

**CERTIFICATION OF COMPLIANCE WITH
SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT
AND COUNTY CONTRACT
July 1, 2016 - June 30, 2017**

Substance Abuse Prevention and Treatment Block Grant Funds (SAPT BG) are dedicated funds mandated by Congress. Behavioral Health and Recovery Services utilizes the funds through a Negotiated Rate Contract (NRC) with Substance Use Treatment and Prevention Contractors in the County of San Mateo to offer services to supplement Medicaid, Medicare, and private insurance services. Specifically, SAPT funds shall be utilized for the following purposes:

- Fund priority treatment and support services for individuals without insurance or for whom coverage is terminated for short periods of time.
- Fund those priority treatment and support services that demonstrate success in improving outcomes and/or supporting recovery that are not covered by Medicaid, Medicare, or private insurance.
- Fund primary prevention by providing universal, selective, and indicated prevention activities and services for persons not identified as needing treatment.
- Collect performance and outcome data to determine the ongoing effectiveness of behavioral health promotion, treatment, and recovery support services.

BHRS will conduct annual monitoring reviews of county substance use disorder (SUD) treatment and prevention to ensure adherence of the SAPT BG and County contract requirements. This process is completed through the use of monitoring instruments that elicits qualitative responses to identify programmatic strengths, deficiencies or concerns that ultimately may affect SUD services within the County.

Contractor shall certify compliance with the following SAPT BG and County contract requirements. **Please submit no later than 4/14/2017.**

**CERTIFICATION OF COMPLIANCE WITH
SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT
AND COUNTY CONTRACT
July 1, 2016 – June 30, 2017**

**CERTIFICATION OF COMPLIANCE WITH
SUBSTANCE ABUSE PREVENTION TREATMENT BLOCK GRANT
AND SAN MATEO COUNTY BEHAVIORAL HEALTH AND
RECOVERY SERVICES DIVISION CONTRACT WITH**

CONTRACTOR

**I hereby certify under penalty of perjury that the following
certifications, claims statements, and attachments are true and
correct.**

1. Expenditures of SAPT Block Grant Funds
2. Restrictions of Expenditures of SAPT Block Grant Funds
3. Payment of Last Resort
4. Compliance with OMB Circular A-133
5. Counselor Certification
6. Continuing Education for Employees
7. Nondiscrimination in Employment Services
8. Access of Services for Persons with Disabilities
9. Confidentiality of Client Treatment Records and other Information
10. Provision of Tuberculosis Services
11. Human Immunodeficiency Virus (HIV) Early Intervention Services (EIS)
12. Charitable Choices Policy
13. Compliance with Data Standards
14. Trafficking Victims Protection Act (TVPA) requirements

Print Name

Title

Signature

Date

**CERTIFICATION OF COMPLIANCE WITH
SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT
AND COUNTY CONTRACT
July 1, 2016- June 30, 2017**

**CERTIFICATION REGARDING
EXPENDITURES OF SAPT BG FUNDS (1)**

- I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with the Expenditure of the SAPT BG funds.

Contractor receiving SAPT Block Grant funds shall comply with the financial management standards contained in Title 45, CFR, Part 92, Sections 92.20(b)(1) through (6); Title 45 CFR, Part 74, Sections 74.21(b)(1) through (4) and (b)(7), and Title 45 CFR, Part 96, Section 96.30.

Contractors shall track obligations and expenditures by individual SAPT Block Grant award, including, but not limited to, obligations and expenditures for primary prevention, services to pregnant women and women with dependent children, and HIV early intervention services. "Obligations" shall have the same meaning as used in Title 45 CFR, Part 92, and Section 92.3.

- Not applicable
- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

The following actions will be completed no later than 6/30/17 to ensure that relevant policies, practices and procedures are in place:

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**CERTIFICATION REGARDING
RESTRICTIONS ON EXPENDITURES OF SAPT BG FUNDS (2)**

- I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with the Restrictions on Expenditures of the SAPT BG funds.

According to Title 45, Code of Federal Regulations §96.135 SAPT Block Grant funds shall not be expended on the following activities to:

- A. Provide inpatient hospital services, except as provided under paragraph (c) of this section;
- B. Make cash payments to intended recipients of health services ;
- C. Purchase or improve land, purchase, construct, or permanently improve any building or facility, or purchase major medical equipment ;
- D. Satisfy any requirements for the expenditure of non-Federal funds as a condition for the receipt of Federal funds;
- E. Provide financial assistance to any entity other than a public or non-profit private entity ;
- F. Provide individuals with hypodermic needles or syringes so that such individuals may use illegal drugs.
- G. To pay salaries in excess of Level of the Federal Senior Executive pay scale as stated <http://grants.nih.gov/grants/guide/notice-files/not98-012.html> does not expend SAPT Block Grant funds to provide treatment services in penal or correctional institutions of the State as stated under 45 CFR, Section §96.135 (b)(2).

- Not applicable

- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

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CERTIFICATION REGARDING
PAYMENT OF LAST RESORT (3)**

- I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with Payment of Last Resort.

Contractor shall ensure compliance with the terms of the County Contract with regard to expenditure of SAPT BG funds as the "payment of last resort" for services for Pregnant and Parenting Women, Tuberculosis, and HIV. Title 45, Code of Federal Regulations, Part 96, Section 96.137 states:

"The Block Grant money that may be spent for Sec. 96.124(c) and (e) 96.127 and 96.128 is governed by this section which ensures that the grant will be the "payment of last resort." The entities that receive funding under the Block Grant and provide services required by the above-referenced sections shall make every reasonable effort, including the establishment of systems for eligibility determination, billing, and collection, to: (1) Collect reimbursement for the costs of providing such services to persons who are entitled to insurance benefits under the Social Security Act, including programs under title XVIII and title XIX, any State compensation program, any other public assistance program for medical expenses, any grant program, any private health insurance, or any other benefit program; and (2) Secure from patients or clients payments for services in accordance with their ability to pay."

- Not applicable
- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

The following actions will be completed no later than 6/30/17 to ensure that relevant policies, practices and procedures are in place:

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**CERTIFICATION REGARDING
COMPLIANCE WITH OMB CIRCULAR A-133 (4)**

- I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with OMB Circular A-133.

Contractor shall ensure compliance with the terms of the County Contract with regard to Pursuant to OMB Circular A-133. Pursuant to OMB Circular A-133, Contractors expending \$500,000 or more in federal funds in a fiscal year have a single or program-specific audit performed with respect to the funds.

Office of Management and Budgets (OMB) Circular A-133 is issued pursuant to the Single Audit Act of 1984, P.L. 98-502, and the Single Audit Act Amendments of 1996, P.L. 104-156. It sets forth the standards for obtaining consistency and uniformity among Federal agencies for the audit of states, local governments, and non-profit organizations expending Federal awards.

- Not applicable
- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

The following actions will be completed no later than 6/30/17 to ensure that relevant policies, practices and procedures are in place:

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**CERTIFICATION REGARDING
COUNSELOR CERTIFICATION (5)**

- I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with Counselor Certification.

Contractors providing direct substance use treatment services shall be in compliance with Title 9, CCR, Division 4, Chapter 8, §13000. Contractor shall update and maintain the BHRS staff roster to track counselor certification and therapist requirements in accordance with contract requirements. All individuals providing counseling services in an alcohol or other drug program, to all organizations certifying AOD counselors, and to all AOD programs, as defined in Section 13005

(A) (2) "Certified AOD Counselor" means an individual certified by a certifying organization pursuant to Section 13035; and "Counseling services" means any of the following activities:

- A. Evaluating participants', patients', of residents' AOD treatment or recovery needs, including screening prior to admission, intake, and assessment of need for services at the time of admission;
- B. Developing and updating of a treatment or recovery plan;
- C. Implementing the treatment or recovery plan;
- D. Continuing assessment and treatment planning;
- E. Conducting individual counseling sessions, group counseling sessions, face-to-face interviews, or counseling for families, couples, and other individuals significant in the life of the participants, patients, or residents, and
- F. Documenting counseling activities, assessment, treatment and recovery planning, clinical reports related to treatment provided, progress notes, discharge summaries, and all other client related data. Title 9, CCR, Division 4, Chapter 8, §10125 states (a) Program staff who provide counseling services (as defined in Section 13005) shall be licensed, certified, or registered to obtain certification or licensure pursuant to Chapter 8 Section 13000.

- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

The following actions will be completed no later than 6/30/17 to ensure that relevant policies, practices and procedures are in place:

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**CERTIFICATION REGARDING
CONTINUING EDUCATION FOR EMPLOYEES (6)**

- As a BHRS-AOD contractor, I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance Continuing Education.

Contractor shall comply with Title 45, Code of Federal Regulations §96.132(b). With respect to any facility for treatment services or prevention activities that is receiving amounts from a Block Grant, continuing education in such services or activities (or both, as the case may be) shall be made available to employees of the facility who provide the services or activities. BHRS will ensure that such programs include a provision for continuing education for employees in the agency budget and monitoring efforts.

- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

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**CERTIFICATION REGARDING
NONDISCRIMINATION IN EMPLOYMENT AND SERVICES (7)**

- As a BHRS-AOD contractor, I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with the Nondiscrimination in Employment and Services.

Contractor shall not unlawfully discriminate against, or deny equal opportunity for any person on the basis of race, color, creed, national origin, sex, age, or physical, sensory, cognitive, or mental disability. Reasonable accommodations and accessible services must be provided for persons with disabilities according to the County Contract.

Contractor shall post notices available to all employees and applicants for employment setting forth the provisions of Equal Employment Opportunity Act in conformance with Federal Executive Order No. 11246; and Section 503 of the Rehabilitation Act of 1973 (as amended).

Contractor shall, on a cycle of at least every three years, assess, monitor, and document each subcontractor's compliance with Section 504 of the Americans with Disability Act of 1973 (as amended) and Americans with Disabilities Act of 1990 to ensure the recipients/beneficiaries and intended recipients/beneficiaries of services are provided services without regard to physical or mental disability. Contractor shall include the nondiscrimination and compliance provisions in all subcontracts.

Contractor must ensure that no federal or state funds are used for sectarian worship, instruction, or proselytization. No state funds are used to provide direct, immediate, or substantial support to any religious activity.

- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

The following actions will be completed no later than 6/30/17 to ensure that relevant policies, practices and procedures are in place:

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**CERTIFICATION REGARDING
ACCESS OF SERVICES FOR PERSONS WITH DISABILITIES (8)**

- As a BHRS-AOD contractor, I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with Access of Services for Persons with Disabilities.

Contractor shall adhere with the requirements of the Americans with Disabilities Act (ADA), Section 504, and the Unruh Civil Rights Act, ensuring that all substance abuse prevention, treatment and recovery programs be accessible to people with disabilities to the fullest extent possible. Contractor is also required to adhere to ADP Bulletin 09-05, and with the [San Mateo County Alcohol and Other Drug Services AOD Policy No. 01-2010](#).

- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

The following actions will be completed no later than 6/30/17 to ensure that relevant policies, practices and procedures are in place:

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**CERTIFICATION REGARDING
CONFIDENTIALITY OF CLIENT TREATMENT
RECORDS AND OTHER INFORMATION (9)**

- As a BHRS-AOD contractor, I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with Confidentiality of Client Treatment Records and Other Information.

Contractor agrees to implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of all confidential information that it creates, receives, maintains or transmits. Contractor will provide the State with information concerning such safeguards upon request.

Contractor will fully comply with all applicable laws, regulations and mandates governing Confidentiality of Alcohol and Drug Abuse Patient Records, including but not limited to 42 C.F.R. Part 2, the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), 45 C.F.R. parts 160 and 164, and applicable sections of the California Health & Safety Code Sections 11812 and 11845.5 and 123110 through 123149.5, Welfare and Institutions Code Section 14100.2 and Title 22 California Code of Regulations.

- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

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**CERTIFICATION REGARDING
PROVISION OF TUBERCULOSIS SERVICES (10)
And**

Human Immunodeficiency Virus (HIV) Early Intervention Services (EIS) (11)

- As a BHRS-AOD contractor, I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with the Provision of Tuberculosis Services.

Contractor shall directly or through arrangements with other public or nonprofit private entities, routinely make available tuberculosis services to each individual receiving treatment for such abuse .

In the case of an individual in need of services and the lack of the capacity of the program to admit the individual, will refer the individual to another provider of tuberculosis services, and will implement infection control procedures established by the principal agency of a State for substance abuse, in cooperation with the Health System/ Tuberculosis Control Officer.

- As a BHRS-AOD contractor, I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with the Provision of HIV services as a part of the substance use disorder (SUD) program structure.

Contractor shall assure staff is trained annually. Coordination and consulting with the San Mateo County HIV program for the availability of testing, education and culturally sensitive materials to all individuals seeking SUD treatment services.

- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

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**CERTIFICATION REGARDING
CHARITABLE CHOICE POLICY (12)**

- As a BHRS-AOD contractor, I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to compliance with the Charitable Choice Policy.

Contractor shall identify if they consider itself a faith based program or any who consider any part of their program to which clients are admitted a faith based program. Contractor shall assure that faith based services are in full compliance with Charitable Choice regulations 42 CFR Part 54. The Contractor shall ensure that all incoming clients are informed of the availability of the option of selecting another provider. The Contractor with faith based services to which clients are admitted shall report to BHRS in their quarterly reports.

- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons:

The following actions will be completed no later than 6/30/17 to ensure that relevant policies, practices and procedures are in place:

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**CERTIFICATION REGARDING
COMPLIANCE WITH DATA STANDARDS (13)**

- As a BHRS-AOD contractor, I hereby certify the policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and the SAPT BG guidelines with regard to Data Standards.

Contractor agrees to adhere to SAPT BG and County Contract data compliance requirements. Contractor shall:

- A. Submit a monthly Drug and Alcohol Treatment Access Report (DATAR) to the State by the tenth (10th) of every report month. The DATAR website can be access at <http://www.dhcs.ca.gov/provgovpart/Pages/DATAR.aspx>
- B. Enter CalOMS client treatment data into AVATAR monthly, no later than the tenth (10th) of the month following the report month to ensure timely submission to the CalOMS ITWS website.
- C. Complete an annual update for client records that are outstanding twelve (12) or more months.
- D. Ensure client discharges have been completed appropriately in CalOMS TX. Discharges shall be completed in AVATAR no later than the tenth (10th) of the month following the discharge month.

- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons: _____

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**CERTIFICATION REGARDING
COMPLIANCE WITH TRAFFICKING VICTIMS PROTECTION ACT OF 2000 (14)**

- As a BHRS-AOD contractor, I hereby agree to and certify that policies, procedures, and practices are in place to ensure compliance with the terms of the County Contract and compliance with the Trafficking Victims Protection Act of 2000, Section 106 (g) as amended (22 U.S.C 7104). I understand that the County shall terminate the contract without penalty should the contractor or subcontractor engage in severe forms of trafficking in persons, or procures a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, or uses forced labor in the performance of the grant, contract, or cooperative agreement.

- I am unable to certify as to the existence of the afore-mentioned policies, practices, and procedures due to the following reasons: _____

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Resources and References

Code of Federal Regulations (CFR)

Title 45 CFR: Part 96: Subpart L: §96.121 through 96.137: Substance Abuse
Prevention and Treatment Block Grant

United States Code (USC)

Title 42 USC, Section 300x-21 through 300x-66: Substance Abuse Prevention and
Treatment Block Grant

California Health and Safety Code (HSC)

HSC, Division 10.5, Section 11750- 11970: State Department of Health Care Services

California Code of Regulations (CCR)

Title 9 CCR, Division 4, Chapter 4, Subchapter 1- 6: Narcotic Treatment Programs
Title 22 CCR, Sections 51341.1; 51490.1; and 51516.1, Document 2C: Drug Medi-Cal
Substance Abuse Services

Department of Health Care Services

Substance Use Disorder (SUD) Services

Bulletins

Laws and Regulations

County of San Mateo

Health System

AOD Provider Handbook