

CALIFORNIA HEALTH FACILITIES FINANCING AUTHORITY (the “Authority”)

Investment in Mental Health Wellness Act of 2013

Resolution Approving the Adoption of Regulations and  
Authorizing Emergency Rulemaking Proceedings

Resolution No. 2013-05

Staff seeks approval from the Authority to submit the attached emergency regulations for the Investment in Mental Health Wellness Act of 2013 to the Office of Administrative Law (“OAL”) for approval including the four forms referenced therein.<sup>1</sup>

This staff report summarizes the essential features of the proposed grant program as set forth in more detail in the attached proposed emergency regulations.

Authority staff has consulted the Authority’s technical advisor, California Institute for Mental Health (CiMH) for feedback on the proposed regulations. If CiMH recommends changes prior to the Authority’s meeting and staff concurs the changes should be incorporated into the regulations, staff will provide an updated version of the regulations at the Authority meeting which will note the changes recommended by CiMH.

After approval by the Authority, the final proposed emergency regulations will be posted on the Authority’s website and staff will circulate the proposed emergency regulations to all individuals and entities who have signed up to receive automatic notifications from the Authority. Five working days after doing so, the proposed emergency regulations can be filed with OAL for review and approval.

Staff recommends the Authority approve the following essential features of the proposed grant program and to proceed to the OAL with emergency regulations reflecting these features:

**Title of the Program:** Investment in Mental Health Wellness Grant Program<sup>2</sup>

**Available Funding:** \$142,500,000 for crisis stabilization, residential treatment and mobile crisis capacity (referred to as “Capital Funding” in the emergency regulations); \$6,800,000 for mobile crisis support teams (referred to as “Personnel Funding” in the emergency regulations). The Authority also has a \$500,000 general fund appropriation for the Authority’s administrative expenses.

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<sup>1</sup> Associated forms will be sent to Authority members in advance of the October 31, 2013 meeting and will be handed out at that meeting.

<sup>2</sup> In the staff report for the October 7, 2013 meeting, the title of the program was the “Mental Health Crisis Capacity Grant Program.” Staff amended the title to be in line with the name of the program as given by the author, Senator Darrell Steinberg, in SB 82.

**Duration of Program:** The Authority has a three-year appropriation authority for the one-time general fund allocation of \$142,000,000, as well as for the \$500,000 general fund allocation for the Authority’s administrative expenses. An additional \$500,000 for mobile crisis Capital Funding support has a shorter duration and must be encumbered by June 30, 2014<sup>3</sup>. Funding for the \$6,800,000 mobile crisis personnel comes from the Mental Health Services Act and federal funding. This sum must be encumbered and disbursed by June 30, 2014, but this funding is “permanent base funding” and will likely be available again July 1, 2014 for the same amount until June 30, 2015 unless the legislature determines otherwise in the next fiscal year budget.

**Eligible Applicants:** Counties, counties acting jointly, or counties with private non-profit corporations or public agencies counties might designate.

**Eligible Projects:** Crisis capacity building for community based (1) stabilization programs where individuals in crisis are provided care for less than 24 hours, (2) residential treatment programs where individuals in crisis are provided care for less than 30 days, (3) mobile crisis support (vehicles and support personnel).

**Funding Formula:** One-time general fund allocation of \$142,500,000 will be divided amongst the five regions of the state as indicated here for the first two years of program operation. After two years of program operation, all remaining monies shall be available to any counties on a statewide competitive basis regardless of the region in which they are located.

**Bay Area Region<sup>4</sup>:** .....\$26,000,000

**Central Region:** .....\$25,000,000

**Los Angeles Region<sup>5</sup>:**.....\$40,000,000

**Southern Region:**.....\$45,000,000

**Superior Region:** .....\$ 6,500,000

The additional \$6,800,000 funding for mobile crisis support team Personnel Funding will be divided amongst these same regions in similar proportions for the first two years of program operation in the amounts indicated here. After two years of program operation, all remaining

<sup>3</sup> The Authority’s website will caution applicants to consider applying for mobile crisis vehicle Capital Funding as soon as practicable given the short duration this \$500,000 funding is available. Failure to encumber these funds before June 30, 2014 will result in a permanent reversion of the funds to the state’s general fund. There will still remain however, roughly \$2,000,000 in Capital Funding for mobile crisis vehicles within the three year appropriation mentioned above.

<sup>4</sup> Alameda County includes City of Berkeley

<sup>5</sup> Includes Tri-City

Personnel Funding shall be available on a statewide competitive basis to any counties regardless of the region in which they are located.

**Bay Area Region: .....\$1,240,000**

**Central Region: .....\$1,193,000**

**Los Angeles Region: .....\$1,909,000**

**Southern Region: .....\$2,147,000**

**Superior Region: .....\$ 311,000**

**Maximum Grants:**

The following maximum grant amounts may be applied for by the counties<sup>6</sup> for the first two years of program operation based on the most recent population estimates from the Department of Finance at the time an application is submitted. After the second year of program operation, there will be no limitation on the sums counties and their designates may apply for within their respective regions.

<b>County Population</b>	<b>Maximum</b>
100,000 or less.....	\$500,000
100,001 to 400,000.....	\$1,000,000
400,001 to 600,000.....	\$2,000,000
600,001 to 1,100,000.....	\$4,000,000
1,100,001 to 2,500,000.....	\$7,000,000
2,500,001 to 9,000,000.....	\$11,000,000

**Eligible Costs:**

Applicants may utilize funding to, (1) purchase real property, (2) construct or renovate real property, including costs of project planning or project management, appraisals, inspections, and pre-construction costs such as permit fees, surveying, architectural and engineering fees, (3) purchase furnishings or equipment, including the purchase of vehicles for mobile crisis support teams and the costs of maintenance for up to two years, (4) fund information technology hardware and software, (5) fund up to three months of program startup or expansion costs which are limited to lease payments, utilities, repairs or maintenance of facilities, personnel costs, moving expenses, cleaning supplies and

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<sup>6</sup> Counties may pool their maximums together.

supplies for offices, kitchens and bathrooms<sup>7</sup>, (6) fund employee salaries and benefits to staff the mobile vehicles funded by a grant.

**Scoring Criteria:**

Applications will be scored by staff on the following criteria with 100 points possible. A minimum of 70 points will be required.

**(1) Project expands access to and capacity for community based mental health crisis services that offer relevant alternatives to hospitalization and incarceration (Maximum 30 points)**

- a. Project proposes new or expanded programs for crisis stabilization, crisis residential, and/or mobile crisis vehicles and personnel to be funded by the grant and includes a description of the services to be offered and the population to be served. (Maximum 5 points)
- b. Project meets the community need, seeks to address who does and does not receive crisis services now, and is designed to address the weakness of the current system and build on its strengths. (Maximum 3 points)
- c. Project increases capacity for community based mental health crisis services. (Maximum 7 points)
- d. Project expands and improves timely access to community based mental health crisis services. (Maximum 7 points)
- e. Project is qualitatively different than crisis services delivered in an institutional setting and includes a description of 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)
- f. Project leverages public and private funding sources to complete the project. (Maximum 3 points)

**(2) Applicant 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 and social services (Maximum 20 points)**

- a. Project fits in with the continuum of care as presently addressed in the community. Application identifies the shortcomings that exist within the continuum and how the Project will improve the existing continuum of care for

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<sup>7</sup> “Supplies” do not include food, beverages or medications.

individuals utilizing mental health crisis services. (Maximum 8 points)

- b. County clearly identifies working relationships with “related supports” (a defined term of art that includes providers like hospitals, clinics, substance abuse providers, law enforcement, mental health peer support, social services, etc.) that already exist and those that will be established to enhance and expand community based linkage designed to maximize and expedite access to crisis services for the purpose of avoiding unnecessary hospitalizations and incarcerations and improving wellness for individuals with mental health disorders and their families. (Maximum 12 points)

**(3) Identifies Key Outcomes and a Plan for Measuring Them (Maximum 20 points)**

- a. Application includes methodology, timeline and assignment of responsibility to measure specific outcomes of the proposed project, including the following (or variations thereof):
  - i. Reduced average disposition time for visits to emergency rooms of local hospital(s); (Maximum 2 points)
  - ii. Reduced hospital emergency room and psychiatric inpatient utilization; (Maximum 4 points)
  - iii. Reduced law enforcement time spent on mental health crisis calls, contacts, custodies and/or transports for assessment ; (Maximum 2 points)
  - iv. Improvements in participation rates for outpatient mental health services and case management services. (Maximum 2 points)
  - v. Consumer and/or their family member (when appropriate) satisfaction with the crisis services they received (Maximum 2 points)
  - vi. Number of crisis residential treatment beds, stabilization units and mobile crisis support team personnel and vehicles added. (Maximum 2 points)
  - vii. Whether the target population (defined by the applicant) is being served and other individuals who may be being served. (Maximum 2 points)

- viii. The value of the programs, such as mitigation of costs to the county, law enforcement and/or hospitals.  
(Maximum 4 points)
- (4) **Project is feasible and sustainable or will be feasible and sustainable within six months of Final Allocation (Maximum 30 points).**
- a. Application includes a detailed project timeline that includes key milestones; status of use permits, licensure and other approval processes; staffing status; projected date services will begin for consumers and a discussion of processes that may affect the timeline to start providing services; a description of potential challenges and how those challenges will be mitigated. (Maximum 7 points)
  - b. Project has sufficient funding sources and proposed uses of funding are acceptable. (Maximum 10 points)
  - c. Lead Grantee is creditworthy and has satisfactory financial capacity as evidenced by a county or public agency's most recent local government credit rating or three most recent fiscal years of audited financial statements, which may not contain a going concern qualification. (Maximum 5 points)
  - d. Application includes a budget that details annual projected operating costs and a description and documentation of new program funding sources. (Maximum 3 points)
  - e. Applicant identifies a qualified service provider to operate the programs or, if a service provider is not yet identified, describes the process, criteria for selection and the timeline for identification. (Maximum 5 points)
  - f. There is a likelihood of Medi-Cal certification for Crisis Residential Treatment programs, if any is proposed.  
(Required, but no points awarded).

**Application Process:** Applications with multiple applicants shall designate one of the applicants as the lead grantee. Only a county or a joint powers authority may be designated as the lead grantee. The lead grantee shall have primary responsibility for the fiscal management of the grant funds, records retention, reporting and all other aspects of compliance.

A single application may be submitted for multiple projects (i.e., crisis residential, crisis stabilization, mobile crisis vehicles and mobile crisis personnel). Applicants must submit an original plus two copies of the

application by mail, delivery or in-person or email it so that it is received no later than 5:00 p.m. on the deadline posted by the Authority on its website. For the initial funding round, applicants will have 60 days from the date the Authority's emergency regulations are filed with the Secretary of State to submit their application to the Authority. If funding is available for subsequent funding rounds, the deadline for application submission will be posted on the Authority's website.

**Scoring Process:**

Staff will score applications on how completely, responsively and clearly the applications address the scoring criteria. The scores from each reviewer will be added together and the average scores will be calculated. The average score will be the final score assigned to the application. Staff will make funding recommendations (Initial Allocation) to the Authority for final approval (Final Allocation). Applications need to score a minimum of 70 points under the scoring criteria to be considered for an Initial Allocation. Applications receiving a score of zero points in any aspect of the first and second criteria (access/capacity and continuum) and applications receiving a score of less than 24 of 30 possible points on the fourth criteria (feasibility/sustainability) will not receive further consideration for an Initial Allocation. Authority staff will have the discretion to recommend and the Authority will have the discretion to approve a grant based on an application that has received less than 70 points to fund more grants, control project costs or achieve the statewide objectives of a minimum of 2,000 additional crisis stabilization and crisis residential treatment beds and 25 additional mobile crisis support teams.

**Appeals:**

Applicants may appeal Initial Allocations to the Authority's executive director within five calendar days of being notified of the Initial Allocation. The executive director shall review the appeal based on the application as originally submitted and shall make a finding within 10 calendar days after receipt of the appeal. 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 finding. The Authority will make final decisions on an appeal of the executive director's decision at a public meeting. Low scoring applications may be affected by appeals, including reduction or elimination of allocations.

**Final Awards:**

The Authority will make decisions on Final Allocations at a public meeting. Grant award letters will be sent to applicants approved for a Final Allocation.

**Estimated Timeline:**

Approval of emergency regulations by the Authority October 31  
Five working days notification period ends November 6

Seek OAL approval of emergency regulations November 7

Anticipated OAL approval weeks of November 11 and 18

Entertain applications for first funding round immediately following filing of emergency regulations with Secretary of State

Hold application technical assistance workshops during application period

First application period ends and first application review period begins mid-January

First application review period ends mid-March

Staff makes Initial Allocations March or April

Appeals if any follow

Recommendations to the Authority March, April or May

If funding is available, second funding round application period starts once the Authority makes Final Allocations in the first funding round.

**Grant Agreements:**

As with all other Authority operated grant programs, all grantees will be required to execute grant agreements that will speak to the grant amount, the project, appropriate uses of funds, the project period, disbursement procedures, unused funds, investment earnings on unused funds, indemnification requirements, prohibitions against discrimination, auditing, site visits, remedies for default, etc. Grant agreements may include other terms and conditions related to the project, including a requirement that the applicant provide additional information within six months for staff determination of project feasibility and sustainability.

**Reporting Reqs:**

Grantees will be required to report on a bi-annual basis to the Authority regarding the progress of their projects and outcomes they are measuring once programs are in operation.



**RESOLUTION NO. 2013-05**

**RESOLUTION OF THE CALIFORNIA HEALTH FACILITIES FINANCING  
AUTHORITY  
APPROVING THE ADOPTION OF EMERGENCY REGULATIONS AND  
AUTHORIZING EMERGENCY RULEMAKING PROCEEDINGS  
FOR THE INVESTMENT IN MENTAL HEALTH WELLNESS ACT OF 2013**

WHEREAS, the Investment in Mental Health Wellness Act of 2013 (the “Act”) establishes a new grant program for mental health crisis services, provides funding from various sources and authorizes the California Health Facilities Financing Authority (the “Authority”) to, among other things, develop specified selection criteria and maximum grant amounts for awarding grants to eligible applicants which are counties, counties acting jointly, or counties with private non-profit corporations or public agencies counties may designate; and

WHEREAS, the Act authorizes the Authority to adopt emergency regulations relating to the grant program;

BE IT RESOLVED, by the California Health Facilities Financing Authority as follows:

Section 1. The proposed emergency regulations for the grant program are hereby approved in substantially the form submitted to the Authority by Authority staff. The Chair, any Deputy to the Chair, Executive Director and Deputy Executive Director are each hereby authorized, for and on behalf of the Authority, to submit such emergency regulations, with the supporting documentation required by law, to the Office of Administrative Law and proceed as required by the Administrative Procedures Act.

Section 2. The Chair, any Deputy to the Chair, Executive Director and Deputy Executive Director of the Authority are each hereby authorized and directed to take such actions, including making or causing to be made such changes to the emergency regulations as may be required for approval thereof by the Office of Administrative Law, and to execute and deliver any and all documents that he or she may deem necessary or advisable in order to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately upon its approval.

Date Approved: \_\_\_\_\_

**California Code of Regulations  
Title 4, Division 10, Chapter 5, Article 1  
Investment in Mental Health Wellness Grant Program**

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**TEXT OF REGULATIONS**

**California Code of Regulations  
Title 4, Division 10, Chapter 5  
Investment in Mental Health Wellness Grant Program**

**Section 7113. Definitions.**

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

- (a) "Applicant" means an entity that meets the eligibility requirements 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 Application Form No. CHFFA 7 MH-01 (Rev. 10-31-2013), including all supporting information and documents.
- (c) "Audited Financial Statements" means an examination and report of an independent accounting firm on the financial activities of any county, 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 up to a total of \$142,500,000 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) "Counties Applying Jointly" means counties that submit an Application together for a Project to deliver crisis services.
- (j) "Crisis Intervention" means crisis intervention as defined in Section 1810.209 of Title 9 of the California Code of Regulations.
- (k) "Crisis Residential Treatment" means crisis residential treatment services as defined in Section 1810.208 of Title 9 of the California Code of Regulations.

- (l) "Crisis Stabilization" means crisis stabilization as defined in Section 1810.210 of Title 9 of the California Code of Regulations.
- (m) "Executive Director" means the executive director of the Authority.
- (n) "Final Allocation" means the Grant amount approved by the Authority.
- (o) "First Funding Round" means the initial time period during which Applications may be submitted for consideration for funding by the Authority.
- (p) "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.
- (q) "Grant" means an award of funds to an Applicant.
- (r) "Grant Agreement" means a written agreement between the Authority and a Grantee that consists of the terms and conditions of the Grant.
- (s) "Grant Award Letter" means the official notification that a Grant has been approved by the Authority.
- (t) "Grant Period" means the time period from the date of Final Allocation to the date set by the Authority for the Grant to end.
- (u) "Grantee" means an Applicant that has been awarded a Grant and executed a Grant Agreement.
- (v) "Initial Allocation" means the Grant amount the Authority Staff recommends the Authority approve for Final Allocation.
- (w) "Lead Grantee" means the county or joint powers authority 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.
- (x) "Los Angeles Region" means the County of Los Angeles and all communities within it.
- (y) "Mobile Crisis Support Team" means a mobile unit staffed by designated personnel, which may include peers, dispatched to assist individuals experiencing mental health issues.
- (z) "Personnel Funding" means the Grants the Authority may award up to a total of \$6,800,000 to fund Mobile Crisis Support Team personnel.
- (aa) "Program" means Crisis Stabilization, Crisis Residential Treatment, or Mobile Crisis Support Teams and the Crisis Intervention and Rehabilitative Mental Health Services provided therein, designed to increase capacity for crisis services that are wellness, resiliency and recovery oriented.

(bb) "Project" means startup or expansion of Program(s) and acquisition, construction, renovation or financing of capital assets; or equipping and staffing a Mobile Crisis Support Team.

(cc) "Rehabilitative Mental Health Services" means rehabilitative mental health services as defined in Section 1810.243.1 of Title 9 of the California Code of Regulations.

(dd) "Related Supports" means local service(s) providers who interact with individuals before, during and after a mental health crisis, including health care providers (such as hospitals, clinics, and substance abuse providers), law enforcement, mental health providers and peer support services, social services, triage personnel, housing providers, and other supports within the continuum of care.

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

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

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

(hh) "Target Population(s)" means the specific group(s) of people identified as the intended beneficiaries of the Program(s) to be funded by a Grant, including individuals eligible for Medi-Cal and individuals 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.

**Section 7114. Eligibility.**

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

(1) A county.

(2) Counties Applying Jointly.

(3) 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.

**Section 7115. Eligible Project Costs.**

- (a) Eligible costs for Capital Funding are:
  - (1) Purchase of real property.
  - (2) Construction or renovation, including costs of Project planning or Project management, appraisals, inspections, and pre-construction costs such as permit fees, surveying, architectural, and engineering fees.
  - (3) Furnishings or equipment, including the purchase of vehicles for Mobile Crisis Support Teams and maintenance of the vehicles for up to two years.
  - (4) Information technology hardware and software.
  - (5) Up to three months of Program startup or expansion costs consisting of lease payments, utilities, repairs or maintenance of facilities, personnel costs, moving expenses, cleaning supplies and supplies for offices, kitchens and bathrooms. Supplies do not include foods, beverages or medications.
- (b) Eligible costs for Personnel Funding are employee salaries and benefits to staff the new vehicles 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 reasonable 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.

**Section 7116. Grant Application.**

- (a) Entities that meet the eligibility requirements of Section 7114 may apply for a Grant.
- (b) Applications with multiple Applicants shall designate one of the Applicants as Lead Grantee.
- (c) If a Project with the same Applicant(s) includes 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](http://www.treasurer.ca.gov/chffa) and at the Authority's Office located at 915 Capitol Mall, Room 590, Sacramento, California 95814 and will be referred to as the Investment in Mental Health Wellness Grant Program Application Form No. CHFFA 7 MH-01 (Rev. 10-31-2013).

(1) An original and two copies of the Application shall be received 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](http://www.treasurer.ca.gov/chffa) and may be sent to:

California Health Facilities Financing Authority  
915 Capitol Mall, Room 590  
Sacramento, California 95814

or the Application may be emailed as a Portable Document Format (PDF) attachment to [chffa@treasurer.ca.gov](mailto:chffa@treasurer.ca.gov). The Authority is not responsible for e-mail 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. 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.

**Section 7117. Funding Rounds and Application Deadlines.**

(a) The deadline for the First Funding Round shall be the first working day following the 60<sup>th</sup> day after the date regulations are filed with the Secretary of State.

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

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

**Section 7118. Maximum Grant Amounts.**

(a) Until January 1, 2016, the Authority shall award Capital Funding totaling no more than the following maximums per region:

(1)	Bay Area Region	\$26,000,000
(2)	Central Region	\$25,000,000
(3)	Los Angeles Region	\$40,000,000
(4)	Southern Region	\$45,000,000
(5)	Superior Region	\$6,500,000

(b) Until January 1, 2016, 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:

	<b>County Population</b>	<b>Maximum</b>
(1)	100,000 or less	\$500,000
(2)	Between 100,001 and 400,000	\$1,000,000
(3)	Between 400,001 and 600,000	\$2,000,000
(4)	Between 600,001 and 1,100,000	\$4,000,000
(5)	Between 1,100,001 and 2,500,000	\$7,000,000
(6)	Between 2,500,001 and 9,000,000	\$11,000,000

(c) Until January 1, 2016, Applicants may apply for Personnel Funding totaling no more than the following maximums per region:

(1)	Bay Area Region	\$1,240,000
(2)	Central Region	\$1,193,000
(3)	Los Angeles Region	\$1,909,000
(4)	Southern Region	\$2,147,000
(5)	Superior Region	\$311,000

(d) Subdivision (b) does not apply to the County of Los Angeles.

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

(f) If funds are available after January 1, 2016, subdivisions (a), (b) and (c) shall not apply and Applications may be submitted without regard to previous maximum amounts per county and region, and Grant awards 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.

**Section 7119. Evaluation Criteria.**

(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 incarceration.** (Maximum 30 points)



(A) Project proposes new or expanded Crisis Stabilization, Crisis Residential 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) 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 how the number added impacts the Target Population and translates into number of additional individuals that can be served in the community. (Maximum 7 points)

(D) Project expands and improves timely access to community based mental health crisis services. The Application shall address whether the hours of existing services will be extended; whether there will be additional locations where services can be accessed by consumers and their family members; the efforts that will be undertaken to timely connect consumers to crisis services from other venues like hospitals; and whether there will be new outreach provided to families and consumers so they know new or expanded services are available and whether cultural and language barriers that exist in the community will be addressed. (Maximum 7 points)

(E) Project is qualitatively different than 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)

(F) Project leverages public and private funding sources to complete the Project. (Maximum 3 points)

**(2) Applicant(s) 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 and social services.** (Maximum 20 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 individuals utilizing mental health crisis services, including whether Applicant(s) contemplates submitting an application to the Mental Health Oversight and Accountability Commission for triage personnel. (Maximum 8 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 incarceration and improving wellness for individuals with mental health disorders and their families. 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 individuals experiencing a mental health crisis. An expansion may include adding a supportive housing provider to the local collaboration for post-crisis residential placements. (Maximum 12 points)

**(3) Identifies Key Outcomes and a Plan for Measuring Them.** (Maximum 20 points)

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

(i) Reduced average disposition time for visits to emergency rooms of local hospital(s). (Maximum 2 points)

(ii) Reduced hospital emergency room and psychiatric inpatient utilization. (Maximum 4 points)

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

(iv) Improvements in participation rates for outpatient mental health services and case management services. (Maximum 2 points)

(v) Consumers' and/or their family members' (when appropriate) satisfaction with the crisis services the consumer received. (Maximum 2 points)

(vi) Number of Crisis Residential and Stabilization treatment beds and Mobile Crisis Support Team personnel and vehicles added. (Maximum 2 points)

(vii) Whether the Target Population is being served and other individuals who may be being served. (Maximum 2 points)

(viii) The value of the Program(s), such as mitigation of costs to the county, law enforcement, and/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 4 points)

**(4) Project is feasible and sustainable or will be feasible and sustainable within six months of the Final Allocation.** (Maximum 30 points)

(A) Project timeline is clear and includes details of the following: (Maximum 7 points)

(i) Key milestones in the future and completed to date, including projected or actual Project start date (such as date of purchase, renovation or lease) and end date (such as date of occupancy).

(ii) A description of the status of use permits, licensure and/or other approval processes.

(iii) Staffing status.

(iv) Projected date services will begin to be provided to consumers.

(v) A narrative description of processes that may affect the timeline to start providing services, such as site identification and acquisition, contracting, local use permit process, California Environmental Quality Act process, licensure and certification.

(vi) A narrative description identifying potential challenges and how those challenges will be mitigated.

(B) Project has sufficient funding sources and proposed uses of funding are acceptable and the following are included: (Maximum 10 points)

(i) The amount of funding from funding sources, other than the Grant, including the amount of funding and the current status of the funding.

(ii) The proposed uses of funds includes a budget for startup costs (not to exceed three months), if applicable. The total uses shall not exceed the total of all available funding sources.

(iii) A description of how the Grant funds, as well as other grants, loans, or internal funds, will be used to ensure Grant funds will not be used for ineligible costs as described in Section 7115.

(C) Lead Grantee is creditworthy and has satisfactory financial capacity as indicated in its most recent local government credit rating or three most recent years of Audited Financial Statements which may not contain a Going Concern Qualification. (Maximum 5 points)

(D) Application includes a budget that details annual projected operating costs and a description of new Program funding source(s) with amounts and cash flow projections and/or how existing funding will be redirected to provide on-going support for new and expanded services, including documentation such as funding letters, minutes from the Board of Supervisors meeting evidencing approval of the budget, or other documentation acceptable to the Authority. (Maximum 3 points)

(E) A qualified service provider has been identified and the following are addressed: (Maximum 5 points)

(i) If a service provider that will operate Program(s) has already been identified, written plans and policies in place for the care that will be provided shall be described. These include statement of admission and discharge criteria; psychiatric policies and practices; description of range of services offered; and information about the service provider including expertise in mental health care, purpose, goals, and services of the organization.

(ii) A service provider already licensed by the California Department of Social Services shall be in Substantial Compliance as defined in Section 80001 of Title 22 of the California Code of Regulations.

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

(F) Likelihood of Medi-Cal certification of Crisis Residential Treatment, if any is proposed: (Required, but no points awarded)

(i) Includes discussion of how service provider will cooperate and comply with Community Residential Treatment Services Program certification process.

(ii) Includes confirmation that structured day and evening services will be available seven days a week, and services will include individual and group counseling; crisis intervention; planned activities; counseling, with available members of the consumer's family, when indicated in the consumer's treatment or rehabilitation plan; the development of community support systems for consumers to maximize their utilization of non-mental health community resources; pre-vocational or vocational counseling; consumer advocacy, including assisting consumers to develop their own advocacy skills; an activity program that encourages socialization within the program and general community, and which links the consumer to resources which are available after leaving the program; and use of the residential environment to assist consumers in the acquisition, testing, or refinement of community living and interpersonal skills.

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

#### **Section 7120. Initial Allocation.**

(a) Authority Staff will evaluate the Application's completeness, responsiveness, and clarity in addressing the criteria described in Section 7119.

(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) Applications shall score a minimum of 70 points under Section 7119 to be considered for an Initial Allocation.

(1) Applications shall score a minimum of 24 points under Section 7119, subdivision (a)(4) to be considered for an Initial Allocation.

(2) Applications receiving a score of zero points in any criteria in Section 7119, subdivision (a)(1) or (a)(2) shall not be considered for an Initial Allocation.

(f) Initial Allocations may be considered for Applications scoring less than 70 points to fund more Grants, control Project costs, or achieve the statewide objectives of a minimum of 2,000 Crisis Stabilization and Crisis Residential Treatment beds and 25 Mobile Crisis Support Teams.

(g) Initial Allocations are subject to availability of funds and 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 2,000 new Crisis Stabilization and Crisis Residential Treatment beds and 25 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.

**Section 7121. Appeals.**

(a) Availability.

(1) The Applicant designated as Lead Grantee on an Application may, on behalf of all Applicants listed on an Application, appeal an Initial Allocation for that Application.

(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 590  
Sacramento, California 95814

(c) Review.

(1) The Executive Director shall review the appeal based on the Application as originally submitted. Any new or revised Application or additional documentation or information that was not submitted in the 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 10 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 lower scoring Applicants that would have otherwise received an Initial Allocation.

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

**Section 7122. 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(s).

(2) Grant amount.

(3) The Grant Period, including start and end dates.

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

(5) A request for a resolution of the governing board authorizing an official to accept the Grant.

(6) Notification that the funds for a Grant under the Investment in Mental Health Wellness Act of 2013 are subject to availability of funds and appropriation by the Legislature.

(7) A statement that the Authority reserves the right to modify or cancel the commitment upon failure of the Applicant(s) 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.

**Section 7123. 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 reasons 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.

**Section 7124. 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 Funds procedures in accordance with Section 7125, as applicable.
- (4) Agreement that the Grantee shall comply with the Investment in Mental Health Wellness Act of 2013 and this Chapter.
- (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 sex, race, color, ancestry, religion, creed, national origin, physical disability (including HIV and AIDS) mental disability, medical condition (including cancer or genetic characteristics), sexual orientation, political affiliation, position in a labor dispute, age, marital status and denial of statutorily-required, employment-related leave.
- (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 7126.

(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) Grantee shall provide updated information upon request from Authority Staff to determine the Project's feasibility or sustainability.

(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

**Section 7125. 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 feasibility.

(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.

(vi) Evidence of compliance with the California Environmental Quality Act.

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

(viii) Evidence of property ownership, such as a grant deed.

(ix) Lease agreement and title report as required under Section 7126, if applicable.



(B) For real property acquisitions: An appraisal completed within the previous six months by a state certified appraiser.

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

(D) For personnel costs:

(i) Staffing plan, including number of full time equivalent staff.

(ii) Job description or duty statement for each position, including minimum qualifications and any licensing or certification preferred or required.

(iii) Documentation of salary or hourly wage rate, if applicable.

(iv) Documentation of employer's contribution of benefits.

(E) For other eligible costs: contracts and/or purchase orders.

(3) The Authority Staff has determined the Project is ready and feasible.

(A) The determination that the Project is ready and feasible may occur at the time of Initial Allocation or within six months following Final Allocation.

(B) If the determination is made after Initial Allocation, the determination shall be based on updated information provided to the Authority by Grantee in accordance with Section 7124(a)(14).

(C) Limited extensions of the deadline set forth in subsection (3)(a) shall be made on a case-by-case basis at the discretion of the Executive Director for good cause, such as reasonable delays associated with obtaining building and conditional use permits, obtaining California Environmental Quality Act compliance documentation, or identifying a qualified provider.

(D) Failure to demonstrate readiness and feasibility within the timeframes dictated by the Authority will cancel the award and the funds will be made available to other Applicants.

(4) The Grantee has submitted to the Authority a completed Projected Six Months of Expenditures No. CHFFA 7 MH-02 (Rev. 10-31-2013). Except for the initial submission of the form, it shall be submitted with status reports pursuant to Section 7128(a).

(b) Within six months after each disbursement of Grant funds, the Grantee shall submit to the Authority a completed Actual Expenditures Form No. CHFFA 7 MH-03 (Rev. 10-31-2013) and evidence of payment and documentation sufficient to establish eligibility of costs acceptable to the Authority such as executed purchase and sale agreement, proof of title, cancelled checks, proof of wire transfers, receipts and timesheets.

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

## **Section 7126. 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 at least as long as 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 or Crisis Stabilization.

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

(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.

**Section 7127. Recovery of Funds for Non-Performance and Unused Grant Funds.**

(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(s) 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 investment 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.

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

**Section 7128. Reporting Requirements.**

(a) The Grantee shall submit a six month 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.

(b) The six month status reports to the Authority shall include:

(1) A description of activities performed for the Project and activities related to Project operations for the preceding six months, including population served, if applicable.

(2) 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.

(3) A summary of data or preliminary evaluation results, available to date, related to all outcomes described in Section 7119, subdivision (a)(3).

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

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

(6) 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.

(c) Grantee shall submit a completed Certificate of Completion and Final Report Form No. CHFFA 7 MH-04 (Rev. 10-31-2013) and the following documentation, as applicable within 60 days of project completion:

(2) For all Projects:

(A) License and certification of Program(s) if applicable.

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

(C) Project's outcomes described in Section 7119 subdivision (a)(3) and key milestones and accomplishments .

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

(4) For Projects that include building construction or renovation: Certificate of occupancy.

(5) For Projects that include vehicle acquisition: Sales agreement or title.

(d) After submission of the Certificate of Completion and Final Report, Grantees shall submit annual reports to the Authority through June 30, 2016 to report on Project key milestones, accomplishments, and outcomes, including a discussion of the populations being served. This report shall be certified by an authorized officer of the Grantee. Authority Staff may request annual reports after June 30, 2016 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.

**Section 7129. 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) Grantees that are a private nonprofit corporation shall provide, upon request, Audited Financial Statements to Authority Staff.

(c) 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.