



# County of San Diego

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May 10, 2021

TO: Behavioral Health Services Contracted Service Providers

FROM: Raul Loyo-Rodriguez, Departmental Budget Manager  
Behavioral Health Services

## **CONTRACT DOCUMENTATION REQUIREMENTS**

In preparation for year-end Fiscal Year (FY) 2020-21 and new FY 2021-22, the following documents are required to be submitted to comply with Behavioral Health Services (BHS) contract terms and conditions.

### **1. CONTRACT YEAR-END ACTIVITY**

#### **1.1. Administrative Adjustment Request (AAR)**

Please submit all AARs for FY 2020-21 to the Contracting Officer's Representative (COR) by close of business May 31, 2021. Attached is the AAR template. Electronic submission is acceptable.

**NOTE: COR approval is necessary before adjustments are implemented.**

#### **1.2. Inventory Report**

The County of San Diego (County) requires its contractors to annually submit an inventory report listing all non-expendable property that has been purchased with cost reimbursement County funds (whether contract type is Fixed Price, Cost Reimbursement, or Hybrid). Start-up funds – regardless of contract type – are considered cost reimbursement and require an inventory report. If a contract has not acquired inventory with cost reimbursement County funds, a signed form marked "N/A – NO INVENTORY" must be submitted.

**NOTE: All vehicles purchased or leased with County funds must be listed.**

Contractors may use their own inventory report, as long as the required information is included per the BHS Inventory Guidelines for County Contracts. All reports must be signed by authorized staff and indicate date report was completed.

Email copies of the FY 2020-21 Inventory Report(s) to the COR no later than thirty (30) days after the end of contract term. For example, if the contract term is through June 30, 2021 the report is due on July 30, 2021. If the contract term is through September 30, 2021, the report is due October 29, 2021. If the term is through October 31, 2021, the report is due on November 30, 2021. Please contact your COR for any additional questions.

## **2. FY 2021-22 New Fiscal Year Activity**

### **2.1. Cost Allocation Plan**

A Cost Allocation Plan (CAP) is a written methodology to document how the organization's shared costs are charged to various contracts and/or programs. CAPs apply to all cost reimbursement contracts; however, contractors that 1) provide only one service/program, 2) receive only one type of funding, or 3) direct charge their full cost to only one benefitting program are exempt from submitting a CAP. A CAP may not apply to fixed price contracts.

An organization-wide CAP for FY 2021-22 is due together with your FY 2021-22 budget. Please cc: [BHS.Claims@sdcounty.ca.gov](mailto:BHS.Claims@sdcounty.ca.gov) when you submit your CAP. If your organization falls within any of the three exempt categories, please send an email explaining your exemption.

### **2.2. Contractor Electronic Signatures / Contractor Signature Authorization Form**

Starting in June 2020, the Health and Human Services Agency (HHS) began offering contractors the opportunity to submit invoices and AARs to CORs with electronic signatures. Contractors must complete and submit an HHS Electronic Signature Agreement (ESA) for each contract. If you have already submitted an ESA for an existing contract, no action is needed. If you would like to set up this functionality, please complete the ESA and submit a new BHS Contractor Signature Authorization Form (SAF) as outlined below. Note that electronic signing approval does not extend to contract documents, such as contract amendments, which are managed by the Department of Purchasing and Contracting (DPC) and still require "wet signatures."

Please list all staff who you would like to have electronic signing authority on your organization's BHS Contractor SAF, attached. Listed staff can sign for all contracts enumerated on the SAF; however, these individuals will have to fill out a separate ESA for each BHS contract. The ESA remains in effect until the contract expires or the staff member leaves your organization, whichever comes first.

Please follow the attached instructions for completing the SAF, scan the signed document, and submit the SAF via email to [BHSCST@sdcounty.ca.gov](mailto:BHSCST@sdcounty.ca.gov) no more than thirty (30) days after the end of contract term. For example, if the contract term ends on June 30, 2021, the form is due on July 30, 2021. If the contract term ends on September 30, 2021, the form is due October 29, 2021. If the term ends on October 30, 2021, the form is due on November 30, 2021. Please contact your COR for any additional questions. ESAs should be submitted with the SAF and will be forwarded to your contract COR(s) to countersign. Electronic signature authority/acceptance of e-signed documents is not granted until the COR returns a fully signed copy of the ESA to your organization.

If your organization is not interested in using Electronic Signatures, you must still complete the SAF to identify authorized signatories. Please scan the signed form and email to [BHSCST@sdcounty.ca.gov](mailto:BHSCST@sdcounty.ca.gov) no later than thirty (30) days after the end of contract term.

### **2.3 Published Rates for Mental Health Services**

Contractors providing direct mental health services are required to submit their FY 2021-22 Published Rates for Medi-Cal and Medicare/Other Health Coverage (OHC) services via email to [BHS.Claims@sdcounty.ca.gov](mailto:BHS.Claims@sdcounty.ca.gov) no later than July 31, 2021. Contractors are advised to review their actual costs, and adjust their published rates as needed. Attached are two templates with various categories of services and rates. One template corresponds to Medi-Cal Published Rates and the other corresponds to Medicare OHC Published Rates.

This information is used to prepare the State Cost Report and to update the County's MIS system (Cerner) billing modalities for Medicare and Other Health Coverage (OHC).

#### 2.4. **Subcontractor/Consultant Agreement(s)**

All Subcontractor/Consultant Agreement(s) must be pre-approved. The following is the pre-approval process:

- A. Written pre-approval from the COR is required for the following subcontracts/consultant agreements:
  - o Any Agreement that is in excess of fifty thousand dollars (\$50,000) or twenty five percent (25%) of the total values of the contract, whichever is less;
  - o Any combination of subcontracts and/or consultant agreements to the same contractor for the same term (this includes contract year or contract life), that is in excess of fifty thousand dollars (\$50,000) or twenty-five percent (25%) of the value of the contract, whichever is less; and
  - o Any agreement, regardless of value, that is for professional medical or mental health services.
- B. A written pre-approval must contain the following four components for each of the subcontracts and/or consultant agreements:
  - o Name of the organization or individual;
  - o Brief scope or description of what services/products the subcontractors and/or consultants will provide relevant to the main contract;
  - o Agreement amount; and
  - o Agreement term.
- C. Contractors shall obtain pre-approval by completing the four components in the Subcontract Tab of the annual BHS Budget spreadsheet, filling in check boxes, signing, and submitting it to their COR for review. All columns must be completed; "TBDs" will not be accepted for pre-approval, unless the situation in Example 1 below applies. Once the Subcontractor Budget Tab has been reviewed, the COR will sign and return it to the Contractor indicating pre-approval.

**Example 1:** Contractor will subcontract with *Medical 4 All Inc.* to provide psychiatric services to patients from September 1, 2020 – June 30, 2021 at \$200.00 per hour for 40 hours per month. Annual total = \$80,000. The name of the psychiatrist is not known and is listed as TBD.

In this example, this information meets the requirement for pre-approval because the Agency that is responsible for providing the services – *Medical 4 All Inc.* -- is identified and the Individual psychiatrist delivering services is the only TBD.

**Example 2:** Contractor will subcontract with a psychiatrist to provide psychiatric services to patients. The name of the psychiatrist is not known yet and neither is the pay rate. The agreement period will be November 1, 2020 – June 30, 2021. TBD is listed in the Individual column and in the Budget columns.

In this example, this information does not meet the requirement for pre-approval because the subcontract will be with an individual and the complete information is not known.

- o Once all the information is known, the contractor needs to fill out the Subcontract Budget tab template with all the required information, sign, scan, and send to COR for pre-approval. Once approved, the COR will return indicating approval.
- D. Contractors shall provide CORs with copies of **all** subcontracts and/or consultant agreements relating to the contracts, **regardless of the dollar amount and contract type** (Cost Reimbursement, Fixed Price, Pay for Performance, etc.). Contractors shall complete the attached *BHS Subcontractor/Consultant Agreement Contractor Checklist* and submit the form together with copies of fully executed agreement(s) to the COR within thirty (30) days after the effective date of the Agreement or no later

than August 2, 2021 for Agreements with an effective date of July 1, 2021; November 1, 2021 for contracts with an effective date of October 1, 2021; and December 1, 2021 for Agreements with an effective date of November 1, 2021.

## **2.5. Attestation**


To ensure compliance with State and Federal mandates, BHS is required to confirm that providers are informed and in compliance with funding source requirements. The attached Attestation includes some of the most common requirements which are included in the County contract Agreement, Organizational Provider Operations Handbook (OPOH), and/or Substance Use Disorder Operations Handbook (SUDPOH).

By signing the Attestation, providers attest that their organization is in compliance with all applicable federal, state, county, and local laws, rules, and regulations. Furthermore, they affirm they are following all County contract requirements including, but not limited to, those highlighted in the Attestation. Specific program requirements can be found in the County contract agreement and/or by contacting your COR. Please note that the attestation does not preclude your COR from monitoring compliance during annual site visits.

Email copies of the Attestation to the COR no later than thirty (30) days after the end of contract term. For example, if the contract term is to June 30, 2021, the report is due on July 30, 2021. If the contract term is to September 30, 2021, the report is due October 29, 2021. If the term is October 31, 2021, the report is due on November 30, 2021.

If you have any questions or need assistance, please contact your COR and/or Contract Analyst.

Thank you for your assistance in this matter.



RAUL LOYO-RODRIGUEZ, Departmental Budget Manager  
Behavioral Health Services

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### **Attachments:**

- ✓ Administrative Adjustment Request (AAR) Template
- ✓ Medi-Cal Published Rates Form
- ✓ Medicare OHC Published Rates Form
- ✓ BHS Inventory Form - EXAMPLE
- ✓ BHS Inventory Form
- ✓ BHS Contracts Signature Authorization Form
- ✓ Signature Authorization Form Instructions
- ✓ BHS Subcontractor Budget Tab Example
- ✓ BHS Contractor Checklist for Subcontracts
- ✓ BHS Attestation