



Psychiatric Emergency Response Team

A division of Community Research Foundation
In partnership with law enforcement and San Diego County HHSA

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AUG 22 2016

August 15, 2016

The Honorable Jeffrey B. Barton, Presiding Judge
San Diego Superior Court Main Courthouse
THIRD FLOOR
220 W. Broadway
San Diego, CA 92101

RE: Comment on "Grand Jury Report: PERT – Psychiatric Emergency Response Team, dated May 17, 2016

Dear Judge Barton:

The San Diego County Grand Jury (2015-2016) conducted an investigation regarding "the PERT program, its history and goals, effectiveness, and staffing levels." Within its report filed on May 23, 2016, the Grand Jury identified that difficulty filling clinician positions is a problem for PERT and recommended that the PERT Coordinating Council "...revise the criteria for background check requirements for PERT Clinician candidates to reflect their training, status, and responsibilities." This recommendation was apparently based upon an old MOU with the Sheriff's Department and a 2015 statistic that 50% of candidates did not pass the background check and the Grand Jury's finding that "PERT struggles to fill available clinician positions due to the requirements for the San Diego County Sheriff's Department non-sworn professional background check."

In response to the report, I reviewed the PERT Clinician hiring process, including data involving our referrals to the San Diego Sheriff's Department security background investigations unit. I also consulted with the San Diego County Sheriff's Department and the PERT Coordinating Council. I concluded that the difficulty with hiring clinical staff lies much more with low salaries than it does with the level of background check.

Our referrals to the background investigations unit has conformed to the Grand Jury recommended lower security background threshold of civilian employees (as opposed to the higher tier sworn level) since at least February 2014. According to recent PERT records dating to March 2015, out of 31 qualified applicants selected for referral to backgrounds, seventeen (55%) passed, six (19%) failed, and eight (26%) withdrew. While 55% of selected applicants passed the background investigation, this is not evidence that the rest (45%) failed. Rather, the correct proportion emerges only after the eight candidates who withdrew were removed from the calculation; thus 74% passed and 26% failed backgrounds. The recent results are even more positive (as I informed the Grand Jury via email, dated May 10, 2016): 10 of our last 11 referrals passed backgrounds, which yields a 91% pass rate.

The following statement was provided in response to the Grand Jury Report by the PERT Coordinating Council (comprised of representatives from all of our law enforcement partners): "The PERT Coordinating Council supports the Sheriff's Department use of the same security background threshold used for civilian employees. PERT clinicians are certainly exposed to highly sensitive and protected information. This includes information accessed through the California Law Enforcement

Telecommunications System (CLETS) as well as Criminal Offender Record Information (CORI). The Department of Justice (DOJ), thus, requires all persons, including non-criminal justice, volunteer personnel, and private vendor technical or maintenance personnel, with physical access to CLETS provided information or to Criminal Offender Record Information (CORI) to undergo a background and fingerprint check. DOJ does give final responsibility for maintaining the security and confidentiality of criminal justice information to the individual agency head or administrator. For this reason, all the local law enforcement agencies have agreed to conduct a single background, through the San Diego County Sheriff's Department, rather than having each individual agency conduct and interpret its findings in order to satisfy the security requirements mentioned above."

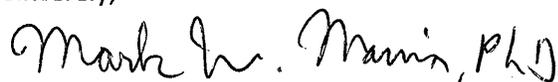
Although not noted in the Grand Jury report, the reasons given by applicants withdrawing during the backgrounds process are worthy of reporting. As noted above, eight (26%) of the 31 referrals to backgrounds withdrew during the investigation process. Seven stated that they were withdrawing because they had secured employment offering higher pay (with better working conditions). The other applicant reported withdrawing because of the insistence of his family due to their concern for his safety.

Clearly, the primary reason PERT positions remain unfilled is that the highest clinician salary we are permitted to offer is not competitive in the current market. Please refer to the attachment (dated November 03, 2015) outlining our request to the County to increase PERT clinician pay to enable us to be more competitive in the local labor market. PERT has consequently experienced difficulty achieving County contracted goals. We are currently unable to recruit staff because of non-competitive salaries and ample employment opportunities at other local settings that offer higher pay for less demanding and relatively risk free work. Although we requested that the County allow us to raise the salary to the range of \$85,000 to \$90,000 (based on market rates), we were only authorized to increase the salary level to \$77,000 (effective March 01, 2015). The County was informed that this figure is insufficient and that our law enforcement partners are unhappy with this decision.

I hope that my response to the San Diego County Grand Jury report clarifies our difficulty with filling all 40 County funded PERT Clinician positions. As I prepare this report, we have 10.5 open positions. The average number of vacant positions for Fiscal Year 15-16 was 8. Because we continue to be unable to recruit and retain clinicians, we are currently developing another request to the County, this time to increase salaries to \$90,000, given the recent increased danger to our clinicians due to law enforcement officers being targeted by snipers. While there has been marked progress with the percentage of PERT referrals passing the background investigation as well as improved times for completing the process over the past two-years, it is clear that salary for PERT clinicians is a continuing issue adversely impacting hiring, despite our aggressive recruitment efforts.

Thank you Judge Barton for your consideration of my response.

Sincerely,



Mark W. Marvin, Ph.D.
Director, PERT

Attachment



Psychiatric Emergency Response Team

*A Division of Community Research Foundation
A partnership of law enforcement, San Diego County Mental Health & PERT*

November 03, 2015

Betsy Knight, MFT
CRF/PERT COR
San Diego County Behavioral Health Services
3255 Camino del Rio South
San Diego, CA 92108

Dear Betsy:

This letter reflects the current status of PERT with regard to the ongoing serious issue of recruitment and retention, including all expansion efforts, to date. To begin with, we appreciate the flexibility you showed in allowing us to increase PERT salaries up to about \$69,992 a year from current year program savings. Unfortunately, although it was helpful for morale with the existing clinicians, we have not been able to retain or attract staff at that salary level. Based on the last four months of extensive recruiting and our retention experience during that same period, we now believe the program cannot be sustained with salaries at that level. PERT has unique recruitment and retention challenges because most of the work is in the evening and on week-ends when the request for service calls received by 911 dispatch centers is greatest. We have received many applications from highly interested qualified clinicians; however, many applicants withdraw with expressed dismay that "I expected this position to pay at least \$20,000 more per year."

As you recall, the expansion created a pay divergence between new PERT Clinicians (\$69,992 annual salary) and existing PERT Clinicians (\$64,722 annual salary). As a result of our expressed related concern, we were authorized to pay \$69,992 to pre-expansion clinicians from program savings in FY 2015-16 to prevent resignations and fill vacant positions. However, we noted that the increased pay was not enough and would serve only as a temporary measure as it would not be feasible within the existing contract maximum once all positions were filled by the end of this fiscal year. On August 31st, we provided the County a table indicating current budgeted salaries along with target market rate salaries based upon nine companies to which we lost staff in the last year (VA, Kaiser, FQHCs, UCSD Healthcare, and hospitals). This review of market salaries for licensed clinicians working 9-5 at VA, Kaiser, FQHCs, UCSD, Healthcare, and hospitals revealed the mid-point compensation to be \$79,052 per year (based on the 50% percentile of the ranges of pay being offered). Of course, PERT positions require a much greater degree of personal fortitude, a willingness to face potentially dangerous situations, and evening or week-end hours. This market salary review is also now six months old. The escalation of salaries in San Diego for licensed mental health professionals has been nothing short of shocking. Based on this data and our recruitment/retention experience, along with anecdotal information gathered from recently departed PERT staff, we recommend a compensation level of \$85,000 to \$90,000 per year for our non-management licensed PERT clinicians, depending on licensure and seniority. Management staff would, of course, require more if we are to retain them.

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At the beginning of August 2015, we had eleven open PERT Clinician positions. Today, PERT has nine open positions. Thus, PERT has only gained two positions over the course of three months. This is the case, despite extensive recruiting (for LMFT, LPCC, LCSW, Psychologist, or RN) and despite the temporary salary increase to \$69,992. A total of five PERT Clinicians have been hired. However, so far this fiscal year, we have lost three highly seasoned PERT Clinicians due to higher paid employment opportunities. During the recruitment process, five persons who passed our initial interview withdrew their PERT application in the midst of the San Diego County Sheriff's security clearance process (four due to obtaining higher paying employment elsewhere; one due to physical safety concerns). Three potential hires are currently in the security clearance process. Our experience is that 70% of individuals who appear to be qualified do not pass the security clearance.

PERT expansion was funded due to the demonstrated need to the community. For example, the San Diego Police Department's Central Division has had a 102% increase of PERT-related dispatch calls over the past year alone. The acknowledged need for additional PERT services is loudly communicated by consumers, community groups, NAMI, law enforcement, the mental health/social services community, the San Diego County Board of Supervisors and City Councils. However, since the expansion was first announced, stakeholders continue to ask, "When are these teams going to be available?" Thus, the enthusiasm about expansion has been tainted with our inability to implement the already funded new teams.

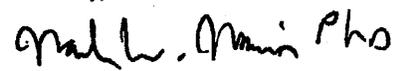
For an anticipated short-term fix beginning in August, voluntary overtime shifts were offered to PERT Clinicians to fill the needed service gaps. Many responded and performed their typical high caliber service. The addition of a fifth ten-hour shift might bring short-term success, but the presence and risk of sustained burn-out has resulted in many PERT Clinicians discontinuing overtime. The result is that PERT is currently unable to meet its service goals.

Given all these factors, we strongly urge the County to give the PERT program the resources needed to attract staff to implement new teams and to retain currently operational teams. To do so, we are asking for an immediate augmentation to fund salary increases for existing staff, ranging from \$85,000 to \$90,000, with commensurate increases for management personnel. The table below reflects the associated costs of this proposal, assuming a 12/1/2015 effective date. The annual FY 16-17 costs follow.

Period	Salaries		Benefits	Total *
<i>FY 15-16, Effective December 1, 2015</i>	\$408,686	7	\$94,204	\$502,890
<i>FY 16-17</i>	\$708,549	6	\$136,035	\$844,584
*(includes Indirect)				
* 15/16 request has been reduced due to existing savings from staff vacancies				

Thanks again for your continued support.

Sincerely,

A handwritten signature in black ink that reads "Mark W. Marvin Ph.D." The signature is written in a cursive style with a large initial 'M' and 'W'.

Mark W. Marvin, Ph.D.

Director PERT