



OFFICIAL COMMUNITY INVESTMENTS POLICIES

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Introduction

This manual establishes the St. Louis Mental Health Board (MHB) rules and principles for distributing the financial resources with which it is entrusted. The investing policies have evolved over the Board's history of administering tax revenues and reflect the lessons it has learned. These policies have been restated to be in keeping with the mission, vision and values the Board reaffirmed in August 2002, and to be consistent with existing statutes and regulations.

MHB was established in 1994. The Mayor appoints the Trustees with the advice and consent of the Board of Aldermen. The statutory authority for the formation, operation and scope of the Mental Health Board can be found in Sections 205.975 – 205.990, 67.1775, and 210.860 – 210.861 R.S.Mo.

In November 1992, St. Louis voters passed a tax referendum to create, maintain and enhance services for City residents with mental health and/or substance abuse problems. MHB is entrusted to administer the public revenues this tax generates. The statutory authority for the mental health tax levy can be found in Sections 205.977 – 205.980 R.S.Mo.

In November 2004, St. Louis voters passed a second tax referendum to create, maintain and enhance services to protect the well-being and safety of the city's children and youth and to strengthen the city's families. MHB is also entrusted to administer the public revenues this tax generates. The statutory authority for the children's tax levy can be found in Sections 210.860 R.S.Mo.

MHB pursues grants for mental health, substance abuse, children and family services from other sources such as federal or state governments or private foundations. From time to time, MHB also partners with other sources to jointly invest in outcomes. MHB does not provide direct services; so all direct service investments flow into community agencies/organizations.

The main section of this document includes the policies adopted by the Trustees which apply to investments made by MHB.

Policies Which Apply to All Investments Made by MHB

Reservation of Rights

The policies and implementations stated herein are intended to guide MHB action. However, within the scope of its statutory authority, MHB reserves the right to unconditionally amend, modify, waive or cancel, in whole or in part, any policy or procedure, or the application thereof to any situation, if MHB deems it to be in its best interest to do so. MHB may exercise this right without notice or specific reference to these policies, and without any liability to any party.

MHB will be held harmless in regard to the provision of any services by a recipient of funds.

Statutory Obligations

The Mental Health Board will endeavor to comply with all statutory obligations to which it is subject. Several such obligations may be of particular interest to potential applicants for investment.

1. MHB will comply with the *Missouri Public Records Law of 1961*. Applicants for funding should be aware that all documents and correspondence submitted to MHB become part of the open public record.
2. MHB will comply with all aspects of the *Missouri Sunshine Law* regarding open meetings and records. Applicants for investments should be aware that our selection process occurs in a forum which is open to the public. The Sunshine Law also further prescribes that MHB's records are open to the public.
3. MHB will comply with the *Conflict of Interest* rules of the Missouri Ethics Commission. Applicants for investment should be aware that no MHB Trustee will participate in the review, discussion or selection for any applicant with whom there might be either an actual conflict or an appearance of a conflict of interest.
4. MHB will comply with the *Health Insurance Portability and Accountability Act of 1996* (HIPAA) by neither accepting nor maintaining any document bearing the name or identifying information of any consumer receiving services. Applicants for investments must also comply with HIPAA and must include authorizing releases of information in files which allow MHB to regularly inspect records.

Eligibility for Investment

MHB will consider applications for investment only if all pertinent eligibility requirements regarding the applicant's organization, services and consumers are met.

1. MHB will invest only in organizations that demonstrate fiscal, administrative and managerial stability, prudence and diligence.
 - a. Recipients of funds must submit both an *independent audit and management letter* each year. The audit must be conducted by a Certified Public Accountant. The audit must include or be accompanied by an OMB Circular A-133 Report (if applicable). Recipients must address immediately any deficiencies noted by the auditor to the satisfaction of MHB. Audits are to be submitted within 90 days of the end of each organization's fiscal year.
 - b. MHB reserves the right to approve any change to *key personnel* assigned to a project receiving investment.
 - c. MHB requires all applicants to maintain *minimum levels of insurance* as periodically recommended by our legal counsel. Current insurance requirements are listed in the Appendices.
 - d. MHB shall have a preference for investing in organizations and/or projects with *diversified sources of revenue* (i.e., funding from at least one other source).
 - e. MHB will make investments only to not-for-profit or for-profit organizations *in good standing with the Secretary of State* to do business in Missouri or organizations established by charter or statute.
 - f. MHB may require *new or smaller organizations* to partner with more established organizations for administrative support.
2. MHB will invest only in organizations that comply with all *local, state and federal regulations* related to fair labor practice, workplace safety, accessibility and consumer protection. Applicants should be aware that MHB assesses compliance with these laws each year and that this assessment includes an assessment of compliance with Executive Order 11246 regarding Affirmative Action.
3. MHB shall only make investments in organizations and/or projects which demonstrate that individuals receiving mental healthcare services shall have a documented *mental health diagnosis* determined by a qualified mental healthcare provider except for prevention or early intervention of mental illness and/or substance abuse, outreach and

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engagement, crisis intervention, or other services where such a diagnosis would be a clear barrier to service.

4. MHB shall only invest in applicants who demonstrate their ability to provide *culturally and linguistically appropriate services*.
5. MHB shall have a preference for investing in organizations and/or projects whose *governing board members* reside in the City or County of St. Louis.
6. MHB shall have a preference for investing in organizations and/or projects whose *services are provided in the City of St. Louis*.
7. MHB shall only make investments in organizations and/or projects which demonstrate that MHB funds will not be used to *supplant* other sources of revenue.
8. MHB shall only make investments in organizations and/or projects which meet all *additional specific eligibility requirements* established by a specific source of revenues.
9. MHB shall only make investments in organizations and/or projects which meet all *additional specific eligibility requirements* established in the “Givens” section of pertinent MHB Calls for Co-Investors.

Public Accountability

MHB strives to achieve a high level of accountability to the public on whom it relies for support.

1. MHB shall endeavor to focus its resources in a deliberate, professional manner based on *professional needs assessments and strategic planning*. To that end, MHB may conduct periodic, systematic and comprehensive assessments and/or periodic specialty assessments of mental health and substance abuse service needs for residents of the City of St. Louis. Primarily, MHB shall conduct periodic strategic planning sessions to set the outcomes and identify the results the board shall commit to achieving for City residents.
2. MHB shall endeavor to inform the public regarding mental health issues relevant to the residents of the City of St. Louis. Recipients of investments shall be required to participate in these efforts. MHB shall periodically issue a *Communications Standards* manual with which all recipients of investments shall be expected to comply.
3. MHB shall endeavor to inform the public regarding its activities, investments, and achievements. MHB shall publish an *Annual Report* which includes a list of co-investors, an outline of investment priorities, as well as a review and analysis of results and impacts realized.

Disbursements

MHB normally disburses investments in twelve equal milestone payments. As required by other funding sources, at the request of an applicant organization or on an *ad hoc* basis, MHB also disburses funds on an expense-reimbursement or on a fee-for-service basis.

1. MHB will disburse funds only after a *formal contract is duly executed*.
2. MHB will disburse funds only to recipients of investments who are in *full program and fiscal compliance* with the terms of their contracts. Recipients of investments should be aware that MHB will delay payment of any funds for which the recipient has delayed submission of required paperwork. Recipients should also be aware that the final payment on any project, in particular may be delayed by thirty to sixty days pending receipt of final reports.
3. MHB requires *two authorized signatures* on all investment payment checks regardless of the amount.

Oversight

1. All recipients of investments must submit *timely, periodic status reports*.
2. All recipients of investments are subject to *annual site visits* by MHB staff to assure fidelity to the application for investment, efficacy and fiscal accountability.
3. Any *capital assets or equipment* with a unit cost of five hundred dollars or more that is purchased with funds from MHB must be retained and used continually for the purposes originally intended for a period of five years from the date of purchase. MHB may inspect or repossess any such asset during that five-year window.
4. Any recipient of investments found to be out of compliance with their contract or MHB's policies shall be required to take *corrective action* to remedy the deficiency. Should a recipient fail to come into compliance MHB will take further action up to and including terminating the investment.

Contracting

Each project invested in by MHB shall be governed by a duly executed contract which provides a detailed description of the relationship with MHB and MHB's specific expectations and requirements regarding the project.

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1. MHB will award contracts for investments for a *maximum period of one year*.
2. Most investments made by MHB are intended to be multi-year projects. MHB will provide *annual renewals* for the length of the investment contingent upon the availability of funds and the applicant's re-application and good standing with MHB.
3. Contracts shall only be considered duly executed when they are signed by MHB's Executive Director, Attorney and an officer of MHB's board AND by the recipient organization's *authorized signatories* (e.g., Executive Director and board officer).

Communication with Funded Agencies

All *contract-related written communication* between MHB and co-investors shall be kept on file by MHB as part of the public record. Electronic mail shall be considered written correspondence and shall be printed and filed. A fax verification sheet shall be printed out and attached to all communications faxed from MHB. Correspondence and documents mailed by MHB shall be sent by certified mail, return receipt requested (or by a similar delivery service with delivery confirmation). Examples of contract related correspondence include: contracts, amendments, required reports, site visit reports, corrective action plans, correspondence regarding progress on corrective action plans, correspondence regarding problems with reporting, etc.

Specific Policies for Investment From Mental Health Tax Revenues

City Residents

Any investment made by MHB which includes local mental health tax revenues is restricted to services which are provided to City residents. In programs which do not exclusively serve City residents, MHB funds shall not fund a proportion of the total program budget in excess of the proportion of services to City residents.

Maximum Investment

No single program or project investment from local mental health tax revenues shall exceed \$250,000 in any fiscal year.

Designation by the Missouri Department of Mental Health

MHB shall make investments from local mental health tax revenues only in support of services which are designated eligible by the Missouri Department of Mental Health that contribute to MHBs investment outcomes.

Three-year Grants

MHB's primary use of local tax revenues shall be investments made in a three-year cycle. The first year of this cycle shall be an open competition for investments based on the needs identified by MHB in its needs assessments and the outcomes prioritized by the board. The two following years shall be open only to renewal applications from those projects which are achieving their specific milestones/performance targets and/or which use program learning to demonstrate improved performance to a degree which assures MHB there is a reasonable likelihood of future success. When organizations are not meeting performance objectives, MHB may reallocate funds to other providers within the objective area or to another objective area altogether.

Special Investments

MHB may, from time to time, set aside funds from ongoing mental health tax revenues for *special projects or purposes other than Three Year Investments*. MHB also may establish from time to time special reserves which may be used for such purposes. A detailed description of each reserve and the specific purposes for which it may be used is available in MHB's *Statement of Financial Control and Accountability*.

Specific Policies for Investments From Children's Tax Revenues

City residents

Any investment made by MHB which includes local children's tax revenues is restricted to services which are provided to City residents. In programs which do not exclusively serve City residents, MHB funds shall not fund a proportion of the total program budget in excess of the proportion of services to City residents.

Maximum Award

No single program or project investment from local children's tax revenues shall exceed \$250,000 in any fiscal year.

Certification or License

For services for which the State of Missouri has established licensing or certification standards, MHB shall make investments from local children's tax revenues only in support of services

which are licensed or certified by the State of Missouri and that contribute to the outcomes prioritized by the board. Exceptions may be made when one of the objectives of the project is for the service to obtain the appropriate license or certification during the life of the project.

Accreditation

For services for which one or more national organizations have established accreditation, MHB shall have a preference for those programs and/or projects which have attained the accreditation. Exceptions may be made when one of the objectives of the project is to obtain the accreditation during the life of the project.

Recurring Project Investments

MHB's primary use of local tax revenues shall be investments made to further specific outcomes in the City of St. Louis. The term of investment shall be established to most effectively achieve each outcome and shall be stated explicitly in each *Call for Co-Investors*. When cycles are multi-year, the first year of the cycle shall be an open competition for investment. Each subsequent year shall be open only to renewal applications from those projects selected in the open competition which are achieving their specific milestones/performance targets and/or which use program learning to demonstrate improved performance to a degree which assures MHB there is a reasonable likelihood of future success. When organizations are not meeting performance objectives, MHB may reallocate funds to other providers within the priority outcome area or to another outcome area altogether.

Special Investments

MHB may, from time to time, set aside funds from ongoing children's tax revenues for *special projects or purposes other than Recurring Project Investments*. MHB also may establish from time to time special reserves which may be used for such purposes. A detailed description of each reserve and the specific purposes for which it may be used is available in MHB's *Statement of Financial Control and Accountability*.

Specific Policies for Investments from Federal/Other Third Party Grants

When MHB Will Apply for Additional Funds

MHB will seek to identify and pursue additional outside funding opportunities which fulfill all of the following requirements:

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1. The opportunity is consistent with the mission, vision, values, and outcomes of MHB.
2. The opportunity is consistent with current needs that may be identified by MHB's needs assessments.
3. MHB has the capacity to complete the application process by the application deadline and to satisfy the administrative and financial requirements of the funding source over the life of the award.
4. MHB believes that it can make a competitive bid for the funds.

MHB's Role

MHB shall serve as the administrator of projects receiving funds by federal/other third party sources. MHB shall subcontract with community service providers to provide direct services to achieve and/or evaluate and verify results that contribute to MHB outcomes. MHB shall ensure that all requirements established by the funding source are met by its staff and all subcontractors. MHB shall serve as the facilitator for any required community collaboration effort.

Additional Eligibility Requirements

In addition to MHB's own eligibility requirements, each funder has a set of its own. MHB will only select community service providers who meet both MHB's eligibility requirements and the federal/other funder's eligibility requirements. Community service providers must also agree to meet not only the service obligations of an award, but also any evaluation and administrative obligations required by the funder. Community service providers must have the capacity to dedicate the resources necessary to fulfill the application requirements and to implement an award on the timelines established by the funder.

Compliance with the *Drug-Free Workplace Act* and the *National Standards for Culturally and Linguistically Appropriate Services in Healthcare (CLAS)* are almost always required. The *Drug-Free Workplace Act* requires that community service providers fulfill the following six criteria:

1. The employer must have a written policy that explains what is prohibited and the consequences of violating the policy.
2. Employees must read and consent to the policy as a condition of employment on the project.
3. The employer must have an awareness program to educate employees about alcohol and other drug abuse and addiction, the employer's policy and available help, counseling, and assistance.
4. Employees must disclose any conviction for a drug-related offense in the workplace to the employer within 5 days after such conviction.

5. Employers must disclose any conviction for a drug-related offense in the workplace to the Federal agency with which the employer has a grant or contract within 10 days after receiving notice from the employee or others.
6. Employers must make an ongoing effort to maintain a workplace free of drugs.

The *National Standards for Culturally and Linguistically Appropriate Services in Healthcare* (CLAS) standards also require that community service providers meet the following four criteria:

1. Health Care Organizations must offer and provide language assistance services, including bilingual staff and interpreter services, at no cost to each patient/consumer with limited English proficiency at all points of contact, in a timely manner during all hours of operation.
2. Health Care Organizations must provide to patients/consumers in their preferred language both verbal offers and written notices informing them of their right to receive language assistance services.
3. Health Care Organizations must assure the competence of language assistance provided to limited English proficient patients/consumers by interpreters and bilingual staff. Family and friends should not be used to provide interpretation services (except on request by the patient/consumer).
4. Health Care Organizations must make available easily understood patient-related materials and post signage in the languages of the commonly encountered groups and/or groups represented in the service area.

Solicitation of Community Service providers

When the timeline and requirements of an opportunity allow, MHB shall select community service providers through a competitive process. Unfortunately, most federal and state funds require that service providers be identified before an application is made and on a timeline which prohibits such a process. MHB will, under such circumstances, solicit service providers whom it believes will contribute to the most competitive application possible.

Application Process

Most application timelines are very brief. Organizations interested in being a community partner on such a project should be prepared to dedicate considerable staff hours to meetings and planning in the application process. Community service providers may be asked to write specific sections of an application upon which they have special expertise or knowledge. Community

service providers must submit all supporting documentation required for the application in a timely manner, and often at the last minute.

Fiscal Year

MHB shall utilize subcontracts to make investments based upon the Fiscal Year of the funding source.

Reporting Requirements

Most federal funding programs and third party funding sources have specific reporting requirements which must be met by recipients. These may include financial, service data, evaluation or other reports. MHB will ensure that all reporting deadlines are met. In the unlikely event that a community partner is unable to supply the information necessary for MHB to meet such obligations, MHB shall take corrective action up to terminating the investment and reassigning it to another community partner.

Disbursements

Most awards made from federal / other third party revenues are disbursed on an expense-reimbursement basis. Most such awards also have specific line item budgets which require community service providers to request approval for any changes in spending *BEFORE* they occur.