

BOARD OF COUNTY COMMISSIONERS

DATE: March 18, 2014

AGENDA ITEM NO. 21

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

County Administrator's Signature:

Subject:

Amendment No. 2 Substance Abuse Mental Health Funding Agreement with Personal Enrichment Through Mental Health Services, Inc. (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 THE SECOND AMENDMENT TO THE SUBSTANCE ABUSE MENTAL HEALTH FUNDING AGREEMENT WITH PERSONAL ENRICHMENT THROUGH MENTAL HEALTH SERVICES, INC. TO EXTEND FUNDING THROUGH SEPTEMBER 30, 2014.

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. 2 Substance Abuse Mental Health Funding Agreement with Personal Enrichment Through Mental Health Services, Inc. (PEMHS).

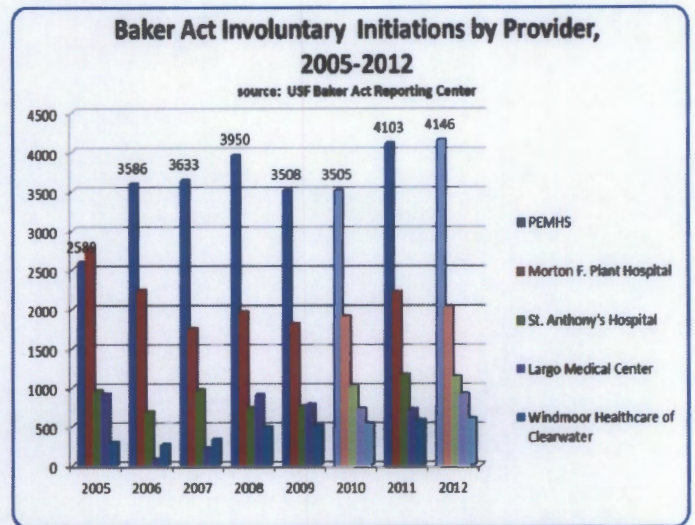
The Florida Substance Abuse and Mental Health (SAMH) Program is managed by the Florida Department of Children and Families and is the single state authority on substance abuse and mental health services in the state. The program oversees a statewide system of care for the prevention, treatment, and recovery 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 (AG) 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. For the Fiscal Year 2013-2014 approved budget, HCS sought to adjust the match in accordance with the AG opinion and agreed to reserve the funding pending further review and agency meetings.

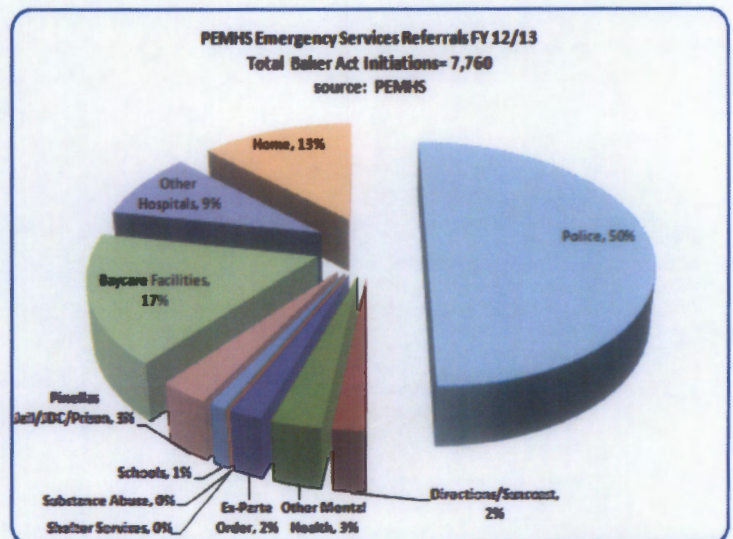
During discussions in September/October 2013, PEMHS outlined their capacity and expressed that, while not required for the SAMH match, the funding was necessary to continue operation of a 14-bed Crisis Stabilization Unit

(CSU-C) in St. Petersburg that treats individuals who are mentally ill and committed through the Baker Act. Though 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. PEMHS requested that County funds be restored in order to maintain the 14 bed adult CSU-C. On December 10, 2013, the Board approved Amendment No. 1 in the amount of \$846,534 extending County funding from October 1, 2013 to March 31, 2014 to avoid service interruption. Staff was directed to further analyze utilization, demand and costs in the PEMHS Crisis Stabilization Units.

County staff has completed their analysis of cost and utilization data for the PEMHS Baker Act capacity and has identified several major drivers for the demand. The review included meetings and discussions with PEMHS, the Florida Department of Children and Families (DCF), Central Florida Behavioral Health Network and the University of South Florida Baker Act Reporting Center. From the discussions and review, the need for beds was confirmed under the existing delivery system, however, the utilization demonstrates specific stakeholders that have a funding interest in maintaining the PEMHS capacity. Reports demonstrate a significant shift in demand from local hospitals to PEMHS corresponding with the implementation of the Transportation Exception Plan in 2006, approved by DCF and the BCC acting as the local governing board under Section 394.462(4), Florida Statutes. As a result, with PEMHS functioning as a centralized Baker Act intake facility, additional demand was created corresponding to the opening of CSU-C in 2008.



Further, when reviewing utilization, the primary contributors to the demand for PEMHS' crisis services are referrals from law enforcement with approximately 50% in FY13. Of these, The Pinellas County Sheriff's Office accounts for roughly 41.8% of the law enforcement referrals and St. Petersburg, Clearwater, Pinellas Park, and Largo roughly make up a combined 50.6% of the law enforcement referrals according to PEMHS' data. The second highest utilization comes from referrals by local hospitals at 26% of the FY12/13 intake.



At this time, staff has not had an opportunity to engage those agencies and organizations that are driving demand to discuss impacts and funding solutions. Based upon current capacity and demand, staff recommends extending PEMHS funding for an additional six (6) months to avoid interruptions in service for Pinellas residents, while providing sufficient time for PEMHS to pursue financial support from the key contributors of the demand for Fiscal Year 2015. HCS staff will come back to the Board during the FY15 budget preparation with an update.

Fiscal Impact/Cost/Revenue Summary:

The total amount of funding for Amendment No. 2 (Attachment 2) is not to exceed \$846,534. The fiscal year 2014 adopted budget includes the appropriation to fund the amendment. This item does not require changes to service levels, programs, or realignment of appropriated budgets.

Exhibits/Attachments Attached:



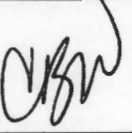
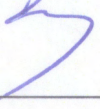

1. Contract Review Transmittal Slip
2. Amendment No. 2- PEMHS
3. Board Order and Memo dated 12-10-13, Item # 30

NON-PURCHASING CONTRACT REVIEW TRANSMITTAL SLIP**PROJECT: Amendment NO. 2—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:

Staff recommends continued funding for PEMHS through September 30, 2014 based on high utilization of Baker Act crisis stabilization services.

REVIEW SEQUENCE	DATE	INITIAL/ SIGNATURE	COMMENTS (IF ANY)	COMMENTS REVIEWED & ADDRESSED OR INCORPORATED
Originator: Gwendolyn Warren	3/3/14			
Risk Mgmt: Virginia Holscher	3/2/14		<i>Ins in Original</i>	
Finance:** Cassandra Williams	3/3/14			
OMB:** Bill Berger	N/A			
Legal: Carl Brody	3/3/14			
Assistant County Administrator or Executive Director: Gwendolyn Warren	3/4/14			

Please return to Amy Petrila By ASAP.

All inquiries should be made to Amy Petrila ext.4-8497.

** See Contract Review Process

Revised 5.13.13

cell 813-774-1854

SUBSTANCE ABUSE MENTAL HEALTH (SAMH) FUNDING AGREEMENT
AMENDMENT NO. 2
PERSONAL ENRICHMENT THROUGH MENTAL HEALTH SERVICES, INC.

THIS SAMH FUNDING AGREEMENT is entered into this_____ day of _____, 2014, 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), a non-profit Florida Corporation, 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 April 1, 2014. All of the services required hereunder shall be completed no later than September 30, 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 (April - June and July - September) beginning on April 1, 2014 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 September 30, 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 September 30, 2014 if the SERVICE PROVIDER violates any provision of the 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 _____, 2014.

ATTEST:
KEN BURKE
Clerk of the Circuit Court

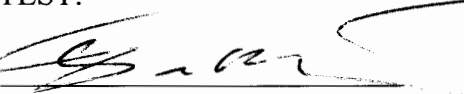
PINELLAS COUNTY, FLORIDA, by and through its Board of County Commissioners

By: _____
Deputy Clerk


By: _____
Chairperson


ATTEST:

DATE: _____, 2014

By: 
Witness

PERSONAL ENRICHMENT THROUGH
MENTAL HEALTH SERVICES, INC.

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY
By: 
County Attorney

By: 
Executive Director

DATE: 3/5/14, 2014

#233287

No. 30
BCC 12-10-13
2:02 P.M. Todd/SMITKE/Futch

#30 Amendment No. 1 to the Substance Abuse Mental Health Funding Agreement with Personal Enrichment Through Mental Health Services, Inc. (PEMHS) approved, providing funding in an amount not to exceed \$846,534.00 to support Crisis Stabilization Unit beds for Baker Acted individuals; amendment is effective retroactive to October 1, 2013, with all services to be completed no later than March 31, 2014 (Health and Community Services).

Motion	-	Commissioner Roche
Second	-	Commissioner Long
Vote	-	5 - 0



BOARD OF COUNTY COMMISSIONERS

DATE: December 10, 2013
AGENDA ITEM NO.

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