

January 4, 2024

BCC Agenda Date/Item: \_\_\_\_\_

Board of County Commissioners  
 Clackamas County

**Approval of Amendment #12 decreasing funding from an Intergovernmental Agreement with the Oregon Health Authority for the financing of Community Mental Health, Addiction Treatment, Recovery & Prevention, and Problem Gambling Services. Amendment rescinds \$23,565.00 for six months, Agreement value is decreased to \$20,279,574.35 for 2 years. Funding through Oregon Health Authority. No County General Funds are involved.**

|                                     |   |                           |              |
|-------------------------------------|---|---------------------------|--------------|
| <b>Previous Board Action/Review</b> | Agreement December 16, 2021, Agenda Item 20211216 III.a.ii.; Amendment #01 March 15, 2022, Agenda Item 20220317 IV.A.6; Amendment #02 April 21, 2022, 20220421 IV.B.ii; Amendment #03 April 21, 2022, Agenda Item 20220421 IV.B.iii; Amendment #04 May 12, 2022, Agenda Item 20220512 I.E.vi; Amendment #05 July 14, 2022, Agenda Item 20220714 III.E.5; Amendment #06 February 2, 2023, Agenda Item 20230202 III.C.3; Amendment #07 March 23, 2023, Agenda Item 20230323 III.B.4; Amendment #08 April 13, 2023, Agenda Item 20230413 III.B.2; Amendment #09 June 1, 2023, Agenda Item 20230601 VI.G.2; Amendment #10 August 17, 2023, Agenda Item 20230817 IV.E.1; Amendment #11 October 5, 2023, Agenda Item 20231005 III.E.5; Amendment #12 Issues January 3, 2024 |                           |              |
| <b>Performance Clackamas</b>        | Ensuring safe, healthy and secure communities through the provision of mental health and substance use services.  |                           |              |
| <b>Counsel Review</b>               | Yes   | <b>Procurement Review</b> | No           |
| <b>Contact Person</b>               | Mary Rumbaugh   | <b>Contact Phone</b>      | 503-742-5305 |

**EXECUTIVE SUMMARY:** The Behavioral Health Division of the Health, Housing and Human Services Department requests the approval of Amendment #12 to Intergovernmental Agreement #173129 with the State of Oregon, acting by and through its Oregon Health Authority (OHA) for the financing and operation of Community Mental Health, Addiction Treatment, Recovery & Prevention Services and Problem Gambling programs in Clackamas County. The Board of 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.

Amendment #12 rescinds funds through Service Element MHS 17, Non-OHP Community and Residential Assistance. MHS 17 is a consolidated service element of invoiceable non-residential and residential services that include, residential treatment; monitoring, security and supervision for

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individuals under the jurisdiction of the adult and juvenile panels of the psychiatric security review board; adult foster care; and pre-admission screening and resident review (PASRR) services. These funds are being reallocated by OHA. Rescinded funds are being reallocated based on utilization patterns. The opposite can be true, as we can receive additional funds due the utilization patterns of services.

Amendment #12 rescinds a total of \$23,565.00 for six months of services expiring December 31, 2023. This Amendment decreases the Agreement value to \$20,279,574.35.

**RECOMMENDATION:** Staff recommend that the Board approve this agreement and authorize Tootie Smith, Chair, to sign it on behalf of Clackamas County.

Respectfully submitted,

*Rodney A. Cook*

Rodney A. Cook, Director  
Health, Housing and Human Services



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

This Twelfth 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. Capitalized words and phrases used but not defined herein shall have the meanings ascribed thereto in the Agreement.
3. 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.
4. Except as amended hereby, all terms and conditions of the Agreement remain in full force and effect.
5. 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.

**6. Signatures.**

**COUNTY: YOU WILL NOT BE PAID FOR SERVICES RENDERED PRIOR TO NECESSARY STATE APPROVALS**

**Clackamas County**

**By:**

\_\_\_\_\_  
Authorized Signature Printed Name

\_\_\_\_\_  
Title Date

**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 15, 2021; e-mail in contract file.

**ATTACHMENT 1  
EXHIBIT C  
Financial Pages**

MODIFICATION INPUT REVIEW REPORT

MOD#: M0761

CONTRACT#: 173129

CONTRACTOR: CLACKAMAS COUNTY

INPUT CHECKED BY: \_\_\_\_\_

DATE CHECKED: \_\_\_\_\_

| SE#                    | FUND | CODE             | CPMS | PROVIDER | EFFECTIVE<br>DATES    | SLOT<br>CHANGE/TYPE    | RATE   | OPERATING<br>DOLLARS | STARTUP PART<br>DOLLARS ABC | PART<br>IV | PAAF<br>CD | BASE | CLIENT<br>CODE | SP# |
|------------------------|------|------------------|------|----------|-----------------------|------------------------|--------|----------------------|-----------------------------|------------|------------|------|----------------|-----|
| FISCAL YEAR: 2023-2024 |      |                  |      |          |                       |                        |        |                      |                             |            |            |      |                |     |
|                        | BASE | INVOICE SERVICES |      |          |                       |                        |        |                      |                             |            |            |      |                |     |
| 17                     | 804  | INVOIC           |      |          | 7/1/2023 - 12/31/2023 | 0 /NA                  | \$0.00 | -\$23,565.00         | \$0.00                      | C          | 1          | Y    |                | 1   |
|                        |      |                  |      |          |                       | TOTAL FOR SE# 17       |        | -\$23,565.00         | \$0.00                      |            |            |      |                |     |
|                        |      |                  |      |          |                       | TOTAL FOR 2023-2024    |        | -\$23,565.00         | \$0.00                      |            |            |      |                |     |
|                        |      |                  |      |          |                       | TOTAL FOR M0761 173129 |        | -\$23,565.00         | \$0.00                      |            |            |      |                |     |

OREGON HEALTH AUTHORITY  
Financial Assistance Award Amendment (FAAA)

CONTRACTOR: CLACKAMAS COUNTY  
DATE: 11/09/2023

Contract#: 173129  
REF#: 015

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.

M0761 1 Special Condition #M0514-6 in Base Agreement regarding "MHS 17 - Non-OHP Community and Residential Assistance" applies.