



**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA REQUEST**

TO: Board of County Commissioners
Mark McCauley, County Administrator

FROM: Apple Martine, Public Health Director
Anna McEnery, DD & BH County Coordinator

DATE: February 26, 2024

SUBJECT: Agenda Item – a Memorandum of Understanding Agreement with Jefferson County Superior Court and the Jefferson County District Court; January 1, 2024 – December 31, 2024; \$200,000.00

STATEMENT OF ISSUE:

Jefferson County Public Health, as the fund manager of the 1/10th of 1% Behavioral Health Sales Tax Funds, is requesting Board approval of a Memorandum of Understanding Agreement with the Jefferson County Superior Court and the Jefferson County District Court; for Therapeutic Court Case Management and other services for individuals affected by substance abuse, chemical dependency and mental health issues; January 1, 2024 – December 31, 2024; \$200,000.00 in 2024.

ANALYSIS/STRATEGIC GOALS/PROS and CONS:

This Memorandum of Understanding, is with the Jefferson County Superior Court and the Jefferson County District Court; for Therapeutic Court Case Management and other services for Jefferson County citizens with co-occurring disorders, seeking mental health, substance abuse and chemical dependency treatment; in the Behavioral Health Court, Drug Court and Family Therapeutic Court.

This Memorandum of Understanding Agreement, is recommended by the Behavioral Health Advisory Committee.

FISCAL IMPACT/COST BENEFIT ANALYSIS:

This is sales tax revenue raised by Jefferson County in the 1/10th of 1% Behavioral Health Sales Tax Fund; is allocated by the Board of County Commissioners with advice from the Behavioral Health Advisory Committee.

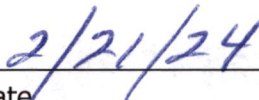
The Memorandum of Understanding states if the sales tax revenue decreases, the Courts will be contacted and the agreement may be renegotiated.

RECOMMENDATION:

Jefferson County Public Health, as the fund manager of the 1/10th of 1% Behavioral Health Sales Tax Funds, is requesting Board approval of a Memorandum of Understanding Agreement with the Jefferson County Superior Court and the Jefferson County District Court; January 1, 2024 – December 31, 2024; \$200,000.00 in 2024.

REVIEWED BY:


Mark McCauley, County Administrator


Date

CONTRACT REVIEW FORM

(INSTRUCTIONS ARE ON THE NEXT PAGE)

Clear Form

CONTRACT WITH: Superior Court & District Court

Contract No: AD-24-009

Contract For: Therapeutic Courts

Term: January 1, 2024 to December 31, 2024

COUNTY DEPARTMENT: Public Health

Contact Person: Anna Mc Enery

Contact Phone: 360-385-9410

Contact email: amcenery@co.jefferson.wa.us

AMOUNT: \$200,000.00

Revenue: \$200,000.00

Expenditure:

Matching Funds Required:

Sources(s) of Matching Funds

Fund # #131

Munis Org/Obj 13156400

PROCESS:

- ☐ Exempt from Bid Process
- ☐ Cooperative Purchase
- ☐ Competitive Sealed Bid
- ☐ Small Works Roster
- ☐ Vendor List Bid
- ☒ RFP or RFQ
- ☐ Other:

APPROVAL STEPS:

STEP 1: DEPARTMENT CERTIFIES COMPLIANCE WITH JCC 3.35.080 AND CHAPTER 42.23 RCW.

CERTIFIED: ☒

N/A: ☐

Signature

Feb. 2, 2024

Date

STEP 2: DEPARTMENT CERTIFIES THE PERSON PROPOSED FOR CONTRACTING WITH THE COUNTY (CONTRACTOR) HAS NOT BEEN DEBARRED BY ANY FEDERAL, STATE, OR LOCAL AGENCY.

CERTIFIED: ☐

N/A: ☒

Signature

Feb. 2, 2024

Date

STEP 3: RISK MANAGEMENT REVIEW (will be added electronically through Laserfiche):

Electronically approved by Risk Management on 2/6/2024.

STEP 4: PROSECUTING ATTORNEY REVIEW (will be added electronically through Laserfiche):

Electronically approved as to form by PAO on 2/7/2024.
Iternal County MOU.

STEP 5: DEPARTMENT MAKES REVISIONS & RESUBMITS TO RISK MANAGEMENT AND PROSECUTING ATTORNEY(IF REQUIRED).

STEP 6: CONTRACTOR SIGNS

STEP 7: SUBMIT TO BOCC FOR APPROVAL

MEMORANDUM OF UNDERSTANDING
Between
Jefferson County Superior Court & Jefferson County District Court
and
Jefferson County Board of County Commissioners as Administrator of
1/10th of 1% Behavioral Health Sales Tax Fund – 2024

WHEREAS, this Memorandum of Understanding (MOU) is between Jefferson County Superior Court and Jefferson County District Court (Courts) and the Jefferson County Board of County Commissioners (County) which administers the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); through Jefferson County Public Health; and

WHEREAS, this Memorandum of Understanding describes the mutually-agreed conditions under which 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); is being allocated to Jefferson County Superior Court & Jefferson County District Court for the Therapeutic Court's Coordinator/Case Manager and other needed services for individuals affected by substance abuse, chemical dependency and mental health issues; and

WHEREAS, the Jefferson County Behavioral Health Advisory Committee voted to recommend the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); be allocated for Therapeutic Court Case Management and other services in 2024 as follows; **\$200,000 in 2024, for Behavioral Health Court, Drug Court & Family Therapeutic Court Coordinator/Case Manager and other needed services** in Jefferson County Superior Court and Jefferson County District Court; and

WHEREAS, the Board of County Commissioners approved a 2024 County Budget that allocates funding from the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); the consistent with the Jefferson County Behavioral Health Advisory Committee's recommendations; and

WHEREAS, the Jefferson County Superior Court and Jefferson County District Court will administer the contracts and expenditures to provide the Therapeutic Court's Coordinator/Case Manager and other needed services pursuant to this MOU from January 1, 2024 to December 31, 2024; and

WHEREAS, Work performed between January 1, 2024 the execution of this Agreement that is consistent with the provisions of this Agreement is hereby ratified; and

WHEREAS, all funds from the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); may only be used for their intended purpose within that budget year; and any unexpended funds remaining at the end of a budget year must be retained in the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); fund balance, to be available for allocation for eligible services in future years; and

WHEREAS, Jefferson County Superior Court & Jefferson County District Court agrees to regularly report deliverables and metrics to Jefferson County through the Jefferson County Public Health as specified under this MOU as a condition of receiving, 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); and to facilitate overall management of the Fund;

NOW, THEREFORE, it is mutually agreed that:

1. The County, as administrator of the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); Superior Court and District Court mutually agrees for the Courts to provide Therapeutic Court's Coordinator/Case Manager and other needed services to individuals enrolled in **Behavioral Health Court, Drug Court & Family Therapeutic Court**, in Jefferson County Superior & Jefferson County District Courts, as described in this MOU.

Including **EXHIBIT, A: Scope of Work: Behavioral Health Court, Drug Court & Family Therapeutic Court** and **EXHIBIT B and EXHIBIT B-1, B-2: Therapeutic Courts Logic Model and Performance Measures** and **EXHIBIT C: Jefferson County, 1/10th of 1% Behavioral Health Sales Tax: (Fund 131) Spreadsheet** attached hereto and incorporated herein.

2. Funding from the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); to the Superior Court and District Court for the services pursuant to this MOU; **\$200,000 in 2024**; as described in the following **Budget Table**; subject to modification pursuant to Section 8 of this MOU.
3. Jefferson County Superior Court & Jefferson County District Court will use the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); for all participants enrolled in **Behavioral Health Court, Drug Court and Family Therapeutic Court**. Services include case management, court time, administrative duties, therapeutic court team staffing, treatment supervision and client support, (e.g. housing, urine analyses, Court incentives, out of custody assessments, in custody assessments, training, and alternative to jail) for participants; per the following **Budget Tables**;

Description	Service Period	Amount from Fund 131
<u>Therapeutic Court Case Management and Other Services Budget:</u>	1/1/2024 – 12/31/2024	
Case Management - Staff		\$140,000
Transportation		\$1,000
UA Test Standard		\$3,000
Incentives*		\$2,000
Housing Vouchers		\$30,000
Jail Alternatives		\$3,000
Technology		\$4,750
Training and Travel		\$6,500
In Custody drug/alcohol Eval		\$1,750
Admin Costs		\$6,000
Emergency Funds		\$1,500
Education Costs		\$500
Total Budget		\$200,000

**Incentives for Therapeutic Courts could include but is not limited to; clothing vouchers from Goodwill or uniform stores, grocery store gift cards, gas cards, work supplies and equipment, bicycles and other transportation assistance.*

4. Funding approved pursuant to this MOU will be included in the 2024 expenditure appropriation budgets of Jefferson County Superior Court and Jefferson County District Court. In addition, a quarterly transfer from the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); for a total equal to the amount expended during the YTD period minus previous expenditure reimbursements from this award not to exceed the authorized annual amounts stated in the Tables on page two and three, will be made to the Jefferson County Superior Court and Jefferson County District Court revenue budget upon timely submittal of required reports. Funds provided pursuant to this MOU will be tracked separately by the Courts and may only be used for its intended purpose within that budget year. At the end of each budget year, if documented actual authorized expenditures pursuant to this MOU services related to/for the Therapeutic Courts are less than the authorized budgeted amount, the difference will be transferred back to the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); Jefferson County Superior Court & Jefferson County District Court will not exceed the amount provided by the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); without obtaining an appropriation.
5. Funding provided by the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); will be used to monitor participant compliance and as well as help participants improve psychiatric symptoms and functioning, reduce substance use, reduce hospitalizations, increase housing stability, reduce arrests, and improve quality of life. Funding will be used to assist participants with the above areas. Funding listed in the **Budget Table** on page two and three are approximations for each line item, and may be shared between the descriptions, with budget updates given to Public Health.
6. Jefferson County Superior Court and Jefferson County District Court will use the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); Spreadsheet; see **EXHIBIT C - Jefferson County, 1/10th of 1% Behavioral Health Sales Tax; (Fund 131) Spreadsheet** for actual paid monthly expenses that have incurred.
7. Provide monthly financial reports per **EXHIBIT C - Jefferson County, 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); Spreadsheet** for actual paid monthly expenses that have incurred and *email them quarterly* to the Auditor's Chief Accountant and to Public Health.
8. Jefferson County Superior Court, Jefferson County District Court and any Contractors it may use to provide services with the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); shall comply with the following:

ATTACHMENT A - Jefferson County 1/10th of 1% Behavioral Health Sales Tax Match Policy.

- a. The County reserves first right to use as match the 1/10th of 1% Behavioral Health Sales Tax, (Fund 131), and the services funded by them for purposes of qualifying for additional funding and grants. The County may allow the Contractor to use the 1/10th of 1% Behavioral Health Sales Tax funds as match, at the County's sole discretion. Should the County decline to use the 1/10th of 1% Behavioral Health Sales Tax funds as match for additional funding and/or grants, then the County may authorize the Contractor to use such funds for match consistent with this MOU; as required by **ATTACHMENT A - Jefferson County 1/10th of 1% Behavioral Health Sales Tax Funding Match Policy.**

- b. Where the Courts or its Contractors proposes to use 1/10th of 1% Behavioral Health Sales Tax funds for match, the Courts or its Contractors shall be solely responsible for compliance with all state and federal laws and regulations, including but not limited to DSHS, CMS and DBHR funding rules, applicable to the use of 1/10th of 1% Behavioral Health Sales Tax funds as match.
 - c. The Contractors shall document it has met this responsibility by submitting in writing to the Jefferson County Superior Court, Jefferson County District Court and County Administrator their match formula, allocation plan and any other documentation required of them by **ATTACHMENT A - Jefferson County 1/10th of 1% Behavioral Health Sales Tax Funding Match Policy**. The County may withhold authorization to utilize the 1/10th of 1% Behavioral Health Sales Tax as match. The Court's or its Contractor's failure to provide adequate documentation does not relieve the Courts or its Contractors of their responsibility to comply with all state and federal laws and regulations related to match.
9. This MOU may be amended by mutual written agreement of both parties. The basis for amending this agreement includes, but is not limited to, an increase or decrease in sales tax funding, or addition of required tasks not addressed in this agreement.
10. This MOU shall remain in effect from January 1, 2024 until December 31, 2024 unless terminated before then by either party with 30 days' prior written notice, except that the requirements to provide financial and program reports and other documentation required pursuant to **EXHIBIT A, EXHIBIT B, EXHIBIT B-1, B-2, EXHIBIT C** and **ATTACHMENT A** shall remain in effect until fulfilled. All work performed in 2024 consistent with this MOU prior to its adoption is hereby ratified.

SIGNATURES ON NEXT PAGE

DATED this _____ day of _____, 2024.

JEFFERSON COUNTY WASHINGTON

Board of County Commissioners
Jefferson County, Washington

By: _____
Kate Dean, Chair Date

By: _____
Greg Brotherton, Commissioner Date

By: _____
Heidi Eisenhour, Commissioner Date

SEAL:

ATTEST:

Carolyn Gallaway, Date
Clerk of the Board

Approved as to form only:

 _____
February 7, 2024

Philip C. Hunsucker, Date
Chief Civil Deputy Prosecuting Attorney

JEFFERSON COUNTY SUPERIOR COURT

By:  _____
Brandon Mack, Presiding Judge

Date: _____

JEFFERSON COUNTY DISTRICT COURT

By:  _____
Mindy Walker, Presiding Judge

Date: Feb. 15, 2024

EXHIBIT A

Scope of Work: Behavioral Health Court, Drug Court, Family Therapeutic Court

Jefferson County Superior Court and Jefferson County District Court agrees to utilize the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); provided through this MOU to provide the following services and provide tracking reports as follows:

1. Provide for and supervise case management services for all citizens enrolled in **Behavioral Health Court, Drug Court and Family Therapeutic Court.**
 - a) At a minimum, case management shall include:
 - Prepare and maintain files or a data base on enrollees to track and document their attendance and participation in the therapeutic court, the enrollee's treatment plan, their progress in following the treatment plan, and their progress toward graduation from the therapeutic court.
 - Communicate with enrollees outside of court as necessary to answer questions, steer enrollees to appropriate resources, and provide guidance to help them comply with their treatment plans.
 - Coordinate the scheduling and participation of, and communication between, all representatives of agencies that are part of each Therapeutic Court, such as the Judge/Commissioner, Prosecutor, County Clerk, Public Defenders, and Treatment Providers.
 - Provide administrative support for the smooth functioning of the Therapeutic Courts as may be required by Superior Court and District Court.
 - Collect and share statistics and data as may be required for the administration of the Therapeutic Courts and for reporting purposes.
 - **EXHIBIT B, EXHIBIT B-1, B-2: The Behavioral Health Court, Drug Court and Family Therapeutic Court Logic Model and Performance Measures** are attached hereto and incorporated herein.
2. Adults charged in Jefferson County for criminal activity whose criminal behavior is related to, or affected by, substance use disorder and/or a mental health diagnosis may be eligible to participate in Behavioral Health Court, Drug Court and Family Therapeutic Court, which is a minimum 18 month or longer voluntary program that promotes treatment and accountability. At a minimum participants are required to comply with law abiding behavior, participate in recommended treatment, submit to random urinalyses, attend regular court reviews and maintain frequent contact with the Therapeutic Court Coordinator/Case Manager and Staff.
3. The 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); provides support needed to operate Behavioral Health Court, Drug Court and Family Therapeutic Court which protects public safety while reducing offender risk for future justice involvement and placement in a higher, more restrictive level of care or incarceration. Funds are provided to assist in housing, jail alternatives, in and out of custody assessments, education efforts, job training, treatment not covered by insurance, support and treatment for mental health and substance use disorders as well as the use of monitoring services such as urine analysis (UA) testing and biological alcohol monitoring devices (Sober-Link) to determine compliance with court orders.

4. Provide at least the following for the Therapeutic Courts; so, the Behavioral Health Advisory Committee is able to review usage of allocated funds in order to assure access to appropriate treatments and services:
- a) Provide monthly financial reports per **EXHIBIT C - Jefferson County, 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); Spreadsheet** for actual paid monthly expenses that have incurred *and email them quarterly* to the Auditor's Chief Accountant and to Public Health.
 - b) Jefferson County Superior Court & Jefferson County District Court will provide an estimate of projected expenditures under this MOU for the remainder of the year at the end of October of 2024 to Public Health.
 - c) Jefferson County Superior Court & District Court will provide all invoices to the Auditor's office for processing during the Open Period, (a.k.a. 13th Month, in January); and the final reporting by December 27, 2024.
 - d) Provide to Jefferson County through Jefferson County Public Health a copy of any service contracts (and all amendments associated therewith) with the 1/10th of 1% Behavioral Health Sales Tax; (Fund 131); under this MOU.
 - e) Jefferson County Superior Court & Jefferson County District Court will provide quarterly statistics in an electronic form that is developed and may be revised by Jefferson County Public Health and the Kitsap Health District, in consultation with the Courts, for statistical and program data collection.
 - f) Jefferson County Superior Court & Jefferson County District Court will ensure that quarterly electronic reports for each Therapeutic Court are sent to Lolinthea Hinkley at LHinkley@co.jefferson.wa.us
 - Quarterly reports will be reviewed by Public Health for accuracy. Any questions will be referred back to the Court.

EXHIBIT B
Drug Court and Family Therapeutic Court Logic Model page 1

Inputs	Outputs	
	Activities	Participation
Drug Court Team • Judge • Prosecution • Defense • JCSO • Believe in Recovery • Safe Harbor Family Therapeutic Court Team • Judge • Safe Harbor • GAL Program Coordinator • OlyCAP8 • Children's Administration	Drug Court Team • Referral- Defense or Prosecution • Prosecution determines eligibility • Substance abuse significant in criminal history • Client agrees to D.C requirements Family Therapeutic Court Team • Referred by Ct, parents, atty, dept. • FTC coordinator screens for eligibility • Substance abuse a significant factor in dependency action • Client agrees to FTC requirements	Drug Court Team • Judge accepts client into Drug Ct. • Client evaluation • Client treatment • Client accesses services-housing, GED, mental health • Weekly staffing & reviews to support services & monitor compliance Family Therapeutic Court Team • Judge accepts client into FTC • Compliance/follow program rules • Client treatment • Housing, Basic needs being met • Education, employment • Weekly staffing & reviews

GOALS:

- Increase access to treatment and support services that promote recovery and stability for adults and youth.
- Provide education, screening, referral and brief intervention services in the community.
- Reduce inappropriate use of county, municipal, and community resources by individuals who have co-occurring mental health and chemical dependency issues.
- Reduce future involvement in the court system.
- Family change- Address family interaction patterns that maintain the presenting problems; build problems solving and communication skills. Reduce family conflict.
- Rehabilitate drug dependent offenders through court mandated treatment.
- Promote cost effectiveness in the justice process and the community.

EXHIBIT B
Drug Court and Family Therapeutic Court Logic Model page 2

Outcomes -- Impact		
<i>Short</i>	<i>Medium</i>	<i>Long</i>
Drug Court Team - Participant connected with housing and treatment - Drug avoidance skill development. - Abstinence from substances Family Therapeutic Court Team - Youth remain in home/reduced time out of home placement - Improved family functioning - Reduce delinquent behavior - Client access to housing & offered services - Develop substance avoidance skills - Abstain from substances. - Maintain and deepen relationship with children	Drug Court Team - Increased accountability for behavior; motivation to comply with program; respect for court process - Decrease drug use Family Therapeutic Ct Team - Address physical and mental health - Abstinence from substance abuse - Motivated to succeed - Develop parenting skills - Connect with family resources - Family involved in treatment or counseling - Safe, Stable Housing/Transport - In home dependency - Plan for economic security	Drug Court Team - Criminal Justice System saves money processing cases & jail time. - Increased pro-social indicators - Decreased recidivism Family Therapeutic Court Team - Recovery for substance abuse - Increased pro family lifestyle - Increased parenting skills - Increased health and safety of children - Community involvement and support network - Prevent future involvement with substance abuse - Reunification Achieved

EXHIBIT B-1

Behavioral Health Court - Logic Model

Jefferson County - 1/10 of 1% Sales Tax

Environment

Situation

- Defendants with mental health diagnosis (MHD) spend more time in and have greater difficulty navigating the criminal justice system (CJS)
- Persons with MHD are likely to repeat criminal behavior (when illness goes untreated)
- The traditional criminal justice process is typically not effective for persons with MHD
- There is a high incidence of mental illness among offenders

Context

Addressing criminal behavior within mental health issues is becoming a priority within Jefferson County

District Court has created a behavioral health therapeutic court (BHC)

Local behavioral health providers have appointed jail liaisons

Target Population

Jefferson County Residents

Inclusion Criteria

Defendants in the Jefferson County District and Superior Court diagnosed with MHD and currently receiving or will receive services from a CPSA provider.

Exclusion Criteria

Felony charges including murder, sexual assault, or child molestation

Theory & Assumptions

Theory

- A specialized BHC helps reduce the high amount of time and resources the defendants with MHD consume in the normal CJS
- Defendants are less likely to recidivist/revoke when appearing more frequently before a Judge
- A team approach (units working in collaboration) will create an efficient and effective process
- Court ordered treatment for defendants with SMI increases compliance

Intent

To create a more efficient and effective process for Defendants with MHD in the CJS, while protecting public safety and preserving accountability.

Assumptions

- Defendants with MHD will spend less time in jail
- Fewer petitions to revoke will be filed for probationers with MHD
- Less recidivism
- Court will hold defendants accountable, while considering the mental illness
- The BHC will be a more cost and time efficient pre-sentencing process
- Ensures defendants with MHD receive services

EXHIBIT B-2 Behavioral Health Court - Logic Model

Jefferson County - 1/10 of 1% Sales Tax

Intervention

Collaboration

District Court, Discovery
Behavioral Health, Adult Probation,
Jefferson County Sheriff, Port
Townsend Police Department,
Olympic, Safe Harbor, Believe In
Recovery, Defense and Prosecution
designate specific person(s), peer
graduates to serve with the MHC

Identification & Case Flow

- Defendant with SMI is identified by referring party.
- Referral form is submitted. Defense assists in the coordination of services for defendant.
- Defendant follows normal flow of initial arraignment, pretrial, etc. until referral process is completed.
- Defendant is diagnosed with an Axis I diagnosis and there is a nexus to crime - DPA agrees to petition
- The BHC team reviews petition and decides on entry
- Defendant enters into SOC (Stipulated Order of Continuance)
- Defendant enters into phases of BHC and accesses services

Post-Sentence

- Defendant pleads guilty and is sentenced to post-adjudication BHC or a referral is made by defense, prosecutor.
- Referral and Petition packets are completed - Judge agrees to entry
- Defendant enters into phases of BHC and accesses services.

Outcomes

Process

- Time detained in jail will be less
- Lower cost to system (through less jail time and trial costs)
- Defendants with SMI spend less pre-sentencing time in court
- Communication, collaboration, and accountability among BHC team
- Monitoring sentencing of BHC defendants

Outcomes:

- Defendants are less likely to recidivate.
- Fewer revocations or petitions to revoke are filed
- Less new offenses while on probation
- Participants maintain treatment and medication
- Overall decrease in risk to public safety

ATTACHMENT A
JEFFERSON COUNTY 1/10th of 1% BEHAVIORAL HEALTH SALES TAX FUNDING
MATCH POLICY

Definitions:

Match: is a requirement for the grantee to provide contributions of a specified amount or percentage to match funds provided by another grantor. Matching can be in the form of cash or in-kind contributions.

Regulations: The specific requirements for matching funds are unique to each federal or state program. The A-102 Common Rule provides criteria for acceptable costs and contributions in regard to match.

Jefferson County Policy:

In 2005, the Washington State Legislature created an option for counties to raise the local sales tax by 0.1 percent, (the 1/10th of 1% sales tax initiative) to augment state funding for behavioral health treatment. Jefferson County collects and distributes the 1/10th of 1% Behavioral Health Sales Tax fund. Services purchased by the County are allocated through a formal Request for Proposal (RFP) process, review and contracting; staffed by Jefferson County Public Health, overseen by Jefferson County Behavioral Health Advisory Committee and adopted by the Board of County Commissioners, (BoCC). The BoCC does not assume any fiscal responsibility/liability for any of the Contractors they contract for services with.

Jefferson County reserves the first right to use as match the 1/10th of 1% Behavioral Health Sales Tax funds and the services funded by them for purposes of qualifying for additional funding and grants. County may make available to the Contractor the 1/10th of 1% Behavioral Health Sales Tax funds for the Contractor to propose as match to state, federal or other entities, at the County's sole discretion. Contractor shall not use the 1/10th of 1% Behavioral Health Sales Tax funds for match without prior authorization by the Jefferson County Administrator and County fiscal team. To request authorization of availability of the funds for match, Contractor must apply to the County Administrator in writing, and include their match formula and allocation plan and may include other documentation to support their request. The County Administrator will authorize or deny the availability of match funds in writing within 30 days of the application.

If the County informs the Contractor of the availability of the 1/10th of 1% Behavioral Health Sales Tax funds for match, then the Contractor shall be solely responsible for compliance with all state and federal laws and regulations, including, but not limited to DSHS, CMS and BIRR funding rules, applicable to the use of 1/10th of 1% Behavioral Health Sales Tax funds as match. Following state, federal and local guidelines for match is the responsibility of the Contractor.

For example, if a Contractor provides Title XIX Medicaid services (the Policy 19.50.02 or 42CFR 430.30) they are required by those rules to actually bill Medicaid for the services at the same time. If no Medicaid billing exists, the match would not comply with state and federal guidelines for match. Concurrent with its request for authorization of the availability of match, Contractor shall document it has met its responsibility to follow state, federal and local guidelines for match by submitting in writing to the County Administrator their match formula, allocation plan, and other documentation made mandatory pursuant to this Agreement and this Attachment A. At a minimum, the Contractor shall also provide the following to the County Administrator:

1. DSHS requires contractors to complete and submit a "Local Match Certification" form (DSHS 06-155) or a form that has equivalent data elements prior to any agreement for DSHS services. Submit a copy of this application and form when requesting match availability from the County and at each monthly billing.
2. Submit the current administrative policy within WA State regulating your services and the use of local match.
3. Submit to the County your last financial audit showing your use of match, County funds and tracking systems.
4. Submit to the County the terms of the agreement showing the 1/10th of 1% Behavioral Health Sales Tax fund allocation is an allowable source of match.
5. Provide documentation that your financial reporting system tracks matching funds at a level that meets the level of documentation required by federal or state statutes.

The County may reject permission for Contractor to utilize the 1/10th of 1% Behavioral Health Sales Tax funding as match.