



Legislation Details (With Text)

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File created: 4/30/2018 **In control:** Board of Supervisors

On agenda: 5/22/2018 **Final action:** 5/22/2018

Title: Health and Human Services Agency (HHS), in conjunction with Sheriff's Department and Probation, recommending the Board:
 1) Approve and authorize the Chair to sign Agreement 18-95035 (County Agreement 2947) with California Department of Health Care Services, for the provision of the Medi-Cal County Inmate Program, with a maximum obligation of \$403,047.61, for the term July 1, 2018 through June 30, 2019;
 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement 18-95035, including amendments that do not increase the dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management; and
 3) Authorize the HHS Director, HHS Chief Fiscal Officer (CFO), Sheriff, or Sheriff's Office CFO to administer any subsequent administrative documents, including required fiscal and programmatic reports.

FUNDING: Federal (Medicaid).

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Agreement 2947 with DHCS, 05-22-2018, 2. Executed Agreement 2947

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 5/22/2018 | 1 | Board of Supervisors | Approved | Pass |

Health and Human Services Agency (HHS), in conjunction with Sheriff's Department and Probation, recommending the Board:
 1) Approve and authorize the Chair to sign Agreement 18-95035 (County Agreement 2947) with California Department of Health Care Services, for the provision of the Medi-Cal County Inmate Program, with a maximum obligation of \$403,047.61, for the term July 1, 2018 through June 30, 2019;
 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement 18-95035, including amendments that do not increase the dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management; and
 3) Authorize the HHS Director, HHS Chief Fiscal Officer (CFO), Sheriff, or Sheriff's Office CFO to administer any subsequent administrative documents, including required fiscal and programmatic reports.

FUNDING: Federal (Medicaid).

DEPARTMENT RECOMMENDATION:

Health and Human Services Agency (HHS), in conjunction with the Sheriff's Department and Probation, recommending the Board approve and authorize the Chair to sign Agreement 18-95035 with California Department of Healthcare Services (DHCS), for the provision of the Medi-Cal County Inmate Program (MCIP), for the term July 1, 2018 through June 30, 2019. Approval of this Agreement could result in a to-be-determined amount of General Fund savings as a result of each

inmate or ward receiving medical care outside the jail or juvenile hall, respectively, being covered by Medi-Cal. Services provided for those individuals determined to be eligible will be invoiced by the medical provider to DHCS, who will seek federal financial participation payment for Medi-Cal services. In these cases, the County will only be responsible for payment of the non-federal portion of the Medi-Cal billing, as opposed to the current methodology of the entire cost.

DISCUSSION / BACKGROUND:

DHCS is the single state agency responsible for administering the California Medical Assistance Program, known as Medi-Cal. Federal law prohibits claiming Medicaid funds for healthcare services provided to inmates residing in correctional facilities. However, there is an exception to this federal prohibition when an inmate receives inpatient services at a medical facility located off the grounds of the correctional facility for an expected stay of more than 24 hours, and the inmate has completed the application process and is found to be eligible for the Medi-Cal Inmate Eligibility Program (MCIEP). Historically, counties have absorbed 100 percent of the health care costs associated with county inmates.

Participation in the MCIP may result in a budgetary savings for the County since a portion of the cost for medical care provided will be covered by federal Medicaid. For eligible inmates and/or juvenile wards who have been determined eligible for MCIEP and receive a Medi-Cal covered service while off the grounds of the county correctional facility, the County may submit claims for covered services to DHCS. DHCS will reimburse the Medi-Cal provider at their applicable Medi-Cal rate for the services rendered, to the extent that federal financial participation is available. The County, in turn, is responsible for any remaining balance for claims by the Medi-Cal provider, paid by County General Fund. The County must also reimburse DHCS for the nonfederal share of DHCS's administrative costs associated with administering the MCIP. Reimbursement of the administrative costs will be paid by General Fund. The administrative costs include, but are not limited to, providing the County with a paid claim analysis report and legal research and analysis related to MCIP.

In FY 2015-2016, medical care for inmates/wards not covered by Medi-Cal totaled approximately \$336,000. Due to the \$20,000 limited liability in the California Forensic Medical Group (CFMG) contract, CFMG paid \$200,000, leaving a balance of \$136,000 paid by the County out of General Fund.

In FY 2016-2017, General Fund paid \$101,500 for medical care for inmates/wards not covered by Medi-Cal due to the \$20,000 limited liability in the CFMG contract.

The County can elect to terminate participation in this Agreement by providing at least thirty (30) calendar days written notice of intent to terminate. The agreement also may be terminated by DHCS if the State Budget Act does not appropriate any funds for MCIP.

ALTERNATIVES:

Disapproval of Agreement 18-95035 will result in the County continuing to pay the full amount for offsite medical care for inmates and wards.

OTHER DEPARTMENT / AGENCY INVOLVEMENT:

Human Resources, County Counsel, and Risk Management

CAO RECOMMENDATION:

It is recommended that the Board approve this item.

FINANCIAL IMPACT:

There may be a reduction in Net County Cost associated with hospitalization and off-site medical care for inmates and wards of the County. Sufficient appropriations will be included in the FY 2018-2019 budget.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1. Clerk of the Board to obtain the Chair's signature on two originals of Agreement 18-95035 (County Agreement #2947).
2. Clerk of the Board to return both originally signed Agreements to HHSA Contracts Unit at 3057 Briw Road for submission to DHCS for final execution.

STRATEGIC PLAN COMPONENT:

N/A

CONTACT

Patricia Charles-Heathers, Ph.D., MPA, Director