



# FY 2020-21 Contracts Unit Annual Spring Provider Presentation

Mental Health & Substance Use Disorder  
June 16, 2020



## Our Current Environment

- A lot going on for all of us
- Importance of Self-care
- Resources for the helping professionals:
  - [Self-Care & Supportive Resources during COVID-19](#)



## Agenda

- Welcome
- ACBH Finance Updates
- Payment Reform Update
- Contracts Unit Updates
- Procurement Updates/Reminder
- Contract Renewal Reminders
- Exhibit A Redesign and Review
- Privacy & Security Requirements
- Quality Assurance (QA)
- Exhibit B Review
- Other Fiscal Reminders
- Other Resources and Questions



# ACBH Finance Division Updates

- **Organizational Restructure**

- Align ACBH with the State and Federal regulations and requirements under the Mental Health Plan and Drug Medi-Cal contracts
- Changes: division name, unit names, and working titles of finance leaders
- Transfer functions within Finance; estimated completion 6/30/21

- **Hired an Assistant Finance Director**

- Serve as finance lead: 1) Audit & Cost Reporting, 2) Billing and Benefits Support (formerly Provider Relations) and 3) Contracts (formerly Network Office)



## ACBH Finance Division Updates (cont'd)

- **FY 20/21 Budget Impacts**

- ACBH Maintenance of Effort budget totaling \$557m
- Reduction Targets (in millions)

	County	HCSA	ACBH
Phase 1	\$ 72.1	\$ 20.5	\$ 7.1
Phase 2	\$ 121.6	\$ 21.4	\$ 5.5

- Additional reductions to the State budget; ACBH goal to identify ongoing reduction strategies



# Payment Reform Update

- **Structure includes:**
  - Steering Committee
  - Fiscal Workgroup
  - Policy/Operations Group and Pilot Provider Group
- **Updates for FY 20-21**
  - Four year implementation plan:
    - Informational years FY 2019-20 and FY 2020-21
    - Blended rate year FY 2021-22
    - Full Fee-for-Service implementation FY 2022-23
- **FY 2020-21 changes to the incentive measures**
- **Alameda County leading discussions at the State**



## Contracts Unit Projects/ Updates

- **COVID-19 Advance Payments**
- **Redesign of Exhibit A Documents**
- **Technology Upgrades**
  - Contract Lifecycle Management – APTTUS
  - DocuSign
  - Salesforce
- **Medi-Cal Final Rule Compliance**
- **Continued work on other compliance requirements**
  - Shared reporting responsibility and accountability
  - Potential for sanctions and penalties if unable to document compliance



## County Requirements

- **Increased scrutiny of procurement**
  - More pressure to competitively bid programs
  - More services are being required to go through RFP or sole-sourcing process
- **Results-Based Accountability (RBA)**
  - Ongoing County effort to increase the use of RBA
  - Three categories to measure progress:
    - Process: How much did we do?
    - Quality: How well did we do?
    - Impact: Is anyone better off?
- **Vision 2026** <https://vision2026.acgov.org/index.page>





## Federal and State Requirements

- **ACBH is still required to document compliance around:**
  - Regular DHCS audits, monitoring visits, and related corrective actions
  - New State-County Contracts
  - Final Rule requirements such as Network Adequacy, Provider Directory
    - DHCS CAP: [Provider Directory](#) – CLAS training
  - Near constant flow of DHCS Information Notices
  - Updates from DHCS in light of recent events still emerging



# Procurement Updates

Active Procurements	
Procurement	Status
RFP #19-11 Primary Prevention Services for Youth	Contract Development
RFPQ# 20-01 Skilled Nursing Facility Support Services	To be closed soon
RFPQ# 20-02 Housing Support Program	Bids due Thursday June 18 by 2:00
RFPQ# 20-03 Eating Disorder Treatment Services	Review and Evaluation Phase
RFP# 20-04 Willow Rock Center	Bids due Friday August 7 by 2:00



# Procurement Reminders

- **Before responding to RFPs:**

- Read RFP and instructions
- Attend Bidder's Conferences to get clarification
- Submit questions to Procurement Lead no later than 5 pm on 2<sup>nd</sup> Bidder's Conference

- **When responding to RFPs:**

- Pay attention to **strict bid submission deadlines** (bids submitted even 1 minute after deadline will not be accepted)
- Use of MS Word Bid Response Template is optional but all Bidders **must** adhere to the overall page maximum
- Communicate with the Procurement Lead only to avoid disqualification



## Procurement Reminders (cont'd)

- **When responding to RFPs:**
  - Review Minimum Qualifications
  - Submit a realistic program budget that:
    - Stays within maximum contract allocation
    - Supports proposed program model
    - Matches the budget narrative
    - Does not duplicate administrative costs
  - Provide thoughtful references
  - Some funding does not allow for subcontracting, please carefully review instructions



## Procurement Reminders (cont'd)

- **After RFP award:**
  - Bid becomes the basis of the contract
  - Submit requested contract information timely
  - Contract start date after BOS approval; no costs allowed prior to start date
  - New programs will often be in a stand-alone contract
  - County has the right to invite next highest ranked Bidder within 60-day initial contract period, if initial awardee fails to meet County requirements
- **Bidder Feedback Survey:**
  - Streamline process
  - Improve bidder experience



## Contract Renewal Updates/Reminders

- Delay memo sent out
- Refer to Contract Renewal Cover Letter
- Coordination between Program and Fiscal Staff
- Units of Service
- Staffing allocation
- Separate Procurement Contract for New RFP Awards
- Reach out to Contract Managers



## Exhibit A Redesign Goals

- **Further clarify, capture and highlight:**
  - Standard versus more negotiable program-specific requirements
  - Vetted additions and exceptions
  - Proposed changes
- **Enhance workflows and review:**
  - Streamline workflows
  - Increase accuracy and timeliness for negotiating Exhibit As
  - Increase understanding of the multiple layers of requirements
  - Build capacity towards increased automation of some functions via Apttus



## Exhibit A Redesign Goals (cont'd)

- **Proactively communicate changes in contract requirements**
  - Associated with larger, emerging system-level changes
  - More about how this impacts your programs in FY 2020-21 Draft Exhibit A's
- **Address questions or concerns in June or very early in the new FY**
  - Add a note in the Exhibit A Provider Input Table and/or discuss your concerns with your Program Contract Manager
  - Contracts Unit will respond where we can, although there may be cases where we need to bring specific issues to other ACBH partners for resolution





# Exhibit A Redesign: Summary of Changes

- **Exhibit A: Table of Contents**
  - (New) Inventory of your Exhibit A Requirements
- **Exhibit A-1: Standard Requirements**
  - (Significant Reorganization) Summary of standard requirements across all programs, and across programs that bill to Medi-Cal
- **Exhibit A-Program Requirements (Exhibit A-P)**
  - (New) This is a summary of the additional requirements across a group of similar programs such as SBBH, OTP, Residential
  - Not all programs will have a corresponding Exhibit A-P



## Exhibit A Redesign: Summary of Changes (cont'd)

- **Exhibit A-Scope of Work (Exhibit A-SOW)**
  - (New) This is a summary of additional requirements for a specific program as it will be delivered for your organization
  - For example, hours, service delivery sites, units, etc.



## Exhibit A-1 Review

- **Standard requirements**
  - All Programs
  - Medi-Cal Programs
- **Scope of Service**
  - Comply with all applicable requirements from:
    - ACBH QA Manual  
[http://www.acbhcs.org/providers/QA/qa\\_manual.htm](http://www.acbhcs.org/providers/QA/qa_manual.htm)
    - ACBH Policy Manual  
<http://www.acbhcs.org/providers/PP/Policies.htm>
    - ACBH State County Plans and Grant Agreements  
<http://www.acbhcs.org/providers/network/cbos.htm#resources>



## Exhibit A-1 Review (cont'd)

### **Staffing and Coordination with ACBH**

- Notify ACBH timely of changes, including:
  - Any change in site, org name, ownership, tax id
- Maintain key documentation (credentials/CEUs)
- Credentialing/Recredentialing
- Compliance training and oversight
  - Contracts >\$1M need identified Compliance Officer
  - Contracts >\$5M should consider FT Compliance Officer



## Exhibit A-1 Review (cont'd)

### **Across Sections:**

- Right of ACBH, DHCS and other funders to monitor, review and audit records, facilities, etc.
- Additional updates/details in separate handout slides



## Exhibit A-Program Requirements (Ex A-P)

- **Standard changes across large groups of programs summarized in handout**
  - Captured in Exhibit A-Ps
  - Online at:  
[http://www.acbhcs.org/providers/network/forms.htm#contract.](http://www.acbhcs.org/providers/network/forms.htm#contract)
  - Custom information/exceptions will be captured in Exhibit A-Scopes of Work (SOWs)



## Ex A-P Requirements (cont'd)

- **Not summarized in handouts:**
  - Exhibit A-Ps with less substantive changes
  - Changes for posted Exhibit A-Ps that impact fewer Master Contract CBOs



# Privacy & Security Requirement Sources

- **Federal & State Laws & Regulations**

- Health Information Portability & Accountability Act (HIPAA) (All health)

- 42 CFR Part 2 (SUD)

- California Welfare & Institutions Code 5328 (Mental Health)

- **Contract Provisions**

- Exhibit A-1: Standard Requirements, VI. Client Records, Data, Privacy, and Security Requirements

- [Exhibit E: Business Associate Agreement](#)

- [Exhibit F: Qualified Service Organization Agreement](#)





## Privacy & Security Requirement Sources (cont'd)

- **ACBH Policies & Procedures**

[#350-3-1: Privacy, Security, and Confidentiality Statement of Client Services, Records, and Information](#)

[#1704-1-1: Privacy & Security Incident Reporting Policy](#)



## Key Privacy Requirements

- **Protect all individually identifiable health information**
- **Minimum necessary rule:** limit the use, disclosure of, and requests for PHI to the minimum necessary to accomplish the intended purpose
  - Primary exceptions: treatment, disclosures to client, pursuant to authorization (Release of Information)
- **When in doubt, obtain a valid Release of Information to disclose Protected Health Information (PHI)**
- **Train all workforce and require Oath of Confidentiality for all staff at onboarding and annually**



## Key Privacy Requirements (cont'd)

- **Mitigate any harmful effect as a result of a breach**
- **Require any agent or subcontractor to follow Privacy Rule, Security Rule, and contractual requirements through written contracts**
- **Upon request of client or client representative:**
  - Make PHI available in designated record set
  - Make accounting of disclosures available
  - Allow amendments to designated record set
- **If contract is terminated, PHI must be returned or destroyed**



## Special Requirements – Substance Use Disorder (SUD) Information

- **42 CFR Part 2 is generally more restrictive regarding use and disclosure and re-disclosure of SUD information from an SUD provider**
- **Releases of Information are almost always required to disclose or re-disclose SUD information**
  - Exceptions: medical emergency, audit & evaluation, research
  - CARES Act will modify 42 CFR Part 2, to be revised March 2021



## Key Security Requirements

- **Must follow all Security Rule & HIPAA Security Regulations**
  - Implement administrative, physical, and technical safeguards
  - Must perform risk analysis and management
  - Must have Security Officer
  - Must manage information access to follow minimum necessary requirement (i.e. role-based access)
- **Electronic Health Records must have warning banner concerning PHI**
- **Emails with PHI must be sent in a secure, encrypted manner**
- **Password management policies should include requiring passwords be changed every 90 days**



## Key Security Requirements (cont'd)

***Confidentiality, Integrity and Availability*** (CIA) are the guiding principles for HIPAA security. Here is a checklist guide for software compliance:

- User Authorization
- Access Control
- Authorization monitoring
- Data Backup
- Emergency Mode
- Auto logoff
- Data encryption and decryption (at rest and transit)
- Auditing



## Privacy Incident Steps

- Notify ACBH Privacy Team **within 24 hours** of any suspected or actual breach of security, intrusion, HIPAA, and/or use/disclosure of PHI in violation of federal/state laws/regulations
- **Submit Privacy Incident Reporting Form** to ACBH via email [breachnotification@acgov.org](mailto:breachnotification@acgov.org) or by phone at **1-844-729-7055**
- **Investigate breach** and take prompt corrective action to address deficiencies and as required by laws/regulations
- **Provide written report** of investigation to ACBH Privacy Officer, including identification of each individual whose PHI has been breached within 15 working days of discovery of breach
- **Notify individuals of breach**, following directions of ACBH



## ACBH Privacy & Security

- ACBH Privacy Officer: Sophia Lai, [Sophia.Lai@acgov.org](mailto:Sophia.Lai@acgov.org)
- ACBH Security Officer: Jennifer Moore, [Jennifer.Moore@acgov.org](mailto:Jennifer.Moore@acgov.org)
- ACBH Privacy Administrative Support: Tiffany Lynch, [Tiffany.Lynch@acgov.org](mailto:Tiffany.Lynch@acgov.org)
- HCSA Chief Compliance & Privacy Officer: Ravi Mehta, [Ravi.Mehta@acgov.org](mailto:Ravi.Mehta@acgov.org)





## QA: When is MH Site Certification needed?

- New Sites
- Re-certification\* is required at a minimum every three years
- Program moves, including partial moves
- Program name changes
- Adding a new mode of service
- New provider to ACBH
- Structural changes to the facility (major renovation)
- Out of county certification (piggyback)

*\* Beyond re-certifications, the above changes are communicated via the Program Change Request Form*



## QA: MH Medi-Cal Site Certification

- **Link to Policy:**  
[http://www.acbhcs.org/providers/QA/docs/qa\\_manual/16-1\\_MEDI-CAL\\_CERT\\_MHS.pdf](http://www.acbhcs.org/providers/QA/docs/qa_manual/16-1_MEDI-CAL_CERT_MHS.pdf)
  - Notify Contracts Unit
  - Submit requested materials to QA
    - Valid Fire Clearance
    - NPI Number
    - Provider Policies and Procedures
- **For Questions, email QA Site Certification Team:**  
[SiteCertification@acgov.org](mailto:SiteCertification@acgov.org)



## QA: MH Medi-Cal Site Certifications During COVID-19 Emergency

- **Refer to April 13, 2020 Memo**
  - DHCS Temporary Streamlined Process
  - Waiving onsite review and fire clearance
  - We are requesting providers submit missing items 90 days post-emergency to complete their application
- **COVID-19 Waiver Site Certification Insert**
  - QA memorializes items that will be due upon lifting of the public health emergency (i.e. onsite review, fire clearance)



## QA: MH Provider Resources

- **COVID-19 Guidance**
- **QA Website** <http://www.acbhcs.org/providers/QA/QA.htm>
  - QA Manual
  - Audit Notices, Reports and Tools
  - Training Schedules and Handouts
  - Clinical Forms Templates
  - ACBH Grievance System

**For Technical Assistance Contact:**

QATA@ACgov.org



## Ex B-1: SUD Allocations

- **Allocations are included for all programs**

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY				
DEPARTMENT OF BEHAVIORAL HEALTH				
SUBSTANCE USE DISORDER				
ALLOCATION WORKSHEET				
FISCAL YEAR 2020-21				
Contractor: (CBO Name)				
Contract Programs		Initial	COLA	Allocation
Program Name – Description		\$\$	\$\$	-
Program Name – Description		\$\$	\$\$	-
TOTAL CONTRACT ALLOCATION				\$ -
FY 20-21 Allocation pending Board of Supervisors approval				



## Ex B-1: MH Allocations

- Allocations are included for all programs

	ALAMEDA COUNTY BEHAVIORAL HEALTH (ACBH)		
	MENTAL HEALTH PROGRAMS		
	FISCAL YEAR 20-21		
	ALLOCATION		
	Contractor:	ABC, Inc.	
	DISCLAIMER: ALL program allocations are pending Board approval		
Ex A #	Program Name	RU #	FY 20/21 Program Allocation
A(a)	Outpatient Clinic - Oakland includes one-time MHSA funding	ABC01	\$100,000
A(a)	Outpatient Clinic - Union City includes one-time MHSA funding	ABC02	\$50,000
A(a)	Outpatient Clinic - Pleasanton includes one-time MHSA funding	ABC03	\$25,000
A(b)	UELP Services	N/A	\$200,000
		Contract Maximum:	\$375,000



## Ex B Review: Forms

- **Budget instructions included with the budget template**
  - Walkthrough of the budget template
  - Definitions & Acronyms
  - Administrative Indirect Cost rate has 15% CAP
  - Costs must be reasonable and comply with regulatory requirements and any restrictions of funding source
- **Budget Template: Three (3) required sections**
  - B-1 Funded Program Budget (Personnel & Operating Expenses)
  - B-2 Composite Budget (*applies to MH only*)
  - Expense Detail Tab(s)
  - Resid & Recov Resid Tab (*applies to SUD only*)



## Ex B-1 Budget Review: Salaries & Benefits

- **FTEs:**

- Budget FTEs based on a 40-hour work week
  - *For MH only* - Example: A five day work week with 7.5 hours worked each day
$$37.5 \div 40 = 0.94 \text{ FTE}$$
- For MH, Update B-1 B% Column(s) with Direct Staff Productivity percentage
- For MH, Update B-1 Revenue Section for programs which have additional revenue sources
- Must meet minimum wage requirement for State and City





## Ex B-1 Budget Review: Salaries & Benefits (cont'd)

- **Include position title, treatment credential**
  - For SUD, incumbent name, as requested
- **Include annualized salary for all staff**
- **Additional personnel details may be requested by the Contract Managers**



# Invoice Processing

- **Processed between three Units**
  - Contracts – ACBH
  - Accounts Payable – ACBH
  - Disbursements Division – Alameda County Auditor-Controller's Office
- **Payment remitted within 30 days**
- **Supplemental Claims**
  - Contract Finalization – Rate Differential
  - Fiscal Year End – Missed Units



## Cash Advances

- **County Policy**
  - No more than 1/12 of the annual contract allocation
  - Non-profit organizations **only**
  - Repayment terms as approved by ACBH
- **Employee Dishonesty and Crime (EDC) insurance coverage**  
limits must be greater than or equal to the requested cash advance amount
- EDC insurance coverage must include a **Loss Payee Endorsement**
- **New Form** (Excel format) on provider website  
<http://www.acbhcs.org/providers/network/forms.htm>



## Additional Reports Requests

- **INSYST reports sent to print queue**
  - 3rd business day of the month following the month of service
  - 15th day of the month following the month of service
  - Last day of the month following the month of service
- **MH INSYST REPORT 2020 Calendar Link**  
[http://www.acbhcs.org/providers/Insyst/calendar/MHS\\_Rpt\\_Calendar\\_2020.pdf](http://www.acbhcs.org/providers/Insyst/calendar/MHS_Rpt_Calendar_2020.pdf)



## Other Resources

- **Contracts webpage for CBO Providers**

<http://www.acbhcs.org/providers/network/cbos.htm>

- Provider or Program Change Notification Form
  - Notify ACBH of routine changes, e.g., Leadership
- Program Change Request Form
  - Request ACBH approval of changes, e.g., sites or services



## Other Resources (cont'd)

- **Standard Contract Exhibits**
  - Some still being updated for next fiscal year
  - Exhibits A-1, A-2, B and others
  - Copies of key forms and policies, letters, and definitions
- **ACBH Policy Manual**  
<http://www.acbhcs.org/providers/PP/Policies.htm>



## Questions

- **Submit your questions by email** to: [Contracts@acgov.org](mailto:Contracts@acgov.org)
  - Email Subject Line: Spring Provider Questions
  - Question Submission Period: From June 17th – June 26th
- **Answers will be posted on website**  
<http://www.acbhcs.org/providers/network/cbos.htm> July 6th
- **Presentation and handouts will also be posted online**



**Alameda County Behavioral Health  
Care Services**

**thank you.**