

From: [Lindsay, Claire \(DPH\)](#)
To: [Preston, Dean \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Cc: [Carroll, John \(BOS\)](#); [Kilgore, Preston \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [Temprano, Tom \(BOS\)](#); [Louie, Jenny \(DPH\)](#); [Ruggels, Michelle \(DPH\)](#); [Hale, Jacquie \(DPH\)](#); [Patil, Sneha \(DPH\)](#); [Fleisher, Arielle \(DPH\)](#)
Subject: 6/3 Government Audit & Oversight: DPH Retroactive Item
Date: Wednesday, June 2, 2021 11:58:33 AM
Attachments: [DPH Agmt CDHCS MCIP Ltr to BOS.pdf](#)

Hello Supervisors Preston, Chan and Mandelman,

The Department of Public Health (DPH) will request retroactive authorization to enter into two related agreements with the State at the June 3rd Government Audit & Oversight Committee meeting. Please see below for a brief description of the agreements and our DPH representative who may be contacted should you have any questions.

Agenda item #3 – File #210281 - Participation Agreement and Administrative Services Agreement - Retroactive - California Department of Health Care Services - Medi-Cal County Inmate Program - Not To Exceed \$21,504.33 - Resolution retroactively authorizing the Department of Public Health to enter into two related agreements with the California Department of Health Care Services for reimbursement under the State Medi-Cal County Inmate Program, (1) Participation Agreement 20-MCIPSANFRANCISCO-38 effective July 1, 2020, and (2) Administrative Services Agreement No. 20-10239 for the period of July 1, 2020, through June 30, 2023, for an amount not to exceed \$21,504.33.

- **Description of the Program:** Normally, Medi-Cal coverage is suspended for anyone incarcerated, but the Medi-Cal Inmate Program (MCIP) allows counties to receive the Federal portion of Medi-Cal reimbursement for the costs of county jail inmates for inpatient hospital admissions outside the grounds of a jail for at least 24 hours (as well as for some juveniles and medical parolees). These services would have been provided to our Jail patients, regardless of reimbursement.
- **Description of the Agreements:** The Agreements with the State allow DPH to submit claims for potential reimbursement for Medi-Cal eligible services. The first agreement is an administrative agreement where counties agree to pay their share of the State costs for administering the program which is \$21,504.33 over the three years. The second is a participation agreement and outlines the terms of the reimbursement. The actual value of the reimbursements depend on the types of services rendered.
- **Reason for Retroactivity:** We are respectfully requesting authorization to enter into these agreements retroactive to July 1, 2020. During the COVID-19 pandemic, with the same level of contract staff but a significantly increased volume of contracts required to respond to COVID-19, the Department prioritized contracts supporting new and continuing services directly to clients/patients. While it is never the Department's desire to seek retroactive approval, retroactive authorization for this contract will not impact the level of reimbursement that the Department will receive.

- **DPH Representative:**

- Jenny Louie, Chief Financial Officer, San Francisco Department of Public Health | jenny.louie@sfdph.org

We have also attached a letter providing the above explanation for addition to the legislative file.

Thank you for your time and consideration,

Claire Lindsay, MPH

Senior Health Program Planner | Office of Policy and Planning

San Francisco Department of Public Health

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City and County of San Francisco

San Francisco Department of Public Health

Grant Colfax, MD
Director of Health

London Breed
Mayor

June 2, 2021

John Carroll
Clerk of the Government & Operations Committee
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Mr. Carroll:

The Department of Public Health (DPH) would like to provide written explanation for why we are seeking retroactive approval from the Board of Supervisors (BOS) for the following item:

- File No. 21-0281 - Participation Agreement and Administrative Services Agreement - Retroactive - California Department of Health Care Services - Medi-Cal County Inmate Program - Not To Exceed \$21,504.33

In situations where a Contractor is a City or County, the State requires that the City or County submit a copy of an approved Board Resolution or meeting minutes indicating approval by the Board of Supervisors (for the City/Department) in order to contract with the State. The Agreements with the State allow the Department to submit claims for potential reimbursement for Medi-Cal eligible services.

Normally Medi-Cal coverage is suspended for anyone incarcerated, but the Medi-Cal Inmate Program (MCIP) allows counties to receive the Federal portion of Medi-Cal reimbursement for the costs of county jail inmates for inpatient hospital admissions outside the grounds of a jail for at least 24 hours (as well as for some juveniles and medical parolees).

DPH is respectfully requesting authorization to enter into these two related agreements with the State for reimbursement under the State Medi-Cal County Inmate Program retroactive to July 1, 2020. The first is an administrative agreement where counties agree to pay their share of the State costs for administering the program which is \$21,504.33 over the three years. The second is a participation agreement and outlines the terms of the reimbursement. The actual value of the reimbursements depends on the types of

services rendered. Regardless of reimbursement, however, these services would have been provided to our Jail patients.

We regret the retroactive nature of these agreements. During the COVID-19 pandemic, with the same level of contract staff but a significantly increased volume of contracts required to respond to COVID-19, the Department prioritized contracts supporting new and continuing services directly to clients/patients. While it is never the Department's desire to seek retroactive approval, retroactive authorization for this contract will not impact the level of reimbursement that the Department will receive.

For questions on this matter, please do not hesitate to contact me at (415) 255-3404, or Michelle.Ruggels@SFDPH.org

Sincerely,

DocuSigned by:

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Michelle Ruggels
Director, DPH Business Office

cc: Grant Colfax, M.D., Director of Health
Greg Wagner, Chief Operating Officer, DPH
Jacquie Hale, Manager, DPH Office of Contract Management and Compliance