



County of Santa Cruz

County Administrative Office

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 Carlos J. Palacios, County Administrative Officer

APPROVED AND FILED
 BOARD OF SUPERVISORS

DATE: 8/22/17
 COUNTY OF SANTA CRUZ
 CARLOS J. PALACIOS
 EX-OFFICIO CLERK OF THE BOARD
 BY: *[Signature]* DEPUTY

Meeting Date: August 22, 2017
Date: August 14, 2017
To: The Board of Supervisors
From: Carlos J. Palacios, County Administrative Officer
Subject: Grand Jury Responses - Sharper Solutions

Attached for your approval is a proposed Board of Supervisors response to the findings and recommendations contained in the 2016-2017 Santa Cruz County Grand Jury report titled, "Sharper Solutions." A proposed Health Services Agency response to the report is also attached.

It is, therefore, RECOMMENDED that your Board approve the attached Board of Supervisors and Health Services Agency response to the findings and recommendations in the 2016-2017 Grand Jury report, "Sharper Solutions," and request the Chairperson to forward the responses to the Presiding Judge with a copy to the Grand Jury.

Submitted by:

[Signature]
 Carlos J. Palacios, County Administrative Officer 8/17/2017

Attachments:

- a HSA Response Packet, Sharper Solutions
- b BOS Response Packet, Sharper Solutions



**The 2016–2017 Santa Cruz County Civil Grand Jury
Requires that the
Santa Cruz County Board of Supervisors
Respond to the Findings and Recommendations
Specified in the Report Titled
Sharper Solutions
by September 25, 2017**

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC § 933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

Validation

Date of governing body's response approval: August 22, 2017

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F4. The SSP currently operates without a budget or permanent staff, which hinders the success of program goals.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

While it does not have a standalone budget, the Syringe Services Program (SSP) is overseen by the Santa Cruz County Health Services Agency (HSA) administration and embedded within the clinic setting at HSA. With financial assistance from the State, the County provides safe, clean needles to injection drug users. This objective, along with other program principles such as the one-to-one needle exchange, are being met under the current structure.

However, the Board is committed to improving operations, and there are new funding opportunities at hand. Congress recently lifted the federal ban on funding for needle exchange operations, creating potential funding opportunities for SSP. HSA will continue exploring outside funding sources with hopes of securing grants for this program in the future. The County also expects President Trump's recent announcement that he will declare the opioid epidemic a national emergency will free up further resources. The Board recently approved a Whole Person Care (WPC) Pilot grant program that provides funding for individuals with mental illness, substance use disorder, and other health conditions who are homeless or are at risk for homelessness. The Board also understands HSA will pursue funding through future Drug Medi-Cal expansion and other resources to enhance SSP operations.

Recommendations

R4. The Board of Supervisors should allocate funds for a permanent budget for the SSP to function as mandated per SSP Policy and Procedures. (F4)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

As noted above, there are new and probable funding opportunities available for needle exchange programs and to support intravenous drug users on their path toward recovery that did not exist when the County assumed administration of the program in 2013. The Board believes it necessary to evaluate these opportunities before committing scarce general fund dollars to the program.

The Trump Administration signaled it would declare a national emergency for the opioid epidemic in early August. More time is needed to understand the significance of this move, which appears to be unprecedented. There are likely two avenues to declare a national emergency: the Stafford Act or the Public Health Service Act. In particular, the latter could be utilized to deploy medical staff in underserved areas. At this point, it is too early to say how such a declaration could impact our county.

Furthermore, Whole Person Care and the Drug Medi-Cal expansion are new programs which must be established before we fully understand how they could support the SSP.

R5. The HSA should devote more time and resources to community outreach to promote rehabilitation and counselling of SSP clients. (F5, F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

As noted in HSA's response, the agency has worked with a number of groups to train more clinicians in medication assisted treatment (MAT) and counseling. SSP staff are linking clients to drug treatment, medical and behavioral health services.

However, due to the limited rehabilitation and counseling options in Santa Cruz County, our outreach efforts will go for naught without increasing local treatment and rehabilitation options. The Board is committed to that achieving that goal through the expansion of County medical infrastructure, Whole Person Care, the Drug Medi-Cal expansion and other grant programs.

R6. The HSA should implement a mobile needle exchange unit to increase access to SSP services. (F8, F9)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe
(not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

Under Board direction, HSA assumed control of the County's sole local needle exchange program. The decision included significant community input, which included criticism of the mobile exchange component. Instead, the Board authorized two fixed sites for exchange services.

Should the SSP Advisory Group recommend that we re-establish a mobile exchange program, the Board would consider that recommendation with input from stakeholders, public safety officials, medical experts and the community.

R7. The HSA should post hazardous waste signs with a single contact number for advice or reporting, available 24/7, in areas where syringes are commonly found. (F9, F10)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

Under Board direction, SSP staff are working with local jurisdictions to identify and install additional public sharps disposal access points in the areas where syringes are commonly found. Sharps containers will be installed with appropriate signage, contact and program information.

While the Board supports the safe, proper disposal of discarded needles, locating signage in highly effective areas requires the cooperation of our partner jurisdictions. The Board expects SSP leadership will continue working with our partners to obtain the appropriate authorizations and resources needed to achieve that goal.

R8. The HSA should install and maintain Sharps containers in bathrooms in high needle-use public areas. (F9, F11)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

As previously stated, the Board supports the safe, proper disposal of discarded needles. The Board approved one of the first provider responsibility laws in the U.S. aimed at reclaiming used needles. The City of Santa Cruz and other jurisdictions followed suit, and there are now dozens of needle collection sites throughout Santa Cruz County. (see http://sharpmedsolutions.org/collection_sites/index.html).

While the County has no jurisdiction over public bathrooms on private property, we continue working with partner jurisdictions to identify additional collection sites throughout the County. Public bathrooms would likely be a focus of those discussions.

R9. The SSP should coordinate specific clean-up events throughout the county on a regular basis and report such efforts in their biennial and annual reports. (F9, F12)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

As previously noted by the Grand Jury, the operations of the SSP are absorbed in HSA's budget and the program itself has no full-time staff. A number of community-based cleanup events do occur, and some, such as regular beach cleanups, do receive County funding. In addition, local law enforcement agencies regularly address illegal homeless encampments, at which numerous needles are often found.

Assuming control over those cleanups raises funding, coordination, jurisdictional and safety issues, and requires further analysis.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**