



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: LeRonne L. Armstrong
Chief of Police

SUBJECT: OPD MHN Employee Assistance
Program Contract

DATE: October 6, 2021

City Administrator Approval

Date: Oct 7, 2021

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution: 1) Authorizing The City Administrator To Enter Into An Administrative Services Agreement With Managed Health Network (MHN) Services, LLC, To Continue Providing Substance Abuse Counseling Services For Members Of The Oakland Police Department (OPD) And Their Dependents, For The Period Of July 1, 2021 To June 30, 2022, With Four One-Year Automatic Renewal Periods Unless Terminated By Either Party For A Total Contract Period Of July 1, 2021 Through June 30, 2026, In An Amount Not To Exceed One Hundred Fifty Thousand Dollars Annually For A Total Contract Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000).

EXECUTIVE SUMMARY

Staff recommends a contract with MHN Services, LLC, To Continue Providing Substance Abuse Counseling Services For Members Of OPD and their dependents for the period of July 1, 2021 through June 30, 2022, with four one-year automatic renewal periods (through June 30, 2026); either party can end the agreement. The Memorandum of Understanding (MOU) between the City and the Oakland Police Officers Association (OPOA) requires the City to continue to pay for the annual cost of providing psychological counseling services to OPD sworn members and their dependents, including substance-abuse counseling.

MHN has provided counseling services to OPOA members since 2008. However, MHN has since ceased to operate a substance abuse program and planned to cease providing this service to OPD as of December 31, 2020. OPD therefore conducted a Request for Proposal/Quote for a vendor – the only vendor with a responsive proposal later withdrew from the process. OPD then contacted MHN; MHN responded that the company could not directly provide substance abuse services, but that through their subsidiary MHN Services, LLC, they could serve as an administrator and manage all payments between OPD members and 3rd-party support providers. A contract with MHN, LLC would align with the current OPD-MHN contract for employee assistance which can be extended to June 30, 2024.

City Council
October 19, 2021

BACKGROUND/LEGISLATIVE HISTORY

Law enforcement personnel face challenging work conditions that can become incredibly stressful when intense and traumatic encounters occur and these conditions can intensify an already arduous and hazardous work environment for personnel, as well as for their family. Stress and trauma experienced in the line of duty can have negative impacts on officers' health and well-being. Counseling support is imperative to help officers maintain psychological well-being in order to perform their duties efficiently, as well as their family who play a vital role in an officer's wellbeing. The OPOA MOU requires that the City maintain an Employee Assistance Program (EAP) to provide these services.

MHN has provided counseling services to OPOA members since 2008 and continues to be a leader in providing such services to law enforcement agencies in the Bay Area. The City Council has adopted numerous contracts between 2003 and 2020 to provide continuous counseling services. Most recently, on January 21, 2020, the City Council adopted Resolution No. 87997 C.M.S., which authorized a contract with MHN to continue providing both counseling support (employee assistance) as well as substance abuse counseling services for sworn members of the police department and their dependents. This MHN contract is in the amount of \$185,000 per year, for the period of July 1, 2019 to June 30, 2022 – with a two-year extension option until June 30, 2024.

MHN has since ceased to operate a substance abuse program and planned to cease providing this service to OPD as of December 31, 2020. OPD therefore conducted an RFP/Q for a new substance abuse program provider in the fall of 2020. However, the only vendor that provided a responsive proposal later withdrew their proposal because they could not comply with all of the City's required schedules and insurance requirements. OPD then asked MHN if there was a way to continue to provide substance abuse services to OPD. MHN responded that the company could not directly provide substance abuse services, but that through their subsidiary MHN Services, LLC, they could serve as an administrator and manage all payments between OPD members and 3rd-party support providers.

ANALYSIS AND POLICY ALTERNATIVES

MHN has provided counseling services to OPOA members since 2008 and continues to be a leader in providing such services to law enforcement agencies in the Bay Area. Continuation of a contract with MHN will support the citywide priority of holistic community safety because officers are more able to support community safety when they have access, when needed, to mental health and substance abuse treatment services.

OPD has established a self-funded Employee Health Benefits Plan that includes the direct payment of certain health benefits including for substance abuse services. Through this process, MHN Services, LLC will provide administrative services in connection with the provision of substance abuse services covered under self-funded plans. The MHN agreement covers the administration of these services, administrative protocols, claims processing, and confidentiality terms. The plan offers up to a 30-day substance abuse program with a MHN-contracted facility and/or lower levels of care. The plan covers active sworn and non-sworn OPD employees as well as spouse and dependent children for sworn officers.

A contract with MHN, LLC for the period of July 1, 2021 through June 30, 2022 (with four optional one-year extensions) would align with the current OPD-MHN contract for employee assistance (authorized through Resolution No. 87997 C.M.S) which can be extended to June 30, 2024.

The Agreement stipulates indemnification terms such that each party shall be responsible for its own acts or omissions and for any and all claims, liabilities, injuries, suits, demands, and expenses of all kinds which may result or arise out of any alleged malfeasance or neglect caused or alleged to have been caused by that party or its employees.

Staff recommends that the City Council adopt the resolution accompanying this report so that the City Administrator can enter into an Administrative Services Agreement with MHN in support of the existing MHN OPD contract.

FISCAL IMPACT

Approval of the proposed resolution will authorize the City Administrator to enter into a contract with MHN Services LLC, for the period of July 1, 2021 To June 30, 2022, with four one-year automatic renewal periods, for an amount of \$150,000 per year, for a total contract not to exceed \$750,000 over the five-year period.

Funding will be drawn from General Fund (1010), Personnel Section Organization (106210), Services Account (54919), Miscellaneous Contract, Administrative Project: (1000008 – DP1000). Program: PS01 Agency-Wide Administration.

PUBLIC OUTREACH / INTEREST

No public outreach was necessary for the production of this report.

COORDINATION

This report was reviewed by the Budget Bureau and the Office of the City Attorney.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

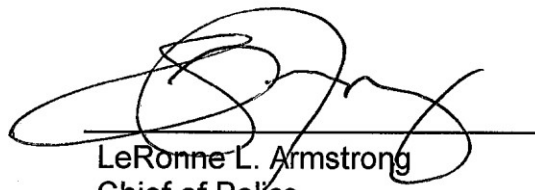
Race and Social Equity: Psychological counseling services to sworn members of the Police Department and their dependents support frontline law enforcement efforts, which in turn benefits the entire community served by these sworn members.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution: 1) Authorizing The City Administrator To Enter Into An Administrative Services Agreement With Managed Health Network (MHN) Services, LLC, To Continue Providing Substance Abuse Counseling Services For Members Of The Oakland Police Department (OPD) And Their Dependents, For The Period Of July 1, 2021 To June 30, 2022, With Four One-Year Automatic Renewal Periods Unless Terminated By Either Party For A Total Contract Period Of July 1, 2021 Through June 30, 2026, In An Amount Not To Exceed One Hundred Fifty Thousand Dollars Annually For A Total Contract Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000).

For questions regarding this report, please contact Gaspar Montoya, Administrative Analyst II, at gmontoya@oaklandca.gov.

Respectfully submitted,



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