

TEXT OF REGULATIONS
California Code of Regulations
Title 4, Division 10, Chapter 5.5
Investment in Mental Health Wellness Grant Program
for Children and Youth

Add Section 7313 to read:

Section 7313. Definitions.

The following definitions shall apply wherever the terms are used throughout this Chapter.

(a) “Applicant” means an entity that meets the eligibility requirements as further described in Section 7314 for submission of an Application and submits an Application.

(b) “Application” means the written request for a Grant under the Investment in Mental Health Wellness Grant Program in the form and format of the Investment in Mental Health Wellness Grant Program for Children and Youth Application, Form No. CHFFA 7 CY-01 (09/2018), which is hereby incorporated by reference, including all supporting information and documents, as further described in Section 7316.

(c) “Audited Financial Statements” means an examination and report of an independent accounting firm on the financial activities of a public agency or private nonprofit corporation.

(d) “Authority” means the California Health Facilities Financing Authority.

(e) “Authority Staff” means employees of the Authority.

(f) “Bay Area Region” means the counties of Alameda, Contra Costa, Marin, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma.

(g) “Capital Funding” means the Grants the Authority may award for all Projects except Mobile Crisis Support Team personnel projects.

(h) “Central Region” means the counties of Alpine, Amador, Calaveras, El Dorado, Fresno, Inyo, Kings, Madera, Mariposa, Merced, Mono, Placer, Sacramento, San Joaquin, Stanislaus, Sutter, Tulare, Tuolumne, Yuba, and Yolo.

(i) “Children and Youth” or “Child or Youth” means persons 21 years of age and under.

- (j) “Counties Applying Jointly” means counties that submit an Application together for a Project to deliver crisis services.
- (k) “Crisis Intervention” means crisis intervention as defined in Section 1810.209 of Title 9 of the California Code of Regulations.
- (l) “Crisis Residential Treatment” means crisis residential treatment services as defined in Section 1810.208 of Title 9 of the California Code of Regulations.
- (m) “Crisis Stabilization” means crisis stabilization as defined in Section 1810.210 of Title 9 of the California Code of Regulations.
- (n) “Executive Director” means the executive director of the Authority.
- (o) “Family Respite Care” means short term care provided to Children and Youth receiving mental health services, and assistance to their families, to provide temporary relief and sustain family health and wellbeing.
- (p) “Feasible” means the Project has secured all the necessary funding and developed a detailed plan with the steps necessary to complete the Project and begin providing Program services.
- (q) “Final Allocation” means the Grant amount approved by the Authority as further described in Section 7322.
- (r) “Funding Round” means the time period during which Applications may be submitted for consideration of funding by the Authority.
- (s) “Going Concern Qualification” means an opinion of an independent accounting firm auditor that there is substantial doubt regarding the entity's ability to continue into the future, generally defined as the following year.
- (t) “Grant” means an award of funds to an Applicant.
- (u) “Grant Agreement” means a written agreement between the Authority and a Grantee that consists of the terms and conditions of the Grant.
- (v) “Grant Award Letter” means the official notification that a Grant has been approved by the Authority.
- (w) “Grant Period” means the time period from the date of Final Allocation to the date set by the Authority for the Grant to end.
- (x) “Grantee” means a county, private nonprofit corporation or public agency that has been awarded or designated to receive Grant funds.

(y) "Initial Allocation" means the Grant amount the Authority Staff recommends the Authority approve for Final Allocation as further described in Section 7320.

(z) "Lead Grantee" means the county or joint powers authority with a county as a member designated on the Application to have the primary responsibility for the fiscal management of Grant funds, records retention, reporting and all of the other aspects of compliance with this Chapter and the Grant Agreement.

(aa) "Mental Health Crisis Services" means Crisis Intervention, Crisis Residential Treatment, and Crisis Stabilization.

(bb) "Mobile Crisis Support Team" means a mobile unit staffed by designated personnel, which may include peers, dispatched to assist Children and Youth experiencing mental health issues.

(cc) "Personnel Funding" means the funds the Authority may award only for Mobile Crisis Support Team personnel.

(dd) "Program" means Crisis Stabilization, Crisis Residential Treatment, Family Respite Care or Mobile Crisis Support Teams provided therein.

(ee) "Project" means startup or expansion of Program(s) and acquisition, construction, renovation, equipping or financing of capital assets; designed and operated specifically for Children and Youth.

(ff) "Ready" means the Project has all applicable approvals and/or documents for the Project to begin.

(gg) "Related Supports" means local service providers who interact with Children and Youth and/or their families before, during and after a mental health crisis, including health care providers, law enforcement, mental health providers, educational institutions, peer support services, social services, triage personnel, and other supports within the continuum of care.

(hh) "Southern Region" means the counties of Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura.

(ii) "Subsequent Funding Round" means any specified time period after the initial Funding Round during which Applications may be submitted to be considered for funding by the Authority, subject to the availability of funds.

(jj) "Superior Region" means the counties of Butte, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Nevada, Plumas, Shasta, Sierra, Siskiyou, Tehama, and Trinity.

(kk) "Sustainable" means the Program has reasonably foreseeable funding to operate on a continuous basis, or at least for the useful life of the Project.

(ll) "Target Population" means the specific group(s) of Children and Youth identified as the intended beneficiaries of the Program(s) to be funded by a Grant, including Children and Youth eligible for Medi-Cal and Children and Youth eligible for county health and mental health services.

NOTE: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7314 to read:

Section 7314. Eligibility.

(a) The following entities are eligible to apply for a Grant under the Investment in Mental Health Wellness Grant Program for Children and Youth:

(1) A county.

(2) Counties Applying Jointly.

(3) A private nonprofit corporation or public agency designated by a county or Counties Applying Jointly to be a Co-Applicant with the county or Counties Applying Jointly.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7315 to read:

Section 7315. Eligible Project Costs.

(a) Eligible costs for Capital Funding are:

(1) Purchase of real property.

(2) Construction or renovation, including costs of:

(A) Project planning or Project management.

(B) Appraisals.

(C) Inspections.

(D) Pre-construction costs, including but not limited to permit fees, surveying, architectural, and engineering fees.

(E) Hardscaping and/or landscaping costs essential to the completion of the Project, not to exceed 5% of total Grant award.

(3) Furnishings and/or equipment.

(4) Purchase of vehicles for Mobile Crisis Support Teams and maintenance contracts for the vehicles for up to two years.

(5) Information technology hardware and software, not to exceed 1% of total Grant award except when approved by the Authority and only upon submission of justification that the additional information technology costs are necessary for the Project to achieve the desired goals and outcomes set forth in Section 7319, subdivision (a)(3), and/or Section 7319.1, subdivision (a)(3).

(6) Up to three months of Program startup or expansion costs consisting of training and personnel salaries and benefits.

(b) Eligible costs for Personnel Funding are employee salaries and benefits specific to the staff funded by a Grant for the Mobile Crisis Support Team(s). Salaries and benefits shall be consistent with the compensation policies of the employer.

(c) Grant funds shall be used only for costs directly related to and essential for the completion of the Project.

(d) Eligible costs include only those incurred during the Grant Period.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7316 to read:

Section 7316. Grant Application.

(a) Entities that meet the eligibility requirements of Section 7314 may apply for a Grant.

(b) Applications with multiple Applicants shall designate one of the Applicants as Lead Grantee should a Grant be awarded.

(c) If an Applicant(s) is applying for multiple Programs, only a single Application is required.

(d) Application forms shall be available on the Authority's website at www.treasurer.ca.gov/chffa and will be referred to as the Investment in Mental

Health Wellness Grant Program for Children and Youth Application, Form No. CHFFA 7 CY-01 (09/2018).

(1) An original and two copies of the Application shall be received by the Authority no later than 5:00 p.m. (Pacific Time) on the deadline date posted on the Authority's website at www.treasurer.ca.gov/chffa and may be sent by mail or delivery to:

California Health Facilities Financing Authority
Investment in Mental Health Wellness Grant Program for Children
and Youth
915 Capitol Mall, Room 435
Sacramento, California 95814

or the Application may be emailed as a Portable Document Format (PDF) attachment to chffa@treasurer.ca.gov. The Authority is not responsible for email transmittal delays or failures of any kind.

(2) Incomplete Applications and Applications received by the Authority after the deadline date and time of the funding round shall not be accepted for review in that funding round.

(3) Applications shall be considered final as of the deadline date and time. No additional information or documents shall be accepted by the Authority after that date, except as specifically requested by the Authority.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code.
Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7317 to read:

Section 7317. Funding Rounds and Application Deadlines.

(a) The deadline for the first Funding Round shall be posted on the Authority's website at www.treasurer.ca.gov/chffa within ten business days following the date the regulations are filed with the Secretary of State.

(b) If funds are available, the deadline for Subsequent Funding Rounds shall be posted on the Authority's website at www.treasurer.ca.gov/chffa.

(c) Notices of deadlines will be posted on the Authority's website and sent to the Authority's listserv to which anyone may subscribe at www.treasurer.ca.gov/chffa.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code.
Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7318 to read:

Section 7318. Maximum Grant Amounts.

(a) In the first Funding Round, Applicants may apply for Capital Funding totaling no more than the following maximum Grant amounts per county, according to the most recent population projection by the California Department of Finance at the time the Application is submitted:

	<u>County Population</u>	<u>Maximum</u>
(1)	<u>100,000 or less</u>	<u>\$750,000</u>
(2)	<u>100,001 to 400,000</u>	<u>\$1,000,000</u>
(3)	<u>400,001 to 1,100,000</u>	<u>\$2,500,000</u>
(4)	<u>1,100,001 or more</u>	<u>\$4,000,000</u>

(b) In the first Funding Round, upon the availability of the Personnel Funding as defined in Section 7313 subdivision (cc), Applicants may apply for Personnel Funding totaling no more than the following maximums per region:

(1)	<u>Bay Area Region</u>	<u>\$729,000</u>
(2)	<u>Central Region</u>	<u>\$702,000</u>
(3)	<u>Southern Region</u>	<u>\$2,386,000</u>
(4)	<u>Superior Region</u>	<u>\$183,000</u>

(c) Counties Applying Jointly may, at their discretion, apply for up to the sum of their respective maximum Capital Funding amounts.

(d) If funds for Capital Funding remain after Final Allocations have been awarded for Applications submitted in the first Funding Round, Applications may be submitted without regard to previous maximum Grant amounts per county, and Grant awards for Capital Funding shall be made on a statewide competitive basis.

(e) If funds for Personnel Funding remain after Final Allocations have been awarded for Applications submitted in the first Funding Round, Applications may be submitted without regard to previous maximum Grant amounts per region, and Grant awards for Personnel Funding shall be made on a statewide competitive basis.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7319 to read:

Section 7319. Evaluation Criteria for Crisis Stabilization, Crisis Residential Treatment, and Mobile Crisis Support Teams.

(a) Applications shall be scored on the following criteria:

(1) Project expands access to and capacity for community-based Mental Health Crisis Services that offer relevant alternatives to hospitalization and detainment by law enforcement. (Maximum 25 points)

(A) Project proposes new or expanded Crisis Stabilization, Crisis Residential Treatment and/or Mobile Crisis Support Team Programs to be funded by the Grant, describes the services within the Programs, and clearly identifies the Target Population(s), including age group(s), to be served. (Maximum 5 points)

(B) Project meets the community need existing within the current continuum, seeks to address who does and does not receive services now, and is designed to address the weaknesses of the current system and build on its strengths. (Maximum 3 points)

(C) Project increases capacity for community-based Mental Health Crisis Services. The Application shall identify the number of Crisis Stabilization and Crisis Residential Treatment beds that will be added and/or the number of Mobile Crisis Support Teams including the number of Mobile Crisis Support Team vehicles and staff that will be added; and how the added impacts the Target Population(s) and translates into a number of additional Children and Youth that can be served in the community. (Maximum 6 points)

(D) Project expands and improves timely access to community-based Mental Health Crisis Services. The Application shall address how access is expanded and improved for the community. Examples include extending hours of existing services; adding locations where services can be accessed by Children and Youth, as appropriate, and their family members; efforts to timely connect Children and Youth to crisis services from hospitals, educational institutions, detainment centers, juvenile hall, jail, etc.; engaging in new outreach to Children and Youth, as appropriate, and their families, and educational institutions so they know new or expanded services are available; and addressing cultural, language, and other barriers unique to the community. (Maximum 6 points)

(E) Project is qualitatively different from crisis services delivered in an institutional setting (such as a hospital emergency room, an in-patient hospital setting or a law enforcement vehicle) and clearly describes the proposed staffing, the community setting in which the Programs will be offered and the building or vehicles in which services will be provided. (Maximum 5 points)

(2) Application demonstrates a clear plan for a continuum of care before, during, and after crisis mental health intervention or treatment and for collaboration and integration with other health systems, educational institutions, social services, and law enforcement. (Maximum 15 points)

(A) Project fits in with the continuum of care as it presently exists in the community. The Application identifies the shortcomings that exist within the continuum and how the Project will improve the existing continuum of care for Children and Youth utilizing Mental Health Crisis Services, including whether Applicant contemplates submitting an application to the Mental Health Oversight and Accountability Commission or has been awarded funding for triage personnel. (Maximum 5 points)

(B) Application identifies working relationships with Related Supports that already exist and which will be established to enhance and expand community-based collaboration designed to maximize and expedite access to crisis services for the purpose of avoiding unnecessary hospitalization and detainment by law enforcement and improving wellness for Children and Youth with mental health disorders and their families. The existing working relationships shall be supported by letters from the Related Supports identifying the collaborative efforts amongst the agencies to enhance and expand crisis services. For example, an enhancement may include training of local law enforcement, current crisis providers, hospitals and other related providers on how to properly respond to Children and Youth experiencing a mental health crisis. (Maximum 10 points)

(3) Identifies Key Outcomes and a Plan for Measuring Them. (Maximum 10 points)

(A) Application includes methodology, timeline, and assignment of responsibility to measure and demonstrate outcomes of the Program, including the following:

(i) Reduced hospital emergency room and psychiatric inpatient utilization. (Maximum 2 points)

(ii) Reduced law enforcement involvement on mental health crisis calls, contacts, custodies and/or transports for assessment. (Maximum 2 points)

(iii) Improvements in participation rates in the Program(s). (Maximum 1 point)

(iv) Children and Youth (when appropriate) and/or their family members' (when appropriate) satisfaction with the crisis services the Children and Youth received. (Maximum 1 point)

(v) Number of Crisis Residential Treatment and Crisis Stabilization beds; and/or number of Mobile Crisis Support Teams including the number of Mobile Crisis Support Team vehicles and staff added. (Maximum 1 point)

(vi) Number of Children and Youth within the Target Population(s) being served and other Children and Youth who may be being served. (Maximum 1 point)

(vii) The value of the Program(s), such as mitigation of costs to the county, law enforcement, or hospitals. An example of such value is: The utilization of Crisis Residential Treatment costs "X" dollars and utilization of inpatient hospitalization would have cost "X" dollars, therefore value approximates "X" dollars. (Maximum 1 point)

(viii) The percent of Children and Youth who receive a crisis service who, within 15 days, and within 30 days, return for crisis services at a hospital emergency department, psychiatric hospital, detainment centers, juvenile hall or jail. (Maximum 1 point)

(4) Project is, or will be, Ready, Feasible, and Sustainable. (Maximum 50 points)

(A) Application provides a detailed plan and a timeline with steps needed to complete the Project and demonstrates the ability to meet the timeframes set forth in subdivision (H). Supporting documentation is provided, if available. (Maximum 15 points)

(i) Address, renderings and/or floor plans of Project site, if available. If a Project site has not been identified, a description of the process, criteria for selection, and timeline for identification of Project site that will be utilized. (This subdivision is not applicable to Mobile Crisis Support Team Projects)

(ii) Necessary approvals and processes to complete the Project, and the names and roles of all responsible entities. This includes, but is not limited to, County Board of Supervisors' approval, Request for Proposals, architectural and construction contracts, California Environmental Quality Act (CEQA) compliance, building permits, and conditional use permits, as applicable.

(iii) Key milestones, in the future and completed to date, including projected or actual Project start date (i.e., date of purchase, renovation/construction or lease), Project end date (i.e., date of occupancy), and projected start date of services to Target Population(s).

(iv) The plan and current status for staffing the Program(s).

(v) Potential challenges that may affect the timeline to start providing services and how those challenges will be mitigated, including but not limited to, site identification and acquisition, contracting, local use permit process, County Board of Supervisors' approval, CEQA process, Building Code compliance, selection of service provider, licensure, certification, loss of a site, delays in local (city and/or county) approvals, community opposition issues, loss or reduction in leverage funding, and increased project costs, as applicable.

(B) Application describes and provides evidence of community outreach and engagement efforts for the proposed Program(s) in the vicinity of planned Project site, as applicable. (Maximum 7 points)

(C) A qualified service provider has been identified or a plan is in place for identifying one and the following are addressed: (Maximum 8 points)

(i) If a service provider that will operate the Program(s) has already been identified, written plans in place for how the treatment and/or services will be provided shall be described. These include a description of range of services offered and information about the service provider including expertise in mental health treatment, purpose, goals, and services of the organization.

(ii) If a service provider has not been identified, the process, criteria for selection, and timeline for identification are clear.

(D) For proposed crisis stabilization or crisis residential treatment programs, applicant describes a plan for obtaining Medi-Cal certification. (Required, but no points awarded)

(E) For proposed crisis residential treatment programs, Applicant describes a plan for obtaining a license and program approval to operate as a Children's crisis residential program as defined in Health and Safety Code Section 1502, subdivision (a)(21). (Required, but no points awarded)

(F) Application identifies total cost of the Project, and sufficient funding sources or a plan for acquiring them. (Maximum 10 points)

(i) A line item of Project costs, including the proposed use of Grant funds.

(ii) Project leverages public and/or private funding sources sufficient to complete the Project and includes the amounts and current status of funding.

(iii) The total uses of funds shall not exceed the total amount of all available funding sources.

(iv) A description of the Grantee's internal process to ensure the Grant funds will only be used for eligible costs as described in Section 7315.

(G) Application includes: (Maximum 10 points)

(i) A budget that details annual projected operating costs.

(ii) A description of new Program funding sources with amounts and cash flow projections and/or how existing funding will be redirected to provide ongoing support for the useful life of the Project for new and expanded services.

(iii) Documentation such as funding letters, minutes from the County Board of Supervisors' meeting evidencing approval of the budget, or other documentation acceptable to the Authority. If approval has not been obtained, a detailed plan for obtaining such approval is provided.

(H) Application shall demonstrate the Project will be Ready, Feasible and Sustainable as follows:

(i) Mobile Crisis Support Team Projects within nine months of the approval of the Final Allocation.

(ii) Crisis Residential Treatment and Crisis Stabilization Projects that include acquisition of a building and/or renovation within 12 months of the approval of the Final Allocation.

(iii) Crisis Residential Treatment and Crisis Stabilization Projects that include construction within 18 months of the approval of the Final Allocation.

(I) Documentation indicating Lead Grantee's creditworthiness and satisfactory financial capacity in its most recent local government credit rating or the most recent Audited Financial Statement, which may not contain a Going Concern Qualification. (Required, but no points awarded)

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7319.1 to read:

Section 7319.1. Evaluation Criteria for Family Respite Care Program.

(a) Applications shall be scored on the following criteria:

(1) Project expands access to and capacity for Family Respite Care to families of Children and Youth receiving mental health services in order to sustain family health and well-being. (Maximum 25 points)

(A) Project proposes a new or expanded Family Respite Care Program to be funded by the Grant, describes the services within the Program, including but not limited to in-home, out-of-home respite care, and clearly identifies the criteria for the Target Population(s) whose families are eligible for services. Target Population criteria shall include, but is not limited to, children's/youth age groups, diagnosis, etc. (Maximum 5 points)

(B) Project meets the community need existing within the current continuum, addresses who does and does not receive Family Respite Care services now, and is designed to address the weaknesses of the current system and build on its strengths. (Maximum 3 points)

(C) Project increases capacity for Family Respite Care. The Application shall identify the number of families that may receive services, how added capacity impacts the Target Population(s) and translates into a number of additional families that can be served in the community. (Maximum 6 points)

(D) Project improves timely access to Family Respite Care. The Application shall address how access to Family Respite Care is expanded and improved for the community. Examples include: staff qualifications and hours of operation. Application describes services provided by the Program to families of Children and Youth receiving mental health services, outreach to families about availability of new or additional services and how cultural, linguistic, and other barriers unique to the community will be addressed. (Maximum 6 points)

(E) Project provides community-based services to families of Children/Youth receiving mental health services and the Application describes the building(s) in which the Program will be offered and the setting(s) in which the identified services will be provided to the families. (Maximum 5 points)

(2) Application demonstrates a clear plan for a continuum of care before, during, and after intervention or treatment and for collaboration and integration with other health systems, educational institutions, social services and law enforcement, and describes the referral process that will be utilized to connect families to Family Respite Care. (Maximum 15 points)

(A) Project fits in with the continuum of care as it presently exists in the community. The Application identifies the shortcomings that exist within the

continuum, how the Program will improve the existing continuum of care for Children and Youth receiving mental health services and their families and how the Program supports other mental health crisis services available to Children and Youth, including whether Applicant contemplates submitting an application to the Mental Health Oversight and Accountability Commission or has been awarded funding for family support services and training. (Maximum 5 points)

(B) Application identifies working relationships with Related Supports that already exist and which will be established to enhance and expand community based collaboration designed to maximize access to Family Respite Care for the purpose of sustaining health and well-being of families of Children and Youth receiving mental health services. The existing working relationships shall be supported by letters from the Related Supports identifying the collaborative efforts amongst the agencies to enhance and expand services. (Maximum 10 points)

(3) Identifies Key Outcomes and a Plan for Measuring Them.
(Maximum 10 points)

(A) Application includes methodology, timeline, and assignment of responsibility to measure and demonstrate outcomes of the Program, including the following:

(i) Increased participation rates by families in the Family Respite Care Program. (Maximum 1 point)

(ii) Family members' satisfaction with the Family Respite Care services received. (Maximum 2 points)

(iii) Number of families served by the Program. (Maximum 2 points)

(iv) Whether services provided by the Program prevented out-of-home placement of Children and Youth receiving mental health services or re-entry of the Child/Youth into out-of-home placement. (Maximum 2 points)

(v) Whether the families of the Target Population(s) are being served and other families who may be being served. (Maximum 2 points)

(vi) The value of the Program, such as mitigation of costs to the county, when Children and Youth are not placed in out-of-home care. An example of such value is: The utilization of Family Respite Care costs "X" dollars and utilization of out-of-home placement would have cost "X" dollars, therefore value approximates "X" dollars. (Maximum 1 point)

(4) Project is, or will be, Ready, Feasible, and Sustainable. (Maximum 50 points)

(A) Application provides a detailed plan and a timeline with steps needed to complete the Project and demonstrates the ability to meet the timeframes set forth in subdivision (F). Supporting documentation is provided, if available. (Maximum 15 points)

(i) Address, renderings and/or floor plans of Project site, if available. If a Project site has not been identified, a description of the process, criteria for selection, and timeline for identification of Project site that will be utilized.

(ii) Necessary approvals and processes to complete the Project, and the names and roles of all responsible entities. This includes, but is not limited to, County Board of Supervisors' approval, Request for Proposals, architectural and construction contracts, California Environmental Quality Act (CEQA) compliance, building permits, and conditional use permits, as applicable.

(iii) Key milestones, in the future and completed to date, including projected or actual Project start date (i.e., date of purchase, renovation/construction or lease), Project end date (i.e., date of occupancy) and projected start date of services to the families of Children and Youth.

(iv) The plan and current status for staffing the Program(s).

(v) Potential challenges that may affect the timeline to start providing services and how those challenges will be mitigated, including but not limited to, site identification and acquisition, contracting, local use permit process, County Board of Supervisors' approval, CEQA process, Building Code compliance, selection of service provider, licensure, certification, loss of a site, delays in local (city and/or county) approvals, community opposition issues, loss or reduction in leverage funding, and increased project costs, as applicable.

(B) Application describes and provides evidence of community outreach efforts for the proposed Program(s) in the vicinity of planned Project site, as applicable. (Maximum 7 points)

(C) Application includes details on the proposed organizational and operational structure of the Family Respite Care Program, whether provided by the Applicant directly or by a potential service provider. (This may include, but is not limited to, staffing criteria for designated supervisors and other personnel; staff recruitment, retention and training, family eligibility and needs assessment, screening and discharge procedures; relevant risk management policies; identification of service needs and coordination of these services on behalf of the

family, if needed, and additional support services available as part of the program, etc.) (Maximum 8 points)

(D) Application identifies total cost of the Project, and sufficient funding sources or a plan for acquiring them. (Maximum 10 points)

(i) A line item of Project costs, including the proposed use of Grant funds.

(ii) Project leverages public and/or private funding sources sufficient to complete the Project and includes the amounts and current status of funding.

(iii) The total uses of funds shall not exceed the total amount of all available funding sources.

(iv) A description of the Grantee's internal process to ensure the Grant funds will only be used for eligible costs as described in Section 7315.

(E) Application includes: (Maximum 10 points)

(i) A budget that details annual projected operating costs.

(ii) A description of new Program funding sources with amounts and cash flow projections and/or how existing funding will be redirected to provide ongoing support for the useful life of the Project for new and expanded services.

(iii) Documentation such as funding letters, minutes from the County Board of Supervisors meeting evidencing approval of the budget, or other documentation acceptable to the Authority. If approval has not been obtained, a detailed plan for obtaining such approval is provided.

(F) Application shall demonstrate the Project will be Ready, Feasible, and Sustainable as follows:

(i) Family Respite Care Projects that include acquisition of a building and/or renovation within 12 months of the approval of the Final Allocation.

(ii) Family Respite Care Projects that include construction within 18 months of the approval of the Final Allocation.

(G) Documentation indicating Lead Grantee's creditworthiness and satisfactory financial capacity in its most recent local government credit rating or the most recent Audited Financial Statement, which may not contain a Going Concern Qualification. (Required, but no points awarded)

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7320 to read:

Section 7320. Initial Allocation.

(a) Authority Staff will evaluate the Application's completeness, responsiveness, and clarity in addressing the criteria described in Section 7319 and/or 7319.1.

(b) The scores from each reviewer of the Authority Staff will be added and the average of the scores will be calculated. The average score will be the final score assigned to the Application.

(c) The Authority Staff will make Initial Allocations based on the final score assigned to each Application, and present the Initial Allocations to the Authority for Final Allocations.

(d) Notification of Initial Allocations will be sent to Applicants before the public meeting at which the Authority will determine Final Allocations.

(e) During any funding round, Initial Allocations shall be limited to Applications which receive a minimum of 70 points under Section 7319 and/or 7319.1.

(1) Applications shall score a minimum of 35 points under Section 7319, subdivision (a)(4), and/or Section 7319.1, subdivision (a)(4), to be considered for an Initial Allocation.

(2) Applications receiving a score of zero points in any criteria in Section 7319, subdivision (a)(1) or (a)(2), or 7319.1, subdivision (a)(1) or (a)(2), shall not be considered for an Initial Allocation.

(f) Following Initial Allocations made pursuant to subdivision (e), Initial Allocations may be considered for Applications scoring fewer than 70 points to achieve the statewide objectives of a minimum of 120 Crisis Stabilization and Crisis Residential Treatment beds and 200 Mobile Crisis Support Teams.

(g) Initial Allocations may be less than the amount requested in the Application to fund more Grants, control Project costs, or achieve the statewide objective of a minimum of 120 new Crisis Stabilization and Crisis Residential Treatment beds and 200 new Mobile Crisis Support Teams.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7321 to read:

Section 7321. Appeals.

(a) Availability.

(1) The Applicant designated as Lead Grantee on an Application may, on behalf of all Applicants listed on an Application, appeal the amount of the Initial Allocation recommended by Authority Staff for that Application, including an Authority Staff determination not to recommend a Grant. No Applicant may appeal an Initial Allocation made to another Applicant.

(b) Timing.

(1) The appeal shall be submitted to the Executive Director no later than five calendar days following the date of the notification of Initial Allocation.

(2) Appeals may be submitted to the Executive Director by email, mail or delivery to:

California Health Facilities Financing Authority
915 Capitol Mall, Room 435
Sacramento, California 95814

Email address: chffa@treasurer.ca.gov

(c) Review.

(1) The Executive Director shall review the appeal based on the Application as originally submitted. Any new or revised Application, additional documentation, and/or information that was not submitted in the original Application shall not be considered.

(2) The Executive Director shall make a decision on the merit of the appeal and notify the Applicant of the decision no later than 20 calendar days after receipt of the appeal.

(3) The decision of the Executive Director may be appealed to the Authority, by written notification to the Executive Director within five calendar days of the date of the Executive Director's decision.

(4) The Authority shall make a final decision on an appeal of the Executive Director's decision at a public meeting.

(d) Successful appeals.

(1) An Initial Allocation to an Applicant based on the appeal may result in a reduction or elimination of Initial Allocations to other Applicants that would have otherwise received an Initial Allocation.

(2) Adjustments to any Initial Allocations following any appeals may not be appealed.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code.
Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7322 to read:

Section 7322. Final Allocation.

(a) Final Allocations shall be determined by the Authority at a public meeting.

(b) A Grant Award Letter that includes the following shall be sent to all Applicants approved for a Final Allocation:

(1) Name(s) of the Grantee.

(2) Grant amount.

(3) The Grant Period.

(4) A description of the costs to be funded by the Grant.

(5) A request for a resolution of the Grantee's governing board authorizing an official to accept the Grant and all responsibilities flowing therefrom.

(6) Notification that funding of a Grant is contingent upon the availability of funds under the Investment in Mental Health Wellness Grant Program for Children and Youth.

(7) A statement that the Authority reserves the right to modify or cancel the commitment upon failure of the Applicant to execute a Grant Agreement or otherwise fail to comply with this Article or if the Authority becomes aware of any matter which, if known at the time of Application review and approval, would have resulted in the rejection of the Application or the Grant not being approved.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code.
Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7323 to read:

Section 7323. Use of the Grant.

(a) Grant funds shall only be used for the purposes described in the Grant Agreement.

(b) Grant funds may supplement but not supplant existing financial or resource commitments.

(c) Grantee may request a change in the use of Grant funds or request an extension of the Grant Period by submitting a written request to the Authority that documents the reason(s) the change is needed and demonstrates it is consistent with the Investment in Mental Health Wellness Act of 2013 and this Chapter.

(d) Grantee shall not make changes to the uses of Grant funds until receipt of written approval from the Authority.

(e) Grantee shall not dispose of any capital asset acquired by Grant funds before the end of the useful life of the asset.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code.
Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7324 to read:

Section 7324. Grant Agreement.

(a) The terms and conditions of a Grant shall be set forth in a Grant Agreement which shall include, at a minimum, all of the following:

(1) The Grant amount.

(2) A description of the Project.

(3) Release of Grant Funds procedures in accordance with Section 7325, as applicable.

(4) Agreement that the Grantee shall comply with the Investment in Mental Health Wellness Act of 2013 and this Chapter, including, but not limited to, Section 7323.

(5) The Grantee shall defend, indemnify and hold harmless the Authority and the State of California, and all officers, trustees, agents and employees of the same, from and against any and all claims, losses, costs, damages or liabilities of any kind or nature, whether direct or indirect, arising from or relating to the Grant or Project.

(6) The Grantee shall comply with state and federal laws prohibiting discrimination, including those prohibiting discrimination because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

(7) Grantee shall comply with California's prevailing wage law under Labor Code Section 1720 et seq. for public works projects.

(8) Grantee shall cooperate in inspections and audits.

(9) Notification that subject to the availability of funds, the Grant may be rescinded or reduced.

(10) Provisions relating to lease agreements, if applicable, pursuant to Section 7326.

(11) Resolution of the Authority authorizing the Grant.

(12) Resolution of the Grantee's governing board accepting the Grant and delegating authority to an officer to act on its behalf.

(13) Provision regarding default and its remedies, including forfeiture and return of the Grant funds to the Authority.

(14) Provision requiring Grantee to provide updated information upon request from Authority Staff to determine the Project's readiness and feasibility.

(15) Other terms and conditions that may be required by the Authority related to the Grant or Project.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code.
Reference: Section 5848.5, Welfare and Institutions Code

Add Section 7325 to read:

Section 7325. Release of Grant Funds.

(a) Grant funds shall not be released until the following requirements have been met:

(1) A Grant Agreement has been executed by the Authority and Grantee.

(2) The Grantee has submitted to the Authority the following documentation, if available. If not available, Grantee has submitted a detailed statement concerning the status of obtaining any or all of this documentation to enable Authority Staff to determine readiness, feasibility and sustainability.

(A) For construction or renovation:

(i) Detail of building plans, costs, and timelines.

(ii) Executed construction contract.

(iii) Architect, design and engineering contracts, if applicable.

(iv) Building permits and conditional use permits, if applicable.

(v) Evidence of compliance with the CEQA.

(vi) Evidence of compliance with prevailing wage law under Labor Code Section 1720 et. seq.

(vii) Evidence of property ownership, such as a grant deed, title report, or lease agreement and title report as required under Section 7326.

(viii) In addition to subdivisions (a)(2)(A)(i-vii), prior to the release of Grant funds to a private nonprofit corporation or public agency designated by a county or Counties Applying Jointly for construction or renovation on real property acquired with Grant funds by the designated private nonprofit corporation or public agency, the designated private nonprofit corporation or public agency shall execute a Grant Agreement and agree to comply with Section 7325.1. The Lead Grantee may request the Authority to release the Grant funds to the designated private nonprofit corporation or public agency or to the Lead Grantee for disbursement to the designated private nonprofit corporation or public agency. The designated private nonprofit corporation or public agency shall return the Grant funds to the Authority if the designated private nonprofit corporation or public agency fails to comply with Section 7325.1.

(B) For real property acquisitions:

(i) An appraisal completed within the previous six months by a state certified appraiser.

(ii) Evidence of or execution plan to obtain legally required zoning for the Program(s).

(iii) In addition to subdivision (a)(2)(B)(i), prior to the release of Grant funds to a private nonprofit corporation or public agency designated by a county or Counties Applying Jointly to acquire real property, the designated private nonprofit corporation or public agency shall execute a Grant Agreement and agree to comply with Section 7325.1. The Lead Grantee may request the Authority to release the Grant funds to the designated private nonprofit corporation or public agency, or to the Lead Grantee for disbursement to the designated private nonprofit corporation or public agency. The designated private nonprofit corporation or public agency shall return the Grant funds to the Authority if the designated private nonprofit corporation or public agency fails to comply with Section 7325.1.

(C) For acquisition of furniture and equipment including vehicles: A list of items to be purchased and a copy of related purchase orders.

(D) For other eligible costs: Contracts and/or purchase orders.

(3) The Authority Staff has determined the Project is Ready, Feasible, and Sustainable. This determination will be made by evaluating the Grantee's documentation addressing the evaluation criteria listed in Section 7319, subdivision (a)(4) and in Section 7319.1, subdivision (a)(4).

(A) The determination that the Project is Ready, Feasible, and Sustainable may occur at the time of Initial Allocation or within the timeframes specified in Section 7319, subdivision (a)(4)(H), and Section 7319.1, subdivision (a)(4)(F).

(B) If the determination is made after Final Allocation, the determination shall be based on updated information provided to the Authority by Grantee in accordance with Section 7324, subdivision (a)(14).

(C) Limited extensions beyond the timeframes specified in Section 7319, subdivision (a)(4)(H), and Section 7319.1, subdivision (a)(4)(F), shall be made on a case-by-case basis at the discretion of the Executive Director for good cause, including but not limited to reasonable delays associated with obtaining building and conditional use permits, obtaining CEQA compliance documentation, or identifying a qualified provider.

(D) Failure to demonstrate readiness, feasibility, and sustainability within the timeframes dictated by the Authority shall cancel the Grant and the Grant funds shall be made available to other Applicants.

(4) The Grantee has submitted to the Authority a completed Request for Disbursement Form No. CHFFA 7 CY-02 (09/2018), which is hereby incorporated by reference. Except for the initial submission of the Request for Disbursement Form No. CHFFA 7 CY-02 (09/2018), an Actual Expenditures Report Form No. CHFFA 7 CY-03, (09/2018), which is hereby incorporated by reference, as required by Section 7328, subdivision (b), shall accompany all Requests for Disbursement Form No. CHFFA 7 CY-02 (09/2018).

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7325.1 to read:

Section 7325.1. Grant Funds to a Designated Private Nonprofit Corporation or Public Agency for Real Property Acquisition, Construction or Renovation.

(a) The Authority may, at its discretion, give consideration to a private nonprofit corporation or public agency in an area or region of the state if a county, or Counties Applying Jointly, affirmatively supports this designation and collaboration in lieu of a county directly receiving Grant funds for real property acquisition or for construction or renovation on real property acquired with Grant funds by the designated private nonprofit corporation or public agency. The designated private nonprofit corporation or public agency shall comply with all of the following requirements:

(1) The designated private nonprofit corporation or public agency shall provide the Program(s) services.

(2) The designated private nonprofit corporation or public agency shall execute a Grant Agreement that:

(A) Complies with the provisions contained in Section 7324.

(B) Provides that in the event the designated private nonprofit corporation or public agency fails to provide Crisis Residential Treatment, Crisis Stabilization services, or Family Respite Care as provided in the Grant Agreement, title to the real property shall be given to the county or Counties Applying Jointly.

(i) In the event the county or Counties Applying Jointly do not take and hold title to the real property when the designated private nonprofit corporation or public agency fails to provide Crisis Residential Treatment, Crisis Stabilization services, or Family Respite Care as provided in the Grant Agreement, the Authority may take any action necessary to take and hold title to the real property.

(3) The designated private nonprofit corporation shall provide, upon request, Audited Financial Statements and shall retain all Project and financial records necessary to substantiate the purposes for which the Grant funds were spent for a period of three years after the certification of Project completion has been submitted.

(4) The designated private nonprofit corporation or public agency shall provide, upon request, a current title report that shows all of the following:

(A) No easements, exceptions or restrictions on the use of the site that shall interfere with or impair the operation of the Project.

(B) A fee title subject to the lease agreement described in subdivision (a)(5).

(C) A deed of trust recorded in the chain of title against the real property that contains the lease agreement described in subdivision (a)(5).

(5) The designated private nonprofit corporation or public agency shall enter into a lease agreement with the county or Counties Applying Jointly for use of the real property for Crisis Residential Treatment, Crisis Stabilization or Family Respite Care for the useful life of the Project, including any renewals. The lease agreement shall provide that:

(A) In the event the designated private nonprofit corporation or public agency fails to provide Crisis Residential Treatment, Crisis Stabilization or Family Respite Care services as provided in the Grant Agreement, title to the real property shall be given to the county or Counties Applying Jointly.

(i) In the event the county or Counties Applying Jointly do not take and hold title to the real property when the designated private nonprofit corporation or public agency fails to provide Crisis Residential Treatment, Crisis Stabilization or Family Respite Care as provided in the Grant Agreement, the Authority may take any action necessary to take and hold title to the real property.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code

Add Section 7326 to read:

Section 7326. Requirements for Construction Projects on Leased Property.

(a) A Grantee may use Grant funds for construction or renovation on property that is leased to the Grantee. The following requirements shall be satisfied prior to release of Grant funds:

(1) The lease agreement shall provide the Grantee, as lessee, full access to the site to carry out the Project.

(2) The term of the lease agreement shall be equal to or greater than the useful life of the Project.

(3) The lease agreement shall provide that any existing or subsequent encumbrance on the property (e.g., deed of trust) or sale of the property shall be subject to the lease agreement.

(4) The lease agreement shall provide that the only remedy for any default by Grantee, including failure to pay rent, is suit for rent or specific performance to remedy specific breach. The landlord's remedies for any default by Grantee may not include cancellation of lease agreement, retaking of property, or eviction of Grantee.

(5) A current title report on the site, brought up to date as of the effective date of the lease agreement shall be provided to the Authority. The title report shall show all of the following:

(A) No delinquent taxes or assessments or, if there are delinquent taxes or assessments, these are being contested in good faith.

(B) No easements, exceptions or restrictions on the use of the site that shall interfere with or impair the operation of the Project.

(C) A restrictive covenant recorded in the chain of title that the property shall be used only for Crisis Residential Treatment, Crisis Stabilization or Family Respite Care during the useful life of the leasehold improvements funded by the Grant.

(D) Fee title is subject to the lease agreement and recorded in the chain of title.

(6) The Grantee's legal counsel or an authorized officer of the Grantee shall sign a letter certifying that the lease agreement conforms to Section 7326, subdivision (a)(1) through (a)(5), and include a statement of the projected useful life of the Project.

(A) If the letter is signed by an authorized officer of the Grantee, a statement shall be included that the Grantee's legal counsel has been consulted.

(b) If the lease agreement terminates prior to the end of the useful life of the Project and the property that was subject to the lease agreement is not simultaneously released under a new lease agreement that complies with the requirements of this Section or fee title to the property that was subject to the lease agreement is not simultaneously transferred to the Grantee, the Authority is entitled to recover the Grant funds.

(c) When a Project on leased property includes improvements to any common areas that are shared with other tenants or areas that are not leased by the Grantee, the Grant funds shall be limited only to the proportionate costs of the Project which exclude the costs related to such areas.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7327 to read:

Section 7327. Recovery of Funds for Non-Performance and Unused Grant Funds; Remedies.

(a) If the Authority determines that Grant funds were not used consistent with the Investment in Mental Health Wellness Act of 2013, this Chapter or the Grant Agreement, the Authority may require remedies, including the forfeiture and return of the Grant funds to the Authority.

(b) If the Grantee fails to timely begin or complete the Project, the Authority may require remedies including forfeiture and return of the Grant funds to the Authority.

(c) Unused funds and any unused interest earnings on such Grant funds shall be returned by the Grantee to the Authority no later than the date of the certification of Project completion.

(d) In the event the county or Counties Applying Jointly do not take and hold title to the real property as provided in Section 7325.1, the Authority may take any action necessary to take and hold title to the real property.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code. Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7328 to read:

Section 7328. Reporting Requirements.

(a) The Grantee shall submit a status report within 45 days following the completion of the periods ending on June 30 and December 31 of each year during the Grant Period, and upon the Authority's request.

(1) Status reports to the Authority shall include:

(A) A description of activities performed for the Project implementation, and activities related to Program development and implementation, and population(s) served, as applicable, since the date of the preceding status report or the Final Allocation.

(B) A summary of incurred costs and expenditures related to the Project consistent with cost information submitted in the Application and an explanation of any variances from the Application.

(C) A summary of data or preliminary evaluation results, available to date, related to all outcomes described in Section 7319, subdivision (a)(3), or Section 7319.1, subdivision (a)(3), and a description of any challenges in obtaining relevant data.

(D) A summary of other funding sources utilized for the Project.

(E) A description of remaining work to be completed for the Project and an estimated timeline or schedule for the completion of that work.

(F) A description of whether the Project is within the proposed budget and, if not, the reasons for any differences and the actions that will be taken to ensure that the Project has sufficient funding for completion.

(b) Grantee shall submit a completed Actual Expenditures Report Form No. CHFFA 7 CY-03 (09/2018) accompanied by evidence of payment and documentation acceptable to the Authority sufficient to establish eligibility of costs incurred and expenditure of Grant funds such as executed purchase and sale

agreement, proof of title, invoices and cancelled checks, proof of wire transfers, and receipts, as follows:

(1) Within 60 days of Project Completion and upon Authority's request.

(2) As required by Section 7325 (a)(4).

(3) If Grantee received advance disbursement of entire Grant amount, Grantee shall submit a completed Actual Expenditures Report Form No. CHFFA 7 CY-03 (09/2018) within 45 days following the completion of the periods ending June 30 and December 31 of each year during the Grant Period, and upon the Authority's request.

(c) Grantee shall submit a completed Certificate of Completion and Final Report Form No. CHFFA 7 CY-04 (09/2018), which is hereby incorporated by reference, and the following documentation, as applicable, within 60 days of Project completion:

(1) For all Projects:

(A) License and/or certification/approval of Program(s), as applicable.

(B) Summary of sources and uses of funds that show that the Grant and any interest earnings on Grant funds did not exceed the cost of the Project.

(C) Project's outcomes described in Section 7319, subdivision (a)(3), and Section 7319.1, subdivision (a)(3), key milestones and accomplishments.

(D) Actual Expenditure Report Form No. CHFFA 7 CY-03 (09/2018) as required by subdivision (b) above, for all costs incurred and expenditures of Grant funds for which evidence of payment has not been submitted to and approved by the Authority.

(2) For Projects that include real property acquisition: Final closing statement with certification by the title company.

(3) For Projects that include building construction or renovation: Certificate of Occupancy.

(4) For Projects that include vehicle acquisition: Executed sales agreement or title.

(d) After submission of the Certificate of Completion and Final Report, Grantees shall submit annual reports to the Authority by September 30 each year through 2022 to report on Project key milestones, accomplishments, and outcomes, including a discussion of the populations being served.

(1) This report shall be certified by an authorized officer of the Grantee.

(2) Authority Staff may request annual reports after 2022 to continue tracking accomplishments, outcomes and populations served.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code.
Reference: Section 5848.5, Welfare and Institutions Code.

Add Section 7329 to read:

Section 7329. Records Retention, Inspections and Audits.

(a) Grantees shall retain all Project and financial records necessary to substantiate the purposes for which the Grant funds were spent for a period of three years after the certification of Project completion has been submitted.

(b) Co-Applicants that are a private nonprofit corporation shall provide, upon request, Audited Financial Statements to Authority Staff.

(c) The Authority may perform site visits to inspect the Project during the Grant Period and may inspect and/or audit Project records during the Grant Period and for three years after the certification of Project completion has been submitted.

Note: Authority cited: Sections 5848.5 and 5848.6, Welfare and Institutions Code.
Reference: Section 5848.5, Welfare and Institutions Code.