



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 6/16/2015

Agenda Placement: 6G

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Shelli Brobst for HOWARD HIMES - Director
Health & Human Services Operations
REPORT BY: Shelli Brobst, Contracts Manager - 253-4720
SUBJECT: Agreement with Tsunami Enterprises, Inc.

RECOMMENDATION

Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Tsunami Enterprises, Inc., for a maximum of \$20,000 for the term July 1, 2015 through June 30, 2016, with a provision for annual renewal, to provide Representative Payee services to those clients under Lanterman-Petris-Short (LPS) Conservatorship and for clients that are placed in Institutes for Mental Disease or other institutional settings.

EXECUTIVE SUMMARY

The Social Security Administration (SSA) requires that a representative payee be assigned to certain individuals eligible for Social Security Income (SSI) or Social Security Disability Income (SSDI) that are incapable (due to their disability) of managing their SSI or SSDI award. The County has been under contract with Tsunami Enterprises to provide Representative Payee services to clients in the County's Mental Health programs that are under Lanterman-Petris-Short or in institutional settings since November, 2010. Approval of the recommended action will enable services to continue into Fiscal Year 2015-2016, and subsequent fiscal years at the County's option.

FISCAL 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?	Discretionary

Discretionary Justification:	The requested action is discretionary in that there is no mandate to have this specific contract nor is it mandatory to contract with this contractor. However, clients of little means have been placed in institutional settings by the Mental Health Department of Napa County. Without this contract clients will be discontinued from receiving payee services, risking their eligibility to receive Social Security income or Social Security Disability income.
Is the general fund affected?	No
Future fiscal impact:	Although the Agreement terminates June 30, 2016 it contains a provision for an automatic annual renewal, which allows the County the option to continue these services into the subsequent fiscal year. Appropriations for Fiscal Year 2015-2016 have been included in the requested budget and appropriations for future fiscal years will be budgeted accordingly.
Consequences if not approved:	If this Agreement is not approved, the County would need to find an alternate solution to providing these services.
Additional Information:	

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 County has been under an agreement with Tsunami Enterprises, Inc., since November 2010 for specific clients to receive representative payee services. A limited number of individuals who have been determined to be gravely disabled due to a mental illness have been legally assigned as a public conservatee to Napa County. For this specific population of individuals that are placed in an Institution for Mental Disease (IMD), the agreement allows Napa County to reimburse Tsunami Incorporated for monthly payee fees each month the individual resides in an IMD. Services include: keeping written or electronic records of all payments received from SSA, establishing budgets with clients, working with clients' case managers to help find resources, review SSI/SSDI letters for accuracy, and a multitude of financial and administrative duties individualized to fit a particular individual's need.

Although this service is not considered a mental health service and the Mental Health Division has had no mandate to provide it, the service is offered in recognition of the fact that many adults who are placed on conservatorship and housed in an institutional setting by the Mental Health Division of HHS are unable to manage the monthly fees charged for representative payee services. This agreement only pertains to those Napa County conservatees in an IMD receiving SSI or SSA.

Approval of the requested action also incorporates a Business Associate Agreement into the contractor's agreement, which sets forth the responsibilities and obligations of each party in the protection of individually identifiable health information under the Health Insurance Portability and Accountability Act ("HIPAA") and the Health Information Technology for Economic and Clinical Health Act ("HITECH Act").

Per the County's purchasing policy, service contracts exceeding \$50,000 and as adjusted by the annual CPI increase or exceeding three years in length must be approved by the Board of Supervisors.

Tsunami Enterprises is a not a local vendor.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Leanne Link