

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Behavioral Health And Recovery Service

BOARD AGENDA # \*B-1

Urgent

Routine

*1/3*  
*1/3*

AGENDA DATE February 2, 2016

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Amend the Personal Services Agreement with Dao Tran, M.D., to Provide Psychiatric Mental Health Services from July 1, 2015 through June 30, 2016

STAFF RECOMMENDATIONS:

1. Approve the Amendment to the Personal Services Agreement with Dao Tran, M.D., to provide Psychiatric Mental Health Services from July 1, 2015 through June 30, 2016.
2. Authorize the Chief Executive Officer or designee to sign the amended Personal Services Agreement with Dao Tran, M.D.

FISCAL IMPACT:

The current Personal Services Contract with Dr. Dao Tran is \$90,480. An increase of \$50,000 is being requested with this agenda item. The increase in the contracted amount will be covered by the existing salary savings from the vacant psychiatrist position already approved in the county budget. The primary sources of funding for this Personal Services Agreement are Federal Financial Participation funding for Medi-Cal services and Realignment funds. There is no impact to the County General Fund.

BOARD ACTION AS FOLLOWS:

No. 2016-63

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST: Christine Ferraro  
CHRISTINE FERRARO TALLMAN, Clerk

File No.

## **DISCUSSION:**

Behavioral Health and Recovery Services (BHRS) continues to experience a need for qualified and experienced physicians with expertise in psychiatry to provide clinical mental health services to our clients. Recruiting efforts have not been successful in replacing Dr. Tran after her retirement in March 2015. On March 31, 2015, the Board of Supervisors approved an exception to the 180 day sit out period required by the Public Employees' Pension Reform Act of 2013, to allow BHRS to rehire Dr. Tran. She initially agreed to work for 16 hours a week only. Despite our efforts, we were not able to fill her vacant position timely. Consequently, the shortfall of 24 hours from her 40 hours of work to 16 hours of work was causing significant hardship at the clinics, including clients not being able to be seen as needed. Thus, we asked her to increase her hours to 24 hours a week to allow BHRS to more adequately provide much needed client care. On top of this we also lost a part-time psychiatrist in 2015. This made the shortage of psychiatry more acute, and we continued with Dr. Tran working 24 hours a week. In November 2015, we were able to hire a part-time psychiatrist for 28 hours a week, which even though not enough to meet the full need was able to lessen the work pressure to some extent and allowed us to reduce Dr. Tran's hours back to 16 hours a week.

Dr. Tran is specially trained and very experienced in performing such services. Behavioral Health and Recovery Services desires to enter into the amended Personal Services Agreement with Dr. Tran to continue to provide the needed services from July 1, 2015 through June 30, 2016.

The current Personal Services Agreement for Fiscal Year 2015 - 2016 with Dr. Tran for psychiatric services was not to exceed a total 624 hours or \$ 90,480. As discussed above, Dr. Tran has been required to provide more hours of psychiatric services than originally expected to maintain adequate coverage for psychiatric medication services. The Department is continuing its attempt to recruit psychiatrists for the County through advertisements in the professional news magazines and through multiple recruiting firms. We are also using Tele-psychiatry through a Locum Tenens Agency to manage our psychiatry needs. Yet, the shortage of psychiatrists still remains, making the additional hours of Dr. Tran's services very necessary. We are in the process of hiring a fulltime psychiatrist, most likely in March 2016, but with an upcoming resignation of another fulltime psychiatrist at approximately the same time, the shortage of psychiatry hours will continue to exist. The Department is very mindful of the fact that given that Dr. Tran is a retiree her hours of service cannot exceed 960 in a given year. This augmentation of her hours will not exceed this amount of hours.

**POLICY ISSUE:**

Approval of this agenda item supports the Board of Supervisors' priorities of A Healthy Community and Efficient Delivery of Public Services by contracting to deliver the needed services at an appropriate level of care in a cost effective manner.

**STAFFING IMPACT:**

There is no staffing impact associated with the approval of this agenda item.

**CONTACT PERSON:**

Uday Mukherjee, M.D., Medical Director.

Telephone 525-6225

**AMENDMENT  
TO PERSONAL SERVICES AGREEMENT**

This Amendment is made and entered into the City of Modesto, State of California, by and between the County of Stanislaus (hereinafter referred to as "County"), and Dao Tran, M.D. (hereinafter referred to as "Contractor"), effective the date of the last signature, for and in consideration of the premises, and the mutual promises, covenants, terms, and conditions hereinafter contained.

WHEREAS, County and Contractor entered into an agreement on July 1, 2015 involving clinical mental health services in its Behavioral Health Recovery Services;

WHEREAS, County has a need to increase Contractor's hours and contract amount due to a staffing shortage and Contractor has agreed to provide the additional hours of service.

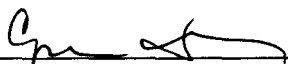
NOW, THEREFORE, in consideration of mutual promises, covenants, terms, and conditions hereinafter contained, the Agreement, which was entered into on July 1, 2015, is amended to increase the contract maximum amount by \$50,000, from \$90,480 to \$140,480 and the service hours increased from 624 to 960. This amendment is incorporated into the Agreement as follows:

1. Exhibit A, Section C, Compensation, Item 2 is deleted and replaced with the following:
  2. Contractor shall be compensated for the services provided under this Agreement at the rate of \$145.00 per hour, not to exceed a total of 960 hours or \$140,480. It is expected that Contractor shall provide approximately (16) hours of service per week during the term of this agreement.
- II. All other terms and conditions of said Agreement shall remain in full force and effect.

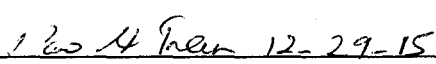
IN WITNESS WHEREOF, the parties have executed this Amendment the date(s) shown below:

**COUNTY OF STANISLAUS  
CHIEF EXECUTIVE OFFICE**

**TRAN**

  
Cynthia Thomlison  
Deputy Executive Officer

2/3/16  
Date

  
DAO TRAN, M.D.  
Contractor

12-29-15  
Date

APPROVED AS TO CONTENT:  
Behavioral Health and Recovery Services

By: Madelyn Schlaepfer Date 12-31-2015  
Madelyn Schlaepfer, Ph.D.  
Director

By: Uday K. Mukherjee Date 12/31/15  
Uday Mukherjee, M.D.  
Medical Director

APPROVED AS TO FORM  
John P. Doering, County Counsel

Marc Hartley  
Marc Hartley  
Deputy County Counsel

BOS Item# 2016-63 Date: February 2, 2016