

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Behavioral Health and Recovery Services

BOARD AGENDA # \*B-1

Urgent

Routine

*ms*

AGENDA DATE March 1, 2011

CEO Concurs with Recommendation YES  NO

4/5 Vote Required YES  NO

(Information Attached)

SUBJECT:

Approval of Amendment to the Aspiranet, Inc. Agreement to provide Therapeutic Behavioral Services for Fiscal Year 2010-2011

STAFF RECOMMENDATIONS:

1. Approve the amendment to the agreement with Aspiranet, Inc., to provide Therapeutic Behavioral Services, through the end of the Fiscal Year 2010-2011.
2. Authorize the Behavioral Health Director, or her designee, to sign the amendment to the agreement with Aspiranet, Inc.
3. Authorize the Behavioral Health Director, or her designee, to negotiate and sign amendments to the agreement, to add services and payment for services up to \$75,000, budget permitting, throughout Fiscal Year 2010-2011.

FISCAL IMPACT:

The Behavioral Health and Recovery Services approved budget for Fiscal Year 2010-2011 includes funding in the amount of \$186,780 for this amendment. The primary sources of funding for this agreement are Early and Periodic Screening, Diagnosis and Treatment funds, Realignment funds and Medi-Cal funds. There is no impact to the County General Fund.

BOARD ACTION AS FOLLOWS:

No. 2011-119

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**DISCUSSION:**

Behavioral Health and Recovery Services is mandated by the State of California to provide Therapeutic Behavioral Services (TBS) to eligible clients. Aspiranet, Inc., entered into an agreement with Behavioral Health and Recovery Services to provide TBS services to appropriate County referrals for Fiscal Year 2010-2011. Effective on November 1, 2010 Behavioral Health and Recovery Services amended the agreement with Aspiranet, Inc. by \$221,317 to provide additional TBS services to eligible clients. Aspiranet, Inc., continues to experience an increase in need for TBS services to clients appropriately referred by the County. Behavioral Health and Recovery Services desires a second amendment to the agreement with Aspiranet, Inc., to increase the agreement maximum by \$186,780 to provide necessary additional TBS services to eligible clients.

Behavioral Health and Recovery Services experiences occasional funding opportunities and unanticipated increases in the utilization of services throughout the year. On many occasions, this additional funding is time sensitive; hence, the department requests authorization for the Behavioral Health Director, or her designee, to negotiate and execute amendments up to \$75,000 to the agreement included in this agenda item, budget permitting, without further action by the Board of Supervisors, throughout Fiscal Year 2010-2011.

As required by the Board of Supervisors on January 25, 2006, the following table includes a cumulative value of prior contracts with this vendor for the period beginning July 1, 2003 through June 30, 2011.

Budget Unit	Contractor	Description of Service Provided or Position Held	Contract Amount for Previous Contractual Period. List Amount and Time Period.	Proposed Contract Amount and Time Period	Cumulative Contract Total
Mental Health	Aspiranet, Inc.	Therapeutic Behavioral Services	\$9,667,080 (7/1/03 – 6/30/11)	\$186,780 (3/1/11-06/30/11)	\$9,853,860

**POLICY ISSUE:**

Approval of this agenda item supports the Board of Supervisors' priorities of A Healthy Community, Effective Partnerships and Efficient Delivery of Public Services by contracting with community providers to deliver the needed services at an appropriate level of care in a cost effective manner.

**STAFFING IMPACT:**

There is no staffing impact associated with the approval of this agenda item.

Approval of Amendment to the Aspiranet, Inc. Agreement to provide Therapeutic Behavioral Services for Fiscal Year 2010-2011.

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**CONTACT PERSON:**

Adrian Carroll, MFT, Chief, Children's & TAY System of Care. Telephone 525-6225.

**SECOND AMENDMENT TO PROVIDER AGREEMENT  
ASPIRANET  
THERAPEUTIC BEHAVIORAL SERVICES AND OUTPATIENT SERVICES**

This Amendment is made and entered into on March 1, 2011, in the City of Modesto, State of California, by and between the COUNTY of Stanislaus, Behavioral Health and Recovery Services (COUNTY), and Aspiranet, Inc., a California Non-profit Corporation, (CONTRACTOR), for and in consideration of the premises, and the mutual promises, covenants, terms, and conditions hereinafter contained.

WHEREAS, COUNTY and CONTRACTOR entered into an Agreement on July 1, 2010 which was first amended on November 1, 2010, for CONTRACTOR to provide Therapeutic Behavioral Services (TBS) to appropriate COUNTY referrals and Outpatient (OP) Services to COUNTY children, adolescents and their families;

WHEREAS, COUNTY is mandated by the State of California to provide Therapeutic Behavioral Services to eligible clients; and

WHEREAS, CONTRACTOR has experienced an increase in the number of Therapeutic Behavioral Services provided to appropriate COUNTY referrals than were anticipated in this agreement.

NOW, THEREFORE, effective March 1, 2011, the Agreement between the parties which was entered into on July 1, 2010 and first amended on November 1, 2010, is amended a second time to add an additional 1,750 hours of Therapeutic Behavioral Services for an additional \$186,780. The maximum cost for operating the Therapeutic Behavioral Services program is increased from \$933,905 to \$1,120,685 and the maximum hours are increased from 8,755 to 10,505. The maximum costs associated with operating the Outpatient Program shall remain at an amount not to exceed \$795,308. The maximum combined amount for all services provided under this agreement is increased from \$1,729,213 to \$1,915,993. This amendment is incorporated into the Agreement as follows:

- I. Delete Exhibit A, Section C, Billing and Payment, Paragraphs 1, 4, 5 and 7 in their entirety and replace with the following:
  1. In consideration of CONTRACTOR's provision of services required under this Agreement, COUNTY shall reimburse CONTRACTOR monthly for costs associated with operating the TBS Program an amount not to exceed \$1,120,685 (GL 5123070) based on a maximum of 10,505 hours of services, for salaries, benefits and operating expenses.
  4. The maximum combined amount for all services provided under this agreement shall not exceed \$1,915,993 for the period July 1, 2010 through June 30, 2011.
  5. COUNTY shall reimburse CONTRACTOR monthly, at the rate of \$125,658 per month for the period July 1, 2010 through October 31, 2010, and at the rate of \$153,322 per month for the period of November 1, 2010 through February 28, 2011, and at the rate of \$200,017 per month for the period of March 1, 2011 through May 31, 2011, and at the rate of \$200,022 for the period of June 1, 2011 through June 30, 2011, not to exceed \$1,915,993 for the period July 1, 2010 through June 30, 2011.
  7. Following submission of CONTRACTOR's cost report, COUNTY shall reconcile the Medi-Cal FFP revenue generated by CONTRACTOR compared to the

required amount of \$857,406 in Federal Financial Participation (FFP), which is, in part, the basis for funding this Agreement. The minimum FFP requirement is calculated based upon \$791,207 in FFP and \$66,199 in Enhanced Federal Medical Assistance Percentage (FMAP) for a total of \$857,406. COUNTY and CONTRACTOR shall settle to CONTRACTOR's actual cost for TBS/OP, not to exceed \$1,915,993, in January 2012 for fiscal year 2010/11.

II. All other terms and conditions of said Agreement shall remain in full force and effect.

In WITNESS WHEREOF, the parties have executed this Amendment on the day and year as written above.

**COUNTY OF STANISLAUS  
BEHAVIORAL HEALTH  
AND RECOVERY SERVICES**

**ASPIRANET, INC.**



Denise C. Hunt, RN, MFT  
Behavioral Health Director



Vernon Brown, LCSW  
Executive Director

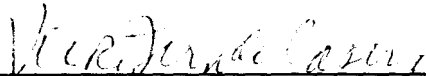
APPROVED AS TO CONTENT



Adrian Carroll, MFT  
Chief, Children's System of Care

APPROVED AS TO FORM

John P. Doering, COUNTY Counsel



Vicki Fern de Castro  
Deputy County Counsel

BOS Action Item: 2011-119, March 1, 2011