TO: Board of Supervisors
FROM: Shelli Brobst for Jennifer Yasumoto - Director
       Health & Human Services Administration
REPORT BY: Shelli Brobst, Contracts Manager - 253-4720
SUBJECT: Amendment No. 3 to Agreement with Michael Shetka, LCSW

RECOMMENDATION
Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 170339B (formerly Agreement No. 7075) with Michael Shetka, LCSW, increasing the amount by $15,000 for a new annual maximum of $60,000, revising the Compensation exhibit and the Scope of Work to provide mandated conservatorship investigation services to clients of the Mental Health Program.

EXECUTIVE SUMMARY
Michael Shetka performs required investigations for temporary, Murphy or permanent conservatorships. Murphy conservatorships are for individuals who have not gained competency to stand trial within the period allowed by law (three years) and who are determined to be dangerous. These investigations are responsible for directing the mental health treatment and placement of their clients who are:

- gravely disabled as the result of a mental disease and/or disorder;
- unable to provide for their basic personal needs for food, clothing or shelter; and
- require placement in a state mental institution or other facility for psychiatric care.

These investigations grant Napa County Mental Health Conservator authority to place a conservatee in a state hospital or psychiatric treatment facility involuntarily. The services provided under this Agreement include consultation, client interviews, medical and psychiatric review of records, report preparation and court appearances, as necessary.

Approval of today’s requested action will:

- increase the maximum dollar amount due to an increase in the contractor’s hourly and mileage
reimbursement rates, as well as an increase in the number of investigation services provided this fiscal year;

- update the contact information in the contractor's scope of work; and
- incorporates Special Term and Condition 3.5 to delegate authority to the Director of Health and Human Services to approve future amendments to the Exhibits of this Agreement, excluding any amendments to Exhibit B (Compensation) and/or changes to the maximum compensation of this Agreement.

Michael Shetka is a local vendor.

**FISCAL IMPACT**

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<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Is there a Fiscal Impact?</td>
<td>Yes</td>
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<td>Is it currently budgeted?</td>
<td>Yes</td>
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<tr>
<td>Where is it budgeted?</td>
<td>Health &amp; Human Services Mental Health</td>
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<td>Is it Mandatory or Discretionary?</td>
<td>Mandatory</td>
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<td>Is the general fund affected?</td>
<td>No</td>
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<td>Future fiscal impact:</td>
<td>Although the agreement terminates June 30, 2019, it contains a provision for automatic annual renewal, which allows the County to continue these services into the next fiscal year. Appropriations are included in the approved Fiscal Year 2018-2019 budget and the requested Fiscal Year 2019-2020 budget.</td>
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<td>Consequences if not approved:</td>
<td>The services provided under this agreement are mandated by the Welfare and Institutions Code (Sections 5350 and 5352), which requires that the County provide an officer to investigate requests for conservatorship of mentally ill persons who are thought to meet legal criteria as gravely disabled due to a mental illness. Approval of this amendment will allow Napa County Mental Health to reimburse the provider at their new hourly rate and raise the contract maximum to reflect the increase in utilization.</td>
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**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 Welfare and Institutions Code (Sections 5350 and 5352) requires that the County provide an officer to investigate requests for conservatorship of mentally ill persons who are thought to meet legal criteria as gravely disabled due to a mental illness. Through this agreement, Michael Shetka, LCSW investigates requests for conservatorship and provides recommendations to the Court as to whether conservatorship is needed. Conservatorship investigations are necessary to provide the Courts with the comprehensive information they need to make critical decisions regarding mentally ill persons’ need for conservatorship. They also are necessary to
ensure individualized treatment, supervision, and placement determinations for severely mentally ill persons who are unwilling to accept, or incapable of accepting, treatment voluntarily.

Approval of the requested amendment will allow for a rate increase from $85/hour to $115/hour and increase the maximum amount from $45,000 to $60,000 per fiscal year. The hourly rate for these services has not been increased in 10 years. The reason for the increase to the maximum amount is due to utilization of this provider’s services this fiscal year. Last year, Napa County Mental Health contracted with two providers for this service and one has since retired.

Today's action, if approved, will also amend the Agreement to:

- reflect a change to the federal mileage rate reimbursement;
- update the contact information in the scope of work; and
- incorporate Specific Term and Condition 3.5 to delegate authority to the Director of Health and Human Services to approve future amendments to the Exhibits of this Agreement, excluding any amendments to Exhibit B (Compensation) and/or changes to the maximum compensation of this Agreement.

Michael Shetka is a local vendor.

**SUPPORTING DOCUMENTS**

None

CEO Recommendation: Policy Issue
Reviewed By: Ben Guerrieri