/Cost/Revenue Summary:

The total amount of funding required under this Master Agreement is \$2,134,456.00. Funding for this Agreement has been budgeted for in the Department of Health and Human Services FY 2012-2013 appropriation.

Exhibits/Attachments Attached:

1. Contract Review Transmittal Slip
2. 2012-2013 Funding Matrix
3. Master SAMH Funding Agreement
4. Attachment 1. - F.S 394.76
5. Attachment 2. - Program Outcome Objectives Matrix
6. Attachment 3. - Sample Data Sharing Agreement
7. Attachment 4. - Agreement Modification Form
8. Attachment 5. - Insurance Requirements
9. Attachment 6. – Florida Attorney General Advisory Legal Opinion