



**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  
EDDIE VALERO  
District Four  
DENNIS TOWNSEND  
District Five

**AGENDA DATE:** September 15, 2020 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: Karen Elliott    PHONE: 624-8000		

**SUBJECT:** Approve an addendum to Agreement No. 29689 with the California Department of Health Care Services

**REQUEST(S):**

That the Board of Supervisors:

1. Approve an addendum to Agreement No. 29689 with the California Department of Health Care Services for the Medi-Cal Inmate Program to include the Administrative Services Agreement exhibit with a maximum County payment to Department of Health Care Services for administrative costs of \$14,564.69, retroactive from July 1, 2020 through June 30, 2023. This addendum is retroactive due to timing of the receipt of the allocation documentation from the State. It was impracticable for the Board to take action prior to July 1, 2020 due to the time needed to process, prepare, and submit the agenda item.
2. Find that the Board had the authority to enter into the proposed addendum as of July 1, 2020 and that it was in the County's best interest to enter into the addendum on that date.
3. Authorize the Chair of the Board to sign two (2) copies of the addendum.

**SUMMARY:**

On June 23, 2020, the Board approved Agreement No. 29689 (Resolution No. 2020-0329) with the Department of Health Care Services (DHCS) for the County of Tulare to participate in the Medi-Cal County Inmate Program (MCIP). This Agreement allows counties to draw down federal Medicaid funding for inmates and juveniles who are treated for more than 24 hours at medical facilities that are offsite

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or separate from county jails. Federal Law prohibits claiming Medicaid funds for health care services provided to inmates and juveniles 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 extended stay of more than 24 hours, and the inmate or juvenile is found to be eligible for Medicaid.

On August 3, 2020, DHCS contacted Health & Human Services Agency Public Health requesting approval of the Administrative Services Agreement, which is an addition to the contract. The purpose of this addendum is to establish an administrative fee to be paid to DHCS for our share of the costs for the State administering the program. The amount that the County shall be obligated to pay DHCS for MCIP administrative services rendered under this Addendum shall not exceed \$14,564.69.

The following terms deviate 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:**

Based on the addendum, there is no Fiscal impact to the Public Health Budget as funds were budgeted to cover the costs associated with this addendum. The costs of this addendum will be paid using Public Health Realignment funds. These funds will be included in Fiscal Year 2021-2022 and Fiscal Year 2022-2023 future fiscal year budgets. There is no additional net cost to the County General Fund.

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

The County's five-year strategic plan includes the 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:**

/s/Robert Stewart OBO

Karen M. Elliott  
Director of Public Health

cc: County Administrative Office

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Attachment(s) Addendum

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

IN THE MATTER OF APPROVE AN )  
ADDENDUM TO AGREEMENT NO. 29689 ) Resolution No. \_\_\_\_\_  
WITH THE CALIFORNIA DEPARTMENT OF ) Agreement No. \_\_\_\_\_  
HEALTH CARE SERVICES )

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: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

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

\* \* \* \* \*

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