

**SECOND ADDENDUM TO MEMORANDUM OF UNDERSTANDING
BETWEEN THE SISKIYOU COUNTY HEALTH AND HUMAN SERVICES AGENCY
AND THE SISKIYOU COUNTY DISTRICT ATTORNEY**

THIS SECOND ADDENDUM is to that Memorandum of Understanding entered into on September 12, 2022, by and between the Siskiyou County Health and Human Services Agency and The Siskiyou County District Attorney and is entered into on the date when it has been both approved by the Board and signed by all other parties to it.

WHEREAS, the Scope of Work, Exhibit A, needs to be revised to reflect an increase in staffing levels.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

Paragraph 2.01 of the Memorandum of Understanding, Services, Exhibit "A", shall be deleted and replaced in its entirety with the new Exhibit "A", Scope of Work, attached hereto and hereby incorporated by reference.

SIGNATURES ON NEXT PAGE

IN WITNESS WHEREOF, County and Contractor have executed this second addendum on the dates set forth below, each signatory represents that they have the authority to execute this agreement and to bind the Party on whose behalf their execution is made.

SISKIYOU COUNTY DISTRICT ATTORNEY'S OFFICE

Signed by:
By: Kirk Andrus Date: 10/21/2024
J. Kirk Andrus, District Attorney

HHSA SOCIAL SERVICES DIVISION

DocuSigned by:
By: Patricia Barbieri Date: 10/21/2024
Trish Barbieri, HHSA Social Services Director

SISKIYOU COUNTY HEALTH AND HUMAN SERVICES AGENCY

DocuSigned by:
By: Sarah Collard Date: 10/22/2024
Sarah Collard, Ph.D.,
Director of Health and Human Services Agency

COUNTY OF SISKIYOU

Date: 11/13/2024

DocuSigned by:
Michael N. Kobseff
MICHAEL N. KOBSEFF, CHAIR
Board of Supervisors
County of Siskiyou
State of California

ATTEST:
LAURA BYNUM
Clerk, Board of Supervisors

DocuSigned by:
By: Wendy Winingham
Deputy

ACCOUNTING:

Fund	Organization	Account	Activity Code (if applicable)
2120	501010	795000	8086
1006	201160	595000	8086

3. Retain responsibility for selection, hiring, training, supervision, monitoring (including staff performance), and terminations of staff assigned to or associated with assisting HHSA and shall ensure said staff have appropriate experience to handle the task herein required.
4. DA's responsibilities shall include but not be limited to:
 - a. Ensuring the availability of up to 1.5 FTE investigators and .50 FTE Evidence/Property Coordinator at the HHSA and/or DA location as determined and requested by HHSA.
 - b. Provide HHSA with a liaison at DA to communicate comments or concerns regarding Investigator and/or Evidence/Property Coordinator performance. Said DA liaison shall be an Investigator supervisor and/or manager. Communications between DA liaison and HHSA may be made in person, by telephone, or in writing. Comments by HHSA are intended to provide a prompt update of the successful or unsuccessful resolution of all performance issues regarding Investigators. In absence of any written or verbal concerns. The DA shall assume that Investigator and/or Evidence/Property Coordinators' performance is satisfactory.
 - c. DA shall provide assurance that Investigator and/or Evidence/Property Coordinator shall conform to the reasonable rules and regulations applicable to other County staff working at the HHSA sites including but not limited to restrictions regarding computer system use, and visitor access to buildings, etc.
5. Investigators and where appropriate, Evidence/Property Coordinator shall, in the course of performing their responsibilities on behalf of HHSA:
 - a. Locate and interview witnesses to and persons suspected of welfare fraud violations, obtain and present facts and evidence to support prosecution of suspected welfare fraud violations, and perform other services as required to ensure compliance with the provisions of the CDSS Manual of Policies and Procedures Confidentiality, Fraud, Civil Rights, and State Hearing, Division 20, Chapters 20-007 "Special Investigative Unit" and Chapters 20-2008 "Law Enforcement Officials," California Penal Code §830-832.16, and/or other Federal, State, and Local regulations and laws as applicable to the investigation and prosecution of suspected welfare fraud. More particularly,
 - i. Check for incoming referrals (electronic or paper) on a regular basis (but no less than twice a week) for new fraud referrals.
 - ii. Complete investigations for early fraud investigations within suggested timeframes but no later than thirty (30) days from application, recertification adding a new member to the household, or during an inter-county transfer. In certain situations, referral may need

to be processed in an expedited manner as indicated on the referral. Early fraud applies to CalFresh and CalWORKs investigations.

- iii. Set and use the CalSAWS task setting functionality for any referral that requires a follow-up, thereby assuring required tasks are followed-up by set task due date. CalSAWS investigation notes shall be kept up to date so both HHSA and the Investigator's Supervisor are kept apprised on the status of all referrals under investigation. Investigator and/or Evidence/Property Coordinator may utilize HHSA support staff to complete these tasks, when appropriate.
- iv. Receive and monitor the CalSAWS task reports monthly and strive to complete tasks in a timely manner.
- v. If potential welfare fraud information is received from a source other than HHSA, Investigators and/or Evidence/Property Coordinator shall inform the designated HHSA liaison at the time of the referral. Should HHSA determine that welfare fraud referral and action is warranted by DA, HHSA support staff and/or Evidence/Property Coordinator will enter and assign a referral request into the CalSAWS system.
- vi. Take prompt and decisive steps to assess, investigate, and establish the facts regarding any HHSA-referred situation in which it appears that reason exists to suspect fraud or potential fraud against the CalWORKs program. CalWORKs-related programs, CalFresh, GENERAL ASSISTANCE or other public assistance programs by one (1) or more beneficiaries of those programs. Said investigation may include but not be limited to instances when eligibility is being determined, or when benefits are being received, or have been received on the basis of incorrect, incomplete, or false data. When said investigation reveals probable cause exists to suspect fraud against the CalWORKs program, CalWORKs-related programs, CalFresh, General Assistance, or other public assistance programs by one (1) or more beneficiaries of those programs, Investigators shall refer for prosecutions and DA shall review and possibly prosecute the person(s) suspected to have committed said fraud.
- vii. Provide designated HHSA liaison with all findings and resolutions and/or dispositions of each referral received, including referrals not received from HHSA, along with a summary of facts and access to evidence collected to the fullest extent allowed by law.
- viii. Prepare and maintain complete records on all fraud investigations.
 - 1. Update CalSAWS electronic case records by updating case status and notes to accurately reflect caseload size. Investigator and/or Evidence/Property Coordinator may utilize HHSA Support Staff to completely this task, when appropriate.

6. DA's responsibilities with regard to the Investigators and/or Evidence/Property Coordinator' access and attendance at various miscellaneous welfare fraud-related events shall include but not be limited to:
 - a. Trainings, committees, and meetings shall be requested from appropriate HHSA liaison no less than ten (10) working days prior to attending any event for which payment or reimbursement from HHSA will be sought. Said sought payments or reimbursements may include but shall not be limited to registration costs, membership costs, tuition, materials, staff time, per diems, mileage, accommodations, various other travel expenditures, etc. Request for approval to attend HHSA-related trainings that are requested less than ten (10) days in advance of the training shall require the written approval of both the DA or his designee and the HHSA Social Services Director, or designee.
7. Approved travel expenses such as lodging, meals, mileage, etc., shall be in accordance with the County's travel policy, which explain the use of credit cards, meals, and mileage etc.
8. Provide testimony or provide other required or requested evidence related to welfare fraud investigations in criminal proceedings.
9. Investigators and and/or Evidence/Property Coordinator shall provide employee continuing education refresher training to HHSA staff: as required, to ensure compliance with the provisions of the CDSS Manual of Policies and Procedures Confidentiality, Fraud, Civil Rights, and State Hearings, Division 20, Chapter 20-005. Once per year, DA shall provide four (4) hours of continuing education refresher training for ongoing employees and provide new employees with eight (8) hours within the first four (4) month. Upon mutual agreement and dependent upon availability, the trainings may be accomplished by video conference or as mutually agreed upon by DA and HHSA.
10. Work product completed by Investigator and and/or Evidence/Property Coordinator shall be subject to audit and review for compliance by any agency of the State or Federal Government involved in the administration of these programs.

C. Pursuant to Section 2.01 HHSA Shall:

1. Assess current open cases and refer potential fraud cases that require investigation to the DA.
2. Refer new potential fraud cases to the DA.
3. Provide the DA with pertinent case information needed to facilitate welfare fraud investigation and prosecution activities.
4. Provide Investigators with a HHSA support staff at assigned site(s) to provide on-site Investigators with operational assistance and support.

5. Provide on-site Investigators and/or Evidence/Property Coordinator with access to a work area, a computer with CalSAWS and other welfare fraud related software and access to a client interview space that protects both Investigator, Evidence/Property Coordinator and client confidentiality and safety. More specifically:
 - a. May maintain itinerant locations whereas the Investigators and/or Evidence/Property Coordinator can access workspace and appropriate furnishings and computer as needed in order to conduct welfare fraud investigation related business (e.g., workstation/desk, chair, telephone, shelving units, and access to standard office equipment such as copy machine and fax machine normally provided to County employees as required to compete their assigned duties).
 - b. Request for non-standard equipment or supplies must have prior review and approval by the appropriate HHSA Social Services Director or designee.
6. Provide access to pertinent program records including, but not limited to, client identifying information, relevant court documentation, and general information that would contribute to HHSA- approved welfare fraud investigation and prosecution activities.
7. Provide access to a computer network that stores information that contributes to welfare fraud investigation activities.
8. Provide access to other systems specifically required and provided by HHSA shall be maintained by HHSA. Any HHSA related issues may be communicated via email to the Agency HelpDesk at HHSA_Trackit@co.siskiyou.ca.us.
9. Communicate comments or concerns regarding Investigators' performance to DA liaison. Communication between HHSA is intended to provide a prompt update of the successful or unsuccessful resolution of all performance issues regarding Investigators. In absence of any written or verbal concerns, the DA shall assume that Investigators' performance is satisfactory.
10. Provide opportunities for DA staff to participate in multidisciplinary meetings, department staff meetings, and/or related activities as they apply to welfare fraud control, including the investigation and prosecution of welfare fraud to ensure appropriate networking with all relevant program staff.
11. Provide Investigators and/or Evidence/Property Coordinator with an orientation to program policies and safety procedures specific to HHSA operations.
12. HHSA shall monitor program operation/performance without actual supervisory oversight of Investigator.
13. Monitor and send CalSAWS task reports to the Investigator and/or Evidence/Property Coordinator regularly but not less than one time monthly.

14. Retain primary responsibility for all other functions associated with ongoing welfare fraud control activities, including but not limited to collections, fair hearings, processing of overpayments, and clearing employment reports as they relate to CalWORKs, CalFresh, GENERAL ASSISTANCE, or other public assistance programs provided by HHSA in accordance with provision of the California Department of Social Services Manual of Policies and Procedures Confidentiality, Fraud, Civil Rights and State Hearings Division 20.
15. Provide coordination of fraud training to HHSA personnel by DA, including but not limited to provision of training location, identification of staff requiring fraud training, and documenting training.
16. Provide funding to support up to 1.5 FTE investigator and .50 FTE Evidence/Property Coordinator to support HHSA's and DA's mutual goal of maintaining a vigorous, viable program of fraud control in the County of Siskiyou, including the investigation and prosecution of individuals who commit fraud against CalWORKs, CalFresh, General Assistance, and other public assistance programs.
17. Provide reimbursement through an IGC to DA for mileage used for HHSA services in a DA vehicle as reflected in Exhibit A paragraph B; at the current year's IRS Rate for the time in which the travel occurred.

EXHIBIT A

"Scope of Work"

Welfare fraud creates a burden for taxpayers by increasing the cost of public assistance programs. By reducing welfare fraud, the County of Siskiyou increases public confidence in the welfare system and ensures that funds are available to those who are truly eligible for assistance. Therefore, in mutual effort to reduce or eliminate welfare fraud in the County, the Departments agree to the following:

A. Mutual Responsibilities of Departments

1. Departments shall cooperate in establishing and maintaining a vigorous, viable program of fraud control in the County of Siskiyou including the investigation and prosecution of individuals who commit fraud against CalWORKs, CalFresh, General Assistance, and other public assistance programs.
2. Departments shall ensure maximum communication between their respective staff to ensure each Department's ability to achieve the mutually beneficial goals and objectives of welfare fraud control, including but not limited to prevention, detection, and prosecution.
3. Departments shall establish, implement, monitor, and, as appropriate and approved by both Department heads or designee, modify changes to internal process and procedures necessary to ensure the efficient, effective, and cooperative performance of welfare fraud control activities pursuant to this MOU.
4. Departments shall comply with State reporting responsibilities.
5. Departments shall keep a copy of this approved and executed MOU and all associated documents in their files.

B. Pursuant to Section 2.01 the DA Shall:

1. Provide up to 1.5 full-time equivalent (FTE) Investigators to conduct investigative ("Investigator") services on referred welfare fraud allegations. Should the DA's office experience a vacancy in the Investigator position, the DA will recruit to fill the position as soon as administratively possible.
2. Provide up to .5 full-time equivalent (FTE) Evidence/Property Coordinator to assist Investigators with completion of welfare fraud referrals and/or investigations, and other technical tasks, including but not limited to, tracking, handling, and safekeeping of evidence related to welfare fraud investigations, as well as retrieving, entering and updating data into various computer systems utilized by Investigators.

Should the DA's office experience a vacancy in the Evidence/Property Coordinator position, the DA will recruit to fill the position as soon as administratively possible.