



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: August 16, 2016

Subject: Approve Payments for Services Provided by Ujima Family Recovery Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Auditor-Controller to pay an amount not to exceed \$11,898.49 to Ujima Family Recovery Services for the provision of outpatient treatment services at its Drug Medi-Cal Substance Use Disorder Clinics in East, Central and West County for the period from June 1, 2016 through June 30, 2016.

FISCAL IMPACT:

This is funded 50% Federal Drug Medi-Cal and 50% State Drug Medi-Cal. No County Match required. (No rate increase)

BACKGROUND:

On August 8, 2015, the County Board of Supervisors approved Contract #24-429-58 with Ujima Family Recovery Services for the provision of outpatient counseling services through its Drug Medi-Cal Substance Use Disorder clinics in East, Central and West County for the period July 1, 2015 through June 30, 2016. In order to adjust Drug Medi-Cal funding to correspond to increased demand for these entitlement services, the County Board of Supervisors approved Amendment #24-429-59 to this contract on April 26, 2016, increasing the contract payment limit by \$21,532 for a new total of \$1,731,726.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/16/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 16, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Chris Heck, Deputy

Contact: Fatima Matol,
335-3307

Nonetheless, treatment services were requested and provided beyond the amended

BACKGROUND: (CONT'D)

payment limit of the contract. At the end of the contract period, costs totaling \$1,743,624.49 had been incurred, of which \$1,731,726 had been paid pursuant to the contract payment limit. The additional services were provided from June 1, 2016 through June 30, 2016 and on a pre-adjudication basis, totaled \$11,898.49. This retroactive amendment is to fund the final fiscal year 2015-2016 claim for reimbursement for Ujima Family Recovery Services under contract #24-429-59. Due to higher than anticipated utilization in the last quarter of the fiscal year, the final invoice for Drug Medi-Cal services was \$11,898.49 greater than the payment limit for that contract. Because the contract payment limit has been reached, the Department cannot pay the provider under the contract for the additional services. The provider is nonetheless entitled to payment for the reasonable value of their services under the equitable relief theory of quantum meruit. That theory provides that where a person has been asked to provide services without a valid contract, and the provider does so to the benefit of the recipient, the provider is entitled to recover the reasonable value of those services. Because the Health Services Department requested additional services from Ujima Family Recovery Services and the contractor provided the services in good faith, with the full expectation and understanding that it would receive payment for those services, the contractor has the right to claim the reasonable value of the services provided above the contract limit. As such, the Department recommends that the Board authorize the Auditor-Controller to issue a one-time payment to Ujima Family Recovery Services in an amount not to exceed \$11,898.49 upon adjudication of their June 2016 Drug Medi-Cal claim.

CONSEQUENCE OF NEGATIVE ACTION:

Ujima Family Recovery Services will not be paid for services rendered in good faith to the Health Services Department.

CHILDREN'S IMPACT STATEMENT:

Not applicable.