
Setting the Standard in Health Care Excellence

May 21, 2024

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

SUBJECT: Receive and File the Decision of the Local Mental Health Director/Behavioral Health Director Regarding the Application for Reinstatement of the Lanterman Petris Short (LPS) Designation of Aurora Vista Del Mar, LLC; Authorize the Local Mental Health Director/Behavioral Health Director to Negotiate and Execute a Compliance and Monitoring Agreement with Aurora Vista Del Mar, LLC, Signature Healthcare Services, LLC, and Dr. Soon Kim for the Conditional Reinstatement of the LPS Designation of Aurora Vista Del Mar, LLC Subject to the Terms, Limitations, and Conditions in the Agreement; Authorize the Local Mental Health Director/Behavioral Health Director to Administer the Compliance and Monitoring Agreement.

RECOMMENDATIONS:

1. Receive and file the decision of the Interim Local Mental Health Director/Behavioral Health Director ("Director") regarding the application for reinstatement of the Lanterman Petris Short (LPS) designation of Aurora Vista Del Mar, LLC (VDM) attached as Exhibit 1.
2. Authorize the Director to negotiate and execute a compliance and monitoring agreement ("Agreement") with Aurora Vista Del Mar, LLC, Signature Healthcare Services, LLC, and Dr. Soon Kim for the conditional reinstatement of the LPS designation of VDM subject to the terms, limitations, and conditions in the agreement, substantially in the form as attached in Exhibit 2, subject to review and approval as to form by County Counsel.
3. Authorize the Director to administer the Compliance and Monitoring Agreement consistent with the terms, limitations, and conditions of the Agreement, including authority to execute amendments to the Agreement to increase the number of involuntary patients admitted at the same time to the facility and other amendments the Director deems necessary to effectively implement the conditional reinstatement of the LPS Designation so long as such amendments do not shorten any of the monitoring or reporting timeframes specified in the Agreement, and subject to review and approval as to form by County Counsel.

FISCAL/MANDATES IMPACT:

The proposed recommendations do not have a fiscal impact.

STRATEGIC PLAN PRIORITY:

The item presented in this board letter aligns to the Healthy, Safe and Resilient Communities strategic priority of the County Strategic Plan as it is designed to address the safety of vulnerable individuals in the community suffering from Serious Mental Illness (SMI).

DISCUSSION:

On October 9, 2023 then Acting Behavioral Health (VCBH) Mental Health Director Loretta L. Denering, DrPH, MS notified a local psychiatric hospital, owned by VDM, that its prior designation under the LPS Act would be suspended effective October 16, 2023. This notice did not affect the facility's license to operate and treat voluntary psychiatric patients, which is under the oversight of the California Department of Public Health (CDPH).

Since that time, Director Denering has reviewed an application and supporting materials submitted by VDM for reinstatement of its LPS designation. Director Denering also obtained expertise from the Chartis Group, LLC (Chartis), to review and assess VDM's eligibility for LPS Act reinstatement. Chartis brought psychiatric, medical and nursing expertise in support of the review and its team, along with VCBH, to conduct multiple onsite visits to VDM, interviewing staff, patients and reviewing specific episodes of care. The review also included copies of the facility's related policies and procedures and methods for monitoring compliance with those policies. The reviewers evaluated the individual's assigned responsibility for both compliance and monitoring compliance in relation to the applicable provisions of the California Code of Regulations Title 9 and California Welfare and Institutions Code (WIC) related to behavioral health patients' rights and safety.

Chartis' completed report of findings from the onsite reviews was provided to VDM on March 25, 2024 and they were given ten business days to respond in writing with any objections to the findings. VDM's objections were received and reviewed by Director Denering. Based on all material collected and reviewed, Director Denering has decided that it would be in the best interest of psychiatric patients to lift the current suspension and conditionally reinstate VDM's LPS designation – if and only so long as VDM, Signature Healthcare Services LLC, and Dr. Soon Kim enter into and fulfill the conditions, terms, and limitations which will be outlined and administered through a Compliance and Monitoring Agreement.


On May 14, 2024, Director Denering notified VDM of the decision to conditionally reinstate the LPS designation of VDM, subject to approval of a Compliance and Monitoring Agreement ("Agreement") to be entered into by VDM, Signature Healthcare Services LLC, Dr. Soon Kim, and the County. Director Denering also provided VDM with a draft of the proposed Agreement subject to Board approval. Under the proposed Agreement, VDM is to do the following at VDM's expense for conditional reinstatement of its LPS designation:

1. Retain an independent consultative expert to provide a comprehensive written report analyzing VDM's operations, to assist in planning, implementing and evaluating changes and improvements, to validate the accuracy of monitoring reports called for in the Agreement, and to validate the skills, knowledge and readiness of the facility for expansion of the number of involuntary patients served at VDM at any one time.
2. Monitor the medical record documentation of each involuntary patient evaluated and/or treated at VDM per Exhibit A to the Agreement.
3. Limit the number of involuntary patients admitted at the same time to the facility to the number approved by the Director. Initially, it will be no more than two involuntary patients at a time.
4. Screen the records of all involuntary patients within three business days of discharge for "Adverse Events" and report all Adverse Events.
5. Retain the services of a nationwide, recognized hotline service.

VCBH recommends that your Board receive and file this report and Director Denering's decision and authorize the Director to take the actions outlined in Recommendations #2 and #3 on page 1 with regard to the Agreement.

VCBH will continue to provide the Board with periodic updates on this topic via this Board's public agenda.

This Board letter has been reviewed by the County Executive Office and County Counsel. If you have any questions regarding this item, please contact Director Loretta L. Denering, DrPH, MS at (805) 981-2214.



LORETTA L. DENERING, DRPH, MS
Interim Behavioral Health Director



BARRY L. ZIMMERMAN
Health Care Agency Director

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Attachments:

- Exhibit 1 – Decision Regarding the Application for Reinstatement of the LPS Designation of Aurora Vista Del Mar, LLC**
- Exhibit 2 – Compliance and Monitoring Agreement Implementing the Decision of the Local Mental Health Director Regarding the Application for Reinstatement of the Lanterman Petris Short (LPS) Designation of Aurora Vista Del Mar, LLC**