

April 21, 2022

Board of County Commissioners
Clackamas County

Approval of Amendment #03 to the 2022 Revenue Agreement with the State of Oregon, acting by and through its Oregon Health Authority for the operation and financing of Community Mental Health, Addiction Treatment, Recovery & Prevention Services, and Problem Gambling Programs. Amendment #03 rescinds \$25,000.00 provided through the initial award. Agreement maximum value decreased to \$9,082,562.79. Funding through State of Oregon, Oregon Health Authority.
No County General Funds Involved.

| | |
|--|---|
| Purpose/Outcomes | Agreement provides funding for the local administration and operation of behavioral health and addiction program services to residents of Clackamas County. |
| Dollar Amount and Fiscal Impact | Amendment #03 rescinds \$25,000.00, decreasing the maximum agreement value to \$9,082,562.79. |
| Funding Source | No County General Funds are involved. Funding provided through the State of Oregon, Oregon Health Authority. |
| Duration | Effective upon signature and terminates on December 31, 2022 |
| Previous Board Action | Agreement reviewed and approved December 16, 2021, Agenda Item 20211216 III.a.ii. Amendment #01 reviewed and approved March 17, 2022, Agenda Item 20220317 IV.A.6. Amendment #02 at Issues April 12, 2022. Amendment #03 at Issues April 19, 2022 |
| Counsel Review | Reviewed and approved March 29, 2022 Kathleen Rastetter |
| Procurement Review | Was this item reviewed by Procurement? No. This is an amendment to a revenue agreement. |
| Strategic Plan Alignment | Ensuring safe, healthy and secure communities through the provision of mental health and substance use services. |
| Contact Person | Mary Rumbaugh, Director – Behavioral Health Division 503-742-5305 |
| Contract No. | 10434 |

BACKGROUND:

The Behavioral Health Division of the Health, Housing & Human Services Department requests the approval of Amendment #03 to Intergovernmental Agreement #173129 with the State of Oregon, acting by and through its Oregon Health Authority for the financing and operation of Community Mental Health, Addiction Treatment, Recovery & Prevention Services and Problem Gambling programs in Clackamas County. The Board of County Commissioners is the Local Mental Health Authority for Clackamas County that operates a Community Mental Health Program funded by this Agreement. The Behavioral Health Division ensures that the funds are administered according to the terms set forth by this Agreement to provide local administration, behavioral health and addiction services to Clackamas County.

Healthy Families. Strong Communities.

Amendment #03 rescinds \$25,000.00 provided through Service Description MHS 17 for Invoice Services due to funding shifts OHA identified to support non-OHP eligible individuals in other communities. This Amendment is effective upon signature and terminates December 31, 2022.

RECOMMENDATION:

Staff recommends Board approval of Amendment #03.

Respectfully submitted,

Rodney A. Cook

Rodney A. Cook, Director
Health, Housing & Human Services Department



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**THIRD AMENDMENT TO
OREGON HEALTH AUTHORITY
2022 INTERGOVERNMENTAL AGREEMENT FOR THE FINANCING OF
COMMUNITY MENTAL HEALTH, ADDICTION TREATMENT, RECOVERY, &
PREVENTION, AND PROBLEM GAMBLING SERVICES #173129**

This Third Amendment to Oregon Health Authority 2022 Intergovernmental Agreement for the Financing of Community Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services effective as of January 1, 2022 (as amended, the “Agreement”), is entered into, as of the date of the last signature hereto, by and between the State of Oregon acting by and through its Oregon Health Authority (“OHA”) and **Clackamas County** (“County”).

RECITALS

WHEREAS, OHA and County wish to modify the Financial Assistance Award set forth in Exhibit C of the Agreement.

NOW, THEREFORE, in consideration of the premises, covenants and agreements contained herein and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. The financial and service information in the Financial Assistance Award are hereby amended as described in Attachment 1 attached hereto and incorporated herein by this reference. Attachment 1 must be read in conjunction with the portion of Exhibit C of the Agreement that describes the effect of an amendment of the financial and service information.
2. County represents and warrants to OHA that the representations and warranties of County set forth in section 4 of Exhibit F of the Agreement are true and correct on the date hereof with the same effect as if made on the date hereof.
3. Except as amended hereby, all terms and conditions of the Agreement remain in full force and effect.
4. This Amendment may be executed in any number of counterparts, all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Amendment so executed shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this amendment as of the dates set forth below their respective signatures.

5. Signatures.

Clackamas County

By:

| | | | |
|----------------------|--------------|-------|-------|
| _____ | _____ | _____ | _____ |
| Authorized Signature | Printed Name | Title | Date |

Approved as to form: *Kathleen Rastetter* 3/29/2022

State of Oregon acting by and through its Oregon Health Authority

By:

| | | | |
|----------------------|--------------|-------|-------|
| _____ | _____ | _____ | _____ |
| Authorized Signature | Printed Name | Title | Date |

Approved by: Director, OHA Health Systems Division

By:

| | | | |
|----------------------|--------------|-------|-------|
| _____ | _____ | _____ | _____ |
| Authorized Signature | Printed Name | Title | Date |

Approved for Legal Sufficiency:

Approved by Steven Marlowe, Senior Assistant Attorney General, Department of Justice, Tax and Finance Section, on November 18, 2021; e-mail in contract file.

Attachment 1 Financial Pages

| MODIFICATION INPUT REVIEW REPORT | | | | | | | | | | | | | | |
|----------------------------------|------|------------------|------------------------------|----------|-----------------------|-------------|--------|-------------------|---------------|------|------|--------|------|-----|
| MOD#: M0635 | | | | | | | | | | | | | | |
| CONTRACT#: 173129 | | | CONTRACTOR: CLACKAMAS COUNTY | | | | | | | | | | | |
| INPUT CHECKED BY: _____ | | | DATE CHECKED: _____ | | | | | | | | | | | |
| SE# | FUND | CODE | CPMS | PROVIDER | EFFECTIVE | SLOT | RATE | OPERATING | STARTUP PART | PART | PAAF | CLIENT | | |
| | | | | | DATES | CHANGE/TYPE | | DOLLARS | DOLLARS ABC | IV | CD | BASE | CODE | SP# |
| FISCAL YEAR: 2021-2022 | | | | | | | | | | | | | | |
| | BASE | INVOICE SERVICES | | | | | | | | | | | | |
| 17 | 804 | INVOIC | | | 1/1/2022 - 6/30/2022 | 0 /N/A | \$0.00 | -12,500.00 | \$0.00 | C | 1 | Y | | 1 |
| | | | | | | | | <u>-12,500.00</u> | <u>\$0.00</u> | | | | | |
| TOTAL FOR SE# 17 | | | | | | | | | | | | | | |
| TOTAL FOR 2021-2022 | | | | | | | | <u>-12,500.00</u> | <u>\$0.00</u> | | | | | |
| FISCAL YEAR: 2022-2023 | | | | | | | | | | | | | | |
| | BASE | INVOICE SERVICES | | | | | | | | | | | | |
| 17 | 804 | INVOIC | | | 7/1/2022 - 12/31/2022 | 0 /N/A | \$0.00 | -12,500.00 | \$0.00 | C | 1 | Y | | 1 |
| | | | | | | | | <u>-12,500.00</u> | <u>\$0.00</u> | | | | | |
| TOTAL FOR SE# 17 | | | | | | | | | | | | | | |
| TOTAL FOR 2022-2023 | | | | | | | | <u>-12,500.00</u> | <u>\$0.00</u> | | | | | |
| TOTAL FOR M0635 173129 | | | | | | | | <u>-25,000.00</u> | <u>\$0.00</u> | | | | | |

OREGON HEALTH AUTHORITY
Financial Assistance Award Amendment (FAAA)

CONTRACTOR: CLACKAMAS COUNTY
DATE: 03/22/2022

Contract#: 173129
REF#: 004

REASON FOR FAAA (for information only):

Non-OHP Community and Residential Assistance (MHS 17) funds have been removed.

The following special condition(s) apply to funds as indicated by the special condition number in column 9. Each special condition set forth below may be qualified by a full description in the Financial Assistance Award.

M0635 1 Special Condition #M0514-6 in Base Agreement regarding "MHS 17 - Non-OHP Community and Residential Assistance" applies.