



BOARD OF SUPERVISORS

LOIS M. SAHYOUN
Clerk of the Board

222 EAST WEBER AVENUE, ROOM 701
STOCKTON, CALIFORNIA 95202
TELEPHONE: 209/468-3113
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LEROY ORNELLAS
Chairman
Fifth District

STEVEN GUTIERREZ
Vice Chairman
First District

DARIO L. MARENCO
Second District

VICTOR MOW
Third District

JACK A. SIEGLOCK
Fourth District

September 17, 2004

Filed NOV 04 2004
ROSA JUNQUEIRO, CLERK
By TRISAL MARTINEZ
DEPUTY

Honorable Robert McNatt
Presiding Judge of the Superior Court
222 E. Weber Avenue
Stockton, California 95202

Dear Judge McNatt:

Response to Grand Jury Final Report Case No. 0303 Office of Substance Abuse

Pursuant to Section 933.05 of the California Penal Code, attached is the County's response to Grand Jury Final Report, Case No. 0303, Office of Substance Abuse.

Very truly yours,


Leroy Ornellas, Chairman
Board of Supervisors

LO:KC:BH/alf
(1:BOS/04GJ-L)

Attachment



Before the Board of Supervisors
County of San Joaquin, State of California

B- 04-969

MOTION: **Sieglock/Marenco**

Response to Grand Jury Report – Case #0303
Office of Substance Abuse

IT IS HEREBY ORDERED that the Board of Supervisors Accept the Response to the fiscal year 2003-04 Grand Jury Report Case #0303 regarding the Office of Substance Abuse; and

IT IS FUTHER ORDERED that the Chairman transmit the response to the Presiding Judge of the Superior Court.

I HEREBY CERTIFY that the above order was passed and adopted on 9/21/04 by the following vote of the Board of Supervisors, to wit:

AYES: **Sieglock, Gutierrez, Marenco, Ornellas**

NOES: **None**

ABSENT: **Mow**

ABSTAIN: **None**

Clerk of the Board of Supervisors
County of San Joaquin
State of California



By: *Luis M. Salazar*
Clerk



COUNTY OF SAN JOAQUIN

MANUEL LOPEZ
County Administrator

ROSA LEE
Assistant County Administrator

Office of the County Administrator

County Courthouse, Room 707 • 222 East Weber Avenue,
Stockton, California 95202-2778 • (209) 468-3203, Fax (209) 468-2875

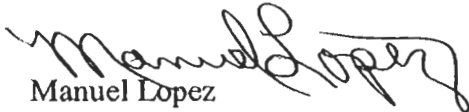
September 14, 2004

Honorable Robert McNatt
Presiding Judge of the Superior Court
222 E. Weber Avenue
Stockton, California 95202

Dear Judge McNatt:

Pursuant to Section 933.05 of the California Penal Code, the County's response to Grand Jury Report, Case No. 0303, Office of Substance Abuse is due to your office by September 16, 2004. The Board of Supervisors considered this matter today. However, due to the need for further clarification, the response will be submitted next Tuesday, September 21, 2004.

Very truly yours,


Manuel Lopez
County Administrator

c: Leroy Ornellas, Chairman of the Board of Supervisors
Kenneth B. Cohen, Interim Director, Health Care Services

ML09-02

ML:CRR



SAN JOAQUIN COUNTY MENTAL HEALTH SERVICES

SEP 21 2004

7

1212 NORTH CALIFORNIA STREET
STOCKTON, CA 95202
209-468-8700

September 2, 2004

Board of Supervisors
Courthouse
Stockton, CA

Dear Board Members:

Response To Grand Jury Report - Case #0303
Office Of Substance Abuse

Recommendation

It is recommended that the Board of Supervisors:

1. Accept the response to the fiscal year 2003-40 Grand Jury Report Case #0303 regarding the Office of Substance Abuse; and
2. Authorize and direct the Chairman to transmit the response to the Presiding Judge of the Superior Court.

Reason for Recommendation

The 2003-04 San Joaquin County Civil Grand Jury issued a final report regarding Case #0303 – County Office of Substance Abuse. The Grand Jury opened an investigation after several articles about the Office of Substance Abuse (OSA) were published in The Stockton Record in July, August and September 2003. The articles concerned an employee's allegations of abuses at the Drinking Driver Program and about mold at the Family Ties Program.

The attached report includes the responses to the finding and recommendations in the Grand Jury report.

Fiscal Impact

There is no fiscal impact associated with this response to the Grand Jury Report.

Action to be Taken Following Approval

After acceptance of the Response to the fiscal year 2003-04 Grand Jury Report Case #0303 regarding the Office of Substance Abuse, the Chairman will be authorized and directed to transmit the Response to the Presiding Judge of the Superior Court.

Sincerely,



Kenneth B. Cohen, Interim Director
Health Care Services

KBC/BH/alf
(1:BOS/04GrandJuryReportCase0303)

Attachments

c: Auditor-Controller
Clerk of the Board
Mental Health Services

Before the Board of Supervisors
County of San Joaquin, State of California

B- _____

MOTION:

Response to Grand Jury Report – Case #0303
Office of Substance Abuse

IT IS HEREBY ORDERED that the Board of Supervisors Accept the Response to the fiscal year 2003-04 Grand Jury Report Case #0303 regarding the Office of Substance Abuse; and

IT IS FUTHER ORDERED that the Chairman transmit the response to the Presiding Judge of the Superior Court.

I HEREBY CERTIFY that the above order was passed and adopted on _____ by the following vote of the Board of Supervisors, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Clerk of the Board of Supervisors
County of San Joaquin
State of California

By: _____
Clerk



LOIS M. SAHYOUN
Clerk of the Board

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September 17, 2004

Honorable Robert McNatt
Presiding Judge of the Superior Court
222 E. Weber Avenue
Stockton, California 95202

Dear Judge McNatt:

**Response to Grand Jury Final Report Case No. 0303
Office of Substance Abuse**

Pursuant to Section 933.05 of the California Penal Code, attached is the County's response to Grand Jury Final Report, Case No. 0303, Office of Substance Abuse.

Very truly yours,

Leroy Ornellas, Chairman
Board of Supervisors

LO:KC:BH/alf
(1:BOS/04GJ-L)

Attachment

Response To Grand Jury Report - Case #0303
Office Of Substance Abuse

September, 2004

FINDINGS:

1. There continues to be a lack of effective senior management support at the ATS.

RESPONSE: Partially agree, for the timeframe covered by the Grand Jury Report. There were instances in which senior management did not provide appropriate support. This is being corrected since the consolidation of OSA into Mental Health Services.

2. There is no effective system or procedure in place to track or monitor hours worked or sick leave usage.

RESPONSE: Partially agree, for the timeframe covered by the Grand Jury Report. The timekeeping system needed to be strengthened and improved. Steps are now underway to implement significant improvements in the timekeeping system.

3. Attendance guidelines are missing or not adequately communicated to all employees. There is no evidence that guidelines are adhered to or that employees are held accountable for their performance in this area.

RESPONSE: Partially agree, for the timeframe covered by the Grand Jury Report. Improvement is needed in the area of policies, procedures and guidelines regarding attendance. With the consolidation of OSA into Mental Health Services, accountability in all areas, including attendance, is being strengthened.

4. Performance is not formally monitored for all employees; expectations are not clearly defined and no formal plans for improvement are in place for employees who do not meet the department standard.

RESPONSE: Agree, that for the timeframe covered by the Grand Jury Report, the performance evaluation system in general did not meet County standards. This is addressed in Recommendation 8.

5. ATS continues to have a problem with Employee Performance Evaluations that are not current, timely and do not reflect actual performance.

RESPONSE: Agree, that for the timeframe covered by the Grand Jury Report, performance evaluations in ATS in general did not meet County standards. This is addressed in Recommendation 8.

6. OSA has added training modules for their supervisors, but training is not specific to the challenges faced by inexperienced supervisors and managers or those who lack basic skills.

RESPONSE: Agree, that for the timeframe covered by the Grand Jury Report, there were indications that supervisors and managers needed more training. This is addressed in Recommendation 3.

7. ATS has not adequately prepared and empowered supervisors and directors with effective leadership, problem solving and conflict management tools. The mentoring that was provided was minimal and lacked structure.

RESPONSE: Agree, that for the timeframe covered by the Grand Jury Report, there were indications that supervisors and managers needed more training. This is addressed in Recommendation 3.

8. Lower level supervisors, managers and directors have insufficient knowledge about the county budgetary process including preparations, accountability, tracking costs and requesting funds for necessary expenditures.

RESPONSE: Agree, that for the timeframe covered by the Grand Jury Report, there was insufficient knowledge about the budgetary process by supervisors and middle managers. Recommendation 3 addresses this deficiency.

9. Clients continue to complain that group sessions are not meeting their needs and counselors are compromising the success of the program. As a result, employee and client morale has been negatively impacted.

RESPONSE: Partially agree, for the timeframe covered by the Grand Jury Report. Some of the ATS staff have indicated the need for increased group counseling skills, and additional training is being provided.

10. Employees functioning as Substance Abuse Counselors are dealing with personal addiction problems while continuing to interact with clients and conduct group sessions.

RESPONSE: Partially agree, that for the timeframe covered by the Grand Jury Report, there were some instances of personal addiction problems interfering with work duties. Recommendation 6 address this.

11. Civil Service Rule 18, regarding conduct unbecoming a county employee, Intoxication while on duty, dishonesty and neglect of duty is being violated and in some cases ignored by management. (See Attachment 1).

RESPONSE: Partially agree, for the timeframe covered by the Grand Jury Report. There were some instances of employee intoxication in the workplace. This is being firmly addressed as detailed in Recommendation 6.

12. Environmental conditions, specifically mold, existed at the Family Ties Program at 322 N. California Street, and were ignored by OSA upper management for over one year until exposed in The Record.

Partially agree. Correspondence between the Family Ties Director, Coordinator of Residential Services, and Office of Substance Abuse Director indicate that the environmental conditions were not ignored.

However, management did not resolve the problems in a timely manner, and the records do not reflect an effort to work with the landlord to effectuate the necessary repairs. Once this issue was made public in The Record, the Board of Supervisors directed the County Administrator's Office to assume oversight over the Office of Substance. The County Administrator's Office worked with the landlord, and the appropriate repairs were made.

13. Uncollected accounts receivables were found in the basement of the 622 Aurora Street Clinic in excess of \$6000.00.

RESPONSE: Partially agree. There were uncollectible account receivables stored in a locked record storage area in an area leased by OSA at Railroad Square. This was a secure area used for records storage, and it was appropriate to store uncollectible account receivables there.

14. Management at the ATS did not consistently follow the existing San Joaquin County Alcohol and Drug Abuse Policy or utilize available resources to assist troubled employees.

RESPONSE: Agree, for the timeframe covered by the Grand Jury Report. The new administration is holding managers accountable for following, in both letter and spirit, the San Joaquin County Alcohol and Drug Abuse Policy

15. Recommendations from the 2000 Maximus Report were partially implemented even though the county spent a significant amount of money in an effort to overhaul OSA.

RESPONSE: Agree. Although OSA implemented a number of the Maximus Report recommendations, many were only partially implemented.

16. The OSA consolidated several programs, privatized the DDP and under the direction of County Administrator, Manuel Lopez, is actively considering reorganization of the agency.

RESPONSE: Agree. In June, 2004, the Board of Supervisors directed the consolidation of OSA into Mental Health Services effective July 1, 2004.

RECOMMENDATIONS:

1. The Grand Jury recommends that an independent financial audit be conducted of client records at ATS and Family Ties. The results of this audit should be forwarded to the San Joaquin County Board of Supervisors.

RESPONSE: This recommendation requires further analysis that will be completed by December 2004. OSA will contact the County Auditor-Controller to determine whether an independent financial audit of the two programs can be included in the annual fiscal year audit.

2. The Grand Jury recommends the OSA create an automated, centralized billing process to track and monitor all client accounts.

RESPONSE: This recommendation requires further analysis that will be completed by June 31, 2005. OSA has contracted with Tower Systems to provide an automated billing system for two treatment programs, the Alternative Treatment Services and the Aurora Street Clinic. Over the next ten months, OSA will explore contracting with Tower Systems to expand the billing system to all client accounts. As an alternative, OSA will also explore the development of a new centralized billing system in conjunction with Mental Health Services.

3. The Grand Jury recommends that the OSA expand supervisor and management training to include basic skill development, budget preparation, mentoring, leadership and substance abuse specific courses.

RESPONSE: This recommendation has not yet been implemented, but will be implemented by July 2005. In July 2004, the Board of Supervisors approved the consolidation of OSA with Mental Health Services in order to strengthen OSA's management structure and capabilities. The new combined mental health/substance

abuse agency will develop a training plan to upgrade management and supervisory skills across the agency, including budget preparation, mentoring, leadership and substance abuse specific courses.

4. The Grand Jury recommends that the OSA consider an alternative to self-reporting of time and attendance. One option would be to install time clocks at main employee entrances and restrict access to other entrances.

RESPONSE: OSA is implementing a time clock in the Alternative Treatment Services (ATS) program in September, 2004. Following successful implementation in ATS, the time clocks will be implemented throughout OSA. It is anticipated that all programs within OSA will be converted to time clocks by November 1, 2004.

5. The Grand Jury recommends the OSA create an Employee Assistance Program (EAP) outside of the division to assist staff with substance abuse and related issues.

RESPONSE: This recommendation requires further analysis. In the next six months, OSA will work with the Options Employee Assistance Program to evaluate whether additional manager training in the use of Options EAP will enhance the value of the services to OSA employees. This process is already underway, as OSA managers and supervisors received training from Options staff on the use of the San Joaquin County Alcohol and Drug Policy in August 2004.

6. The Grand Jury strongly recommends the OSA refer all cases of suspected employee substance abuse to Human Resources or OPTIONS for review.

RESPONSE: The recommendation has been implemented. OSA managers have been directed to adhere to the San Joaquin County Alcohol and Drug Abuse Policy that provides guidelines for the detection and deterrence of alcohol and drug abuse among employees. The policy also delineates procedures for referring employees suspected of substance abuse to Options for intervention and for drug or alcohol testing. Managers have been formally trained by Options staff to implement the San Joaquin County Alcohol and Drug Abuse Policy and to refer employees to Options for declining job performance or reasonable suspicion of drug or alcohol abuse.

7. The Grand Jury recommends that attendance and sick leave guidelines be incorporated into general annual orientation for all ATS employees.

RESPONSE: This recommendation has not yet been implemented, but will be implemented by July 2005. Managers and employees of Mental Health Services and OSA are in the process of developing a general annual orientation for all employees. The orientation will include attendance and sick leave guidelines. In addition, OSA managers now review attendance requirements with employees at staff meetings and on an individual basis. OSA managers are utilizing Proof of Illness requests in order to reduce employee absences from work.

8. The Grand Jury recommends that management ensure evaluations for probationary employees are scheduled and completed in a timely manner and review all performance evaluations for accuracy and consistency.

RESPONSE: This recommendation has not yet been implemented, but will be implemented by July 2005. In fiscal year 2004-05, OSA will provide additional training for all supervisors on performance reviews and development of plans of improvement. A performance review tracking system has already been developed and implemented.

9. The Grand Jury strongly recommends that a formal process be implemented to address staff and client complaints as well as all health and safety issues. This process should include automatic notification, monitoring and resolution of complaints.

RESPONSE: This recommendation has not been implemented, but will be implemented by June 30, 2005. The new mental health/substance abuse agency is in the process of exploring the potential for integrating all quality assurance, compliance and grievance policies and procedures.