



**Agenda Item 5
February 3, 2016**

DATE: January 26, 2016

TO: Children and Families Commission of Orange County

FROM: Christina Altmayer, Executive Director 

SUBJECT: Proposed Intergovernmental Transfer (IGT) Transaction

ACTION: Adopt resolution authorizing agreements pursuant to an Intergovernmental Transfer (IGT) transaction with CalOptima

SUMMARY:

At the October 2015 meeting, the Children and Families Commission of Orange County authorized the Executive Director to pursue an Intergovernmental Transfer (IGT) transaction with CalOptima, as a strategy of leveraging federal funding to support investments in children's health. An IGT transaction provides federal Medicaid funding for reimbursement of uncompensated care for Medi-Cal beneficiaries in a given fiscal year. In December, the Commission received an update on IGT and provided direction to staff to continue discussions with CalOptima and eligible provider partners and return with a final plan in February 2016. The December item identified two outcomes as the priority for an IGT transaction:

- Improve rates of prenatal care and healthy birth outcomes through expansion/sustaining Bridges Maternal Child Health Network prenatal care services
- Improve early identification and intervention for young children with behavioral/developmental concerns and connect children to appropriate services.

This agenda item requests Commission approval of a proposed IGT transaction and associated financial and contractual actions. It is anticipated that the California Department of Health Care Services (DHCS) will contact CalOptima within the next two to three months with more information regarding the next IGT, including the maximum amount of federal funds available for Orange County. In the interim, CalOptima has requested that the Commission provide confirmation through formal Board action of intent to supply matching funds for an IGT transaction.

DISCUSSION:

Intergovernmental Transfers (IGT)

Since preliminary approval of the IGT concept at the October meeting, Commission staff has been working to evaluate the feasibility of a potential transaction, identify eligible transaction partners, and define associated terms and conditions to protect Commission funding, and maximize opportunities for leveraging the Commission's funding.

At CalOptima's request, the Commission submitted an initial letter of interest in November and a second letter in December confirming interest and stipulating certain conditions, including that revenue generated through the Commission's participation in an IGT transaction must achieve the following objectives:

- *Support sustainability for current Commission funded programs* - The Commission's priority is to help extend grants by an amount commensurate with the current level of Commission funding. Commission investment and returned match would be used to continue services for an extended period of time, offsetting the demand on Commission budget.
- *Expand systems of care beyond existing Commission funding capacity* - Leveraging federal funding provides an opportunity for the Commission to increase its planned catalytic investments. As the Commission plans for potential investments in children's mental and behavioral health, for example, an IGT transaction allows the Commission to increase the total available funding and the impact in the community.

Background and Eligibility

The proposed transaction, which is referred to as a rate range IGT, can only occur via a managed care organization, such as CalOptima. Rate range IGTs began statewide in 2006 and have been used by every county in the state to offset the cost of uncompensated care provided by county health departments, public hospitals and other local care providers. Due to California's relatively low reimbursement rates, counties have substantial headroom with which to accommodate these transactions. With rate range IGTs, a government entity provides non-federal matching funds that the state uses to obtain the highest reimbursement rate that is federally allowable. As a general guide, for every dollar provided as a match, about \$1.80 is returned to the originating county. The State of California charges a 20 percent administrative fee and a managed care organization tax on each transaction.

Participation in an IGT is limited to organizations on both the provider and financing side that meet the following eligibility criteria:

- *Agencies that have documented uncompensated cost of serving Medi-Cal members* - Since the basis for an IGT is reimbursement for the actual cost of care for services provided, a participating entity must be able to document uncompensated costs for a defined period, in this case fiscal year 2014/15.
- *Agencies that are CalOptima contracted providers* - The determination of uncompensated costs is limited to the difference between CalOptima's payment to providers for authorized benefits and the actual cost of care for these services. Agencies must show that the uncompensated care was for specific services to CalOptima members for which they were a contracted provider. Dental services, for example, are not currently within the managed care plan's scope of mandated benefits and are therefore not eligible for reimbursement under an IGT.
- *Financing to support the transaction must be provided by a government entity* - The local funds to support an IGT transaction financing must be public and cannot be federal funds or private provider donations. The Children and Families Commission is an eligible public entity; although, this would be the first time a First 5 Commission has supported such a transaction.

Based on this analysis, Commission staff identified two organizations that are currently Commission-funded partners that meet the eligibility criteria: MOMS Orange County and Children's Hospital of Orange County. Since the recipient of the leveraged funds must be a contracted CalOptima provider, any Commission-supported transaction will result in funding directly to CalOptima and to the grantee provider. Neither the principal funds that provided the basis for the federal drawdown, nor the match funds would return to the Commission directly. Under the proposed transaction, the Commission would work with the transaction partners to ensure that the principal and leveraged funds would be dedicated to agreed upon priorities for children prenatal through age five.

Targeted Outcomes for an IGT Transaction

At the December Commission meeting, staff recommended that a potential IGT transaction be done in partnership with two long-time Commission partners, MOMS Orange County and Children's Hospital of Orange County (CHOC), and address two priority outcomes:

1. *Improve rates of early prenatal care and birth outcomes* - Since 2001, the Commission has contracted with MOMS Orange County to provide early outreach, home visitation and supportive services to pregnant mothers for early prenatal care in order to promote healthy birth outcomes. The most recent Conditions of Children Report found that access to early prenatal care has continued to decline, with a current countywide average of 88 percent, but with significant ethnic and racial disparities. Annually, the Commission invests \$720,000 in MOMS to provide home visitation and care management services to approximately 840 pregnant women. As reported in December, MOMS program has evidence to support improvement in access to prenatal care, reducing preterm births, and promoting healthy birth weight. MOMS also receives reimbursement from CalOptima for services rendered to the plan's members. However, the cost of providing services to CalOptima members is not fully offset by these provider payments.
2. *Improve early identification and intervention for young children with behavioral/ developmental concerns and connect children to appropriate services* – The Commission has worked in partnership with Help Me Grow, a program of CHOC, and other agencies to expand access to developmental screening. Despite these efforts children throughout the county are not regularly being screened and increasing concerns are being raised about children's mental and behavioral health. The Commission's June Planning meeting prioritized the need for early developmental and mental health services for young children. Through Help Me Grow and CHOC, the Commission has an existing platform to expand access to these services. The second element of the IGT transaction would focus on:
 - Sustaining and expanding Help Me Grow to support increased behavioral/developmental screening for young children
 - Providing one-time funding to support increased availability and access to developmental and mental health services for young children.

CHOC, in partnership with multiple community-based organizations including, County of Orange Health Care Agency, CalOptima, Commission, and other nonprofits leads a task force to develop community-wide solutions to expand the county's capacity for early identification and intervention,

diagnosis, and treatment for children's behavioral and mental health needs. Given this recognized leadership role, as well as CHOC's commitment to create a system of mental health services for children, an IGT transaction in partnership with CHOC could expand the resources to support this objective.

Proposed Transaction

The proposed terms for an IGT transaction have been designed to protect and ensure that Commission funding is utilized consistent with the Commission's intent and IGT eligibility requirements. Attachment 1 presents the graphic of the proposed flow of funds from the Commission, to the State Department of Health Care Services (DHCS), and the return of funds to partner agencies. Attachment 2 presents the proposed details of the financial transaction and Attachment 3 presents the proposed terms and conditions for the IGT transaction with DHCS.

The transaction is based on the following assumptions and stipulations as outlined in Attachment 2:

- *Commission program and catalytic funding* – Staff recommends that the Commission provide \$6.269 million in financing to support an IGT transaction. This amount was determined by providing three years of annual funding for the existing Commission-funded partners, Help Me Grow and MOMS, as the basis for determining the Commission investment. Annual funding for Help Me Grow and MOMS is \$703,000 and \$720,000, respectively. Staff recommends that the principle for this portion of the IGT transaction be commensurate with the Commission's budgeted funding commitment for MOMS and Help Me Grow through fiscal year 2017/18, which is approximately \$2.16 million. Secondly, Commission staff recommends that \$2 million in unallocated catalytic funding be dedicated to support the expansion of a system of care for behavioral and mental health services for children.
- *Cost of uncompensated care* – The uncompensated care figure (i.e., the difference between MOMS' costs and what CalOptima reimburses), serves as the ceiling for how much CalOptima and the Commission can use as a local match for an IGT transaction in support of MOMS and/or CHOC. During fiscal year 2014/15 the amount of uncompensated care MOMS provided to CalOptima members was an estimated \$2.8 million. As the largest provider of Medi-Cal services for children in Orange County, CHOC rendered approximately \$38 million in uncompensated care to CalOptima members during fiscal year 2014/15. This significantly exceeds the Commission's capacity for an IGT transaction, but demonstrates the significance of CHOC's uncompensated care.
- *Return of leveraged funds* - As also shown in Attachment 2, the leveraged IGT funds, which CalOptima must pay directly to MOMS and CHOC for Help Me Grow, could extend Commission support for the program by another 2.4 years. Additionally, the Commission's investment in children's mental/behavioral health becomes \$3.6 million through leveraging. Due to the mechanics of the IGT process, as well as a federal prohibition on IGT side agreements, a single agreement signed by all the parties is not permissible. Therefore, the transaction will entail separate agreements between the Commission and DHCS; CalOptima and DHCS; and CalOptima with each of the Commission's selected providers.

Attachment 3 presents the proposed terms and conditions for the Commission's execution of two required agreements with DHCS:

1. *Agreement to transfer funds to DHCS to provide the local IGT financing* – Commission staff proposes to provide one time financing of \$6.269 million to support an IGT transaction. This financing represents \$2 million in catalytic funding and \$4.2 million in operating re-services. The proposed \$2 million will support expansion of a system of care for children’s mental health services and the \$4.2 million represents three-years of funding for current Commission programs for prenatal care (MOMS OC) and developmental screening (Help Me Grow/CHOC). This agreement will specifically identify that the principal and leveraged funding must be used to support children prenatal through age that are Medi-cal beneficiaries for programs as outlined above.
2. *Agreement to support the 20 percent transaction fee* – The State DHCS requires a 20 percent administrative fee applied to the entire amount of the nonfederal share of the IGT, i.e. Commission financing, to compensate for the State support of the transaction.

Impact on Long Term Financial Plan

Funding for the IGT transaction will come from both the Catalytic budget and fund balance reserves. One-time funding of \$2 million to support increased availability and access to developmental and mental health services for young children will be funded from the Round 2 Catalytic budget, Partnership for Children’s Health. This funding was specifically dedicated to provide match and leveraged funding and has a remaining balance of \$2.7 million. MOMS Orange County funding of \$2.16 million and Help Me Grow funding of \$2.11 million will be paid from fund balance reserved for future-year programs. This transaction will alleviate future year program demands of \$3.4 million.

STRATEGIC PLAN & FISCAL SUMMARY:

The recommended actions presented in this staff report have been reviewed in relation to the Commission’s Strategic Plan and are consistent with applicable goals. Total funding is \$6.269 million for a five year period. Funding is available in the Catalytic Budget and fund balance reserves.

PRIOR COMMISSION ACTIONS:

- June 2014 – Annual Planning Meeting, Sustainability Strategies
- October 2015 – Authorized the Executive Director to pursue a potential Intergovernmental Transfer (IGT) transaction with CalOptima on behalf of community partners and return at the December 2015 meeting with a proposed plan and terms and conditions for Commission approval.
- December 2015 – Receive update on proposed Intergovernmental Transfer (IGT) transaction with CalOptima and provide direction to staff

RECOMMENDED ACTIONS:

1. Authorize \$2 million in Round 2 catalytic funds, under Partnership for Children’s Health, and \$4.269 in operating reserves to support an IGT transaction with CalOptima.
2. Adopt resolution authorizing an agreement with State Department of Health Care Services for transfer of Commission funding of \$6.269 million for purposes of providing the nonfederal

share for an IGT for the rate year of July 1, 2014 through June 30, 2015 for the purposes of expanding prenatal and mental/behavioral health systems for children prenatal through age five consistent with terms and conditions identified in Attachment 3.

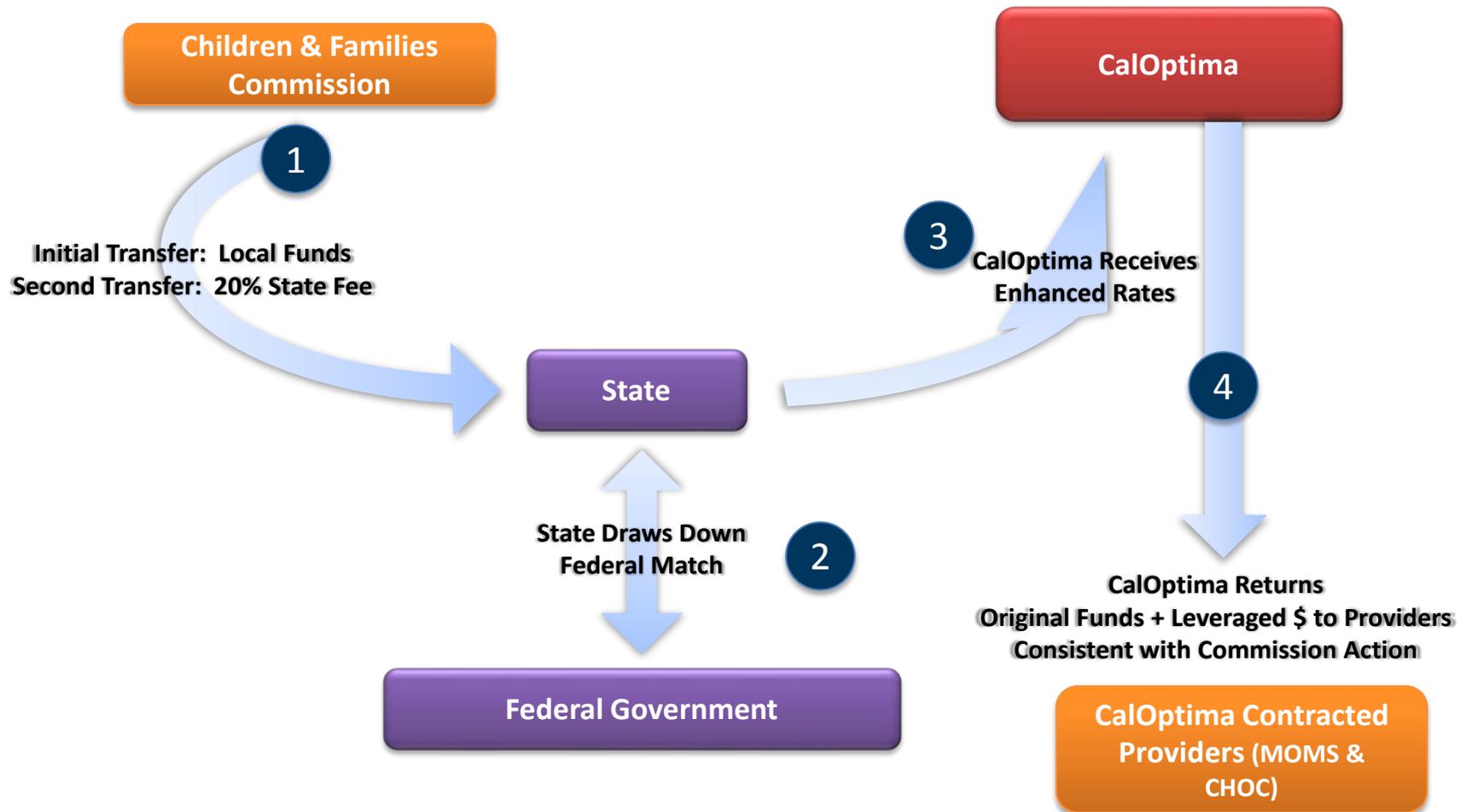
3. Adopt resolution authorizing an agreement with State Department of Health Care Services to impose a 20-percent fee on the Commission funds (nonfederal share) for the purposes of supporting the IGT transaction.

ATTACHMENTS:

1. Intergovernmental Transfer (IGT) Transaction Flow
2. Intergovernmental Transfer (IGT) Transaction Funding Assumptions
3. Proposed Agreement with State Department of Health Care Services for IGT Transaction Terms and Conditions
4. Resolution: California Department of Health Care Services – Intergovernmental Agreement Transfer of Public Funds
5. Resolution: California Department of Health Care Services – Intergovernmental Assessment

Contact: Christina Altmayer

Intergovernmental Transfer (IGT) Transaction Flow



Provider/ Grantee	Total Uncompensated Care, FY 14-15	Annual Commission Support	Commission Match Financing		Commission Investment	Leveraged Funds (Federal Medicaid less 20% fee)	Funds Received by CalOptima via Plan Rates	Funds to be Paid to Providers by CalOptima	Use of Provider Funds
			Operating Budget	Catalytic Budget					
[A]	[B]	[C]	[D]	[E]	[F]	[G]	[H]=F+G	[I]	
CHOC									
Help Me Grow	N/A	\$ 703,000	\$ 2,109,000	\$ -	\$ 2,109,000	\$ 1,687,200	\$ 3,796,200	\$ 3,796,200	Funds HMG for 5.4 years extending Commission funding an additional 2.4 years
Mental Health	N/A	\$ -	\$ -	\$ 2,000,000.0	\$ 2,000,000	\$ 1,600,000	\$ 3,600,000	\$ 3,600,000	Hospital beds, prevention services, provider training (\$2M for services to children 0-5y; \$1.2M to build system for all children)
CHOC Total	\$ 37,931,211	\$ 703,000	\$ 2,109,000	\$ 2,000,000	\$ 4,109,000	\$ 3,287,200	\$ 7,396,200	\$ 7,396,200	
MOMS OC									
	2,792,140	\$ 720,000	\$ 2,160,000	\$ -	\$ 2,160,000	\$ 1,728,000	\$ 3,888,000	\$ 3,888,000	Funds MOMS prenatal and infant services for 5.4 years, extending Commission funding an additional 2.4 years
Grand Total	\$ 40,723,351	\$ 1,423,000	\$ 4,269,000	\$ 2,000,000	\$ 6,269,000	\$ 5,015,200	\$ 11,284,200	\$ 11,284,200	

Column Notes

[B] Reflects CHOC's total uncompensated care for medical services for CalOptima members, including inpatient/outpatient.

[D,E] Represents Commission's encumbered amount for each provider, by funding category, while [F] is the total program investment

[G] Assumes 1:1 Federal match and 20% State assessment fee of approximately \$1.25 million

[I] Initial Commission investment + net ROI

**Proposed Agreement with State Department of Health Care Services for IGT Transaction
Terms and Conditions**

IGT Transaction Description	The proposed IGT is a drawdown of federal funds to reimburse local providers for uncompensated care rendered to Medi-Cal beneficiaries in a community. As background, the federal government provides a rate range for Medi-Cal services, but the actual reimbursement rates within this range that providers will receive are set at the state level. This difference between the federal and state rates represents the amount of available federal reimbursement that counties can claim for uncompensated care provided to Medi-Cal beneficiaries. This process, which is referred to as a rate range IGT, can only occur via a managed care organization, such as CalOptima. Only public entities can provide the financing to support an IGT and only contracted Cal-Optima Medi-Cal providers can be the recipients of leveraged funds.
Objective	The proposed contract with State Department of Health Care Services (DHCS) will authorize staff to execute an agreement to provide the local financing required for an IGT transaction. This transaction will: <ul style="list-style-type: none"> • Support sustainability for current Commission funded programs (Help Me Grow and MOMS Orange County) • Expand the systems of care for children’s behavioral and mental health services beyond existing Commission funding capacity. This will allow the Commission to leverage federal funding at a rate of .80 for every dollar invested through the financing.
Commission Funding Contribution	\$6,269,000 <ul style="list-style-type: none"> • \$2,000,000 in Round 2 Catalytic Funding (Partnership for Children’s Health) • 4,269,000 in future year operating reserves
IGT Participants and Role	The proposed transaction includes three major participants: <ul style="list-style-type: none"> • Commission – As an eligible public entity, the Commission can provide the financing to support an IGT transaction. • CalOptima – CalOptima as the State-contracted Medi-Cal managed care organization is the entity that receives the leveraged dollars as part of its role of managing health care services for Medi-Cal beneficiaries in Orange County. • Service Providers – This transaction includes Children’s Hospital of Orange County and MOMS OC as the contracted CalOptima service providers who have provided uncompensated care to Medi-Cal beneficiaries and are being reimbursed for the federal share of this uncompensated share. This reimbursement will then be reinvested in their services to the Medi-Cal population.
Implementing Contractual Actions	Commission staff requests authority to enter into two agreements with DHCS: 1. Authorize Commission financing of \$6.269 million for an IGT transaction on behalf of CHOC and MOMS; and 2. Authorize the Commission to pay a 20% transaction administrative fee.
Conditions of Funding	<ul style="list-style-type: none"> • The agreement between the Commission and State DHCS defines that all funds received through this transaction must be transmitted consistent with the Commission’s intent to support expansion of prenatal services and behavioral and mental health services, consistent with the Commission’s intent. • CalOptima enters into agreements with MOMS and CHOC for distribution of the principal and leveraged funds consistent with the allocations in Attachment 2. • MOMS and CHOC each enter into programmatic agreements with the Commission related to fund leveraging and collaborative planning.
Ongoing Monitoring and Evaluation	Commission would continue to provide program and service level monitoring. CHOC and MOMS Orange County would continue to be required to provide service and outcome data consistent with current agreements. Annual report would be provided to the Commission and CalOptima detailing the services and outcomes from Commission investment and leveraged funds.

CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY

RESOLUTION NO. ___-15-C&FC

February 3, 2016

RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR AND COMMISSION COUNSEL TO PREPARE AND NEGOTIATE AGREEMENT WITH CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES FOR THE NON-FEDERAL SHARE OF AN INTERGOVERNMENTAL TRANSFER (IGT) TRANSACTION TO EXPAND PRENATAL AND MENTAL/BEHAVIORAL HEALTH SYSTEMS FOR CHILDREN PRENATAL THROUGH AGE FIVE AND AUTHORIZING APPROVAL AND EXECUTION OF SUCH AGREEMENT ON BEHALF OF THE COMMISSION

WHEREAS, in order to facilitate the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development, the legislature adopted legislation set forth in the California Children and Families Act of 1998, Health and Safety Code Section 130100, *et seq.* (as amended, the “Act”) implementing the Children and Families First Initiative passed by the California electorate in November, 1998 and establishing the California Children and Families Commission and County Children and Families Commissions, including this Children and Families Commission of Orange County (“Commission”); and

WHEREAS, Commission adopted its Strategic Plan to define how funds authorized under the Act and allocated to the Commission should best be used to meet the critical needs of Orange County’s children prenatal to five years of age as codified in the Act; and

WHEREAS, the Commission desires to enter an Agreement (“Agreement”) with California Department of Health Care Services (DHCS), hereinafter referred to as “Contractor”, the non-federal share of actuarially share of an Intergovernmental Transfer (IGT) transaction to expand prenatal and mental/behavioral health systems for children prenatal through age five for the terms and in the amounts as specified in the February 3, 2016 staff report; and

WHEREAS, Contractor desires to enter into the Agreement with Contractor in furtherance of the purposes of the Act and the Strategic Plan on the terms and conditions set forth in the applicable Agreement; and

WHEREAS, Commission has reviewed the staff report for the February 3, 2016 Commission meeting relating to the purpose provided and hereby finds and determines that the proposed Agreement is in furtherance of and consistent with the Commission’s Strategic Plan; and

WHEREAS, Commission desires to authorize the Commission Chair and Commission Clerk to execute the Agreement with the Contractor in the amount and for the terms as specified in the February 3, 2016 staff report for this Agenda Item;

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY AS FOLLOWS:

Section 1 Commission finds and determines the foregoing Recitals are true and correct and are a substantive part of this Resolution.

Section 2 Commission authorizes the Executive Director, or designee, and Commission Counsel to prepare and negotiate the Agreement with the Contractor as described in the February 3, 2016 staff report for this Agenda Item for the non-federal share of an IGT to expand prenatal and mental/behavioral health systems for children prenatal through age five for the terms consistent with the February 3, 2016 staff report and scope of services referenced therein.

Section 3 Commission hereby approves the Agreement with Contractor as described in the February 3, 2016 staff report for this Agenda Item for the non-federal share of an IGT to expand prenatal and mental/behavioral health systems for children prenatal through age five in the amounts and for the terms as specified in the February 3, 2016 staff report for this Agenda Item.

Section 4 The Commission Chair and the Clerk of the Commission are hereby authorized to execute and attest, respectively, the Agreement on behalf of the Commission.

Section 5 A copy of the Agreement when executed by the Commission Chair and attested by the Clerk of the Commission shall be appended hereto as a part of Exhibit A to this Resolution. Exhibit A is hereby fully incorporated as a part of this Resolution by this reference and made a part hereof. The final executed Agreement shall be placed on file in the office of the Clerk of the Commission.

Section 6 In addition to the authorization of Section 2 above, the Executive Director, or designee, is hereby authorized, on behalf of the Commission, (i) to sign all documents necessary and appropriate to carry out and implement the Agreement(s), (ii) to cause the issuance of warrants, (iii) to administer the Commission's obligations, responsibilities, and duties to be performed under such agreement(s), and (iv) during the term thereof to provide waivers, administrative interpretations, and minor modifications of the provisions of such agreement(s) in the furtherance thereof.

Section 7 The Clerk of the Commission shall certify to the adoption of this Resolution.

The foregoing resolution was passed and adopted by the following vote of the Children and Families Commission of Orange County on February 3, 2016 to wit:

AYES Commissioners: _____

NOES Commissioner(s): _____

EXCUSED Commissioner(s): _____

ABSTAINED Commissioner(s): _____

CHAIR

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, ROBIN STIELER, Clerk of the Commission of Orange County, California, hereby certify that a copy of this document has been delivered to the Chair of the Commission and that the above and foregoing Resolution was duly and regularly adopted by the Children and Families Commission of Orange County.

IN WITNESS WHEREOF, I have hereto set my hand and seal.

ROBIN STIELER
Interim Clerk of the Commission, Children and Families Commission
of Orange County, County of Orange, State of California

Resolution No: __-15-C&FC

Agenda Date: February 3, 2016

Item No. __



I certify that the foregoing is a true and correct copy of the Resolution adopted by the

ROBIN STIELER, Clerk of the Commission

By: _____
Deputy

EXHIBIT A TO RESOLUTION OF COMMISSION

(Attach copy(ies) of final executed Agreement)

CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY

RESOLUTION NO. ___-15-C&FC

February 3, 2016

RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR AND COMMISSION COUNSEL TO PREPARE AND NEGOTIATE AGREEMENT WITH CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES(DHCS) FOR DHCS' TRANSACTION FEE ON THE COMMISSION FUNDS (NONFEDERAL SHARE) TO SUPPORT THE INTERGOVERNMENTAL TRANSFER (IGT) TRANSACTION AND AUTHORIZING APPROVAL AND EXECUTION OF SUCH AGREEMENT ON BEHALF OF THE COMMISSION

WHEREAS, in order to facilitate the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development, the legislature adopted legislation set forth in the California Children and Families Act of 1998, Health and Safety Code Section 130100, *et seq.* (as amended, the "Act") implementing the Children and Families First Initiative passed by the California electorate in November, 1998 and establishing the California Children and Families Commission and County Children and Families Commissions, including this Children and Families Commission of Orange County ("Commission"); and

WHEREAS, Commission adopted its Strategic Plan to define how funds authorized under the Act and allocated to the Commission should best be used to meet the critical needs of Orange County's children prenatal to five years of age as codified in the Act; and

WHEREAS, the Commission desires to enter an Agreement ("Agreement") with California Department of Health Care Services (DHCS), hereinafter referred to as "Contractor", for DHCS' transaction fee on the Commission funds (nonfederal share) to support the intergovernmental transfer transaction (IGT) in the amounts and for the terms as specified in the February 3, 2016 staff report; and

WHEREAS, Contractor desires to enter into the Agreement with Contractor in furtherance of the purposes of the Act and the Strategic Plan on the terms and conditions set forth in the applicable Agreement; and

WHEREAS, Commission has reviewed the staff report for the February 3, 2016 Commission meeting relating to the purpose provided and hereby finds and determines that the proposed Agreement is in furtherance of and consistent with the Commission's Strategic Plan; and

WHEREAS, Commission desires to authorize the Commission Chair and Commission Clerk to execute the Agreement with the Contractor in the amount and for the terms as specified in the February 3, 2016 staff report for this Agenda Item;

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY AS FOLLOWS:

Section 1 Commission finds and determines the foregoing Recitals are true and correct and are a substantive part of this Resolution.

Section 2 Commission authorizes the Executive Director, or designee, and Commission Counsel to prepare and negotiate the Agreement with the Contractor as described in the February 3, 2016 staff report for this Agenda Item for DHCS' transactions fees on the Commission funds (nonfederal share) to support the (IGT) in the amount and for the terms consistent with the February 3, 2016 staff report and scope of services referenced therein.

Section 3 Commission hereby approves the Agreement with Contractor as described in the February 3, 2016 staff report for this Agenda Item DHCS' transaction fee on the Commission funds (nonfederal share) to support the (IGT) in the amount and for the terms as specified in the February 3, 2016 staff report for this Agenda Item.

Section 4 The Commission Chair and the Clerk of the Commission are hereby authorized to execute and attest, respectively, the Agreement on behalf of the Commission.

Section 5 A copy of the Agreement when executed by the Commission Chair and attested by the Clerk of the Commission shall be appended hereto as a part of Exhibit A to this Resolution. Exhibit A is hereby fully incorporated as a part of this Resolution by this reference and made a part hereof. The final executed Agreement shall be placed on file in the office of the Clerk of the Commission.

Section 6 In addition to the authorization of Section 2 above, the Executive Director, or designee, is hereby authorized, on behalf of the Commission, (i) to sign all documents necessary and appropriate to carry out and implement the Agreement(s), (ii) to cause the issuance of warrants, (iii) to administer the Commission's obligations, responsibilities, and duties to be performed under such agreement(s), and (iv) during the term thereof to provide waivers, administrative interpretations, and minor modifications of the provisions of such agreement(s) in the furtherance thereof.

Section 7 The Clerk of the Commission shall certify to the adoption of this Resolution.

The foregoing resolution was passed and adopted by the following vote of the Children and Families Commission of Orange County on February 3, 2016 to wit:

AYES Commissioners: _____

NOES Commissioner(s): _____

EXCUSED Commissioner(s): _____

ABSTAINED Commissioner(s): _____

CHAIR

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, ROBIN STIELER, Clerk of the Commission of Orange County, California, hereby certify that a copy of this document has been delivered to the Chair of the Commission and that the above and foregoing Resolution was duly and regularly adopted by the Children and Families Commission of Orange County.

IN WITNESS WHEREOF, I have hereto set my hand and seal.

ROBIN STIELER
Interim Clerk of the Commission, Children and Families Commission
of Orange County, County of Orange, State of California

Resolution No: __-15-C&FC

Agenda Date: February 3, 2016

Item No. __



I certify that the foregoing is a true and correct copy of the Resolution adopted by the

ROBIN STIELER, Clerk of the Commission

By: _____
Deputy

EXHIBIT A TO RESOLUTION OF COMMISSION

(Attach copy(ies) of final executed Agreement)