

ORDINANCE NO. 2133

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA REGARDING THE PARTNERSHIP HEALTHPLAN OF CALIFORNIA COMMISSION

The Board of Supervisors of the County of Tehama, State of California, ordains as follows:

SECTION I: This ordinance shall take effect thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published with the names of the members voting for and against the same once in a local newspaper within the County of Tehama, State of California.

SECTION II: Chapter 2.57 of Title 2 of the Tehama County Code is repealed in its entirety.

SECTION III: Chapter 9.44 of Title 9 of the Tehama County Code is added to read as follows:

Sec. 9.44.010 - Intent.

Partnership HealthPlan of California Commission (“**Commission**”) is a multi-county commission that has created a Medi-Cal managed health care plan for Medi-Cal recipients. The purpose of this chapter is to authorize the County of Tehama to join the existing Commission. This chapter allows the implementation of a county organized health system in Tehama County, as authorized by Welfare and Institutions Code § 14087.54.

The Commission has a proven record of improving health care access to its members, who are Medi-Cal recipients, and improving Medi-Cal reimbursement rates to health care providers. The commission links each member with a primary care provider and has been successful in reducing inappropriate use of emergency rooms, providing appropriate levels of inpatient care for its members, developing innovative case management programs and arranging for the provision of an enhanced level of local health care services.

The Commission negotiated a contract with the California Department of Health Care Services, as specified in Welfare and Institutions Code Section 14087.5, to arrange for the provision of health care services provided under Welfare and Institutions Code Chapter 7, Part 3, Division 9. The Commission is authorized to negotiate a contract with the California Department of Health Care Services to expand the Commission into the County of Tehama. This expansion is expected to occur on or about January 1, 2024, for the County of Tehama.

Sec. 9.44.020 - Authorization to join Commission.

Pursuant to Welfare and Institutions Code § 14087.54, the Tehama County Board of Supervisors hereby authorizes the County of Tehama to join the Commission.

Sec. 9.44.030 - Membership of Commission.

The Commission shall be comprised of Commissioners appointed by the Board of Supervisors of each member county. Unless and until the Commission, by formal action,

establishes a different formula or system of membership, Commission representation for each member county shall be based on the number of Medi-Cal beneficiaries enrolled in the Commission's health plan in each county according to the following formula:

- (1) 0-45,000 Medi-Cal beneficiaries within the county equals one Commission seat.
- (2) 45,001-60,000 Medi-Cal beneficiaries within the county equals two Commission seats.
- (3) 60,001+ Medi-Cal beneficiaries within the county equals three Commission seats.

Persons appointed to the Commission by the Tehama County Board of Supervisors shall serve at the pleasure of the Board and shall be selected as follows:

- (1) One Commissioner shall be the Executive Director of the Tehama County Health Services Agency and/or his/her designee.
- (2) Other Commissioners, in the event Tehama County holds two or more Commission seats, shall be a provider who is contracted with Partnership HealthPlan for services to Medi-Cal beneficiaries including but not limited to primary care, specialty care, or hospital care in Tehama County.

The Tehama County Board of Supervisors shall follow its own Commissioner selection criteria set forth in this section but also acknowledges that the Commission encourages member counties to consider selecting Commissioners from the following settings: safety net providers (including providers at federally qualified health centers), behavioral health providers, regional center providers, local education authorities, dental providers, Indian Health Service facility providers, and hospital providers with special efforts to select candidates, as opportunity allows, who reflect the diversity of the community and regions (including, but not limited to race, ethnicity, language, and disability status).

Sec. 9.44.040 - Term of Office.

The term for the Commissioners shall be for four (4)-year periods. Nothing herein shall prohibit a person from serving more than one term. Each Commission member shall remain in office at the conclusion of that member's term until a successor member has been selected and installed into office. An office shall become vacant if a Commissioner ceases functioning in the area from which appointed, or fails to attend three (3) Commission meetings in a row.

Sec. 9.44.050 - Powers and duties of commission.

Pursuant to the provisions of Welfare and Institutions Code § 14087.54 as it exists on the date of adoption of this ordinance, the Commission shall:

A. Have the power to negotiate the exclusive contract with the California State Department of Health Care Services as specified in Welfare and Institutions Code § 14087.5, and to arrange for the provision of health care services provided under Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code;

B. Be considered an entity separate from the County of Tehama;

C. File the statement required by Government Code § 53051;

D. Have the power to acquire, possess, and dispose of real or personal property, including creating and/or acquiring affiliated or supporting entities, as may be necessary for the performance of its functions; to employ personnel, including health care providers in accordance with California law; to contract for services required to meet its obligations; and to sue or be sued; and

E. Have all the rights, powers, duties, privileges, and immunities conferred by Article 2.8 of Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code in addition to those previously specified in this section.

Sec. 9.44.060 - Obligations of commission.

Pursuant to the provisions of Welfare and Institutions Code § 14087.54(d) as it exists on the date of adoption of the ordinance codified in this chapter, any obligations of the Commission, statutory, contractual, or otherwise, shall be the obligations solely of the Commission and shall not be the obligations of the County of Tehama. The Commission shall do business as Partnership HealthPlan of California.

Sec. 9.44.070 - Committees.

The Commission may establish advisory committees from time to time for any purpose that will be beneficial in accomplishing the work of the Commission.

Sec. 9.44.080 - Termination of membership.

The Commission shall continue to represent the County of Tehama until such time as the Tehama County Board of Supervisors terminates the representation. To terminate the representation, the Tehama County Board of Supervisors or its designee shall provide ninety (90)-days' notice to other member counties and the California Department of Health Care Services, as specified in Welfare and Institutions Code § 14087.54(g).

9.44.090 - Severability.

SECTION IV: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of the ordinance. The Tehama County Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more section, subsection, sentence, clause, or phrase be declared unconstitutional or invalid.

SECTION V: All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

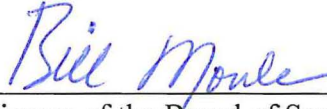
The forgoing ordinance, consisting of four sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Tehama, State of California, at a regular meeting of the Board of Supervisors held on the 21st day of November, 2023 by the following vote:

AYES: SUPERVISORS MOULE, LEACH, NOLEN AND CARLSON

NOES: NONE

ABSTAIN: NONE

ABSENT: SUPERVISOR HANSEN

A handwritten signature in blue ink, reading "Bill Monte", is written over a horizontal line.

Chairman of the Board of Supervisors,
County of Tehama, State of California

I, Jennifer A. Vise, Clerk of the Board of Supervisors, County of Tehama, do hereby certify that the foregoing ordinance was adopted by the said Board of Supervisors at a regular meeting thereof held on the 21st day of November, 2023.