



Legislation Details (With Text)

File #: 22-1470 **Version:** 1

Type: Bill **Status:** Passed

File created: 11/7/2022 **In control:** Safety, Housing, Education & Homelessness Committee

On agenda: 12/12/2022 **Final action:** 12/12/2022

Title: A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority, to provide the provision of interim mental health services for individuals who have been court-ordered for inpatient competency restoration and who are waiting for admission to an inpatient bed as part of the requirements of Senate Bill 19-223. Amends an agreement with Denver Health and Hospital Authority by adding \$270,237.11 for a new total of \$837,882.91 and one year for a new end date of 6-30-2023 to provide the provision of interim mental health services for individuals who have been court-ordered for inpatient competency restoration and who are waiting for admission to an inpatient bed as part of the requirements of Senate Bill 19-223, citywide (SHERF-202056255-2/ SHERF-202263823-02). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-22. The Committee approved filing this item at its meeting on 11-16-22.

Sponsors:

Indexes: Anne Wallace

Code sections:

Attachments: 1. BR22-1470_DSD_DHHA_COMPENH_REQ_FINAL, 2. 22-1470 Filed Bill_DHHA_202263823-02, 3. 22-1470 2ndAmendAgr_DHHA_202263823-02, 4. 22-1470 Filed Bill_DHHA, 5. 22-1470 - signed, 6. 22-1470 For an ordinance approving a proposed Second Amendatory Agreement

| Date | Ver. | Action By | Action | Result |
|------------|------|---|---|--------|
| 12/13/2022 | 1 | Mayor | signed | |
| 12/12/2022 | 1 | Council President | signed | |
| 12/12/2022 | 1 | City Council | placed upon final consideration and do pass | Pass |
| 12/5/2022 | 1 | City Council | ordered published | |
| 11/16/2022 | 1 | Safety, Housing, Education & Homelessness Committee | approved by consent | Pass |

[Contract Request Template \(Contracts; IGAs; Leases\)](#)

Date Submitted: 11-14-2022

**Requesting Agency: Sheriff
Division:**

**Subject Matter Expert Name: Melanie Pitkin
Email Address: Melanie.Pitkin@denvergov.org
Phone Number:**

Item Title & Description:

*(Do not delete the following instructions)
These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence*

*description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority, to provide the provision of interim mental health services for individuals who have been court-ordered for inpatient competency restoration and who are waiting for admission to an inpatient bed as part of the requirements of Senate Bill 19-223.

Amends an agreement with Denver Health and Hospital Authority by adding \$270,237.11 for a new total of \$837,882.91 and one year for a new end date of 6-30-2023 to provide the provision of interim mental health services for individuals who have been court-ordered for inpatient competency restoration and who are waiting for admission to an inpatient bed as part of the requirements of Senate Bill 19-223, citywide (SHERF-202056255-2/ SHERF-202263823-02). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-22. The Committee approved filing this item at its meeting on 11-16-22.

Affected Council District(s) or citywide? Citywide

Contract Control Number: SHERF-202263823-02 / Alfresco: SHERF-202056255-2

Vendor/Contractor Name (including any "DBA"): Denver Health & Hospital Authority

Type and Scope of services to be performed:

In May 2019, the Colorado General Assembly passed Senate Bill 19-223; legislation that mandates the provision of interim mental health services for individuals who have been court-ordered for inpatient competency restoration and who are waiting for admission to an inpatient bed. To compensate for these specialty services, SB 19-223 allocates funding to the Jail Based Behavioral Health Services (JBBS) program to address gaps in services in the jail for those with mental health disorders that are awaiting restoration services.

Through JBBS funding, the Denver Sheriff Department seeks to subcontract to Denver Health to:

- provide interim mental health services to individuals who are in jail and have been court-ordered to the Colorado Department of Human Services (CDHS) to receive competency restoration services;
- provide mental health services to individuals who are returning to the jail after receiving restoration services at an Office of Behavioral Health (OBH) designated inpatient restoration facility;
- coordinate services with the Forensic Support Team (FST) and Court Liaison (Bridges) when a court order has been received for an evaluation and/or when an individual is identified to be in crisis by the jail at the time of booking or while incarcerated; and
- coordinate and provide oversight for competency evaluations for both state and non-state court-ordered evaluations to ensure the evaluations are completed timely and in a private setting using in person visits, between the glass visits, or video visits based on the requested format of the evaluator.

Scope of work:

Target Population. Adults 18 years of age and older that are: awaiting a competency restoration evaluation,

awaiting competency restoration services, are suspected of becoming incompetent to proceed while in jail, or are returning from an OBH-designated inpatient restoration facility after receiving restoration services and meet any of the following criteria:

- a. Have a serious and persistent mental health disorder
- b. Are experiencing acute psychosis or major mood dysregulation
- c. Have substance use issues, especially if suspicion of intoxication is present
- d. Have a low IQ or significant cognitive issues, including dementia, or observable and reported symptoms of mental illness
- e. Have a known previous competency history
- f. Have a Traumatic Brain Injury (TBI)

Program Referral. The subcontractor (Denver Health) shall refer individuals for competency enhancement services through one (1) of the following ways:

- a. Court ordered competency;
- b. Upon return from an OBH-designated inpatient restoration facility; or
- c. Jail identifies the individual to be in crisis at booking or during the jail stay (as defined under “Target Population”). Priority must be given to those individuals involved in the competency restoration process.

Court Ordered Treatment Level of Care Type. Based upon the results of the court order competency evaluation, the subcontractor shall provide treatment services to an individual while they wait for a bed at an OBH designated inpatient restoration facility. The subcontractor shall use the categories below to indicate the level of treatment care needed for individuals based upon the results of the court-ordered competency evaluation.

- a. High Risk - Immediate Transfer: Immediate coordination of transfer to an OBH designated inpatient restoration facility
- b. Moderate Risk for Transfer: Daily contact with the medical or mental health services team. Coordination with Forensic Navigator. Mental Health clinician contact on a weekly basis or as clinically indicated.
- c. Low Risk for Transfer: Services determined by assessment; weekly mental health clinical or medical contact; additional treatment services shall be offered by existing JBBS treatment services. Coordination with Forensic Navigator.

Jail Identified Treatment Level of Care Type. At booking, the subcontractor shall identify individuals that are referenced in section “Target Population” and provide treatment services while the individual is awaiting a court hearing. These provisional services are an attempt to intervene and stabilize the identified individual before court-ordered competency is raised.

- a. Jail Booking Screening and Referral. The subcontractor shall ensure that individuals are screened within 48 hours from booking and referred to additional treatment services based upon the results of the screen. The subcontractor shall employ evidence-based curricula, addressing the following areas listed below. All tools are subject to approval by OBH.
 - i. mental health;
 - ii. substance use disorders; and
 - iii. suicide risk.
- b. Jail Referral Process. When there is a positive screen for either substance use, mental health, or suicidal ideation, the subcontractor shall ensure that the individual is referred for further assessment with a mental health clinician based upon the timeframes listed in section 3.3 “Jail Identified Treatment Level of Care Type.”

Jail Mental Health Evaluation. The subcontractor shall ensure that a mental health evaluation is performed promptly on all individuals that have been identified as the “Target Population,” either through the court-ordered referral process or through the jail-identified process. The Jail Mental Health Evaluation shall identify treatment needs while the individual is awaiting court proceedings or an OBH-designated inpatient restoration facility bed.

Transition Plan. The subcontractor shall ensure that a transition plan is developed with an individual upon transition to an OBH designated inpatient restoration facility. The transition plan shall outline the following:

- a. Mental health diagnosis
- b. Level of Care type (if applicable)
- c. Prescribed psychotropic medications
- d. Any identifiable cognitive impairment(s)
- e. Treatment services received in jail

f. Copy of the initial plan of care

Discharge Plan. Upon the individual's return from an OBH designated inpatient restoration facility, the subcontractor shall locate and save a copy of the individual's discharge plan within the same day an individual return. Once a copy is received, the subcontractor shall ensure follow up care is provided according to the plan within 24 hours upon return, as well as provide continual treatment services until the person is released from jail.

Location (if applicable): Citywide

WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts): N/A

Are WBE/MBE/DBE goals met (if applicable)?

Is the contract new/a renewal/extension or amendment?

Amendment

Was this contractor selected by competitive process or sole source?

Sole- IGA

For New contracts

Term of initial contract:

Options for Renewal:

How many renewals (i.e. up to 2 renewals)?

Term of any renewals (i.e. 1 year each):

Cost of initial contract term:

Cost of any renewals:

Total contract value council is approving if all renewals exercised:

For Amendments/Renewals Extensions:

Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?

Price and cost

If length changing

What was the length of the term of the original contract?

7/1/2020-6/30/2022

What is the length of the extension/renewal?

One year

What is the revised total term of the contract?

7/1/2020-6/30/2023

If cost changing

What was the original value of the entire contract prior to this proposed change?

\$567,645.80

What is the value of the proposed change?

\$270,237.11

What is the new/revised total value including change?

\$837,882.91

If terms changing

Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)