



SANTA BARBARA COUNTY
DEPARTMENT OF
Behavioral Wellness
A System of Care and Recovery

Alice Gleghorn, PhD
Director

VIA FAX AND CERTIFIED MAIL

September 16, 2019

Julie Martinez
Health Facilities Evaluator Supervisor
California Department of Public Health
Licensing and Certification
1889 N. Rice Avenue, Suite 200
Oxnard, CA 93036

Re: SB County PHF (CCN: 154125)
Medicare Recertification Survey 7/18/2019
Tags A043, A 083, A115, and A144
Actions of the Psychiatric Health Facility (PHF) Governing Board

Dear Ms. Martinez:

In response to the letter dated August 2, 2019 received from CDPH regarding the findings of the facility audit completed on July 18th 2019 and subsequent feedback provided by CDPH and CMS, the PHF Governing Board submits this letter to demonstrate the actions we have taken to address the findings in Tag Nos. A043, A 083, A115, and A144. The PHF Governing Board takes very seriously its role to ensure that all services provided to patients are adequate and safe at all times and we take great pride in the PHF's delivery of quality psychiatric health care services to the community. We are committed to the PHF's compliance with the Medicare Conditions of Participation in accordance with the CMS Updated Guidance to Surveyors on Federal Requirements for Providing Services to Justice Involved Individuals (May 3, 2016) to maintain custody of a justice-involved individual, e.g. an individual currently in custody and held involuntarily by the Santa Barbara County Sheriff's Office. This letter serves as support to demonstrate one part of the corrective actions and system changes being addressed by PHF staff and the PHF Governing Board.

Pursuant to Resolution No. 16-2015 of the County of Santa Barbara Board of Supervisors, as incorporated in Article I of the PHF Governing Board's Bylaws, the County Board of Supervisors retains authority to set general policy on fiscal and personnel matters within the County, including financial management practices, labor relations, and conditions of employment. The PHF Governing Board shall not adopt any policy, employ any practice, or take any action which is inconsistent with or alters the scope of the County Code, the Board of Supervisors' sovereign authority, or any County policy regarding fiscal or personnel issues.

To the extent of the PHF Governing Board's authority, the PHF Governing Board took the following actions regarding the above-listed tags at the September 16, 2019 Special Meeting of the PHF Governing Board:

Considered recommendations regarding the presence of Santa Barbara County Sheriff's Office staff at the PHF, as follows:

- a) Received and filed a report on the Centers for Medicare and Medicaid (CMS) and California Department of Public Health Audit Reports and Plan of Correction regarding Tazers at the PHF (Tag Nos. A043, A083, A115, and A144) (Exhibit 4.e.i) (Exhibit 4.e.i);
- b) Approved and ratified the PHF Deputy Briefing Guidelines which defines the roles of and guidelines for deputies who accompany inmates to the PHF (Exhibit 4.e.ii);
- c) Provided direction to staff on topics as outlined in the proposed Exhibit A to the MOU between Behavioral Wellness and the Sheriff's Office ("Sheriff MOU") regarding the PHF, including but not limited to the following areas:
 - i. Briefing Guidelines for Sheriff's deputies who accompany inmates to the PHF per the CMS Guidance to Surveyors: The PHF Governing Board directed staff to request that deputies who accompany inmates to the PHF obtain a PHF orientation by the Sheriff's Office in addition to the CIT and tazer training that are currently included in the Briefing Guidelines; and
 - ii. Sheriff-provided CIT and tazer-safety trainings for officers who accompany inmates to the PHF for each deputy who may be assigned to accompany an inmate to the PHF prior to the deputy accompanying the inmate. The PHF Governing Board directed staff to add to the Sheriff MOU that PHF staff shall be able to obtain the training records of the deputies.
- d) Directed staff to negotiate with the Sheriff's Office based on the PHF Governing Board's recommendations and return to the October 23, 2019 regular meeting with a draft MOU; and
- e) Provided direction to staff regarding QAPI measures for ongoing monitoring of the Sheriff MOU, including directing staff to present to the PHF Governing Board quarterly on compliance with the Sheriff MOU.

Again, the PHF Governing Board takes its role very seriously to assure that patients receive adequate and safe care at the PHF and will continue to act to ensure that activities and services furnished at the PHF permit the hospital to comply with all applicable conditions of participation and regulatory requirements. We look forward to continuing a successful relationship with CDPH and CMS.

Sincerely,



Terri Maus-Nisich
Chair, PHF Governing Board

Enclosures: Agenda and accompanying Exhibits from the September 16, 2019 Special Meeting of the PHF Governing Board