



Office of the City Manager

PUBLIC HEARING  
May 31, 2022

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Lisa Warhuus, Director, Health, Housing & Community Services  
Department

Subject: Updating Published Charges: Mental Health Clinical Services

#### RECOMMENDATION

Conduct a Public Hearing and, upon conclusion, adopt a Resolution establishing Published Charges for Mental Health Clinical Services for Fiscal Year 2022. Published Charges are effective July 1, 2021.

#### FISCAL IMPACTS OF RECOMMENDATION

Approval of the requested action will enable the Mental Health Division to comply with Short-Doyle/Medi-Cal (SD/MC) regulations and avoid federal Lower of Cost or Charges (LCC) audit disallowances. The Charges are not paid by mental health consumers, but rather are used for Medi-Cal billing.

There is no net city cost associated with the recommended plan. Published Charges are utilized in the cost reporting process to establish Medi-Cal reimbursement for mental health services. The cost reporting process is the methodology the state and federal government require to show BMH's actual funding sources and uses and the services delivered. The cost report is based on expenses, services, and funding for the previous fiscal year. In this case, the effective date of July 1, 2021 establishes the rates for BMH's cost report for FY 2022. Published Charges are set retrospectively to allow for the completion of the previous years' cost report, which are the basis for the setting of the charges.

#### CURRENT SITUATION AND ITS EFFECTS

The City Council adopted FY 2021 Published Charges on May 11, 2021 through Resolution No. 69,858-N.S. Current and proposed rates are detailed in Attachment 2.

#### BACKGROUND

Medi-Cal regulations require the Mental Health Division to establish Published Charges at least annually. Federal requirements stipulate that Published Charges are determined at the mental health jurisdiction level. The City uses these charges as the basis of a cost report in order to claim Medi-Cal revenue. This revenue is used to fund mental health expenses for a wide variety of City mental health programs.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

Medi-Cal regulations require the Mental Health Division to establish Published Charges at least annually. Federal requirements stipulate that Published Charges are determined at the mental health jurisdiction level. The recommended Published Charges comply with the SD/MC audit requirements.

The Published Charge rate does not affect the amount mental health consumers with Medi-Cal are charged for services – rather it only affects the amount BMH can charge Medi-Cal for these eligible services. For any consumer without Medi-Cal, BMH utilizes the Universal Mechanism for Determining Ability to Pay (UMDAP) and sets the fee at an affordable rate.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered.

CONTACT PERSON

Yvette Katuala, Assistant Manager of Mental Health, HHCS, 510-981-7654

Attachments:

1: Resolution

Exhibit A: Table of City of Berkeley Medi-Cal Rates FY 2022 Published Charges

2: Table of City of Berkeley Medi-Cal Rates for FY 2021 and FY 2022  
Published Charges

3: Public Hearing Notice

RESOLUTION NO. ##,###-N.S.

ESTABLISHING FISCAL YEAR 2022 PUBLISHED CHARGES FOR MENTAL  
HEALTH CLINICAL SERVICES EFFECTIVE JULY 1, 2021

WHEREAS, Published Charges are necessary to ensure that the Mental Health Clinics continues to offer specialty mental health related services to the Berkeley and Albany communities consistent with its mission; and

WHEREAS, the Published Charges will allow the City of Berkeley's Mental Health Clinics to continue to meet all Federal, State and County regulatory requirements, while providing continued community access to specialty mental health related services.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the proposed Published Charges, detailed in Exhibit A for Fiscal Year 2022 are hereby fixed and established, effective July 1, 2021, for mental health clinic services offered by the Mental Health Division's Clinics of the City's Department of Health, Housing & Community Services.

Exhibits

A: Table of City of Berkeley Medi-Cal Rates Fiscal Year 2022 Published Charges

Exhibit A

**City of Berkeley Medi-Cal Rates Fiscal Year 2022 Published Charges**

**FY 2022 Published Charges**

<b>Mode</b>	<b>SFC</b>	<b>Services</b>	<b>Cost/Unit</b>
15	1	Case Management & Brokerage	\$13.97
15	10	Mental Health Services	\$14.34
15	30	Evaluation	\$13.58
15	40	Mental Health Services	\$13.58
15	50	Mental Health Services	\$13.58
15	60	Medication	\$27.75
15	70	Crisis	\$12.83

**PUBLISHED CHARGES FOR BERKELEY MENTAL HEALTH FOR  
FY 2021 AND FY 2022**

**City of Berkeley Medi-Cal Rates FY 2022 Published Charges**

<b>Mode</b>	<b>SFC</b>	<b>Services</b>	<b>FY 2021 Published Charge</b>	<b>FY 2022 Published Charge</b>
			<b>Cost/Unit</b>	<b>Cost/Unit</b>
15	1	Case Management & Brokerage	\$10.49	\$13.97
15	10	Mental Health Services	\$10.77	\$14.34
15	30	Evaluation	\$10.20	\$13.58
15	40	Mental Health Services	\$10.20	\$13.58
15	50	Mental Health Services	\$10.20	\$13.58
15	60	Medication	\$20.84	\$27.75
15	70	Crisis	\$9.63	\$12.83

**NOTICE OF PUBLIC HEARING  
BERKELEY CITY COUNCIL**

**PROPOSED PUBLISHED CHARGES FOR BERKELEY MENTAL  
HEALTH**

**The public may participate in this hearing by remote video or in-person.**

Notice is hereby given by the City Council of the City of Berkeley that a public hearing will be conducted by said City Council of the City of Berkeley at which time and place all persons may attend and be heard upon the following:

The Department of Health, Housing, and Community Services is proposing to establish Published Charges FY2022 for mental health and case management services.

Mode	SFC	Services	FY 2021	FY 2022
			Published Charge	Published Charge
			Cost/Unit	Cost/Unit
15	1	Case Management & Brokerage	\$10.49	\$13.97
15	10	Mental Health Services	\$10.77	\$14.34
15	30	Evaluation	\$10.20	\$13.58
15	40	Mental Health Services	\$10.20	\$13.58
15	50	Mental Health Services	\$10.20	\$13.58
15	60	Medication	\$20.84	\$27.75
15	70	Crisis	\$9.63	\$12.83

The hearing will be held on May 31, 2022 at 6:00 p.m.in the School District Board Room, 1231 Addison Street, Berkeley CA 94702.

A copy of the agenda material for this hearing will be available on the City’s website at <https://berkeleyca.gov/> as of May 19, 2022. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

For further information, please contact Yvette Katuala, Assistant Mental Health Manager at 510-981-7654.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, in order to ensure delivery to all Council members and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at 981-6900 or [council@cityofberkeley.info](mailto:council@cityofberkeley.info) for further information.

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available at the City Clerk Department and posted on the City of Berkeley webpage at least 12 days prior to the public hearing.

**Published:** May 20 and May 27, 2022 – The Berkeley Voice Per Government Code 6062A



I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on May 19, 2022.

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Mark Numainville, City Clerk

