

1 [Settlement of Lawsuits - California Department of Health Care Services - City to Receive
2 \$928,763.44]

3 **Ordinance authorizing settlement of the lawsuits filed by the City and County of San**
4 **Francisco against the California Department of Health Care Services, et al., for**
5 **\$928,763.44; the lawsuits were filed on July 24, 2007, and November 3, 2008, in San**
6 **Francisco Superior Court, Case Nos. CPF-07-507445 and CPF-08-508951; both lawsuits**
7 **are entitled City and County of San Francisco v. Sandra Shewry, Director of the**
8 **Department of Health Care Services, State of California, et al.; to compel respondents**
9 **to approve and pay Short Doyle Medi-Cal claims and implement an appeal procedure**
10 **for denied claims.**

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12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the actions entitled City and County of San Francisco v.
15 Sandra Shewry, Director of the Department of Health Care Services, State of California et al.
16 San Francisco Superior Court, Case No. CPF-07-507445 and CPF-08-508951 by (1)
17 Respondents' approval of 1,621 Short-Doyle Medi-Cal claims and payment of \$928,763.44 to
18 the City as reimbursement for such claims, (2) Respondents' agreement to follow a prescribed
19 process for future claims where the date of certification or determination of Medi-Cal eligibility
20 is more than one year after the month of service, and (3) Respondents' agreement that the
21 City and County of San Francisco may appeal denied Short Doyle Medi-Cal claims in
22 accordance with a prescribed process.
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1 Section 2. The above-named actions were filed in San Francisco Superior Court on
2 July 24, 2007, and November 3, 2008; this settlement resolves both actions and the following
3 parties were named in the lawsuits: Petitioner City and County of San Francisco; and
4 Respondents Sandra Shewry, Director of the Department of Health Care Services, State of
5 California; the Department of Health Care Services, State of California; Stephen W. Mayberg,
6 Ph.D., Director of Mental Health, State of California; the Department of Mental Health, State of
7 California; and Does 1 through 100, Inclusive.

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APPROVED AS TO FORM AND RECOMMENDED:
DENNIS J. HERRERA
City Attorney

Julie Van Nostern
Chief Counsel, Health and Human Services

RECOMMENDED:

Department of Public Health

Barbara Garcia
Director of Health

APPROVED:

Mark Morewitz
Secretary, Health Commission

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