MARIPOSA COUNTY RESOLUTION NO. 84-26

BE IT HEREBY RESOLVED by the Board of Supervisors of Mariposa County, a political subdivision of the State of California, that the Board of Supervisors hereby approved the following document, and Chairman, GERTRUDE R. TABER, is hereby authorized to sign same:

MARIPOSA COUNTY MENTAL HEALTH PLAN UPDATE

1983-84 Part B Budget

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 24th day of January, 1984, by the following vote:

AYES: Barrick, Dalton, Moffitt, Taber

NOES: None

ABSENT: Erickson

ABSTAINED: None

GERTRUDE R. TABER, Chairman
Mariposa County Board of Supervisors

ATTEST:

LYNNE ROBINSON, Acting County Clerk and Ex Officio Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY G. GREEN
County Counsel
COUNTY PLAN FOR MENTAL HEALTH SERVICES
PURSUANT TO THE SHORT-DOYLE ACT

Submitted by MARIPOSA County
for Fiscal Year 1983-84

CERTIFIED DOCUMENTS
Attach certified copies of the following:

1. The Board of Supervisor's resolution or ordinance adopting and submitting the County Short-Doyle Plan.

2. Indication that the County Short-Doyle Plan has been reviewed by the Local Mental Health Advisory Board.

3. A description of the procedures to ensure citizen and professional involvement in the county's mental health planning process at all stages of its development and indication that the Local Mental Health Advisory Board has reviewed and approved those procedures.

WE CERTIFY THAT:

A. The county mental health program will be administered according to Division 5 of the Welfare and Institutions Code.

B. All persons employed in this county mental health program (directly or through contract) meet applicable requirements contained in Division 5 of the Welfare and Institutions Code and Title 9 of the California Administrative Code unless otherwise noted in this application.

C. Employment of personnel shall be made solely on the basis of merit, without regard to race, religion, color, sex, national origin, age, or physical or mental handicap.

1) Affirmative Action shall be taken to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, color, sex, national origin, age, or physical or mental handicap. Such action shall include, but not be limited to the following: Employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. There shall be posted in conspicuous places, notices available to employees and applicants for employment provided by the County Officer responsible for contracts setting forth the provisions of the Equal Opportunity clause.
2) All solicitations or advertisements for employees placed by or on behalf of the contractor and/or the subcontractor shall state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin, age, or physical or mental handicap.

3) Each labor union or representative of workers with which the county and/or the subcontractor has a collective bargaining agreement or other contract or understanding must post a notice provided by the County Officer responsible for contracts, advertising the labor union or workers' representative of the contractor's commitments under this Equal Opportunity clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

4) In the event of noncompliance with the discrimination clause of this contract or as otherwise provided by state and federal law, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor and/or the subcontractor may be declared ineligible for further state contracts.

5) All provisions of paragraphs 1) through 5) will be included in every subcontract unless exempted by rules, regulations, or orders of the Director of the Department of Mental Health so that such provisions will be binding upon each subcontractors. The contractor will take such action with respect to any subcontract as the State may direct as a means of enforcing such provisions including sanctions for noncompliance provided; however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor as a result of such direction by the State, the contractor may request in writing to the State, who, in turn, may request the United States to enter into such litigation to protect the interests of the State and the United States.

D. Services, benefits and facilities shall be provided to patients without regard to their race, color, creed, national origin, sex, age, or physical or mental handicap and no one will be refused service because of inability to pay for such services.

1) Nondiscrimination in Services, Benefits and Facilities

There shall be no discrimination in the provision of services because of color, race, creed, national origin, sex, age, or physical or mental handicap in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d, rules and regulations promulgated pursuant thereto, or as otherwise provided by state and federal law. For the purpose of the contract, distinctions on the grounds of race, color, creed or national origin include but are not limited to the following: Denying a participant any service or benefit to a participant which is different, or is provided in a different manner or at a different time from that provided to other participants under this contract; subjecting a participant to segregation or separate treatment in any matter related to his receipt of any service;
restricting a participant in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service or benefit; treating a participant differently from others in determining whether he satisfied any admission, enrollment quota, eligibility, membership, or other requirement or condition which individuals must meet in order to be provided any service or benefit; the assignment of times or places for the provision of services on the basis of the race, color, creed, or national origin of the participants to be served. The county and all subcontractors will take affirmative action or ensure that intended beneficiaries are provided services without regard to race, color, creed, national origin, sex, age, or physical or mental handicap.

2) The county and all subcontractors assure that all recipients of service are provided information in accordance with provisions of Welfare and Institutions Code, Sections 5325 and 5325.1, and Sections 5520 through 5550, pertaining to their rights as patients. That the county has established a system whereby recipients of service may file a complaint for alleged violations of their rights.

3) Procedure for Complaint Process

All complaints alleging discrimination in the delivery of services by the county and/or the subcontractor because of race, color, national origin, creed, sex, age, or physical or mental handicap, may be resolved by the State through the Department of Mental Health's civil rights complaint process.

4) Notice of Complaint Process

The county and all subcontractors shall, subject to the approval of the Department of Mental Health, establish procedures under which recipients of service are informed of their rights to file a complaint alleging discrimination or a violation of their civil rights with the Department of Mental Health.

5) Where a substantial number of persons within the population are non-English speaking, all forms critical to the utilization of services are available in a language spoken by said non-English speaking persons. Such forms include those which: a. Must be signed by the patient. b. Advise patient of his or her rights. c. Are a prerequisite to treatment.

6) Interpretive services are available or will be obtained for persons required to sign forms of the type identified in paragraph D.4 who are fluent only in a language for which no translated form is available.

E. The county and any subcontractor will furnish all information and reports required by the Department of Mental Health and will permit access to books, records and accounts for purposes of investigation to ascertain compliance with paragraphs C 1) through C, 3) and D, 1).
An executed copy of this document certified by the Clerk of the Board of Supervisors shall be attached to and referenced in and made part of each contract the county may enter into for the purposes of implementing its Short-Doyle Plan.

(Signature and Title)  
Chairman of Governing Body  
CHAIRMAN, Mariposa County  
Board of Supervisors

JAN 24 1984  
(Date)

Signature  
Local Mental Health Director

1-16-84  
(Date)

NOTE: Government Code, Section 7296.2 which applies to state agencies only defines "Substantial Number of Persons" as any group constituting 5% or more of the general population in the area served.

Sections 7293 and 7295 of the Government Code pertains to local agencies and non-English speaking populations. These sections allow local determination of when a proportion of non-English speaking persons constitutes a "substantial number".