



MICHELLE BAASS  
DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



GAVIN NEWSOM  
GOVERNOR

August 4, 2022

Sent via e-mail to: [Connie.Moreno-Peraza@maderacounty.com](mailto:Connie.Moreno-Peraza@maderacounty.com)

Connie Moreno-Peraza, Behavioral Health Services Director  
209 E. 7<sup>th</sup> St.  
Madera, CA 93639

SUBJECT: Annual SABG County Compliance Unit Findings Report

Dear Director Moreno-Peraza:

The Department of Health Care Services (DHCS) is responsible for monitoring compliance to requirements of the Substance Abuse Block Grant (SABG) and the terms of the Contract operated by Madera County.

The County Compliance Unit (CCU) within the Audits and Investigations Division (A&I) of DHCS conducted a review of the County's compliance with contract requirements based on responses to the monitoring instrument, discussion with county staff, and supporting documentation provided by the County.

Enclosed are the results of Madera County's Fiscal Year 2021-22 SABG compliance review. The report identifies deficiencies, required corrective actions, advisory recommendations, and referrals for technical assistance.

Madera County is required to submit a Corrective Action Plan (CAP) addressing each deficiency noted to the Community Services Division (CSD), Community Support Branch (CSB), Policy, Monitoring and Financing Section (PMFS) Analyst by 10/4/2022. Please use enclosed CAP form and submit the completed CAP and supporting documentation by email to the PMFS analyst at [SABGcompliance@dhcs.ca.gov](mailto:SABGcompliance@dhcs.ca.gov).

If you have any questions, please contact me at [emanuel.hernandez@dhcs.ca.gov](mailto:emanuel.hernandez@dhcs.ca.gov).

Sincerely,

Emanuel Hernandez  
(916) 713-8667

Audits and Investigations Division  
Medical Review Branch  
Behavioral Health Compliance Section  
County Compliance Unit  
1500 Capitol Ave., MS 2305  
Sacramento, CA 95814  
<http://www.dhcs.ca.gov>

Distribution:

To: Director Moreno-Peraza,

CC: Mateo Hernandez, Audits and Investigations, Medical Review Branch Acting Chief  
Lanette Castleman, Audits and Investigations, Behavioral Health Compliance Section Chief  
Ayesha Smith, Audits and Investigations, Behavioral Health Compliance Unit Chief  
Michael Bivians, Audits and Investigations, County Compliance Monitoring II Chief  
Cindy Berger, Audits and Investigations, Provider Compliance Unit Chief  
Tracie Walker, Community Services Division, Community Support Branch Chief  
Denise Galvez, Community Services Division, Operations Branch Chief  
Donna Ures, Community Services Division, Policy, Monitoring and Financing Section Chief  
Jessica Fielding, Community Services Division, Family Services Section Chief  
Angelina Azevedo, Community Services Division, Prevention Services Unit Chief  
Ashley Love, Community Services Division, Family Services Unit Chief  
[SABGcompliance@dhcs.ca.gov](mailto:SABGcompliance@dhcs.ca.gov), Policy, Monitoring and Financing Section  
[MCBHDMonitoring@dhcs.ca.gov](mailto:MCBHDMonitoring@dhcs.ca.gov), County/Provider Operations and Monitoring Branch  
Alyssa Morris-Dunstan, Madera County Behavioral Health Services Administrative Analyst I  
Eva Weikel, Madera County Behavioral Health Services Quality Compliance Division Manager

## COUNTY REVIEW INFORMATION

**County:**

Madera

**County Contact Name/Title:**

Alyssa Morris-Dunstan, Behavioral Health Services Administrative Analyst I

**County Address:**

209 E. 7<sup>th</sup> Street  
Madera, CA 93638

**County Phone Number/Email:**

(559) 673-3508 x 1212  
Alyssa.morris-dunstan@maderacounty.com

**Date of Review:**

05/04/2022

**Lead CCU Analyst:**

Emanuel Hernandez

**Assisting CCU Analyst:**

N/A

**Report Prepared by:**

Emanuel Hernandez

**Report Approved by:**

Ayesha Smith

## REVIEW SCOPE

- I. Regulations:
  - a. California Code of Regulations, Title 22, section 51341.1 – Drug Medi-Cal Substance Use Disorder Services
  - b. Code of Federal Regulations; Title 45, Part 96; Subpart L; section 96.121 through 96.137: Substance Abuse Prevention and Treatment Block Grant
  - c. United States Code, Title 42, Section 300x-21 through 300x-66: Block Grants regarding Mental Health and Substance Use
  - d. Health and Safety Code, Division 10.5, Section 11750 – 11970: Alcohol and Drug Programs
  
- II. Program Requirements:
  - a. Fiscal Year (FY) 2020-21 Substance Abuse Block Grant (SABG) Application, herein referred to as the SABG Application
  - b. Fiscal Year (FY) 2021-22 Substance Abuse Block Grant (SABG) Application, herein referred to as the SABG Application
  - c. State of California *Youth Treatment Guidelines Revised August 2002*
  - d. DHCS *Perinatal Practice Guidelines FY 2018-19*
  - e. National Culturally and Linguistically Appropriate Services (CLAS)
  - f. Mental Health and Substance Use Disorders Services (MHSUDS) Information Notices
  - g. Behavioral Health Information Notices (BHIN)

## ENTRANCE AND EXIT CONFERENCE SUMMARIES

### **Entrance Conference:**

An Entrance Conference was conducted via WebEx on 05/04/2022. The following individuals were present:

- Representing DHCS:  
Emanuel Hernandez, County Compliance Unit (CCU) Associate Governmental Program Analyst (AGPA)  
Steve Rea, County Provider Operations and Monitoring (CPOM) Unit AGPA
- Representing Madera County:  
Connie Moreno-Peraza, Behavioral Health Services Director  
Julie Morgan, Behavioral Health Services Assistant Director  
Alyssa Morris, Behavioral Health Services Administrative Analyst I  
Eva Weikel, Behavioral Health Services Quality Compliance Division Manager  
Arthur Galindo, Behavioral Health Services Division Manager  
Carlton Holmes, Behavioral Health Services Fiscal Manager  
Herbert Cruz, Behavioral Health Services Medical Director

During the Entrance Conference, the following topics were discussed:

- Introductions
- Overview of review process
- Overview of services provided

### **Exit Conference:**

An Exit Conference was conducted via WebEx on 05/04/2022. The following individuals were present:

- Representing DHCS:  
Emanuel Hernandez, AGPA  
Steve Rea, AGPA
- Representing Madera County:  
Connie Moreno-Peraza, Behavioral Health Services Director  
Julie Morgan, Behavioral Health Services Assistant Director  
Alyssa Morris, Behavioral Health Services Administrative Analyst I  
Eva Weikel, Behavioral Health Services Quality Compliance Division Manager  
Arthur Galindo, Behavioral Health Services Division Manager  
Carlton Holmes, Behavioral Health Services Fiscal Manager  
Herbert Cruz, Behavioral Health Services Medical Director

During the Exit Conference, the following topics were discussed:

- Submitting follow-up evidence
- Due date for evidence submission

## SUMMARY OF FY 2021-22 COMPLIANCE DEFICIENCIES (CD)

<u>Section</u>	<u>Number of CD's</u>
1.0 Administration	2
2.0 Prevention	0
3.0 Perinatal	0
4.0 Adolescent/Youth Treatment	2
5.0 Data/CalOMS	0
6.0 Program Integrity	1
7.0 Fiscal	1

## **CORRECTIVE ACTION PLAN (CAP)**

Pursuant to the SABG County Application, Enclosure 2, Part I, Section 3, B, 5-7 each CD identified must be addressed via a CAP. The CAP is due within sixty (60) calendar days of the date of this monitoring report.

Please provide the following within the completed FY 2021-22 CAP:

- a) A statement of the CD.
- b) A list of action steps to be taken to correct the CD.
- c) A date of completion for each CD.
- d) The name of the person who will be responsible for corrections and ongoing compliance.

The PMFS analyst will monitor progress of the CAP completion.

## Category 1: ADMINISTRATION

A review of the County's Maintenance of Records, service providers, referrals, services, contracts, and general provisions was conducted to ensure compliance with applicable regulations and standards. The following deficiencies in regulations, standards, or protocol requirements were identified:

### COMPLIANCE DEFICIENCIES:

#### **CD 1.2.2:**

SABG Application, Enclosure 2, I, 3, C

##### C. Sub-recipient Pre-Award Risk Assessment

County shall comply with the sub-recipient pre-award risk assessment requirements contained in 45 CFR 75.205 (HHS awarding agency review of risk posed by applicants). County shall review the merit and risk associated with all potential subcontractors annually prior to making an award.

County shall perform and document annual sub-recipient pre-award risk assessments for each subcontractor and retain documentation for audit purposes.

**Findings:** The County did not provide evidence demonstrating the completion of sub-recipient pre-award risk assessments with all potential subcontractors annually prior to making an award.

#### **CD 1.3.1:**

SABG Application, Enclosure 2, III, 6

##### 6. Charitable Choice

County shall document the total number of referrals necessitated by religious objection to other alternative SUD providers. The County shall annually submit this information to DHCS by e-mail at [CharitableChoice@dhcs.ca.gov](mailto:CharitableChoice@dhcs.ca.gov) by October 1st. The annual submission shall contain all substantive information required by DHCS and be formatted in a manner prescribed by DHCS.

**Findings:** The County did not provide evidence of the email submission to DHCS indicating the total number of referrals necessitated by a beneficiary's religious objection for FY 2020-21.



## Category 4: ADOLESCENT/YOUTH TREATMENT

A review of the SABG Adolescent/Youth Treatment program and services was conducted to ensure compliance with applicable regulations and standards. The following deficiencies in regulations, standards, or protocol requirements were identified:

### COMPLIANCE DEFICIENCIES:

#### **CD 4.1.3:**

SABG Application, Enclosure 2, II. General, 16

#### 16. Youth Treatment Guidelines

County must comply with DHCS guidelines in developing and implementing youth treatment programs funded under this Enclosure, until new Youth Treatment Guidelines are established and adopted. Youth Treatment Guidelines are posted online at: <https://www.dhcs.ca.gov/provgovpart/Pages/Youth-Services.aspx>.

Youth Treatment Guidelines Section V, H, 2

#### H. Youth Development Approaches to Treatment

2. Programs should provide or arrange for opportunities for youth to:
  - a. advise and made decisions related to program policies and procedures that impact them;
  - b. plan, organize, and lead program activities and projects;
  - c. develop social skills and decision-making abilities;
  - d. learn values and marketable skills for adulthood; and,
  - e. contribute to their community and serve others.

**Findings:** The County did not provide evidence demonstrating how County and subcontracted providers arrange opportunities for youth, specifically:

- advise and made decisions related to program policies and procedures that impact them;
- plan, organize, and lead program activities and projects;
- develop social skills and decision-making abilities;
- learn values and marketable skills for adulthood; and
- contribute to their community and serve others.

#### **CD 4.2.2:**

SABG Application, Enclosure 2, II. General, 16

#### 16. Youth Treatment Guidelines

County must comply with DHCS guidelines in developing and implementing youth treatment programs funded under this Enclosure, until new Youth Treatment Guidelines are established and adopted. Youth Treatment Guidelines are posted online at: <https://www.dhcs.ca.gov/provgovpart/Pages/Youth-Services.aspx>.

Youth Treatment Guidelines Section V, K

#### K. Structured Recovery-Related Activities

Intensive outpatient and residential programs should provide or arrange for both therapeutic and diversionary recreation. Therapeutic activities include art therapy, journal writing, and self-help groups. Diversionary recreation activities include sports, games, and supervised outings.

**Findings:** The County did not provide evidence demonstrating how County and subcontracted providers of intensive outpatient and residential programs arrange for both therapeutic and diversionary recreation for youth in treatment.

## Category 6: PROGRAM INTEGRITY

A review of the SABG monitoring, privacy, and program integrity was conducted to ensure compliance with applicable regulations and standards. The following deficiency in regulations, standards, or protocol requirements was identified:

### COMPLIANCE DEFICIENCY:

#### **CD 6.1.2:**

#### SABG Application Enclosure 2, I, 3, A, 1, e

1. County's performance under the County Performance Contract and the SABG County Application shall be monitored by DHCS during the term of the County Performance Contract. Monitoring criteria shall include, but not be limited to:
  - e. Whether the County conducted annual onsite monitoring reviews of services and subcontracted services for programmatic and fiscal requirements. County shall submit copy of its monitoring and audit reports to DHCS within two weeks of issuance. Reports shall be sent via a Secure Managed File Transfer system specified by DHCS.

**Findings:** The County did not provide evidence demonstrating it conducted onsite monitoring reviews of each County managed and subcontracted program providing SABG funded services.

- The County monitored three (3) of four (4) SABG funded programs and submitted audit reports of these annual reviews to DHCS.
- None of the three (3) annual monitoring reports were submitted to DHCS secure and encrypted.
- The County submitted two (2) of three (3) annual monitoring reports within two weeks of completion to DHCS.

## Category 7: FISCAL

A review of the SABG fiscal services was conducted to ensure compliance with applicable regulations and standards. The following deficiency in regulations, standards, or protocol requirements was identified:

### COMPLIANCE DEFICIENCY:

#### **CD 7.1.1:**

##### SABG Application, Enclosure 2, I, 2, A

###### A. Restrictions on Salaries

County agrees that no part of any federal funds provided under this Contract shall be used by the County or its subcontractors to pay the salary and wages of an individual at a rate in excess of Level II of the Executive Schedule, as found online at: [http://grants.nih.gov/grants/policy/salcap\\_summary.htm](http://grants.nih.gov/grants/policy/salcap_summary.htm)

**Findings:** The County did not provide evidence demonstrating verification that SABG funds are not used to pay an individual's salary in excess of Level II of the Executive Schedule.

## **TECHNICAL ASSISTANCE**

Madera County did not request technical assistance.