



## Legislation Text

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**File #:** 07-1075, **Version:** 4

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

- 1) Receive and file Legislative Counsel's Digest regarding Senate Bill No. 191, Chapter 600, Amended August 22, 2013, extending the operative date of California Government Code 76000.5 until January 1, 2017; and
- 2) Adopt Resolution **016-2014** regarding the distribution of those funds identified in Resolution 192-2007 as the 15 percent of Emergency Medical Services Agency funding, after administrative costs, to be used for pediatric trauma and emergency services in the County.

**FUNDING:** Fines, penalties, or forfeitures collected by the courts for applicable criminal offenses.

**Fiscal Impact/Change to Net County Cost**

The revenue associated with California Government Code (GC) 76000.5 is variable. Based on historical data, HHS estimates the Fiscal Year (FY) 2013-14 amount to be approximately \$17,000. The \$17,000 estimate will be added to the current Richie Fund account balance of \$140,067.

**Background**

On September 30, 2006, the Governor signed into law Senate Bill (SB) 1773, which added 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.

**Reason for Recommendation**

Approval of this Resolution will establish a procedure for distribution of the Richie Fund in accordance with HSC Section 1798.98a and GC Section 76000.5.

**Clerk of the Board Follow Up Actions**

1. Clerk of the Board to obtain Chair's signature on three (3) originals of attached Resolution.
2. Clerk of the Board to forward one original certified Resolution to each of the following: the Health and Human Services Agency on Briw Road, the Auditor-Controller, and the Superior Court of El Dorado County.

**Contact**

Don Ashton, M.P.A., Director

**Concurrences**

County Counsel