

**MEMORANDUM
PLACER COUNTY HEALTH AND HUMAN SERVICES
Administrative Services**

TO: Honorable Board of Supervisors

FROM: Richard J. Burton, M.D., M.P.H.
Placer County Health Officer and Director of Health & Human Services
Bob Dunstan, Director of Administrative Services

DATE: July 10, 2007

SUBJECT: Recovery of Medical Costs Resolution

ACTION REQUESTED:

Approve the attached resolution authorizing the Director of Health and Human Services (HHS) to recover the cost of medical and dental care provided to persons injured by third parties under circumstances creating tort liability as a lien on a third party judgment, as authorized under Government Code Sections 23004.1 through 23004.3, and give the Director the authority to compromise, settle, or waive claims in connection with such recovery, including any determination of undue hardship.

BACKGROUND:

Placer County is mandated to provide medically necessary health and dental services to its residents who are deemed to be indigent. HHS provides this care through its Medically Indigent Adult program. These are residents who do not qualify for other medical insurance.

While recovery of medical costs is authorized by the Government Code cited above, it is necessary that the Board of Supervisors take this formal action giving the Director of Health & Human Services the authority for these actions.

FISCAL IMPACT:

There is no direct fiscal impact in approving this resolution, but it will officially grant HHS the ability to recover its medical costs from a third party under certain circumstances. Typically, this type of cost recovery activity does not yield a substantial amount. In calendar year 2006, approximately \$20,500 was recovered from third party payers.

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BACKGROUND:

Placer County is mandated to provide medically necessary health and dental services to its residents who are deemed to be indigent. HHS provides this care through its Medically Indigent Adult program. These are residents who do not qualify for other medical insurance.

While recovery of medical costs is authorized by the Government Code cited above, it is necessary that the Board of Supervisors take this formal action giving the Director of Health & Human Services the authority for these actions.

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Before the Board of Supervisors
County of Placer, State of California

In the matter of:

Resolution No: _____

Authorizing the Director of Health and Human Services to recover the cost of medical and dental care provided to persons injured by third parties under circumstances creating tort liability as a lien or by direct action as provided under Government Code Sections 23004.1 through 23004.3.

Ord. No.: _____

First Reading: _____

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **July 10, 2007** by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest: _____
Clerk of said Board

WHEREAS, Placer County is mandated to provide medically necessary health and dental care to its residents who are determined to be indigent citizens; and

WHEREAS, these patients are defined in Section 17000 of the Welfare and Institutions Code; and

WHEREAS, in certain circumstances Health and Human Services provides medical care to a resident covered by the County Medically Indigent Adult program due to an injury caused by a third party who is liable in tort for the infliction of those injuries; and

WHEREAS, Government Code Sections 23004.1 through 23004.3 give counties the authority to recover the reasonable costs of the care and treatment furnished or to be furnished from a third party as a lien on any court judgment or by direct action against the third party.

NOW, THEREFORE, BE IT RESOLVED THAT the Placer County Board of Supervisors hereby determines that Government Code Sections 23004.1 and 23004.2 are operative in the County and further authorizes its Director of Health and Human Services to recover the cost of hospital, medical, surgical, or dental care provided to persons injured by third parties under circumstances creating tort liability, as a lien or by direct action, and delegates to the Director, with concurrence of the Risk Management Deputy County Executive Officer, the authority to compromise, settle or waive claims in connection with such recovery, including waivers based on undue hardship.

