

BOARD of SUPERVISORS



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## MEMORANDUM

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Dean Preston, Chair  
Government Audit and Oversight Committee

FROM: Monique Crayton, Assistant Clerk

DATE: June 21, 2024

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, June 25, 2024

The following file should be presented as COMMITTEE REPORT at the regular Board meeting on Tuesday, June 25, 2024. This resolution was acted upon at the regular Government Audit and Oversight Committee meeting on Thursday, June 20, 2024, at 10:00 a.m., by the votes indicated.

**Item No: 29. File No. 240435**

**Resolution approving the settlement of unlitigated claims in favor of the City and County of San Francisco against the U.S. Department of Health and Human Services by payment of \$441,521.39 to the City; the administrative claims were filed on December 29, 2016, and August 16, 2016; the claims involve underpayment of Medicare costs by the U.S. Department of Health and Human Services for outlier payments under the Medicare Inpatient Prospective Payer System for Federal Fiscal Years 2005-2006.**

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Dean Preston - Aye  
Supervisor Catherine Stefani - Aye  
Supervisor Connie Chan - Excused

Cc: Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Alisa Somera, Legislative Deputy  
Anne Pearson, Deputy City Attorney

File No. 240435

Committee Item No. 2

Board Item No. 29

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight  
Board of Supervisors Meeting:

Date: June 20, 2024

Date: June 25, 2024

#### Cmte Board

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU - FY2022-2024 - Clean                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU - FY2022-2024 - Redline                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract / DRAFT Mills Act Agreement         |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

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Prepared by: Monique Crayton

Date: June 14, 2024

Prepared by: Monique Crayton

Date: June 21, 2024

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Settlement of Unlitigated Claims - U.S. Department of Health and Human Services - City to  
2 Receive \$441,521.39]

3 **Resolution approving the settlement of unlitigated claims in favor of the City and**  
4 **County of San Francisco against the U.S. Department of Health and Human Services by**  
5 **payment of \$441,521.39 to the City; the administrative claims were filed on December**  
6 **29, 2016, and August 16, 2016; the claims involve underpayment of Medicare costs by**  
7 **the U.S. Department of Health and Human Services for outlier payments under the**  
8 **Medicare Inpatient Prospective Payer System for Federal Fiscal Years 2005-2006.**

9  
10 WHEREAS, The City and County of San Francisco filed two claims on December 29,  
11 2016, and August 16, 2016 against the U.S. Department of Health and Human Services  
12 before the Provider Reimbursement Review Board; and

13 WHEREAS, The claims involve underpayment of Medicare costs owed to the City by  
14 the U.S. Department of Health and Human Services for outlier payments under the Medicare  
15 Inpatient Prospective Payer System for Federal Fiscal Years 2005-2006; and

16 WHEREAS, The Department of Public Health has recommended settlement of the  
17 claim by payment to the City of \$441,521.39; now, therefore, be it

18 RESOLVED, That pursuant to Administrative Code, Section 10.24, the Board of  
19 Supervisors hereby authorizes the City Attorney to settle and compromise the claim by the  
20 U.S. Department of Health and Human Services' payment to the City of \$441,521.39.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DAVID CHIU  
City Attorney

/s/  
JULIE VAN NOSTERN  
Chief Attorney, Health & Human Services

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

/s/  
GRANT COLFAX  
Director of Health

APPROVED:

/s/  
MARK MOREWITZ  
Secretary, Health Commission

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