

MEMORANDUM
PLACER COUNTY HEALTH AND HUMAN 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
Patricia Orme, Assistant Director of Community Health and Clinics

DATE: September 18, 2007

SUBJECT: Maddy Emergency Medical Services (EMS) Fund

ACTION REQUESTED:

Adopt the attached resolution approving the levying of an additional penalty of \$2 for every \$10 of base fines collected for certain criminal offenses and vehicle code violations to support emergency medical services effective January 1, 2007. Further stipulations include declaring that these increased penalties will result in increased funding to the Maddy Emergency Medical Services Fund (EMS), and will not offset or reduce funding to other programs from other sources.

BACKGROUND:

Under State and federal law, any person seeking emergency medical care must be provided that care regardless of his or her ability to pay. As a result, physicians who provide emergency and trauma care are often not compensated for the care they provide. The Maddy Emergency Medical Services Fund allows physicians who render emergency care a resource to claim partial reimbursement for this care.

In 1989, a law was established that allowed counties to levy penalty assessments and establish a Maddy Emergency Medical Services Fund. The Maddy Fund currently receives \$2 on every \$10 of base fines levied by the courts for criminal offenses and certain vehicle code violations. Legislation enacted in January 2007 allows counties to levy an additional \$2. The Maddy Fund will then receive \$4 in fees on every \$10 of base fines.

The legislation requires that county Boards of Supervisors take official action to levy this additional \$2 penalty, as well as declare that the new funding will not be used to replace funding for other programs. Placer County currently collects and distributes approximately \$350,000 annually in support of the community's emergency healthcare infrastructure. This distribution represents only a small fraction of the claims received from physicians for emergency care services, which totaled \$2 million in FY 2005-06 and \$2.4 million in FY 2006-07. The average reimbursement rate was 18 cents on the dollar in FY 2005-06 and 14 cents in FY 2006-07.

The new law also requires that 15% of the new funding be directed to pediatric trauma centers, or to improve access to and coordination of pediatric trauma and emergency services in the county.

FISCAL IMPACT:

If all counties take advantage of this legislation and their Boards of Supervisors take the formal action to levy this additional fee, \$45 million could be distributed statewide. It is estimated that Placer County could receive up to an additional \$300,000 annually to distribute for emergency and pediatric trauma services. There are no general funds involved in these programs.

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

In the matter of:

Resolution No: _____

Resolution approving the levying of an additional penalty of \$2 for every \$10 upon base fines collected for certain criminal offenses and vehicle code violations to support medical emergency services effective January 1, 2007, and declare that these increased penalties will result in increased funding to the Maddy Emergency Medical Fund (EMS), and will not offset or reduce funding to other programs from other sources.

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 **September 18, 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, for purposes of supporting emergency medical services pursuant to Chapter 2.5 (commencing with Section 1797.98a) of Division 2.5 of the Health and Safety Code, in addition to the penalties set forth in Government Code Section 76000, the Placer County Board of Supervisors may elect to levy an additional penalty of two dollars (\$2) for every ten dollars (\$10) or fraction thereof, which shall be collected, together with and in the same manner as the amounts established by Section 1464 of the Penal Code, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, including violations of Division 9 (commencing with Section 23000) of the Business and Professions Code relating to the control of alcoholic beverages, and all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code, except parking offenses subject to Article 3 (commencing with Section 40200) of Chapter 1 of Division 17 of the Vehicle Code; and

WHEREAS, these funds shall only be collected if the County Board of Supervisors provides that the increased penalties do not offset or reduce the funding of other programs from other sources, but that these additional revenues result in increased funding to those programs.

NOW, THEREFORE, BE IT RESOLVED, that

- a. There shall be levied in Placer County an additional penalty of two dollars (\$2) for every ten dollars (\$10) or fraction thereof, which shall be collected as stated above; and
- b. The Placer County Board of Supervisors hereby directs that that the increased penalties not offset or reduce the funding of other programs from other sources, but that these additional revenues result in increased funding to those programs; and
- c. Money collected pursuant to subdivision (a) shall be taken from fines and forfeitures deposited with the County treasurer prior to any division pursuant to Section 1463 of the Penal Code; and
- d. Funds collected pursuant to this section shall be deposited into the Maddy Emergency Medical Services (EMS) Fund established pursuant to Section 1797.98a of the Health and Safety Code.
- e. This Resolution shall be effective January 1, 2007, and remain in effect only until January 1, 2009, and as of that date is repealed, unless a later enacted statute, that is chaptered before January 1, 2009, deletes or extends that date, in which case this Resolution shall remain in force as long as its authorizing legislation.