



Legislation Details (With Text)

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**On agenda:** 6/6/2023      **Final action:** 12/31/2023

**Title:** Director of Health and Human Services Agency (HHS) requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 170263B with SmithWaters Group for a new contract maximum of \$120,000 for Fiscal Year 2023-2024, and each subsequent renewal, as well as updates to Exhibit A (Scope of Work) and Exhibit B (Compensation), for the provision of mandated mental health Patients’ Rights advocacy services.

**Sponsors:** Board of Supervisors

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement

Date	Ver.	Action By	Action	Result
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**TO:** Board of Supervisors

**FROM:** Jennifer Yasumoto, Director of Health and Human Services Agency

**REPORT BY:** Gaby Angeles, Staff Services Analyst II

**SUBJECT:** Amendment No. 3 to Agreement No. 170263B with SmithWaters Group

**RECOMMENDATION**

Director of Health and Human Services Agency (HHS) requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 170263B with SmithWaters Group for a new contract maximum of \$120,000 for Fiscal Year 2023-2024, and each subsequent renewal, as well as updates to Exhibit A (Scope of Work) and Exhibit B (Compensation), for the provision of mandated mental health Patients’ Rights advocacy services.

**EXECUTIVE SUMMARY**

Approval of today’s action will increase the maximum contract amount by \$10,000 for a new contract maximum of \$120,000 and add a deliverable in order to allow contractor to review for Patients’ Rights violations within County-contracted Mental Health residential sites.

**FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Health & Human Services Mental Health
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	No
Future fiscal impact:	The Agreement contains a provision for automatic annual renewal. Appropriations will be included in the requested Fiscal Year 2023-2024 budget and future fiscal years will be budgeted accordingly.
Consequences if not approved:	If not approved, Contractor would be unable to provide additional Patients' Rights services.
County Strategic Plan pillar addressed:	Healthy, Safe, and Welcoming Place to Live, Work, and Visit

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable

**BACKGROUND AND DISCUSSION**

The State of California requires each County to assign a Patients' Rights Advocate to handle complaints of mentally ill individuals regarding the abuse, unreasonable denial, or punitive withholding of rights guaranteed under California Code of Regulations Title 9, Chapter 4, Division 1, Article 6, Section 863.1. The Patients' Rights Advocate is delegated the responsibility under Title 9 and under California Welfare and Institutions Code Section 5325 to ensure individuals in facilities specified in Title 9 Section 860 are afforded their statutory and constitutional rights.

The SmithWaters group has been providing advocate, consulting and training services since 2014. This amendment would allow an increase to the SmithWaters contract and would also incorporate an additional deliverable into the agreement's scope of work, which would allow the contractor to review for Patients' Rights violations and to educate clients on Patients' Rights topics living in County-contracted residential sites. These reviews entail SmithWaters advocate staff making regular site visits to residential homes and apartment buildings that are owned or operated by the contracted providers.

SmithWaters Group is not a local vendor.