

**COUNTY OF LOS ANGELES – DEPARTMENT OF MENTAL HEALTH**

**F A C T   S H E E T**

**APPROVAL OF PERFORMANCE CONTRACT NO. 04-74225-000 WITH  
THE STATE DEPARTMENT OF MENTAL HEALTH  
FOR FISCAL YEAR 2004-2005  
(ALL SUPERVISORIAL DISTRICTS)**

**REQUEST**

This is to request the Board to:

1. Accept, conditional upon clarification of the stated scope of the County's geographic area of responsibilities, the State Department of Mental Health's (SDMH) Performance Contract No. 04-74225-000, with the County of Los Angeles - Department of Mental Health (DMH), making DMH responsible for establishing community mental health services in the County of Los Angeles for Fiscal Year (FY) 2004-2005.
2. Approve and authorize the Chair to sign and execute an original Resolution specifying that the Board has approved the State Performance Contract for FY 2004-2005.
3. Instruct the Director of Mental Health or his designee to sign six (6) copies of the Performance Contract and forward them to SDMH, after conclusion of negotiations with SDMH to clarify the geographic areas for which the County is responsible for mental health services.

**PURPOSE/JUSTIFICATION**

Board action is required to accept the Performance Contract between SDMH and DMH for FY 2004-2005. The Performance Contract is retroactive to July 1, 2004, as a result of the late submission of the Agreement to the County by SDMH. Untimely submission of the Board letter meets the exemption criteria shown in the Chief Administrative Officer's September 7, 2000 memo regarding timely submission of Board letters related to contracts.

The Performance Contract sets forth County authority for the implementation of County mental health programs; summarizes the provisions for each of the local mental health programs; and is mandated under the Welfare and Institutions Code. Both the Performance Contract and the Resolution are approved by the Board each fiscal year. There are no material changes from the Performance Contract of FY 2003-2004.

## **BACKGROUND**

The Performance Contract between the State and the County is mandated under the Welfare and Institutions Code Section 5650, Chapter 2, and SDMH is the agency responsible for covering the entire area of Los Angeles County the mental health programs at the State level.

The Performance Contract establishes County authority for the implementation of community mental health services and summarizes the provisions for each of the local mental health programs. The Performance Contract outlines the requirements to justify receipt of allocations but does not specify the actual amounts. It also indicates the performance conditions for the County programs including any other contract requirements.

DMH, in conjunction with County Counsel, has requested that the State modify the contract language beginning FY 2003-2004 because Tri-City Mental Health Center currently has the responsibility for mental health services in a small area of the County under special statutory provisions. Although the State has expressed willingness to address this issue, the parties still have not agreed on acceptable alternative language. Tri-City Mental Health Center filed for bankruptcy on February 13, 2004. The requested change in the Performance Contract will help protect the County in possible negotiations with the State about the provision of services in the Tri-City area.

It should also be noted that the Performance Contract for FY 2003-2004 has not yet been signed off. This is because DMH, in conjunction with County Counsel, is still in discussion with the State over the contract language which suggests that the County is responsible for mental health services which are within the jurisdiction of Tri-City Mental Health Center.

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