

1 [Authorization for SFDPH to Continue to Participate in CalMHSA Programs Under a JPA; and  
2 Authorizing SFDPH to Execute JPA Participation Agreements Without Further Board  
3 Approval]

4 **Resolution authorizing the San Francisco Department of Public Health (“SFDPH”) to**  
5 **continue to participate in California Mental Health Services Authority (“CalMHSA”)**  
6 **programs under the terms of a Joint Exercise of Powers Agreement (“JPA”);**  
7 **authorizing SFDPH to execute JPA participation agreements, approved as to form by**  
8 **the San Francisco City Attorney, without further Board of Supervisor’s approval,**  
9 **unless otherwise directed by the City Attorney; and to authorize the Director of Health**  
10 **to enter into amendments or modifications to the JPA that the Department determines**  
11 **that do not materially increase the obligations or liabilities to the City and are**  
12 **necessary to effectuate the purposes of the JPA or this Resolution.**

13  
14 WHEREAS, In 2005, by Resolution No. 744-05 (File No. 051553), the San Francisco  
15 Board of Supervisors authorized the San Francisco Department of Public Health (“SFDPH”) to  
16 apply to the State of California for Mental Health Services Act funding (Cal. Code Regs. Title.  
17 9, Chapter 14); and

18 WHEREAS, In 2008, by Resolution No. 90-08 (File No. 080122) the San Francisco  
19 Board of Supervisors approved Mental Health Services Act Contract No. 07-77338-000 with  
20 the California Department of Public Health and designated SFDPH Director of Community  
21 Behavioral Health Services to sign the Agreement and any and all amendments in the future,  
22 including increases to add other components of the Mental Health Services Act on behalf of  
23 SFDPH; and

24 WHEREAS, In 2010, pursuant to Resolution No. 90-08 (File No. 080122), SFDPH  
25 successfully applied for membership to add the California Mental Health Services Authority

1 (“CalMHSA”) Joint Powers Authority component of the Mental Health Services Act; and the  
2 SFDPH Director of Community Behavioral Health Services executed the Joint Exercise of  
3 Powers Agreement (“JPA”) with CalMHSA, for programs including but not limited to:

- 4 a) Addressing suicide prevention;
- 5 b) Ethnic and cultural outreach;
- 6 c) Stigma and discrimination reduction related to mental illness;
- 7 d) Student mental health and workforce training and education;
- 8 e) Training, technical assistance, and capacity building; and

9 WHEREAS, In July 2013, pursuant to Resolution No. 90-08 (File No. 080122), the  
10 SFDPH Director of Community Behavioral Health Services executed a restatement of the JPA  
11 to add programs, including but not limited to:

- 12 a) Prevention and early intervention services under the Mental Health Services Act;
- 13 b) Contract negotiation with the State or other providers of mental hospital beds  
14 and similar related services;
- 15 c) Contract negotiation with the State or Federal government for the administration  
16 of mental health services, programs, or activities, including but not limited to the  
17 Drug Medi-Cal Treatment Program, managed mental health care, and the  
18 delivery of specialty mental health services;
- 19 d) Operation of program risk pools;
- 20 e) Any other similar or related fiscal or administrative services that would be of  
21 value to Members such as group purchasing, contract management research  
22 and development, data management, maintenance of a research depository,  
23 training, technical assistance, capacity building, education, and training;
- 24 f) Research, development, and execution of any appropriate policy requests from  
25 the California State Association of Counties or its affiliates; and

1           WHEREAS, Under the JPA, SFDPH has participated in the following CalMHSA  
2 programs, with some programs receiving Board of Supervisors approval and some programs  
3 not:

- 4           a) Behavioral Health Quality Improvement Program;
- 5           b) State Hospital Beds Program;
- 6           c) Prevention and Early Intervention Program;
- 7           d) Greater Bay Area Workforce Education and Training Program;
- 8           e) Tech Suite Mental Health Services Act Program, with San Francisco Board of  
9           Supervisors Approval by Resolution No. 272-19 (File No. 190487), as modified  
10           by Resolution No. 291-21 (File No. 200371);
- 11           f) Inter-Member Transfer/Presumptive Transfer Program, with San Francisco  
12           Board of Supervisors Approval by Resolution No. 257-18 (File No. 180592);
- 13           g) Behavioral Health Workforces Program; and

14           WHEREAS, SFDPH seeks continued authorization to participate in CalMHSA Mental  
15 Health Services Act programs offered under the JPA, understanding that the JPA includes the  
16 following provisions:

- 17           a) The JPA term is remaining in full force and effect until terminated by the SFDPH  
18           in accordance with the JPA;
- 19           b) The JPA calls for binding or non-binding arbitration as a part of dispute  
20           resolution, as mutually agreed by the parties;
- 21           c) CalMHSA Board members, Officers, committee members, and advisors shall not  
22           be liable for any mistake of judgment or action made; and

23           WHEREAS, In order to ensure consistent program administration by SFDPH under the  
24 JPA, SFDPH also seeks authority to participate in any program currently, or in the future,  
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1 offered by CalMHSA under the JPA, as the JPA may be amended from time to time, on the  
2 following conditions:

- 3 a) Any new participation agreement may be executed on SFDPH's behalf by the  
4 SFDPH Director of Health or their designee;
- 5 b) Any new participation agreement must be approved as to form by the San  
6 Francisco City Attorney's Office;
- 7 c) No further approval by the San Francisco Board of Supervisors is required for  
8 SFDPH's execution of any new participation agreement, unless directed by the  
9 San Francisco City Attorney's Office, or as otherwise required by San Francisco  
10 Charter, Section 9.118; and

11 WHEREAS, Continued participation in CalMHSA Mental Health Services Act programs  
12 under the JPA serves the City's best interests by enabling SFDPH to join pooled Mental  
13 Health Services Act resources, forge partnerships, leverage technical expertise intended to  
14 transform community mental health, create cross-county innovations, and address equity to  
15 better meet the needs of the City's most vulnerable populations; now, therefore, be it

16 RESOLVED, That the Board of Supervisors hereby authorizes the Director of Health to  
17 continue to participate in CalMHSA programs offered under the JPA; and, be it

18 FURTHER RESOLVED, That the JPA may include the following provisions:

- 19 a) The JPA term is remaining in full force and effect until terminated by the SFDPH  
20 or CalMHSA in accordance with the JPA;
- 21 b) The JPA calls for binding or non-binding arbitration as a part of dispute  
22 resolution, as mutually agreed by the parties;
- 23 c) CalMHSA Board members, Officers, committee members, and advisors shall not  
24 be liable for any mistake of judgment or action made; and, be it  
25

1 FURTHER RESOLVED, That any new participation agreement may be executed on  
2 the City's behalf by the SFDPH Director of Health or their designee, subject to approval as to  
3 form by the San Francisco City Attorney's Office; and, be it

4 FURTHER RESOLVED, That no additional approval by the San Francisco Board of  
5 Supervisors is required for SFDPH's execution of any new CalMHSA participation agreement,  
6 unless directed by the San Francisco City Attorney's Office, or as otherwise required by San  
7 Francisco Charter, Section 9.118; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Director  
9 of Health to enter into any amendments or modifications to the JPA that the Department  
10 determines, in consultation with the City Attorney, are in the best interests of the City, do not  
11 otherwise materially increase the obligations or liabilities of the City, are necessary or  
12 advisable to effectuate the purposes of the JPA, and are in compliance with all applicable  
13 laws.

14  
15 RECOMMENDED

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17 \_\_\_\_\_ /s/

18 Dr. Grant Colfax  
19 Director of Health

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