



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: September 13, 2016

Subject: Health Care for the Homeless Program Co-Applicant Board

RECOMMENDATION(S):

1. Acknowledge that the Health Services Department has operated a Homeless Program under a grant award by the Health Resources and Services Administration (HRSA) since 1999.
2. Acknowledge that the Homeless Program has been operating under a HRSA waiver which allowed the Board of Supervisors to meet HRSA governance requirements by receiving input from a Consumer Advisory Board and through the Contra Costa Council on Homelessness.
3. Acknowledge that the Homeless Program was informed that HRSA will no longer be approving governance waivers after the current project period ending January 21, 2017.
4. Acknowledge that HRSA recognizes the difficulty public agencies have in meeting certain grant governance requirements and has developed a "Co-Applicant" option in lieu of a waiver.
5. Acknowledge that the HRSA Co-Applicant option requires (a) the creation of a

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **09/13/2016** ☒ 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: September 13, 2016

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

By: June McHuen, Deputy

Contact: Pat Godley 7-5405

cc:

Co-Applicant Board with a 51% consumer membership and (b) a Co-Applicant Agreement which outlines the operational aspects of the Co-Applicant Board interaction with the Homeless Program.

6. Acknowledge that approval of the Co-Applicant Board option will neither

RECOMMENDATION(S): (CONT'D)

impact nor change the role of the Consumer Advisory Board or the Contra Costa Council on Homelessness.

7. Accept the Recommendation of the Health Services Director to implement the Co-Applicant option.

8. APPROVE and AUTHORIZE the Health Services Department Director or designee to execute the attached "Agreement Between the County of Contra Costa Health Services Department and the Contra Costa County Health Care for the Homeless Program" (the Co-Applicant Agreement) and amend it from time to time as needed; and approve the execution of the attached "Contra Costa County Health Services Department Health Care for the Homeless Program Co-Applicant Board Bylaws" (the Bylaws) as recommended by the Health Services Department Director.

9. APPROVE and AUTHORIZE the Health Services Department Director to make non-substantive, non-policy revisions to the Co-Applicant Agreement and Bylaws to meet HRSA requirements prior to execution, subject to County Counsel's approval as to form.

FISCAL IMPACT:

The Health Care for the Homeless Program (the Program) is 100% federally grant-funded by the Health Resources and Services Administration (HRSA). There is no General Fund impact. Pursuant to Section 330 of the Public Health Services Act, a condition of this funding includes compliance with HRSA's governance requirements. The Health Services Director's recommended actions will maintain compliance with those requirements. If the Program falls out of compliance, HRSA will eliminate the Program's grant funds, which total \$3,109,320 per year. Additionally, the Health Services Department will be unable to maintain its Federally Qualified Health Center (FQHC) status. FQHC status results in enhanced Medi-Cal funding.

BACKGROUND:

The Program provides specialized health care services to homeless individuals throughout the County. The Program provides medical, dental, and behavioral health care, and case management, outreach and eligibility assistance. The Health Services Department (HSD) has operated the Program under an HRSA grant award since 1999. HRSA has always imposed conditions relating to Program governance, but due to the structure of county health departments, participating counties such as Contra Costa were unable to meet those conditions. In response, HRSA approved governance waivers, which allowed the Program to operate lawfully.

The HRSA has announced it will no longer be issuing governance waivers. Contra Costa County's governance waiver will remain in effect until January 31, 2017, when the current project period ends. Recognizing this will be a hardship to counties, the HRSA

has developed the Co-Applicant Board option, which counties may implement to achieve compliance in lieu of the waiver. To implement the Co-Applicant Board option, HSD must develop a co-applicant governing board (the “Co-Applicant Board”) to meet HRSA’s governance requirements. Under this arrangement, HSD receives the three-year grant, and the Co-Applicant Board serves as the governing board for the Program. HRSA will consider both the HSD and the Co-Applicant Board collectively as the health center. Together, HSD and the Co-Applicant Board will meet all HRSA governance requirements.

HSD has developed and attached the two required governance documents. These are:

(A) Co-Applicant Board By-Laws, which sets forth the procedures that govern meetings and the operation of the board.

(B) Co-Applicant Agreement — The agreement between HSD and the Health Care for the Homeless Program regarding the Co-Applicant Board’s governance structure and the responsibilities of the co-applicants.

The Co-Applicant Board will be subject to the Ralph M. Brown Act, with members initially to be appointed by HSD and thereafter to be selected by the Co-Applicant Board itself and the HSD. The Co-Applicant Board will provide reports to the Joint Conference Committee twice each year.

The Co-Applicant Board:

- Will be composed of individuals, a majority of whom (at least 51%) are being served by CCHS,
- Will meet at least monthly,
- Will select the services to be provided by the Program,
- Will approve the Program’s annual budget,
- Will approve the selection of the Program’s director.

The County:

- Will retain all authority over hiring and firing decisions about County employees, including the employee serving as the Program Director,
- Will retain authority over general CCHS policies and budgetary and policy control over any County-provided funds or resources,
- Through the Board of Supervisors retains the power to terminate the Co-Applicant

Board at any time,

- Through the Board of Supervisors retains authority for the establishment of fiscal policies and personnel policies.

HSD will leverage relationships developed through the Homeless Consumer Advisory board to find consumer members for the Co-Applicant Board. The Contra Costa Council on Homelessness will not be affected by this governance structure change; they will continue to provide governance to the Contra Costa Continuum of Care.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the Health Care for the Homeless Program will not be eligible to receive \$3,109,320 in grant funding, and will not qualify for the enhanced Medi-Cal funding by virtue of its FQHC status.

CHILDREN'S IMPACT STATEMENT:

None

ATTACHMENTS

Contra Costa Co-Applicant By-Laws

Co Applicant agreement