

1 **BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

2 **ORDINANCE NO. 3014**

3
4 **ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE,**
5 **STATE OF CALIFORNIA RESCINDING LAKE COUNTY ORDINANCE NO. 2990 AND**
6 **RE-ESTABLISHING COUNTY OF LAKE HEALTH SERVICES AS A MEMBER OF**
7 **THE EXISTING PARTNERSHIP HEALTHPLAN OF CALIFORNIA COMMISSION**
8 **UNDER A NEW ARTICLE**

9 WHEREAS, in 2013, the Lake County Board of Supervisors adopted Lake
10 County Ordinance No. 2990 Establishing County of Lake Health Services as a Member
11 of the Existing Partnership HealthPlan of California Commission which Ordinance
12 intended to add Article XXVI to Chapter 2 of the Lake County Code; and

13 WHEREAS, it was recently discovered that Article XXVI had already been added
14 to the Lake County Code necessitating the rescission of Lake County Ordinance No.
15 2990 and the adoption of a new ordinance to re-establish County of Lake Health
16 Services as a member of the Partnership HealthPlan of California Commission.

17 NOW THEREFORE, the Board of Supervisors of the County of Lake, State of
18 California, ordains as follows:

19 Section One. Lake County Ordinance No. 2990 is hereby rescinded.

20 Section Two: Article XXVII is hereby added to Chapter 2 of the Lake County Code
21 to read as follows:

22 **“XXVII Partnership HealthPlan of California Commission**

23 **Sec. 2-193. Intent.**

24 The Partnership HealthPlan of California Commission ("The Commission") is a multi-county
25 commission that has created a managed health care plan for Medi-Cal recipients. The
26 purpose of this chapter is to authorize the County of Lake to join the existing Commission.
27 This will allow the implementation of a county organized health system in Lake County as
28 authorized by Welfare and Institutions Code § 14087.54.

 The Commission has a proven record of improving health care access to its members, who
 are Medi-Cal recipients, and improving Medi-Cal reimbursement rates to health care
 providers. The Commission links each member with a primary care provider and has been
 successful in reducing inappropriate use of emergency rooms, providing appropriate levels

1 of inpatient care for its members, developing innovative case management programs and
2 arranging for the provision of an enhanced level of local health care services.

3 The Commission will negotiate an exclusive contract with the California Department of
4 Health Care Services authorizing the expansion of the Partnership HealthPlan of California
5 into Lake County. This expansion is expected to occur on or about September 1, 2013.

6 **Sec. 2-194. Authorization to join Commission.**

7 Pursuant to Welfare and Institutions Code § 14087.54, the Lake County Board of
8 Supervisors hereby authorizes the County of Lake to join the Commission.

9 **Sec. 2-195. Membership of Commission.**

10 Commission representation shall be based on the number of Medi-Cal beneficiaries
11 enrolled in the HealthPlan in that county as follows: one commissioner per zero to ten
12 thousand beneficiaries; two commissioners per ten thousand to twenty-five thousand

13 beneficiaries; three commissioners per twenty-five thousand to forty thousand
14 beneficiaries; and four commissioners per more than forty thousand beneficiaries.

15 The members appointed by the Lake County Board of Supervisors shall serve at the
16 pleasure of the board and shall be selected as follows:

17 The members will be nominated by local health care providers that serve Medi-Cal
18 beneficiaries such as hospitals, physicians, community clinics and health centers, and the
19 County Department of Health Services. The Director of Health Services or his/her
20 designee may make recommendations to the Board of Supervisors based on the PHC
21 Commission's "Guiding Principles" and the following criteria:

- 22 (1) Knowledge of the community's health care needs
- 23 (2) Medical background
- 24 (3) Business experience
- 25 (4) Political experience
- 26 (5) Finance experience
- 27 (6) Experience as a consumer

28 **Sec. 2-196. Term of office.**

The term for the Commissioners shall be for four-year periods. The initial term for one of
the commissioners shall be two years, and thereafter all terms shall be four years. Nothing
herein shall prohibit a person from serving more than one term. Each Commission member
shall remain in office at the conclusion of that member's term until a successor member
has been selected and installed into office. An office shall become vacant if a board

1 member discontinues to function in the area from which appointed, or fails to attend three
2 meetings in a row of the Commission.

3 **Sec. 2-197. Powers and duties of commission.**

4 Pursuant to the provisions of Section 14087.54 of the Welfare and Institutions Code as it
5 exists on the date of adoption of this ordinance, the Commission shall:

- 6 A. Have the power to negotiate the exclusive contract with the California State
7 Department of Health Care Services as specified in Section 14087.5 of the Welfare
8 and Institutions Code, and to arrange for the provision of health care services
9 provided under Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code;
- 10 B. Be considered an entity separate from the County of Lake;
- 11 C. File the statement required by Section 53051 of the Government Code;
- 12 D. Have the power to acquire, possess, and dispose of real or personal property, as
13 may be necessary for the performance of its functions, to employ personnel and
14 contract for services required to meet its obligations, and to sue or be sued; and
- 15 E. Have all the rights, powers, duties, privileges, and immunities conferred by Article
16 2.8 of Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code in addition to
17 those previously specified in this section.

18 **Sec. 2-198. Obligations of Commission.**

19 Pursuant to the provisions of Section 14087.54(d) of the Welfare and Institutions Code as it
20 exists on the date of adoption of the ordinance codified in this chapter, any obligations of
21 the Commission, statutory, contractual, or otherwise, shall be the obligations solely of the
22 Commission and shall not be the obligations of the County of Lake. The Commission shall
23 do business as the Partnership HealthPlan of California.

24 **Sec. 2-199. Committees.**

25 The Commission may establish advisory committees from time to time for any purpose that
26 will be beneficial in accomplishing the work of the Commission.

27 **Sec. 2-200. Termination of membership.**

28 The Commission shall continue to represent Lake County until such time as the Lake
County Board of Supervisors terminates the representation. To terminate the
representation, the Lake County Board of Supervisors or its designee shall provide ninety-
day notice to other participating counties and the state Department of Health Care
Services, as specified in Welfare and Institutions Code § 14087.54(g)."

1 Section Three. Severability

2 If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason
3 held to be unconstitutional or invalid, such decision shall not affect the validity of the
4 remaining portion of the ordinance. The Board of Supervisors hereby declares that it would
5 have passed this ordinance and every section, subsection, sentence, clause, or phrase
6 thereof, irrespective of the fact that one or more section, subsection, sentence, clause, or
7 phrase be declared unconstitutional or invalid.

8 The foregoing ordinance was introduced before the Board of Supervisors on the
9 14th day of October, 2014, and passed by the following vote on the
10 21st day of October, 2014.

11 This ordinance shall take effect on the 20th day of November, 2014. Within fifteen
12 (15) days after adoption of the ordinance, the Clerk to the Board of Supervisors shall at
13 least once in a newspaper of general circulation printed and published in the County of
14 Lake publish a summary of the Ordinance with the names of those supervisors voting for
15 and against the ordinance and the Clerk shall post in the office of the Clerk to the Board of
16 Supervisors a certified copy of the full text of the adopted ordinance along with the names
17 of those supervisors voting for and against the Ordinance.

18 **AYES:** Supervisors Comstock, Smith, Farrington, Brown and Rushing

19 **NOES:** None

20 **ABSENT OR NOT VOTING:** None

21 **ATTEST: MATT PERRY**
22 Clerk of the Board of Supervisors

23 By: [Signature]
24 Deputy

COUNTY OF LAKE

[Signature]
Chair, Board of Supervisors

25 **APPROVED AS TO FORM:**
26 ANITA L. GRANT
27 County Counsel

28 By: [Signature]
Deputy

