



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** HEALTH

**File #:** 23-478

Board Meeting Date: 6/13/2023

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Louise F. Rogers, Chief, San Mateo County Health  
Michael del Rosario, Director, Correctional Health Services

**Subject:** Authorizing the Controller to Pay Non-Contract Medical Service Providers at Non-County Facilities to Provide Services to County Incarcerated Persons

**RECOMMENDATION:**

Adopt a resolution authorizing the Controller to pay non-contract medical service providers at non-County facilities to provide services to County incarcerated persons not available at a County site for the term of July 1, 2023, to June 30, 2028, in an amount not to exceed \$2,100,000.

**BACKGROUND:**

Since 1980, this Board has authorized the Controller to pay non-contract medical service providers at non-County facilities to provide services to County incarcerated persons when San Mateo Medical Center (SMMC) or a contracted medical care provider is unable to provide the necessary level of care.

Specific to Correctional Health Services (CHS), California Assembly Bill 658 (AB658), enacted July 16, 2015, authorizes hospitals that do not contract with the county sheriff's police chief or other public agency to provide emergency health care services to local law enforcement patients at a rate equal to 110 percent of the hospital's actual costs according to the most recent Hospital Annual Financial Data report issued by the Office of Statewide Health Planning and Development, as calculated using a cost-to-charge ratio.

**DISCUSSION:**

As a result of criminal justice realignment and changes in sentencing laws, incarcerated persons are staying in correctional facilities longer, requiring more medical care for which the County is financially responsible. Related to these longer stays, CHS is seeing an increase in patient acuity, such as oncology treatment, stroke, and neurological cases. Due to these factors, CHS continues to need to access non-contract, non-County medical service providers. For example, since SMMC is not a stroke-designated center, SMMC sends these CHS patients out upon evaluation, or first responders

transport the patient directly to a stroke-certified center. In order to meet the needs of such CHS patients, CHS is requesting that this Board authorize the payment of non-contract medical service providers at non-County facilities when medically necessary.

Due to the trending medical needs of the incarcerated population that are serving longer sentences at the County jail and in accordance with AB658 billing rates, CHS's outside hospital costs have averaged \$420,000 per year in the last five years. While the Medi-Cal County Inmate Program has allowed outside providers to claim Medi-Cal reimbursement for inpatient costs (i.e., lowering the responsible amount for CHS), outpatient costs, including trauma services are still not reimbursable.

CHS requests that this Board adopt the resolution for a five-year term effective from July 1, 2023, through June 30, 2028. The resolution has been reviewed and approved by the County Attorney as to form.

It is anticipated that less than 10% of CHS patients will be referred to non-contract medical service providers for specialty care services.

**PERFORMANCE MEASURE:**

<b>Measure</b>	<b>FY 2021-22 Actual</b>	<b>FY 2022-23 Estimated</b>
Percentage of patients referred to non-contract medical services providers for specialty care services	<10% <100 patients	<10% <100 patients

**FISCAL IMPACT:**

The term of this agreement is July 1, 2023, through June 30, 2028. The total authorized expenditures under the resolution are not to exceed \$2,100,000 for the five-year term. Inmate medical costs are funded by a combination of Health Realignment funds and Net County Cost. The cost of outside hospital services will be included in the FY 2023-24 Recommended Budget and future Recommended Budget years.