



Legislation Text

File #: 15-0210, **Version:** 1

Health and Human Services Agency recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign Memorandum of Understanding (MOU) 266-S1410 with Barton Healthcare System and Marshall Medical Center for distribution of the available current year reserve and prior years' fund balance revenue in the "Richie Fund" account balance to be used to "improve access to, and coordination of, pediatric trauma and emergency services in the County" with a term that begins upon final signature and terminates on March 1, 2021, or until funding specific to pediatric trauma services is discontinued or amended by legislation; and
- 2) Authorize the Chair to execute amendments, if any, to MOU 266-S1410, which do not affect the method in which the funds are distributed or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

FUNDING: Fines, penalties, or forfeitures collected by the courts for applicable criminal offenses under California Government Code 76000.5, California Health and Safety Code Section 1797.98a, and County Resolution 192-2007.

Fiscal Impact/Change to Net County Cost

There is no Net County Cost associated with this Agenda item. Sufficient appropriations are included in the Health and Human Services Agency (HHSA) Fiscal Year (FY) 2014-15 Budget and will be included in future County Budget requests for the term of the Agreement.

Background

On September 30, 2006, the Governor signed into law Senate Bill (SB) 1773, which added Government Code (GC) Section 76000.5 and amended Health and Safety Code (HSC) Section 1797.98a authorizing local Boards of Supervisors to levy additional assessment upon court imposed and collected fines, penalties, and forfeitures for specified criminal offenses. Originally, GC Section 76000.5 was to sunset effective January 1, 2009, however, it was extended to January 1, 2014 by SB 1236, Chapter 60, approved by the Governor July 3, 2008. On October 5, 2013, GC 76000.5 was once again extended via SB 191, Chapter 600, to January 1, 2017.

On July 17, 2007, the Board of Supervisors adopted Resolution 192-2007 authorizing the levy of penalties in addition to existing court penalties in the amount of \$2 for every \$10 or fraction thereof, in accordance with SB 1773 effective January 1, 2007. At that time, existing state law, specifically HSC 1797.98a authorized the establishment of an Emergency Medical Services (EMS) Fund. The EMS Fund was established by the Board of Supervisors, pursuant to statute, to partially offset the uncompensated cost of emergency care provided by local hospitals and physicians.

Resolution 192-2007 authorized the levy of penalties in addition to existing court penalties in the amount of \$2 for every \$10 or fraction thereof, to the EMS Fund (Maddy Fund), and of these contributions, fifteen percent (15%) after administrative costs must be used to "improve access to, and coordination of, pediatric trauma and emergency services in the County" (this portion of the Maddy Fund is known as the Richie Fund). For counties without existing pediatric trauma centers, such as El Dorado, a portion of the net funding is to be used to improve access to, and coordination

of, pediatric trauma and emergency services in the County with preference given to hospitals that specialize in services to children, and physicians and surgeons who provide emergency care to children.

On March 4, 2014, the Board of Supervisors approved and adopted Resolution 016-2014 authorizing the distribution of those funds identified in Resolution 192-2007 as the 15% of Emergency Medical Services Agency funding, after administrative costs, to be used for the improvement of access to pediatric trauma and emergency services in the County.

Reason for Recommendation

Approval of MOU 266-S1410 with Barton Healthcare System and Marshall Medical Center provides the mechanism to distribute available “Richie Funds” in accordance with HSC Section 1797.98a, Resolution 192-2007, and in accordance with El Dorado County Charter Article VI, Section 602.

Failure to approve MOU 266-S1410 would hinder the County’s ability to distribute funds as specified in Resolution 016-2014.

Clerk of the Board Follow Up Actions

1. Clerk of the Board to obtain signature of the Chair on three (3) Memorandum of Understanding 266-S1410.
2. Clerk of the Board to return two (2) fully executed MOU 266-S1410 to HHSA at 3057 Briw Road.

Contact

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Concurrences

County Counsel and Risk Management