

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

ORDINANCE NO. 2990

**ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE,  
STATE OF CALIFORNIA ESTABLISHING COUNTY OF LAKE HEALTH SERVICES  
AS A MEMBER OF THE EXISTING PARTNERSHIP HEALTHPLAN OF CALIFORNIA  
COMMISSION**

The Board of Supervisors of the County of Lake, State of California, ordains as follows:

**Article XXVI is hereby added to Chapter 2 of the Lake County Code to read as follows:**

**"XXVI Partnership HealthPlan of California Commission**

**Sec. 2-188. Intent.**

The Partnership HealthPlan of California Commission ("The Commission") is a multi-county commission that has created a managed health care plan for Medi-Cal recipients. The purpose of this chapter is to authorize the County of Lake to join the existing Commission. This will allow the implementation of a county organized health system in Lake County as 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 of inpatient care for its members, developing innovative case management programs and arranging for the provision of an enhanced level of local health care services.

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

**Sec. 2-189. Authorization to join Commission.**

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

**Sec. 2-190. Membership of Commission.**

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

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

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

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

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

#### **Sec. 2-191. 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 member discontinues to function in the area from which appointed, or fails to attend three meetings in a row of the Commission.

#### **Sec. 2-192. Powers and duties of commission.**

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

- A. Have the power to negotiate the exclusive contract with the California State Department of Health Care Services as specified in Section 14087.5 of the Welfare and Institutions Code, and to arrange for the provision of health care services provided under Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code;
- B. Be considered an entity separate from the County of Lake;
- C. File the statement required by Section 53051 of the Government Code;

1 D. Have the power to acquire, possess, and dispose of real or personal property, as  
2 may be necessary for the performance of its functions, to employ personnel and  
3 contract for services required to meet its obligations, and to sue or be sued; and

4 E. Have all the rights, powers, duties, privileges, and immunities conferred by Article  
5 2.8 of Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code in addition to  
6 those previously specified in this section.

7 **Sec. 2-193. Obligations of Commission.**

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

13 **Sec. 2-194. Committees.**

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

16 **Sec. 2-195. Termination of membership.**

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

22 **Sec. 2-196. Severability**

23 If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason  
24 held to be unconstitutional or invalid, such decision shall not affect the validity of the  
25 remaining portion of the ordinance. The Board of Supervisors hereby declares that it would  
26 have passed this ordinance and every section, subsection, sentence, clause, or phrase  
27 thereof, irrespective of the fact that one or more section, subsection, sentence, clause, or  
28 phrase be declared unconstitutional or invalid."

The foregoing ordinance was introduced before the Board of Supervisors on the  
9th day of July, 2013, and passed by the following vote on the  
16th day of July, 2013.

1 This ordinance shall take effect on the 15th day of August, 2013. Within fifteen  
2 (15) days after adoption of the ordinance, the Clerk to the Board of Supervisors shall at  
3 least once in a newspaper of general circulation printed and published in the County of  
4 Lake publish a summary of the Ordinance with the names of those supervisors voting for  
5 and against the ordinance and the Clerk shall post in the office of the Clerk to the Board of  
6 Supervisors a certified copy of the full text of the adopted ordinance along with the names  
7 of those supervisors voting for and against the Ordinance.

8 **AYES:** Supervisors Comstock, Rushing, Farrington and Smith

9 **NOES:** None

10 **ABSENT OR NOT VOTING:** Supervisor Brown

11 **ATTEST: MATT PERRY**

12 Clerk of the Board of Supervisors

13 By: Murray Shivers

14 Deputy

**COUNTY OF LAKE**

[Signature]  
Chair Board of Supervisors

15 **APPROVED AS TO FORM:**

16 ANITA L. GRANT

17 County Counsel

18 By: Anita L. Grant

19 Deputy

