



Psychiatric Health Facility (PHF) Governing Board  
Special Meeting  
Monday, September 16, 2019  
11:00 PM – 12:00 PM  
BOS Conference Room  
105 E Anapamu, Santa Barbara  
**Minutes**

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**Staff:** Alice Gleghorn, PHF CEO; Laura Zeitz, Division Chief of Housing Placement/PHF; Sara Sanchez, Quality Care Management Coordinator; Quana Lopez, Policy and Procedures Coordinator; Lindsay Walter, Deputy Director of Administration and Operations; Melanie Johnson, Contracts Manager; Karen Campos, Behavioral Wellness Administration; Ryan Sullivan, Sheriff's Office Custody Commander; Teresa Martinez, Deputy County Counsel.

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**Facilitator:** Terri Maus-Nisich, Assistant CEO, Health and Human Services (Chair)

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**Roll Call:**

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**Present**

**Terri Maus-Nisich**, Assistant CEO, Health and Human Services (Chair)

**Vincent Wasilewski**, Chief Deputy for Custody Operations, Sheriff's Department (Vice Chair) (Recused himself from Item 4(e).)

**Supervisor Williams**, Santa Barbara County Board of Supervisors, First District

**Van Do-Reynoso**, Director of Public Health

**Polly Baldwin**, Public Health Medical Director

**Excused**

**Supervisor Hart**, Santa Barbara County Board of Supervisors, Second District

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**Arlene Diaz**, Manager, Public Administrator –  
Guardian

**Janette Pell**, Director of General Services

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**General Public Comment:** none at this meeting.

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### **1. Welcome and Overview:**

- Introduction of Staff

Dr. Gleghorn introduced the following Behavioral Wellness staff:

- Lindsay Walter, Deputy Director of Administration and Operations
- Qiwana Lopez, Policy and Procedures Coordinator
- Melanie Johnson, Contracts Manager

Chief Wasilewski introduced the following Sheriff's Office staff:

- Ryan Sullivan, Sheriff's Office Custody Commander

**Action:** No action.

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### **2. Review and Approve Minutes of the PHF Governing Board Meeting listed below:**

- August 28, 2019 (Exhibit 2a)

**Action:** Ms. Do-Reynoso made a motion to approve the August 28, 2019 meeting minutes as presented. Ms. Baldwin seconded. Ms. Pell abstained. Supervisor Williams not present. No objections. Motion carried.

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### **3. Medical Staff Bylaws:** no update at this meeting.

**Action:** No action.

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### **4. Quality Assessment and Performance Plan and Indicators (QAPI):**

**4(a) Staff reported on the following Quality Assessment and Performance Plan and Indicators (QAPI). Indicators that are highlighted in grey are reported to the PGB on a quarterly basis, but are not scheduled to be reported at this meeting.**

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**Complaints and Grievances:**

- No report at this meeting.

**Infection Prevention and Control:**

- Report (Quarterly: January, April, July, October) - no report at this meeting.

**Patient Services, Care and Safety:**

- Report (Quarterly: Feb, May, Aug, Nov) – no report at this meeting.

- Patient Injuries - No report at this meeting.

- Adverse Outcomes in Patient Care - no report at this meeting.

**Social Work Services:**

- Report (Quarterly: Mar, Jun, Sept, Dec) - no report at this meeting.

**Restraint/Seclusion:**

- Report (Quarterly: Mar, Jun, Sept, Dec) - no report at this meeting.

**Medication Use/Pharmacy Services:**

- Report (Quarterly: Feb, May, Aug, Nov) - no report at this meeting.

- Medication Error Rates/Unavailability (monthly) - no report at this meeting.

- Medication Error Rates – (monthly) – no report at this meeting.

**Significant Adverse Outcomes:**

- No report at this meeting.

**Food and Nutritional Services:**

- Report (Quarterly: Mar, Jun, Sept, Dec) - no report at this meeting.

**Physician and Allied Health Professionals (AHP) Related Services:**

- Report (Quarterly: Feb, May, Aug, Nov) - no report at this meeting.

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**Environmental Services (EVS):**

- Report (Quarterly: Jan, Apr, Jul, Oct) - no report at this meeting.

**Environment of Care (Facilities):**

- Report (Quarterly: Feb, May, Aug, Nov) - no report at this meeting.

**4(b) QAPI Indicator List**

- Report (as needed): no report at this meeting.

**4(c) PHF Status Report. Staff reported on the data for the number of acute and administrative days of patients at the PHF.**

- Patient Status (UR) Report (monthly) – no report at this meeting.

**4(d) Contract Monitoring Report:**

- Report (Quarterly: Feb, May, Aug, Nov) – no report at this meeting.

**4(e) Significant Areas/Key Events occurring at the PHF (monthly):**

Supervisor Williams arrived.

PHF Governing Board members Terri Maus-Nisich, Supervisor Das Williams, Polly Baldwin, Arlene Diaz, Van Do-Reynoso, and Janette Pell disclosed that each did not have a conflict of interest, or potential conflict of interest, in the MOU between Behavioral Wellness and the Sheriff's Office (Sheriff MOU) pursuant to California Government Code sections 1090 and subsequent sections, because the departments by which these members are employed are not directly involved with the Sheriff MOU. Supervisor Williams stated the Sheriff MOU may come before him at a Board of Supervisors meeting.

PHF Governing Board member Chief Vincent Wasilewski disclosed that he had, or potentially had, a conflict of interest in the Sheriff MOU because the department by which he is employed, the Sheriff's Office, is directly involved with the Sheriff MOU. Chief Wasilewski recused himself from Item 4.e. and stepped out of the room.

The PHF Governing Board took the following actions regarding the presence of Santa Barbara County Sheriff's Office staff at the PHF, as follows:

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- i) Received and filed a report by Dr. Gleghorn on the Centers for Medicare and Medicaid (CMS) and California Department of Public Health Audit Reports and Plan of Correction (CMS Audit) regarding Tasers at the PHF (Tag Nos. A043, A083, A115, and A144) (Exhibit 4.e.i);
  - ii) Approved and ratified the PHF Briefing Guidelines which define the roles of and guidelines for deputies who accompany inmates to the PHF (Exhibit 4.e.ii). Custody Commander, Ryan Sullivan, provided an overview of the PHF Briefing Guidelines. The PHF Governing Board directed staff to request that deputies who accompany inmates to the PHF obtain a PHF orientation by the Sheriff's Office in addition to the CIT and taser training that are currently included in the Briefing Guidelines;
  - iii) Reviewed and discussed Exhibit A to the Sheriff MOU regarding the PHF (Exhibit 4.e.iii). The PHF Governing Board directed staff to negotiate the terms of Exhibit A with the Sheriff's Office and add that PHF staff shall be able to obtain the CIT and Taser training records of the deputies who accompany inmates to the PHF. The PHF Governing Board directed staff to return to the October 23, 2019 regular meeting with a draft MOU;
  - iv) Directed staff to add a QAPI indicator for the Sheriff MOU and report compliance with the MOU to the PHF Governing Board quarterly; and
  - v) Authorized Chair Maus-Nisich to execute a letter to CMS which outlines the PHF Governing Board's actions taken regarding the presence of Santa Barbara County Sheriff's Office staff with Tasers at the PHF in response to Tag Nos. A043, A083, A115, and A144. (Exhibit A and Exhibit B).

#### **4(f) Process Improvement Projects (PIP)**

- Report (Quarterly: Jan, Apr, Jul, Oct) - No report at this meeting.

#### **4(g) PHF Patient Survey**

- Report (as needed) - No report at this meeting.

**Action:** Supervisor Williams made a motion to receive and file the report on the CMS Audit regarding Tag Nos. A043, A083, A115, ad A144 and the PHF Deputy Briefing Guidelines; to approve and ratify the Deputy Briefing Guidelines and direct staff to add that deputies who accompany inmates to the PHF receive a PHF Orientation from the Sheriff's Office; to direct staff to negotiate the terms presented in Exhibit A of the Sheriff MOU with the Sheriff's Office and add that the PHF staff shall be able to obtain the CIT and Taser training records of deputies who accompany inmates to the PHF, and return to the October 23, 2019 regular meeting with a draft MOU; to direct staff to add a QAPI indicator for the Sheriff MOU and report to the PHF Governing Board quarterly on compliance with the Sheriff MOU; to authorize Chair Maus-Nisich to execute and send a letter to CMS outlining the PHF Governing

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Board's actions taken regarding the presence of Sheriff's deputies with Tasers at the PHF in response to Tag Nos. A043, A083, A115, and A144. Ms. Do-Reynoso seconded. No abstentions. No objections. Chief Wasilewski was not present for Item 4(e). Motion carried.

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**5. Staff will provide a report on the following Compliance:** The PHF's Medical Practice Committee (MPC) has reviewed the credentials of the staff members identified below, and recommends that the PHF Governing Board accept the MPC's recommendation to credential and approve the medical staff's privileges at the PHF:

**Initial Privileging** - None at this meeting.

**Re-privileging Psychiatrist** - None at this meeting.

**Internist** – None at this meeting.

**Action:** No action.

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**6. Budget Development** - no report at this meeting.

**Action:** No action.

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**7. Policies and Procedures**

- **New Policies** – none at this meeting.
- **Revised Policies** – none at this meeting.
- **Rescinded** - none at this meeting.
- **Other** – none at this meeting.

**Action:** No action.

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**8. PHF Governing Board Administrative Items:**

- None at this meeting.

**Action:** No action

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**9. Review of Future Meeting Agenda Items:** not discussed.

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**10. Adjournment – Meeting adjourned at 12:00 pm. Next Meeting Date, September 25, 2019**

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

Alice Gleghorn, PhD  
Director

VIA FAX AND CERTIFIED MAIL

September 16, 2019

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

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

Dear Ms. Martinez:

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

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

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

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

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

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

Sincerely,



Terri Maus-Nisich  
Chair, PHF Governing Board

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



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

Alice Gleghorn, PhD  
Director

VIA FAX AND CERTIFIED MAIL

September 23, 2019

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

Re: SB County PHF (CCN: 154125)  
Medicare Recertification Survey 7/18/2019  
Draft Sheriff MOU

Dear Ms. Martinez:

I, as the Chair of the PHF Governing Board (Chair) submit this letter and its enclosure as a follow up to the September 16, 2019 letter to you. The prior letter was executed pursuant to the PHF Governing Board's authorization to address the actions it has taken regarding the presence of Santa Barbara County Sheriff's Office staff with Tasers at the PHF in response to Tag Nos. A043, A083, A115, and A144.

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

To the extent of the PHF Governing Board's authority, the draft Sheriff's MOU concerning the PHF, enclosed with this letter, represents its intent regarding the matters contained therein in further response to Tag 083. If the contents of the draft Sheriff's MOU concerning the PHF significantly change, the PHF Governing Board will direct PHF staff to notify you.

Sincerely,

Terri Maus-Nisich  
Chair, PHF Governing Board

**EXHIBIT A**  
**TO MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**BEHAVIORAL WELLNESS (BeWell) AND SHERIFF'S OFFICE**

**SECTION 1. PROGRAM DESCRIPTION.**

**A. PSYCHIATRIC HEALTH FACILITY SERVICES TO INMATES.**

1. Sheriff's Office shall identify inmates with possible psychiatric emergencies who might require involuntary psychiatric admission to the PHF pursuant to Welfare and Institutions Code (WIC) §5150 and contact the designated BeWell staff (hereafter "Crisis Services") to arrange for an assessment.
2. Crisis Services shall respond and provide emergency mental health evaluation 24 hours per day 7 days per week to inmates with possible psychiatric emergencies. For such inmates, Crisis Services will consult with the BeWell On-call Psychiatrist to review the inmate's condition and to determine the inmate's need for hospitalization, pursuant to WIC §5150.
3. For inmates needing hospitalization pursuant to WIC §5150, Crisis Services staff will contact PHF and facilitate transfer to the PHF if a bed is available at the time of assessment. In the event no beds are available, PHF will place a hold on a bed so that an inmate transfer can occur when a bed becomes available. PHF will notify Crisis Services once a PHF bed becomes available. Because inmates' needs for involuntary interventions change over time, Crisis Services will determine whether the inmate needs to be reassessed prior to transfer.
4. Sheriff's Office shall ensure each inmate is medically cleared and has a stable medical presentation appropriate for admission to a free standing psychiatric facility prior to transport to the PHF. Sheriff shall transport inmates needing psychiatric hospitalization per WIC §5150, as determined by BeWell, to the PHF. Sheriff staff will provide transportation for inmates in Jail custody to medical appointments or court appearances, at no additional cost.
5. PHF will provide acute psychiatric inpatient hospital services to inmates, including routine services and hospital-based ancillary services.
  - a. "Routine Services" means bed, board and all medical, nursing and other support services usually provided to a client by a psychiatric inpatient hospital. Routine services do not include hospital-based ancillary services or physician or psychologist services.
  - b. "Hospital-Based Ancillary Services" means services which are received by an individual admitted to a psychiatric inpatient hospital, other than routine services.

6. Inmates taken to the PHF from the Jail pursuant to Penal Code Section 4011.6 will have their continued need for placement at PHF reviewed daily by BeWell PHF treating Psychiatrist. Inmates transferred to PHF will be considered as being in Sheriff custody while under the treatment of BeWell and will not be allowed on any outings from PHF except for court or medical appointments.
7. When an inmate has been transferred to PHF associated with Welfare and Institutions Code, Section 5150 or PC 4011.6 Sheriff recognizes that these involuntary hospital holds may exceed the date of the inmate's Jail release date. When such is the case, Sheriff will not be fiscally, physically, or otherwise responsible for a person retained at PHF beyond the custody release date. Upon an inmate's release from custody, the accompanying deputy will leave the PHF.
8. An inmate at PHF, while in Sheriff custody, is not allowed to leave the PHF premises without the prior knowledge and consent of Sheriff except in cases of medical emergency.
9. While in Sheriff custody, a patient at PHF will remain in clothing that does not identify them as Jail inmates.
10. Absent special circumstances, inmates covered by the provisions of Penal Code Section 4011.6 will be evaluated by BeWell staff as designated by the Mental Health Director.
11. When an inmate is to be released from Sheriff custody, Sheriff will promptly notify PHF by faxing to the PHF Medical Records Clerk a copy of the "Notification of Release of Inmate from Sheriff's Custody" form [C001084 (8/97) (IR)]. The original form will be forwarded to Sheriff's Jail Accounting Office for reconciliation of monthly billings.
12. PHF will immediately notify Sheriff when patients in Sheriff custody walk-away or "AWOL" from the PHF Unit. Sheriff will also be notified of inmates needing to be transferred back to the Main Jail, and of any other incidents involving a patient in Sheriff custody which requires an incident report. PHF staff will cooperate with Jail staff in any walk-away or "AWOL" investigations, and/or other Jail investigations required to evaluate inmate incidents.

## **B. DEPUTIES ACCOMPANYING INMATES.**

1. In accordance with the Centers for Medicare & Medicaid Services Updated Guidance to Surveyors on Federal Requirements for Providing Services to Justice Involved Individuals (May 3, 2016), to maintain custody of a justice-involved individual, e.g., an individual currently in custody and held involuntarily by the Santa Barbara County Sheriff's Office ("SBSO") (hereinafter "Inmate"), SBSO personnel shall be physically present with an Inmate sent to the PHF at all times, when assigned, to supervise an inmate. Sheriff Deputies who accompany Inmates do so to prevent escape and to enforce the law (hereinafter "Accompanying Deputies").
2. Accompanying Deputies are not responsible for hospital security nor do they perform any other care or service to patients on behalf of the hospital. Their role

at the PHF is strictly one of law enforcement, not of patient care. PHF staff is responsible for an appropriate assessment of, and the provision of safe, appropriate care to, each Inmate. SBSO requires deputies to complete Crisis Intervention Training (CIT). SBSO warrants that deputies sent to the PHF have completed this training.

3. Sheriff's Office will provide a PHF Orientation to all deputies who accompany inmates to the PHF.
4. While on the PHF unit, Accompanying Deputies shall comply with the following protocols:
  - a. When reporting for duty at the PHF, the on-coming Accompanying Deputy will be briefed by the off-going Accompanying Deputy along with on-duty PHF staff concerning the Inmate's current status.
  - b. The briefing will include, but not be limited to:
    - i. The Inmate's behavior and demeanor over the previous shift;
    - ii. Noncompliance with rules and regulations of the PHF by the Inmate;
    - iii. Unusual or bizarre behavior exhibited by the Inmate;
    - iv. Any restrictions placed upon, or removed from, the Inmate by the PHF Physician; and
    - v. Any other pertinent information that might affect the Accompanying deputies law enforcement duties while at the PHF (i.e. bathroom out of order, unscheduled programming event, new or updated rules or procedures, etc.).
5. The Inmate is allowed all of the rights as other patients, unless restricted by a physician. This provision includes but is not limited to telephone calls, meals, visitation and the ability to move throughout the facility (while being accompanied by the Deputy). While at the PHF, only PHF physicians can restrict privileges or rights.
6. Accompanying Deputies shall communicate to PHF staff observations of unusual behavior or safety issues that may warrant intervention. Accompanying Deputies shall not place an Inmate in restraints or seclusion. If warranted, a PHF physician may order the restraint or seclusion of an Inmate.
7. Accompanying Deputies may carry oleoresin capsicum (OC) spray and a Taser if trained to utilize such tools. SBSO warrants that any Deputy assigned to accompany an inmate to the PHF has been trained in such tools. Firearms and batons are not permitted in the PHF.
8. In the event an Inmate starts to become agitated or aggressive, PHF staff shall first attempt to de-escalate the situation. The Accompanying Deputy shall not intervene between PHF staff and an Inmate unless the Inmate poses an imminent threat to the safety of another patient, visitor, or PHF staff.

9. The Accompanying Deputies shall keep their assigned Inmate within eyesight at all times and remain at a distance that allows for rapid intervention in an emergency. If a deputy must use the restroom or step away for a short period of time, they shall notify PHF staff prior to and upon returning to supervise the Inmate.
10. Accompanying Deputies shall follow all reasonable requests from PHF staff to maintain PHF unit safety and protect patients' rights. If time permits, and a question arises as to the reasonableness of a request by PHF staff, the Accompanying Deputy shall consult with their supervisor(s) for clarity. The SBSO supervisor and PHF leadership will communicate in the event of disagreement.
11. Sheriff's Office will provide to the PHF Clinical Director a current list of deputies who have received Taser and CIT training. In accordance with Penal Code section 832.7 and Government Code 6254.5(e), such list shall be treated as confidential and not considered a public record. The PHF Clinical Director will verify that any Accompanying Deputies are on the training list and will report such verification quarterly to the PHF Governing Board (hereafter, "PGB") as part of ongoing MOU compliance monitoring.

## **SECTION 2. FINANCIAL PROVISIONS.**

1. The PHF daily bed rate will be established by the BeWell Published Charges as approved by the Board of Supervisors. BeWell will notify Sheriff of proposed modifications to BeWell Published Charges that impact the PHF daily bed and will to the best of its ability, estimate the financial impact to the Sheriff of such changes to the PHF daily bed rate.
2. In order for twelve (12) months of actual costs to be posted by Journal Entry (JE) to the County's Financial Information System (FIN) before the end of any County fiscal year, services described in this MOU will consist of actual services delivered between, and including, the months of June through May of each Fiscal Year.
3. When Sheriff is fiscally responsible for PHF services, the following procedures will apply:
  - a. BeWell will bill Sheriff for actual total gross charges with appropriate back-up documentation that includes, but is not limited to: a listing of inmates referred, the date of admission to the PHF.
  - b. Sheriff accounting staff will review all billings and communicate any potential errors to BeWell accounting staff prior to processing payment. Should the account be audited, Sheriff and BeWell staff, through the journal entry process, will process any adjusting errors.
  - c. Actual charges for services will be billed on an annual basis through an online Auditor-Controller Journal Entry (JE) by the 15th day of the last month in which services are delivered in any fiscal year.

### **SECTION 3. DISPUTE RESOLUTION.**

Any dispute/disagreement between the two departments arising from this Exhibit of the MOU will first be addressed and resolved at the staff level between the appropriate departmental representatives. Issues not able to be resolved at the staff level will be escalated to the PHF CEO with subsequent reporting to the PGB.

### **SECTION 4. POINTS OF CONTACT.**

1. BeWell - The primary contacts for BeWell shall be the PHF Manager for any PHF related matters; the Crisis Services for any WIC §5150 or discharge related matters; or other BeWell staff as delegated by the BeWell Medical Director.
2. Sheriff - The Commander of the Jail, and in his/her absence, the Main Jail Administrative Lieutenant will serve as the primary contact.

### **SECTION 5. TERM.**

1. The term of this Exhibit A is effective upon execution of both Departments and shall continue in effect for subsequent fiscal years until terminated or amended.
2. The amounts in this MOU are informational only. The official annual fiscal year budget amounts for the services described in this MOU shall be represented by the Santa Barbara County budget development system "Service Change Request Forms" agreed to by both departments and made a part of the County Adopted Budget for each respective fiscal year.
3. Should either BeWell or Sheriff desire to revise or add any significant provisions to this MOU, such change will be made a part of this MOU by written amendment, approved in writing by both Department Heads and or the authorized representatives of both departments and approved by the PGB.
4. Both parties understand that this is not an exclusive MOU and that either party has the right to negotiate with and enter into contracts or agreements with others to provide and/or receive the same or similar services.
5. BeWell agrees not to assign nor transfer any of its obligations under this MOU without the prior written consent of Sheriff. Sheriff agrees not to assign nor transfer any of its obligations under this MOU without the prior written consent of BeWell .
6. If any one or more provisions contained in this MOU will for any reason be held to be invalid, illegal, or unenforceable in any respect, then such provision or provisions will be deemed severable from the remaining provisions herein, and such invalidity, illegality, or unenforceability will not affect any other provision herein.

THIS SECTION LEFT BLANK INTENTIONALLY