



Health & Human Services  
Agency  
**COUNTY OF TULARE**  
**AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** May 22, 2018 REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Robert Hernandez PHONE: 624-8000

**SUBJECT:** Approve an agreement with the California Department of Health Care Services

**REQUEST(S):**

That the Board of Supervisors:

1. Approve an agreement with the California Department of Health Services in an amount not to exceed \$1,254,389.38 for the Medi-Cal Inmate Program to allow Tulare County to draw down federal match for inpatient medical or psychiatric services, effective from July 1, 2018 through June 30, 2019; and
2. Authorize the Chairman of the Board to sign four (4) copies of the agreement.

**SUMMARY:**

The Medi-Cal Inmate Program (MCIP) agreement with Department of Health Care Services (DHCS) is a voluntary program available to counties that allows counties the ability to access federal Medicaid funding for inmates and juveniles who are treated for more than twenty-four hours at medical facilities that are offsite or separate from county jails. Federal law prohibits claiming Medicaid funds for healthcare services provided to inmates residing in correctional facilities. However, there is an exception when an inmate receives inpatient services at a medical facility located off the grounds of the correctional facility for an expanded stay of more than twenty-four hours, and the inmate or juvenile is found to be eligible for Medicaid.

The purpose of the MCIP agreement is to establish the amounts needed to satisfy each county's responsibility to reimburse DHCS for the nonfederal share of the MCIP service costs incurred by DHCS. Once enrolled in this program, the hospitals will now bill Med-Cal for services rendered to inmates and youth if they remain in the

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hospital for greater than 24 hours. Medi-Cal will reimburse the hospitals at the approved rate for services provided. Quarterly, DHCS will invoice the County for their share of the Medi-Cal rate. The County's fair share of the Medi-Cal rate is 8% of approved costs. The \$1,254,389.38 is the maximum amount that the County would have to reimburse DHCS, but the County may not necessarily reach that amount as the final costs to the County will be contingent on the number of submitted claims. If the County does not participate in MCIP, the County remains fully responsible for arranging for and paying for medical care for its inmates and juveniles.

MCIP consists of the following programs:

- Adult County Inmate Program (ACIP) authorized in Welfare and Institutions Code (WIC) section 14053.7, provide Medi-Cal coverage to eligible adult county inmates.
- Juvenile County Ward Program (JCWP) authorized in WIC section 14053.8, provides Medi-Cal coverage to eligible juvenile county inmates.
- County Compassionate Release Program/County Medical Probation Program (CCRP/CCMP) authorized in Government Code sections 26605.6, 26605.7, and 26605.8.

Both the ACIP and JCWP provide Medi-Cal allowable inpatient services, including inpatient psychiatry services and physician services during inpatient hospital service stay of adult inmates who are determined eligible for Medi-Cal, and for juvenile inmates in county correctional facilities who are determined eligible for Medi-Cal. The CCRP/CCMP allows County Sheriffs to grant medical release or medical probation in lieu of jail time if certain conditions are met.

This agreement is approved as to form by County Counsel. The following terms deviates substantively from the standard County boilerplate: 1) The County must sign first; 2) The County indemnifies the State; 3) The governing law is within the State of California but the venue of any action brought with regard to this agreement shall be in any County in which the Attorney General maintains an office; and 4) This agreement is contingent on funds.

**FISCAL IMPACT/FINANCING:**

The County's participation in MCIP will allow the County the ability to draw federal funds for allowable services, consistent with federal law. Any cost to the County incurred in participating in MCIP will be offset by the significant anticipated savings to the County for the type of jail medical services that MCIP covers. The costs of this agreement will be paid using Public Health Realignment funds. These funds will be included in the Fiscal Year 2018/2019 County budget. There is no additional net cost to the County General Fund.



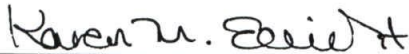
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**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic plan includes Quality of Life Initiative to promote health and well-being for the citizens of Tulare County. The agreement will help fulfill this initiative by providing required health and mental health services to county adult inmates and juvenile detainees. This request also addresses the County's Strategic Plan by improving the Agency's organizational structure to optimize the efficiency and effectiveness of services delivery at the criminal justice facilities.

**ADMINISTRATIVE SIGN-OFF:**



Karen M. Elliott  
Director of Public Health

cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

Attachment(s) Agreement

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE AN  
AGREEMENT WITH THE CALIFORNIA  
DEPARTMENT OF HEALTH CARE  
SERVICES

) Resolution No. \_\_\_\_\_  
)  
) Agreement No. \_\_\_\_\_  
)

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_  
\_\_\_\_\_, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

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