

**COUNTY OF SACRAMENTO  
CALIFORNIA**

For the Agenda of:  
February 23, 2010  
2:00 PM

To: Board of Supervisors

From: County Executive

Subject: Introduce Ordinance To Merge The Department of Behavioral Health And The Department Of Health And Human Services And Establish Seniority Of The Department's Employees (Introduce Ordinance, Waive Full Reading And Continue To March 9, 2010 For Adoption)

Supervisory  
District: All

Contact:

**Overview**

The Department of Behavioral Health Services is currently comprised of three major divisions: Alcohol and Drug Services, Mental Health Services and Public Guardian/Conservator. The Department of Health and Human Services is currently comprised of four major divisions: Public Health, Primary Health Services, Senior and Adult Services and Child Protective Services. This action will merge the two departments into one department, Department of Health and Human Services.

**Recommendation**

1. Introduce, waive full reading, and continue to March 9, 2010 the attached ordinance which eliminates the Department of Behavioral Health Services within the Countywide Services Agency and establishes the seniority of the Department's employees.
2. Direct the Department of Personnel Services to prepare an administrative Salary Resolution Amendment to move the positions within the Department of Behavioral Health Services into the Department of Health and Human Services effective April 11, 2010 and delete the Director of Behavioral Health Services.

**Measures/Evaluation**

The consolidation of these programs into one department will enhance the County Strategic Objectives of Strong and Healthy Families, and Sustainable and Livable Communities. The programs are inter-related, providing clients access to County and Community Based Organization services.

**Fiscal Impact**

Establishing this new department will have no fiscal impact. The functions are now funded within the Department of Health and Human Services and the Department of Behavioral Health Services.

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Page 2

## **BACKGROUND**

In April 1991, an ad hoc Human Services Cabinet was formed and tasked with examining the delivery system and making recommendations for improvement which would eliminate duplication and redundancy, improve service delivery, and redeploy existing resources to provide for innovative community-based programs that were multi-disciplinary and holistic in nature. On August 6, 1991, the Cabinet recommended the formation of three new county departments: Human Assistance, Health and Human Services and Medical Systems. On November 26, 1991, the Board of Supervisors approved the recommended reorganization. The focus of the three departments as approved was as follows:

- Health and Human Services
  - Protective services
  - Public health and communicable disease control
  - Mental health
  - Drug and alcohol treatment
  - Primary care for indigents
  - Public Guardian/Conservator, Public Administrator
  
- Human Assistance
  - Financial and emergency assistance
  - Social services aimed at core causes of welfare dependency
  - Homeless programs
  - Community service programs
  - Employment programs
  
- Medical Systems
  - System management of indigent health care
  - Emergency medical services
  - Jail medical services

The Medical Systems Department is no longer in existence. The functions of emergency medical services and system management of indigent healthcare are currently within the Health and Human Services Department, as is medical care for juveniles in Probation Department detention facilities.

On December 16, 2008, an ordinance was introduced and adopted on January 13, 2009 establishing the Department of Behavioral Health Services. The new department was to be overseen by the Deputy Agency Administrator for Countywide Services Agency. Due to budget reductions, the Deputy Agency Administrator position was deleted as of July 1, 2009 and the Director of Behavioral Health Services position was created. Currently, the Director of Health and Human Services oversees the department.

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Page 3

### **DISCUSSION**

Due to the downsizing of the various programs and the inter-related functions of the two departments, it is recommended that the Department of Behavioral Health Services be eliminated and become a division within the Department of Health and Human Services.

### **MEASURES/EVALUATION**

The consolidation of these two departments into one department will enhance the County Strategic Objectives of Strong and Healthy Families, and Sustainable and Livable Communities. The programs are inter-related, providing clients access to County and Community Based Organization services.

### **FINANCIAL ANALYSIS**

The merger of the two departments will have no fiscal impact. The functions that are funded within the Department of Behavioral Health Services will now be budgeted in the Department of Health and Human Services. The administrative processes will be reviewed and streamlined where appropriate.

Respectfully submitted:

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STEVEN SZALAY  
Interim-County Executive

Attachment:  
Ordinance – Strikethrough  
Ordinance – Final

SCC NO. \_\_\_\_\_

**AN ORDINANCE OF THE SACRAMENTO COUNTY CODE RELATING TO  
DEPARTMENT OF HEALTH AND HUMAN SERVICES AND BEHAVIORAL HEALTH  
SERVICES CONSOLIDATION**

The Board of Supervisors of the County of Sacramento, State of California,  
ordains as follows:

SECTION 1. Chapter 2.18, Title 2, of the Sacramento County Code is repealed  
in its entirety.

SECTION 2. Section 2.78.832, Chapter 2.78, Title 2, of the Sacramento County  
Code is repealed in its entirety.

SECTION 3. Section 2.09.400 of Chapter 2.21, Title 2, of the Sacramento  
County Code is amended to read as follows:

**2.09.400 Countywide Services Agency.**

A. There is established within County government a Countywide Services Agency. The Agency shall be under the control and direction of an Administrator. The Administrator shall be appointed by the County Executive, subject to approval by the Board of Supervisors, and shall be subject to removal by the County Executive as provided in the Charter. The Agency shall consist of the following departments: Human Assistance; Health and Human Services; ~~Behavioral Health Services~~; Coroner; Public Defender; Agriculture Commissioner; Cooperative Agricultural Extension; Environmental Management; and Voter Registration. Any reference in this Code to the Public Protection Agency shall be deemed to be a reference to the Countywide Services Agency.

- B. The Administrator shall have the following duties and responsibilities:
1. Directing and controlling the operations of the departments within the Agency;
  2. Oversee the preparation and review of annual budgets, in accordance with established procedures, for the support, maintenance, and operation of the departments and other activities within the Agency;
  3. Acting as coordinator for the activities of the Courts; the Chief Probation Officer; the Department of Child Support Services; the Grand Jury; the IHSS Public Authority; the First Five Commission; and the Law Library in a manner that does not interfere with the duties imposed upon those officers, agencies or bodies by law;
  4. Directing and coordinating the activities of related advisory bodies;

5. Providing staff and support and chairing the Child and Family Policy Board; developing strategies with other public entities and community groups to increase program flexibility and coordination;

6. Oversight of the Conflict Criminal Defenders; and

7. Such other duties and responsibilities as the County Executive may assign.

c. The Administrator shall establish written procedures to assure that the direct operational administration of the Department of Health and Human Services, the Public Defender and the Conflict Criminal Defenders are separated in a fashion to assure that no conflicts of interest arise which would prevent the Public Defender or attorneys assigned by the Conflict Criminal Defenders from fulfilling their assigned duties.

SECTION 4. Section 2.21.015 is added to Chapter 2.21, Title 2, of the Sacramento County Code to read as follows:

**2.21.015 Offices Consolidated.** The offices of Mental Health Director, Public Administrator and Public Guardian are hereby consolidated into a single Office of Mental Health Director, Public Administrator and Public Guardian which shall be held by the Director of Health and Human Services.

SECTION 5. Section 2.21.040 of Chapter 2.21, Title 2, of the Sacramento County Code is amended to read as follows:

**2.21.040 Department Responsibilities.**

A. The Department of Health and Human Services shall be vested with such powers, functions, duties and responsibilities as provided by County Charter, ordinance or other law on a Social Services Director, and a Health Director, including but not limited to, the following:

1. Providing public health programs and services;
2. Providing family preservation and child protection programs and services;
3. Providing services and programs for adults and seniors;
4. Providing health and treatment within juvenile detention facilities;
5. Administering the California Children Services Program;
6. Providing indigent medical services and programs;
7. Providing and administering emergency medical programs and services;

~~8. Performing such other duties as are prescribed from time to time by the County Executive and/or the Board of Supervisors.~~

B. Government Code section 24000 designates the Public Administrator as a County Officer. Government Code section 27430 authorizes the Board of Supervisors to create the Office of Public Guardian. Probate Code section 2920 authorizes the Public Guardian to apply for appointment as a guardian or conservator if there is no one else qualified and willing to act in such capacity. Welfare and Institutions Code sections 5354.5 and 5356 require the Public Guardian to act as conservator of a person if the

court finds that no other person or entity is willing and able to act in that capacity. Welfare and Institutions Code section 5351 authorizes the Board of Supervisors to designate a County agency to act as officer providing conservatorship investigation pursuant to applicable provisions of the Lanterman-Petris-Short Act (Welfare and Institutions Code sections 5000 et seq.) (“LPS Act”). Welfare and Institutions Code Section 5355 authorizes the Board of Supervisors to designate a County Officer as conservator under the LPS Act. Pursuant to the foregoing authority, the Consolidated Office is hereby designated to provide said conservatorship investigation and conservator services.

C. The Director of the Department of Health and Human Services is hereby authorized to exercise and perform all the duties vested in the Director of Mental Health by Welfare and Institutions Code Section 5608. Pursuant to the foregoing authority, the consolidated office is hereby designated to provide said duties and responsibilities.

D. The Director of Health and Human Services shall be vested with such powers, functions, duties and responsibilities as provided by County Charter, ordinance or other law on a Mental Health Director, Public Conservator, Public Administrator or Public Guardian, as necessary to perform the following:

1. Providing conservatorship investigation and conservator, Public Administrator, and public guardian programs and services;

2. Providing mental health prevention, treatment, and outreach programs and services;

3. Providing alcohol and drug prevention, treatment, and outreach programs and services;

4. Providing mental health services and treatment within juvenile detention facilities.

E. The Director of Health and Human Services shall also be vested with such powers, functions and responsibilities as provided by County Charter, ordinance or other law to perform such other duties as are prescribed from time to time by the County Executive and/or the Board of Supervisors.

SECTION 6. Section 2.61.080, Chapter 2.61, Title 2, of the Sacramento County

Code is amended to read as follows:

**2.61.080 Approval of Open Enrollments.**

A. For the purpose of implementing and maintaining adequate provider enrollments to provide various services, the Sheriff and the Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~, and Human Assistance are hereby authorized, on behalf of, and in the name of, the County of Sacramento, to approve open enrollment of providers for the delivery of social services, medical services, pharmacy services, mental health services, child protection and family preservation services, adult protection services and other such services as will support those programs and functions administered and/or operated by the Departments of Health and Human Services, ~~Behavioral Health Services~~, Human Assistance and Sheriff so long as the Board of Supervisors has first authorized, by annual resolution,

that such services be provided for those programs and functions through an open enrollment procedure.

B. All such providers as apply and, in the opinion of the Sheriff or the Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~, and/or Human Assistance, are qualified shall be enrolled; however, the Sheriff or Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~, and/or Human Assistance may limit the price and location of the providers enrolled, subject to the standards set forth in subsection (C) of this section.

C. Such provider service enrollments shall provide for unit rates and/or other charges at or below those which are usual or customary, and utilization shall be pre-authorized and monitored by the Sheriff or Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~, or Human Assistance. All referrals shall be made on a nonpreferential basis except as to price and location for patient convenience.

SECTION 7. Section 2.61.100, Chapter 2.61, Title 2, of the Sacramento County

Code is amended to read as follows:

**2.61.100 Service Delivery, Consultant and Training Contracts for the Departments of Health and Human Services, ~~Behavioral Health Services~~ and Human Assistance.**

A. The Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~ and Human Assistance are hereby authorized, on behalf of, and in the name of, the County, to enter into contracts:

1. For delivery to the County or members of the general public or subclasses thereof, diagnostic, therapeutic, treatment, training, nutritional, hygienic, laboratory and other related services within the fields of public health, mental health services, social services, public assistance, employment and training services, veterans services, housing services, senior programs, child development centers, and brief services if: (a) the Board of Supervisors has approved the provision of such services and has authorized funds therefor as evidenced in the current approved budget for the respective Department or subsequent amendments to it, and (b) the contractor is: (i) a legal entity with which the County has contracted in the preceding fiscal year if payments to that contractor were reported to the Board of Supervisors pursuant to Section 2.61.140(b), and that contractor will receive either a similar or annualized amount for the current fiscal year; or (ii) a legal entity identified by name and contractual amount in the final budget approved by the Board of Supervisors for the fiscal year in which the contractual services are to be rendered; or (iii) a health professional or other individual or entity whose compensation is paid on an hourly basis in amounts which do not exceed either usual and customary rates in Sacramento County or one hundred dollars (\$100.00) per hour, whichever is less. For purposes of correctional health, the Sheriff may also enter into those contracts described in this subparagraph.

2. For the provision of such services authorized by the Board of Supervisors by resolution or minute order specifying any payment limitation therefor, following approval of the County's final budget in any given fiscal year.

3. For the provision of (a) employee training services or (b) consultant services to provide expert analysis, advice or assistance pertaining to the administration, operation, implementation, organization or rendition of services or programs otherwise provided by these Departments.

B. Any contract executed by the Sheriff or the Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~ and Human Assistance pursuant to this section shall contain a provision which authorizes adjustment of the contract amount, or termination of services, in the event that the funding therefor is increased, decreased or eliminated in the County's final budget for the fiscal year in which the contractual services are to be rendered. The Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~ and Human Assistance are authorized to execute amendments to any contract executed pursuant to this section to reflect the increase, decrease or elimination of the funding consistent with the County's approved final budget.

C. The Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~ and Human Assistance are authorized to execute amendments to increase the amount of contracts they have executed pursuant to this section, provided that: (1) an increase in the contract amount resulting from said amendment does not exceed ten (10) percent of the maximum amount of the original contract, or twenty thousand dollars (\$20,000.00), whichever is less; and (2) funding for the increased contract obligation is available within the Department's allocated budget for that fiscal year.

D. Experts or consultants retained pursuant to subsection (A)(3) of this section shall be retained at or below negotiated usual and customary fees. No contract by which a Director retains such an expert shall provide for or authorize a contract maximum greater than fifty thousand dollars (\$50,000.00).

E. Neither the Sheriff nor the Directors of each Department are authorized to enter into multiple contracts for the same services by the same individual or firm in an effort to avoid monetary limits established by this section

SECTION 8. Section 2.61.105, Chapter 2.61, Title 2, of the Sacramento County

Code is amended to read as follows:

**2.61.105 Term and Authority.**

A. All contracts executed by the Sheriff or the Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~ and Human Assistance pursuant to Section 2.61.100 of this chapter, except revenue contracts executed by the Directors pursuant to Section 2.61.100, shall be for a term not to exceed twelve (12) consecutive months and shall be terminable at any time by the County upon thirty (30) days' advance notice.

B. All contracts executed by the Sheriff and the Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~ and Human Assistance pursuant to Section 2.61.100 of this chapter shall also contain a provision indicating the authority under which the Directors of the Departments of Health and Human Services, ~~Behavioral Health Services~~, Human Assistance, and the Sheriff are executing such



contracts on behalf of the County, and shall cite the authorizing resolution, minute order or approved budget item required hereunder.

SECTION 9. Section 2.61.111, Chapter 2.61, Title 2, of the Sacramento County

Code is amended to read as follows:

**2.61.111 Special Education Fair Hearing Appeals.**

~~The Deputy Agency Administrator of the Office of Agency Administration in his or her capacity as~~ Director of the Department of Behavioral Health and Human Services is hereby authorized, in the name and on behalf of the County, to initiate actions in courts of competent jurisdiction for the purpose of appealing from adverse administrative decisions in special education fair hearing cases, subject to the concurrence of County Counsel.

SECTION 10. Section 2.61.112, Chapter 2.61, Title 2, of the Sacramento County

Code is amended to read as follows:

**2.61.112 Special Education Fair Hearing Case Settlement Contracts.**

~~The Deputy Agency Administrator of the Office of Agency Administration in his or her capacity as~~ Director of the Department of Behavioral Health and Human Services is hereby authorized, in the name and on behalf of the County, to execute contracts and any related documents necessary for the execution of said contracts, for the settlement of special education fair hearing cases, provided the monetary amount which the County is required to pay pursuant to the terms of the settlement does not exceed fifty thousand dollars (\$50,000.00).

SECTION 11. Section 2.78.832, Chapter 2.78, Title 2, of the Sacramento County

Code is added to read as follows:

**2.78.832 Layoff—Employees of Department of Health and Human Services.**

A. For purposes of determining the order of layoffs of employees who were employed in either the Department of Health and Human Services or the Department of Behavioral Health as of the effective date of this section, there shall be a single combined seniority list for any affected class. Any layoff originating in the Department of Health and Human Services on or after the operative date of this section shall be based upon such employee's seniority within the affected class, whether the original appointment was originally to a position in the Department of Health and Human Services or the Department of Behavioral Health.

B. For any employee who becomes employed by the Department of Health and Human Services subsequent to the operative date of this section, the order in which employees will be laid off within each class which is affected by the layoff shall be based on seniority as provided in Section 2.78.810.

SECTION 12. This ordinance was introduced and the title thereof read at the regular meeting of the Board of Supervisors on \_\_\_\_\_, and on \_\_\_\_\_, further reading was waived by the unanimous vote of the Supervisors present.

This ordinance shall take effect and be in full force on and after thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days from the date of its passage it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published in the County of Sacramento.

On a motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this \_\_\_\_ day of \_\_\_\_\_ 200\_\_, by the following vote:

- AYES: Supervisors,
- NOES: Supervisors,
- ABSENT: Supervisors,
- ABSTAIN: Supervisors,

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Chair of the Board of Supervisors  
of Sacramento County, California

(SEAL)

ATTEST:-----  
Clerk, Board of Supervisors

SCC NO. \_\_\_\_\_

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B. The Administrator shall have the following duties and responsibilities:

1. Directing and controlling the operations of the departments within the Agency;
2. Oversee the preparation and review of annual budgets, in accordance with established procedures, for the support, maintenance, and operation of the departments and other activities within the Agency;
3. Acting as coordinator for the activities of the Courts; the Chief Probation Officer; the Department of Child Support Services; the Grand Jury; the IHSS Public Authority; the First Five Commission; and the Law Library in a manner that does not interfere with the duties imposed upon those officers, agencies or bodies by law;
4. Directing and coordinating the activities of related advisory bodies;

5. Providing staff and support and chairing the Child and Family Policy Board; developing strategies with other public entities and community groups to increase program flexibility and coordination;

6. Oversight of the Conflict Criminal Defenders; and

7. Such other duties and responsibilities as the County Executive may assign.

c. The Administrator shall establish written procedures to assure that the direct operational administration of the Department of Health and Human Services, the Public Defender and the Conflict Criminal Defenders are separated in a fashion to assure that no conflicts of interest arise which would prevent the Public Defender or attorneys assigned by the Conflict Criminal Defenders from fulfilling their assigned duties.

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A. The Department of Health and Human Services shall be vested with such powers, functions, duties and responsibilities as provided by County Charter, ordinance or other law on a Social Services Director, and a Health Director, including but not limited to, the following:

1. Providing public health programs and services;
2. Providing family preservation and child protection programs and services;
3. Providing services and programs for adults and seniors;
4. Providing health and treatment within juvenile detention facilities;
5. Administering the California Children Services Program;
6. Providing indigent medical services and programs;
7. Providing and administering emergency medical programs and services;

B. Government Code section 24000 designates the Public Administrator as a County Officer. Government Code section 27430 authorizes the Board of Supervisors to create the Office of Public Guardian. Probate Code section 2920 authorizes the Public Guardian to apply for appointment as a guardian or conservator if there is no one else qualified and willing to act in such capacity. Welfare and Institutions Code sections 5354.5 and 5356 require the Public Guardian to act as conservator of a person if the court finds that no other person or entity is willing and able to act in that capacity. Welfare and Institutions Code section 5351 authorizes the Board of Supervisors to

designate a County agency to act as officer providing conservatorship investigation pursuant to applicable provisions of the Lanterman-Petris-Short Act (Welfare and Institutions Code sections 5000 et seq.) (“LPS Act”). Welfare and Institutions Code Section 5355 authorizes the Board of Supervisors to designate a County Officer as conservator under the LPS Act. Pursuant to the foregoing authority, the Consolidated Office is hereby designated to provide said conservatorship investigation and conservator services.

C. The Director of the Department of Health and Human Services is hereby authorized to exercise and perform all the duties vested in the Director of Mental Health by Welfare and Institutions Code Section 5608. Pursuant to the foregoing authority, the consolidated office is hereby designated to provide said duties and responsibilities.

D. The Director of Health and Human Services shall be vested with such powers, functions, duties and responsibilities as provided by County Charter, ordinance or other law on a Mental Health Director, Public Conservator, Public Administrator or Public Guardian, as necessary to perform the following:

1. Providing conservatorship investigation and conservator, Public Administrator, and public guardian programs and services;
2. Providing mental health prevention, treatment, and outreach programs and services;
3. Providing alcohol and drug prevention, treatment, and outreach programs and services;
4. Providing mental health services and treatment within juvenile detention facilities.

E. The Director of Health and Human Services shall also be vested with such powers, functions and responsibilities as provided by County Charter, ordinance or other law to perform such other duties as are prescribed from time to time by the County Executive and/or the Board of Supervisors.

#### SECTION 6. Section 2.61.080, Chapter 2.61, Title 2, of the Sacramento County

Code is amended to read as follows:

##### **2.61.080 Approval of Open Enrollments.**

A. For the purpose of implementing and maintaining adequate provider enrollments to provide various services, the Sheriff and the Directors of the Departments of Health and Human Services and Human Assistance are hereby authorized, on behalf of, and in the name of, the County of Sacramento, to approve open enrollment of providers for the delivery of social services, medical services, pharmacy services, mental health services, child protection and family preservation services, adult protection services and other such services as will support those programs and functions administered and/or operated by the Departments of Health and Human Services, Human Assistance and Sheriff so long as the Board of Supervisors has first authorized, by annual resolution, that such services be provided for those programs and functions through an open enrollment procedure.

B. All such providers as apply and, in the opinion of the Sheriff or the Directors of the Departments of Health and Human Services and/or Human Assistance,

are qualified shall be enrolled; however, the Sheriff or Directors of the Departments of Health and Human Services and/or Human Assistance may limit the price and location of the providers enrolled, subject to the standards set forth in subsection (C) of this section.

C. Such provider service enrollments shall provide for unit rates and/or other charges at or below those which are usual or customary, and utilization shall be pre-authorized and monitored by the Sheriff or Directors of the Departments of Health and Human Services-or Human Assistance. All referrals shall be made on a nonpreferential basis except as to price and location for patient convenience.

SECTION 7. Section 2.61.100, Chapter 2.61, Title 2, of the Sacramento County

Code is amended to read as follows:

**2.61.100 Service Delivery, Consultant and Training Contracts for the Departments of Health and Human Services and Human Assistance.**

A. The Directors of the Departments of Health and Human Services and Human Assistance are hereby authorized, on behalf of, and in the name of, the County, to enter into contracts:

1. For delivery to the County or members of the general public or subclasses thereof, diagnostic, therapeutic, treatment, training, nutritional, hygienic, laboratory and other related services within the fields of public health, mental health services, social services, public assistance, employment and training services, veterans services, housing services, senior programs, child development centers, and brief services if: (a) the Board of Supervisors has approved the provision of such services and has authorized funds therefor as evidenced in the current approved budget for the respective Department or subsequent amendments to it, and (b) the contractor is: (i) a legal entity with which the County has contracted in the preceding fiscal year if payments to that contractor were reported to the Board of Supervisors pursuant to Section 2.61.140(b), and that contractor will receive either a similar or annualized amount for the current fiscal year; or (ii) a legal entity identified by name and contractual amount in the final budget approved by the Board of Supervisors for the fiscal year in which the contractual services are to be rendered; or (iii) a health professional or other individual or entity whose compensation is paid on an hourly basis in amounts which do not exceed either usual and customary rates in Sacramento County or one hundred dollars (\$100.00) per hour, whichever is less. For purposes of correctional health, the Sheriff may also enter into those contracts described in this subparagraph.

2. For the provision of such services authorized by the Board of Supervisors by resolution or minute order specifying any payment limitation therefor, following approval of the County's final budget in any given fiscal year.

3. For the provision of (a) employee training services or (b) consultant services to provide expert analysis, advice or assistance pertaining to the administration, operation, implementation, organization or rendition of services or programs otherwise provided by these Departments.

B. Any contract executed by the Sheriff or the Directors of the Departments of Health and Human Services and Human Assistance pursuant to this section shall

contain a provision which authorizes adjustment of the contract amount, or termination of services, in the event that the funding therefor is increased, decreased or eliminated in the County's final budget for the fiscal year in which the contractual services are to be rendered. The Directors of the Departments of Health and Human Services and Human Assistance are authorized to execute amendments to any contract executed pursuant to this section to reflect the increase, decrease or elimination of the funding consistent with the County's approved final budget.

C. The Directors of the Departments of Health and Human Services and Human Assistance are authorized to execute amendments to increase the amount of contracts they have executed pursuant to this section, provided that: (1) an increase in the contract amount resulting from said amendment does not exceed ten (10) percent of the maximum amount of the original contract, or twenty thousand dollars (\$20,000.00), whichever is less; and (2) funding for the increased contract obligation is available within the Department's allocated budget for that fiscal year.

D. Experts or consultants retained pursuant to subsection (A)(3) of this section shall be retained at or below negotiated usual and customary fees. No contract by which a Director retains such an expert shall provide for or authorize a contract maximum greater than fifty thousand dollars (\$50,000.00).

E. Neither the Sheriff nor the Directors of each Department are authorized to enter into multiple contracts for the same services by the same individual or firm in an effort to avoid monetary limits established by this section

#### SECTION 8. Section 2.61.105, Chapter 2.61, Title 2, of the Sacramento County

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A. All contracts executed by the Sheriff or the Directors of the Departments of Health and Human Services and Human Assistance pursuant to Section 2.61.100 of this chapter, except revenue contracts executed by the Directors pursuant to Section 2.61.100, shall be for a term not to exceed twelve (12) consecutive months and shall be terminable at any time by the County upon thirty (30) days' advance notice.

B. All contracts executed by the Sheriff and the Directors of the Departments of Health and Human Services and Human Assistance pursuant to Section 2.61.100 of this chapter shall also contain a provision indicating the authority under which the Directors of the Departments of Health and Human Services, Department of Human Assistance, and the Sheriff are executing such contracts on behalf of the County, and shall cite the authorizing resolution, minute order or approved budget item required hereunder.

SECTION 9. Section 2.61.111, Chapter 2.61, Title 2, of the Sacramento County

Code is amended to read as follows:

**2.61.111 Special Education Fair Hearing Appeals.**

The Director of the Department of Health and Human Services is hereby authorized, in the name and on behalf of the County, to initiate actions in courts of competent jurisdiction for the purpose of appealing from adverse administrative decisions in special education fair hearing cases, subject to the concurrence of County Counsel.

SECTION 10. Section 2.61.112, Chapter 2.61, Title 2, of the Sacramento County

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SECTION 11. Section 2.78.832, Chapter 2.78, Title 2, of the Sacramento County

Code is added to read as follows:

**2.78.832 Layoff—Employees of Department of Health and Human Services.**

A. For purposes of determining the order of layoffs of employees who were employed in either the Department of Health and Human Services or the Department of Behavioral Health as of the effective date of this section, there shall be a single combined seniority list for any affected class. Any layoff originating in the Department of Health and Human Services on or after the operative date of this section shall be based upon such employee's seniority within the affected class, whether the original appointment was originally to a position in the Department of Health and Human Services or the Department of Behavioral Health.

B. For any employee who becomes employed by the Department of Health and Human Services subsequent to the operative date of this section, the order in which employees will be laid off within each class which is affected by the layoff shall be based on seniority as provided in Section 2.78.810.



SECTION 12. This ordinance was introduced and the title thereof read at the regular meeting of the Board of Supervisors on \_\_\_\_\_, and on \_\_\_\_\_, further reading was waived by the unanimous vote of the Supervisors present.

This ordinance shall take effect and be in full force on and after thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days from the date of its passage it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published in the County of Sacramento.

On a motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this \_\_\_\_ day of \_\_\_\_\_ 200\_\_, by the following vote:

- AYES: Supervisors,
- NOES: Supervisors,
- ABSENT: Supervisors,
- ABSTAIN: Supervisors,

\_\_\_\_\_  
Chair of the Board of Supervisors  
of Sacramento County, California

(SEAL)

ATTEST: \_\_\_\_\_  
Clerk, Board of Supervisors