



MEMORANDUM

TO: HUMAN SERVICES COMMISSION

THROUGH: TRENT RHORER, EXECUTIVE DIRECTOR

FROM: DANIEL KAPLAN, DEPUTY DIRECTOR
JOHN TSUTAKAWA, DIRECTOR OF CONTRACTS *JH*

DATE: FEBRUARY 8, 2018

SUBJECT: CONTRACT RENEWAL: **ZORAH BRAITHWAITE (FOR-PROFIT)**
FOR PART-TIME FAIR HEARING OFFICER SERVICES

	<u>Current</u>	<u>Renewal</u>	<u>Contingency</u>	<u>Total</u>	
CONTRACT TERM:	7/1/15 – 6/30/18	7/1/18 – 6/30/19			
CONTRACT AMOUNT:	\$202,500	\$67,500	\$6,750	\$74,250	
ANNUAL AMOUNT:	<u>FY 15/16</u> \$67,500	<u>FY 16/17</u> \$67,500	<u>FY 17/18</u> \$67,500	<u>FY 18/19</u> \$67,500	
<u>Funding Source</u>	<u>County</u>	<u>State</u>	<u>Federal</u>	<u>Contingency</u>	<u>Total</u>
FUNDING	\$67,500			\$6,750	\$74,250
PERCENTAGE:	100%				100%

The Department of Human Services (DHS) requests authorization to renew the contract agreement with Zorah Braithwaite for the period of July 1, 2018 to June 30, 2019, in the amount of \$67,500 plus a 10% contingency for a total contract amount not to exceed \$74,250. The purpose of the contract renewal is to continue services for the part-time fair hearing officer for the Human Services Agency (HSA) for one year.

Background

San Francisco Administrative Code sections 20.7-45 and 20.7-50, and the United States Supreme Court case of Goldberg v. Kelly, 397 U.S. 254 (1970) require the government to provide a pre-termination evidentiary hearing before it can terminate an individual’s public assistance in order to satisfy basic tenants of due process. The Fair Hearing Officer conducts these hearings for the San Francisco County Adult Assistance Program and provides the checks and balances that are legally required to ensure the program affords clients due process of law before their benefits are

negatively impacted. This fair hearing officer replaced the part-time hearing officer who worked in the fair hearings office for about 12 years. During that time the number of fair hearings scheduled has doubled. Ms. Braithwaite complies with all terms of the contract and provides excellent services for the Human Services Agency.

Services to be Provided

Contractor shall conduct fair hearings for the County Adult Assistance Program (CAAP) with clients whom are faced with reduction of grant amount or discontinuance and are requesting for a fair hearing.

Contractor will provide a *minimum* of two hearing days a month, covering vacation and other leaves by the lead hearing officer, not to exceed an average of 175 hours per quarter. Such service shall include the ability to keep up with state and local regulatory changes that govern fair hearings, participate in settlement discussions, fair hearing trainings, policy discussions, provide documented decisions, and liaise with CAAP Program staff and clients.

Location and Time of Services

Hearings are held at 1235 Mission Street or at another location designated by HSA. Hearings are generally held between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Selection

Contractor was selected through Request for Proposal #651 issued on April 20, 2015.

Funding

Funding for this contract renewal is provided entirely by General Fund.

ATTACHMENTS

Appendix A – Services to be Provided

Appendix B – Budget

Appendix A: Scope of Services to be Provided
Part-Time Fair Hearing Officer
Term: 7/1/18 – 6/30/19
Zorah Braithwaite

I. Purpose of Grant

The purpose of the grant is to provide a part-time hearing officer in the County Adult Assistance Program (CAAP) Fair Hearings division of the Department of Human Services Agency (HSA).

II. Definitions

HSA	Human Services Agency
CAAP	County Adult Assistance Program
CDSS	California Department of Social Services

III. Target Population

The Contractor shall conduct fair hearings for the County Adult Assistance Program (CAAP) and clients served who receive public assistance and are facing a reduction in their grant amount or a discontinuance of their grant and are requesting a fair hearing.

IV. Description of Services

Contractor shall provide the following services during the term of this grant:

1. Contractor shall cover a minimum of **two** hearing days per month, as directed by the Director of Investigations or his or her designee, based on work flow and number of hearings scheduled by fair hearing staff.
2. Contractor shall cover vacation and other leaves by the lead hearing officer, not to exceed an average of 175 hours per quarter.
3. Services shall include but not be limited to:
 - a. Learning all applicable laws that govern fair hearings, including State law
 - b. Learn applicable sections of the San Francisco Administrative Code (SFAC), case law, and administrative rules and regulations that govern hearings.
 - c. Conduct hearings
 - d. Write decisions within applicable time frames
 - e. Participate in settlement discussions
 - f. Review good cause requests
 - g. Consult with program staff as needed
 - h. Consult with clients when supervisor review is requested and/or is necessary to resolve an issue.
 - i. Participate in training as directed by the lead hearing officer.

- j. Participate in policy discussions that pertain to the fair hearing process from time to time with HSA management, opposing counsel, and program staff.

V. Location and Time of Services

Hearings are held at 1235 Mission Street, San Francisco, or at another location designated by HSA. Hearings are generally held between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

VI. Service Objectives

1. Learn all applicable laws that govern fair hearings, including State law
2. Learn applicable sections of the San Francisco Administrative Code (SFAC), case law, and administrative rules and regulations that govern hearings.
3. Conduct hearings
4. Write decisions within applicable time frames
5. Participate in settlement discussions
6. Review good cause requests
7. Consult with program staff as needed
8. Consult with clients when supervisor review is requested and/or is necessary to resolve an issue
9. Participate in training as directed by the lead hearing officer.
10. Participate in policy discussions that pertain to the fair hearing process from time to time with HSA management, opposing counsel, and program staff.
11. Attend all hearings scheduled each day Contractor is required to appear.

VII. Reporting Requirements

- A. Grantee will provide a **monthly** report of activities, referencing the tasks as described in Section VII & VIII- Service and Outcome Objectives. Grantee will enter the monthly metrics in the CARBON database by the 15th of the following month.
- B. Grantee will provide an **annual** report summarizing the contract activities, referencing the tasks as described in Section VII & VIII- Service and Outcome Objectives. This report will also include accomplishments and challenges encountered by the Grantee. Grantee will enter the annual metrics in the CARBON database by the 15th of the month following the end of the program year.
- C. Grantee will provide Ad Hoc reports as required by the Department.
- D. For assistance with reporting requirements or submission of reports, contact:

Judy Ng
Contract Manager, HSA Office of Contract Management
Email: Judy.Ng@sfgov.org

or

Jennifer Williams
Program Manager, HSA
Email: Jennifer.Williams@sfgov.org

VIII. Monitoring Activities

- A. Program Monitoring: Program monitoring will include review of back-up documentation for reporting progress towards meeting service objectives.

Appendix B: Budget
Zorah Braithwaite
Part Time Fair Hearing Officer
Term: 7/1/2018 – 6/30/2019

Rate Breakdown

July 1, 2018 – June 30, 2019

1. Rate per Hour: \$125
2. Hours per Month: 45
3. 45 hours per month X \$125 per hour X 12 months in a year = \$67,500

The total amount for the period of July 1, 2018 to June 30, 2019 is \$67,500.