

Grand Jury Report

RESPONSE FORM

Grand Jury Report Title: Privatization of Mental Health Delivery Services

Report Dated: 6/2/14

Response Form Submitted By:

Mendocino County Board of Supervisors

Response MUST be submitted, per Penal Code §933.05, no later than:

9/7/14

We have reviewed the report and submit our responses to the FINDINGS portion of the report as follows:

- X We agree with the Findings numbered:
2, 3, 9
- X We disagree wholly or partially with the Findings numbered below, and have **attached, as required**, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.
1, 4, 5, 6, 7, 8, 10, 11, 12

We have reviewed the report and submit our responses to the RECOMMENDATIONS portion of the report as follows:

- X The following Recommendation(s) have been implemented and **attached, as required**, is a summary describing the implemented actions:
1 and 4
 - The following Recommendation(s) have not yet been implemented, but will be implemented in the future, **attached, as required** is a time frame for implementation:
-

GRAND JURY REPORT
RESPONSE FORM
PAGE TWO

- x The following Recommendation(s) require further analysis, and **attached as required**, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)
2 and 3
- The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, **attached, as required** is an explanation therefore:
-

We have completed the above responses, and have attached, as required the following number of pages to this response form:

Number of Pages attached: 3

We understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: www.co.mendocino.ca.us/grandjury. The clerk of the responding agency is required to maintain a copy of the response.

We understand that we must submit this signed response form and any attachments as follows:

First Step: E-mail (word documents or scanned pdf file format) to:

- The Grand Jury Foreperson at: grandjury@co.mendocino.ca.us
- The Presiding Judge: grandjury@mendocino.courts.ca.gov

Second Step: Mail all originals to:

Mendocino County Grand Jury
P.O. Box 939
Ukiah, CA 95482

Printed Name: Douglas L. Losak

Title: Acting County Counsel

Signed: _____

Date: _____

**MENDOCINO COUNTY BOARD OF SUPERVISORS' RESPONSE TO GRAND
JURY REPORT TITLED:**

PRIVATIZATION OF MENTAL HEALTH DELIVERY SERVICES

FINDINGS:

F1 - The Grand Jury, in reviewing the provision of mental health services through privatization, found a serious omission in the preparation of the contract. The current contract does not provide for the continuing care of Level 3 mentally ill clients.

The Board of Supervisors disagrees wholly with this Finding. The current contract does provide for these services. Exhibit A, page 4 Section 6 of the contract addresses this issue.

F4 - The County Jail is not a mental health facility, resulting in law enforcement having to deal with individuals they have the least training to assist.

The Board of Supervisors disagrees partially with this Finding. The County Jail is not a mental health facility. However, California Forensic Medical Group (CFMG) provides mental health services to inmates on a contractual basis. In addition, Ortner Medical Group (OMG), in conjunction with CFMG, provides discharge release services to inmates being released from the County jail.

F5 - Inmates, who have been successfully treated with anti-psychotic medication while incarcerated, cannot continue their medication or treatment until their Medi-Cal is reinstated, which is part of the release process.

The Board of Supervisors disagrees wholly with this Finding. Inmates who are released can continue their treatment, including medication. However, they cannot be forced to do so. The County H&HSA has temporarily assigned an eligibility worker to enroll eligible inmates into various programs at the County Jail, Day Reporting Center or Access Center.

F6 - The Grand Jury found the performance by Ortner to be improving the delivery of adult mental health services for Levels 1 and 2 clients, who are the least impaired.

The Board of Supervisors disagrees wholly with this Finding. The Board of Supervisors agrees with and incorporates by reference the H&HSA Director's response to this Finding.

F7 - After nine months of transition, Ortner is not contractually required to provide, nor does it provide, Level 3 mentally ill clients with adequate wraparound

resources (housing, transportation, education, and staff training) for the continuum of care.

The Board of Supervisors disagrees wholly with this Finding. The Board of Supervisors agrees with and incorporates by reference the H&HSA Director's response to this Finding.

F8 - Documentation reviewed by the Grand Jury showed that routine services required to be in place within 30 days were not available six months after the Ortner contract was active.

The Board of Supervisors disagrees wholly with this Finding. The Board of Supervisors agrees with and incorporates by reference the H&HSA Director's response to this Finding.

F10 - Variation in the reimbursement for Medi-Cal amounts from year-to-year hampers efficient management of services to the clients.

The Board of Supervisors disagrees wholly with this Finding. The Board of Supervisors agrees with and incorporates by reference the H&HSA Director's response to this Finding.

F11 - The discrepancy of approximately \$12,000,000 between the billing and payment for the 2009-2010 Medi-Cal reimbursement remains unresolved.

The Board of Supervisors disagrees wholly with this Finding. The Board of Supervisors agrees with and adopts the H&HSA Director's response to this Finding.

F12 - The County is not complying with the intent of State law.

The Board of Supervisors disagrees wholly with this Finding. Mendocino County's mental health services are in compliance with state laws.

RECOMMENDATIONS:

R1 - A contract be written to include ongoing structured care provisions for Level 3 clients. (F1, F2, F3, F7, F12)

This Recommendation has been implemented. The current contract with OMG, in effect since July 1, 2013, has language that complies with this recommendation.

R2 - Mendocino County Sheriff and Ortner execute a memorandum of understanding providing continuous care for Level 3 inmates when released from jail. (F2, F3, F4, F5, F9)

This Recommendation requires further analysis. There already is a process for a "warm hand off" of the severally mentally ill when they are released from the jail. The implementation of an MOU will requires an analysis by the Mendocino County H&HSA, agreement by the Mendocino County Sheriff and OMG, and a review by County Counsel. Such a process will occur within the next six months.

R3 - When no crime has been committed, dispatchers refer mental health Emergency 911calls directly to an access center during the hours that the access center is fully staffed. (F9)

This Recommendation requires further analysis. There has already been a meeting between Sheriff Allman and Stacey Cryer, the Director of H&HSA on this topic. An assessment of the feasibility of this recommendation needs to occur. Such a process will occur within the next six months.

R4 - Behavioral Health and Recovery Services resolve the discrepancy between the billing and payment for the 2009-2010 Medi-Cal reimbursement. (F10, F11, F12)

This Recommendation has been implemented. The Board of Supervisors adopts by reference the response of H&HSA Director to this Recommendation.