

RESPONSE TO GRAND JURY REPORT DRAFT

Report title: Inspections of Custody and Corrections Facilities in Humboldt County

Response by: DHHS

Report date: 6/17/2020

FINDINGS

1. DHHS agrees with the findings numbered: F2, F3, F4, F5, F6, F7, F8.
2. DHHS disagrees wholly or partially with the findings numbered: F1

RECOMMENDATIONS

1. Recommendations numbered R2 and R6 have not yet been fully implemented, but planning is in process.
2. Recommendations numbered R1, R2, R3, R4, R5, R7, R8 and R9 need more analysis or to be answered by a different party.



INTEROFFICE MEMORANDUM

TO: BOARD OF SUPERVISORS
FROM: DEPARTMENT OF HEALTH & HUMAN SERVICES DIRECTOR
CONNIE BECK
SUBJECT: RESPONSE TO 2019-20 GRAND JURY REPORT "INSPECTIONS OF
CUSTODY AND CORRECTIONS FACILITIES IN HUMBOLDT COUNTY"
DATE: 8 / 25 / 20

In the Grand Jury Report, "*Inspections of Custody and Corrections Facilities in Humboldt County*," the Grand Jury has requested that the Department of Health & Human Services respond to Findings F1 through F8 and Recommendations R1 through R9. The Department of Health & Human Services is proposing the following response as detailed below.

FINDINGS

Finding F1: *The use of outside, for-profit contractors to provide medical and mental health practitioners may shield the County from lawsuits, but such contracts may sacrifice quality of care, as numerous lawsuits against those contractors throughout the country have alleged. (R1)*

Response: Disagree in part

The contractors DHHS-Behavioral Health (BH) has relationships with have been helpful in bringing qualified practitioners to work in our programs. Historically, due to a practitioner shortage, DHHS hired a locum tenens company which lacked continuity of care. The current contractor has provided consistent physicians and nurses. DHHS-BH needs the flexibility to hire directly or utilize contracted professionals depending on circumstances. Considerations include cost (contracted services are often cheaper, due to benefits costs including retirement of civil servants), funding source, ability to recruit effectively, provider relationships in the community and anticipated length of time services will be needed. Liability is not a consideration when determining whether to utilize a contractor. DHHS expects services provided by both contractors and DHHS staff to be of high quality and in compliance with State and Federal regulations.



Finding F2: *Lengthy vetting, onboarding, recruitment and retention problems in both the Humboldt County Correctional Facility and Humboldt County Mental Health impede the effective delivery of mental health care.*

Response: Partially agree

Lengthy hiring processes including vetting and recruitment issues have presented challenges across many government agencies including DHHS. Significant changes made by County Human Resources (HR) in November 2017 were good initial steps to make positive changes in hiring processes. DHHS implemented an onboarding policy in 2019 with supports, guidance and resources that were introduced and refined in 2018 to address issues with onboarding across DHHS.

Recruitment and retention for these types of positions continue to be a problem across the country.

Finding F3: *Use of a local Competency Restoration Program would improve service to inmates in need of mental health support prior to court appearances and could reduce cost to the County.*

Response: Agree

DHHS-BH is looking forward to the start of the Jail Based Restoration Program in the jail run by WellPath.

Finding F4: *Increasing the training and certification of Substance Use Disorder Counselors in Juvenile Hall should increase effectiveness of treatment for juvenile detainees.*

Response: Partially agree

DHHS-BH can increase the number of trainings that are assigned to our Substance Use Disorder counselors, but the Certification process is determined by licensing boards at the State level. The Probation Department has the authority to initiate changes to the treatment of juvenile detainees and DHHS would defer to them for additional comments.

Finding F5: *Sempervirens Psychiatric Health Facility has a physical atmosphere that is not conducive to mental health rehabilitation. This facility needs to be replaced with a larger,*



modern facility designed to accommodate both adults and juveniles for the patients' well-being. (R5)

Response: Partially agree.

A new, modern facility would be welcomed by DHHS staff and patients. Building new buildings is exceedingly costly.

Deep systemic Statewide issues in behavioral health funding and construction challenges prevent any ability of DHHS to initiate new construction of a facility.

Finding F6: *Mental health services would be improved if step-down housing was provided for patients as they exit secure facilities.*

Response: Agree.

DHHS-BH issued a Request for Proposals to address this last year and is currently in the awarding process.

Finding F7: *Increasing the Mobile Response Team hours of availability would improve service to those in need of immediate mental health intervention while reducing the burden incurred by law enforcement and hospital emergency rooms. (R7)*

Response: Partially agree.

The Mobile Response Team's (MRT) work has been effective, improving service and meeting a community need. The MRT is funded by grants and subject to limited funding availability.

Finding F8: *Laura's Law (AB1421) has been found to be beneficial in the California counties that have adopted it. Adoption of Laura's Law by Humboldt County would provide a major option for treatment of people suffering from mental illness. (R8)*

Response: Agree.

DHHS-BH has been exploring bringing this program to our county. DHHS-BH hosted a training on Laura's Law in 2019 and invited County and community stakeholders. The courts, District Attorney's Office, Public Defender's Office, Probation and Humboldt County Correctional Facility would all need to support the creation and sustainability of this program.



RECOMMENDATIONS

Recommendation R1: *The Humboldt County Civil Grand Jury recommends Humboldt County Sheriff's Department use outside, for-profit contractors to fill vacant staff positions for mental health services only when exhaustive efforts of recruitment have failed. Such contracts should be well-scrutinized to assure quality, cost-effectiveness, adequate oversight, and accountability, effective October 1, 2020. (F1)*

Response: Needs more analysis.

R1, along with R3, R4, R5, R8, and R9 are all listed as “needs more analysis” because they are recommendations outside the scope of DHHS. DHHS can support other department efforts, including planning, however, DHHS cannot implement recommendations made to the Humboldt County Sheriff's Office (HCSO) or Probation Department, nor recommendations made to the Board of Supervisors without direction from the Board.

Comments in F1 regarding contracting apply here. Considerations on whether to hire internally or contract our services include cost (contracted services often cheaper, due to benefits costs including retirement of civil servants), funding source, ability to recruit effectively, provider relationships in the community and anticipated length of time services will be needed. Flexibility is needed by any department to implement the right solution for the particular instance. Contracting should not be viewed as a last resort, rather it should be viewed as a valuable tool that provides needed services while reducing the size of government and supporting qualified businesses and nonprofits.

Recommendation R2: *The Humboldt County Civil Grand Jury recommends that the Humboldt County Human Resources Department and Department of Health and Human Services thoroughly examine and improve their effectiveness in hiring, onboarding, and recruitment processes to better fill vacancies. These changes should be implemented by January 1, 2021. (F2)*

Response: This recommendation has been partially implemented

DHHS has supported hiring and recruitment changes in the Human Resources Department. Significant changes made by HR in November 2017 were good initial steps to make positive changes in hiring processes. HR has a newly appointed director, and DHHS looks forward to supporting HR in making more changes and refinements. DHHS-Employee Services (DHHS-ES) will work closely with HR to plan, implement and refine changes to processes.



Recommendation R3: *The Humboldt County Civil Grand Jury recommends Humboldt County Sheriff's Department proceed with implementation of a State approved Competency Restoration Program in coordination with Humboldt County Department of Health and Human Service, effective January 1, 2021. (F3)*

Response: Needs more analysis

DHHS cannot implement as this recommendation is out of scope. DHHS supports the HCSO and WellPath with their implementation of their restoration program.

Recommendation R4: *The Humboldt County Civil Grand Jury recommends Humboldt County Probation Department provide trained and certified Substance Use Disorder counselors to increase effectiveness of treatment for detainees in Juvenile Hall, effective January 1, 2021. (F4)*

Response: Needs more analysis

DHHS cannot implement as this recommendation is out of scope. DHHS defers to the Probation Department's position on this.

Recommendation R5: *The Humboldt County Civil Grand Jury recommends Humboldt County Board of Supervisors complete and approve the comprehensive infrastructure plan relative to County buildings and grounds, and specifically include Sempervirens Psychiatric Health Facility as a high priority project. This plan should be completed by January 1, 2021. (F5)*

Response: Needs more analysis

DHHS cannot implement as this recommendation is out of scope. DHHS defers to and supports the Board of Supervisors' response on this recommendation.

Recommendation R6: *The Humboldt County Civil Grand Jury recommends Humboldt County Department of Health and Human Services integrate the use of step-down housing for patients being discharged from secure facilities. These services should be available to all patients by January 1, 2021. (F6)*

Response: Will be implemented, but may not be implemented by Jan. 1, 2021.



DHHS-BH is in the process of awarding a contractor on this recommendation and has been actively addressing this since last year.

Availability of residential housing and residential facilities is an issue throughout Humboldt and California. There are fewer board and care facilities available now; per the Los Angeles Times in a Nov 2019 article, “Board and care homes are disappearing....it’s a scenario that is becoming increasingly common across California, brought on by a combination of an inadequate state funding system and California’s red hot real estate market.” DHHS struggles to find regular residential housing for clients, and the lack of housing has been cited as a reason medical and behavioral health recruitment into the area is problematic.

DHHS-BH will continue efforts to increase step-down options in Humboldt in order to provide a full continuum of care. Appropriate local levels of care result in cost-savings as well as a better experience for clients, therefore these efforts are not hampered by deficit concerns. In fact, it is work critical to addressing deficit concerns, due to the high cost of out-of-county placements and higher-level-of-care-than-necessary placements. To that end, DHHS has increased local permanent supportive housing availability for people experiencing serious mental illness by 65 units through partnership with developers and has worked with landlords throughout the county to house an additional 60 people experiencing serious mental illness. DHHS will continue this work as funding becomes available through State or Federal revenues.

Recommendation R7: *The Humboldt County Civil Grand Jury recommends Humboldt County Department of Health and Human Services expand staffing of the Mobile Response Team to around-the-clock (24/7/365), effective October 1, 2020. (F7)*

Response: Needs more analysis.

The Mobile Response Team’s work has been effective, improving service and meeting a community need. The MRT is funded by grants and is subject to limited funding availability. Services can be expanded only if funding is secured.

Recommendation R8: *The Humboldt County Civil Grand Jury recommends Humboldt County Board of Supervisors adopt and implement the components of Laura’s Law (AB1421) as another option for evaluation and treatment by mental health professionals, effective January 1, 2021. (F8)*

Response: Needs more analysis.

DHHS-BH has been exploring bringing this program to our county. DHHS-BH hosted a training on Laura’s Law in 2019 and invited County and community stakeholders. The courts, District



Attorney's Office, Public Defender's Office, Probation and Humboldt County Correctional Facility would all need to support the creation and sustainability of this program.

