



**DEPARTMENT OF MENTAL HEALTH**  
hope. recovery. wellbeing.

**JONATHAN E. SHERIN, M.D., Ph.D.**  
Director

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Chief Deputy Director

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Chief Medical Officer

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

September 1, 2020

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

34 September 1, 2020

CELIA ZAVALA  
EXECUTIVE OFFICER

Dear Supervisors:

**APPROVAL OF RETROACTIVE PAYMENTS TO 11 DEPARTMENT OF MENTAL HEALTH  
TEMPORARY PSYCHIATRIST SERVICE AGREEMENTS FOR TELEHEALTH SERVICES  
PROVIDED DURING COVID-19 PUBLIC HEALTH EMERGENCY  
FOR THE PERIOD OF MARCH 19, 2020 TO MAY 26, 2020  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

**SUBJECT**

Request approval to make retroactive payments to 11 Department of Mental Health Temporary Psychiatrist Service Agreements for Telehealth services.

**IT IS RECOMMENDED THAT THE BOARD:**

Approve and authorize the Director of Mental Health (Director), or his designee, to make retroactive payments to 11 Department of Mental Health (DMH) Temporary Psychiatrist Service Agreements listed on Attachment I for Telehealth services provided during the COVID-19 public health emergency for the period of March 19, 2020 through May 26, 2020. The total payment amount for Telehealth services is listed on Attachment I which is \$1,909,088. The payment amount is based on the same hourly contract rate for in-person services and is fully funded by Federal Financial Participation (FFP) Medi-Cal, 2011 Realignment - Early Periodic, Screening and Diagnosis Treatment (EPSDT), State Aid Mental Health and State Mental Health Services Act (MHSA) revenue.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Due to the COVID-19 public health emergency and State and County Stay-at-Home Orders, DMH implemented strategies to allow its workforce to continue providing essential mental health service and medication support services without disruption through the use of Telehealth services within Los Angeles County.

DMH uses temporary psychiatrists through its existing Temporary Psychiatrist Service Agreements to provide services at DMH Directly-Operated Clinics. Although these Agreements do not have provisions authorizing Telehealth services, the temporary psychiatrists placed in DMH's Directly-Operated Clinics through these 11 Temporary Psychiatrist Service Agreements provided Telehealth services for the period of March 19, 2020 through May 26, 2020, to maintain psychiatry services capacity and ensure continuity of care during the initial phase of the pandemic. Through its delegated authority, DMH, as soon as practicable, amended the 11 Temporary Psychiatrist Service Agreements to add Telehealth services to the Statement of Work.

Board approval of the recommended action will allow DMH to retroactively pay the 11 contractors listed on Attachment I for Telehealth services provided during this period. The contracted hourly rate for Telehealth services is the same as the contracted hourly rate for in-person psychiatry services. As such, DMH did not incur additional costs by utilizing Telehealth services for the provision of these services.

### **Implementation of Strategic Plan Goals**

The recommended actions are consistent with the County's Strategic Plan Goal III, Realize Tomorrow's Government Today, specifically Strategy III.3 – Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability.

### **FISCAL IMPACT/FINANCING**

There's no additional cost associated with this action and the total amount due to the contractors for Telehealth services provided during this period is \$1,909,088, fully funded by FFP Medi-Cal, 2011 Realignment – EPSDT, State Aid Mental Health and State MHSA revenue. Sufficient appropriation is included in DMH's Fiscal Year 2020-21 Adopted budget.

There is no net County cost associated with this action.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On January 10, 2017, your Board authorized DMH to execute the Temporary Psychiatrist Service Agreements. DMH has utilized these Agreements to staff temporary psychiatrists on an as-needed or intermittent basis to perform evaluations, medication support, and other psychiatric services. These Agreements offer a pool of qualified independent contractors to provide DMH with temporary psychiatrists staffed at DMH Directly-Operated Clinics to meet emergent or unanticipated psychiatric needs.

On March 19, 2020, in response to the COVID-19 public health emergency, the State and Los Angeles County issued similar Stay-at-Home Orders only allowing "Essential Critical Infrastructures" to operate to protect the public from the serious illness and death resulting from the spread of COVID-19.

With the Stay-at-Home Orders issued and County buildings closed, DMH deployed telework resources for staff and issued laptops to Psychiatrists located at DMH Directly-Operated Clinics to continue providing essential mental health services and medication support services to clients without disruption through Telehealth.

For the period of March 19, 2020 through May 26, 2020, some of DMH's Directly-Operated Clinics

staffed temporary psychiatrists through DMH's Temporary Psychiatrist Service Agreements and were asked to provide telehealth psychiatry services similar to in-house DMH psychiatrists to continue to address patients' mental health needs during the pandemic without an amendment to the existing contract to expand the modes of service. This situation has been remedied in that amendments have long been executed through DMH's delegated authority to authorize the delivery of telehealth psychiatry services.

Attachment I lists the 11 Temporary Psychiatrist Service Agreements, their headquarter address, Supervisorial Districts, Service Areas and retroactive payment amounts.

On July 7, 2020, your Board approved revisions to Board Policy No. 5.015 (Timely Submission of Contracts for Board Approval), revising the Retroactive Contract Review Committee Procedures. The revised Board policy requires departments to identify the applicable exception criteria for contract services performed without your Board's prior approval. Although DMH has delegated authority to expand the scope/modes of services under these Agreements, it does not have the delegated authority to retroactively pay contractors for unauthorized services. DMH allowed contractors to provide unauthorized telehealth services as a direct result of the COVID-19 pandemic where these services were of a critical nature and an urgent necessity to protect the public's health and safety (exception criteria # 1).

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Board approval of the recommended action will enable DMH to retroactively pay 11 Contractors for Telehealth services provided under the Stay-at-Home orders due to the COVID-19 public health emergency.

Respectfully submitted,



JONATHAN E. SHERIN, M.D., Ph.D.

Director

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Enclosures

- c: Executive Officer, Board of Supervisors
- Chief Executive Office
- County Counsel
- Chairperson, Mental Health Commission

## COUNTY OF LOS ANGELES - DEPARTMENT OF MENTAL HEALTH

**APPROVAL OF RETROACTIVE PAYMENTS TO 11 DEPARTMENT OF MENTAL HEALTH  
TEMPORARY PSYCHIATRIST SERVICE AGREEMENTS FOR TELEHEALTH SERVICES PROVIDED  
DURING COVID-19 PUBLIC HEALTH EMERGENCY FOR THE PERIOD OF MARCH 19, 2020 TO MAY 26, 2020**

	<b>Contractor Name</b>	<b>Headquarter Address</b>	<b>Service Provider Supervisory District</b>	<b>Service Provider Service Area</b>	<b>Retroactive Payment Amount</b>
1	Ascend Medical Staffing, LLC	450 E.1000 North North Salt Lake City, UT 84054	All	All	\$45,000
2	ExMed, Inc.	3500 W. Olive Ave., Suite 300 Burbank, CA 91505	All	All	\$110,000
3	Fusion Healthcare Staffing, LLC.	10150 S. Centennial Parkway, Suite 120 Sandy, UT 84070	All	All	\$6,100
4	Global Medical Staffing (GMS) Medical Staffing, Inc.	339 W. 13490 S. Suite 200 Draper, UT 84070	All	All	\$171,000
5	Imperial Locum Services, APC	378 W. Fargo Ave Hanford, CA 93230	All	All	\$356,900
6	Jackson & Coker, Locumtenens, LLC	3000 Old Alabama Road, Suite 119-608 Alpharetta, GA 30022	All	All	\$367,600
7	KPG Healthcare, LLC	1960 E. Grand Avenue, Suite 940 El Segundo, CA 90245	All	All	\$24,900
8	LocumTenens.com, LLC	2655 Northwinds Parkway Alpharetta, GA 30009	All	All	\$143,100
9	Registry of Physician Specialists, A Medical Corporation	1850 Gateway Boulevard, Suite 230 Concord, CA 94520	All	All	\$90,650
10	Staff Care, Inc.	8840 Cypress Waters Blvd., Suite 300 Dallas, TX 75019	All	All	\$523,838
11	Vista Staffing Solutions, Inc.	2800 E. Cottonwood Parkway, Suite 400 Cottonwood Heights, UT 84121	All	All	\$70,000
<b>TOTAL RETROACTIVE PAYMENT FOR THE PERIOD OF MARCH 19, 2020 THROUGH MAY 26, 2020</b>					<b>\$1,909,088</b>