



# COUNTY OF SAN DIEGO

## AGENDA ITEM

### BOARD OF SUPERVISORS

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**DATE:** May 2, 2023 and May 23, 2023

**04**

**TO:** Board of Supervisors

### **SUBJECT**

**APPROVE AN ORDINANCE AMENDING ARTICLE XV-B OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO HEALTH AND HUMAN SERVICES CHARGES AND FEES (DISTRICTS: ALL)**

### **OVERVIEW**

Today's action requests that the San Diego County Board of Supervisors (Board) approve amendments to Article XV-B of the San Diego County Administrative Code related to fees charged for services by the County of San Diego (County) Health and Human Services Agency (HHS), Public Health Services and Behavioral Health Services. The Board last approved revisions to HHS's fees and rates on May 24, 2022 (23).

The proposed Ordinance represents a comprehensive package that seeks to support the cost of providing HHS services, while maintaining fees that are fair and equitable for customers and the public. In accordance with Board Policy B-29 (Fees, Grants, and Revenue Contracts—Department Responsibility for Cost Recovery), HHS recently conducted a review of their fees and rates, in order to ensure costs are fully recovered for services provided to agencies or individuals. A total of 85 HHS fees and their associated costs were reviewed, resulting in proposed additions, adjustments, and determinations to maintain existing fees. The Auditor and Controller has reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal for Fiscal Year 2023-24.

Today's request requires two steps: on May 2, 2023, it is requested that the Board consider an Ordinance amending sections of the San Diego County Administrative Code related to HHS fees. If the Board takes the action as recommended, then on May 23, 2023, the proposed Ordinance will be brought back to the Board for consideration and adoption. If the proposed Ordinance is amended on May 23, 2023, then on that date a subsequent meeting will be selected for the ordinance's adoption.

This item supports the County's vision of a just, sustainable, and resilient future for all, specifically those communities and populations in San Diego County that have been historically left behind, as well as our ongoing commitment to the regional *Live Well San Diego* vision of healthy, safe, and thriving communities. This will be accomplished by ensuring that the County has optimized

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its health and social services delivery system to ensure efficiency, integration and innovation while maintaining fiscal stability.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

On May 2, 2023:

Approve the introduction of the Ordinance (first reading):

AN ORDINANCE AMENDING ARTICLE XV-B OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO HEALTH AND HUMAN SERVICES CHARGES AND FEES

If on May 2, 2023, the San Diego County Board of Supervisors takes action as recommended, then on May 23, 2023

Consider and adopt (second reading):

AN ORDINANCE AMENDING ARTICLE XV-B OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO HEALTH AND HUMAN SERVICES CHARGES AND FEES

**EQUITY IMPACT STATEMENT**

As part of standard practice, the County of San Diego (County) Health and Human Services Agency (HHS) performs an annual review of fees and rates charged in order to ensure that charges do not exceed the County's actual cost for the service provided. Additionally, HHS reviews fees annually to ensure that costs are fully recovered for services provided to agencies or individuals, in alignment with current San Diego County Board of Supervisors standards and that they are updated to reflect applicable laws and regulations.

To develop the cost recovery proposal, HHS performed an analysis of all services provided to customers to examine the tasks and functions performed, including the direct and indirect costs of performing those tasks in relation to the specific services. Criteria were established to determine a fair and equitable fee for direct services provided.

The proposed Ordinance represents a comprehensive package that seeks to support the cost of providing HHS services, while maintaining fees that are fair and equitable for customers and the public. Updates include County HHS, Public Health Services, Public Health Laboratory (PHL) fees that are either tied to environmental testing, such as testing of drinking water or foodborne illness investigations, or clinical fees such as tests for communicable disease outbreaks, among others. Additionally, five existing fees for the Non-Diagnostic General Health Assessments are being added to the County Administrative Code Article XV-B, Section 244 to consolidate all PHL fees in the same Admin Code. Lastly, the proposed Ordinance includes a revision to a fee for the Edgemoor Skilled Nursing Facility to align with updated full cost recovery information.

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Today's action would update fees for services provided by the County that help to promote health and safety and have an impact on the lives of Black, Indigenous, People of Color, women, people with disabilities, immigrants, youth, the LGBTQ+ community, and other underserved groups.

**SUSTAINABILITY IMPACT STATEMENT**

Today's proposed actions support the County of San Diego's (County) Sustainability Goal #2 to provide just and equitable access by aligning the County's available resources with services to maintain fiscal stability and ensure long term solvency.

**FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2023-24 CAO Recommended Operational Plan in the Health and Human Services Agency. If approved, this request will result in an estimated increase in revenue of \$97,192 in Fiscal Year 2023-24. There is no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ADVISORY BOARD STATEMENT**

This item was presented to the Health Services Advisory Board as an informational item on April 4, 2023.

**BACKGROUND**

The County of San Diego (County) Health and Human Services Agency (HHSA) remains committed to maintaining the highest quality work product and customer service, while maintaining, and whenever possible, reducing costs. Efforts to streamline and improve processes, especially using new technology as it becomes available are continuously evaluated and operationalized when possible. The continued increases in the cost of doing business necessitate the evaluation of fees to align with current costs.

HHSA has reviewed 85 fees. Of those, 44 fees were either already under County Administrative Code XV-B, Section 239, which sets the fee as the lesser of the published Medi-Cal rate or calculated County costs, previously had a less than full-cost recovery fee rate approved by the San Diego County Board of Supervisors (Board) or had no proposed change to the fee at this time. For the remaining 41 fees and rates, HHSA is proposing updated fees effective Fiscal Year (FY) 2023-24 and amendment of various sections within the County Administrative Code Article XV-B to support proposed fee adjustments and additions (see Attachment B). The overall analysis of the 41 fees resulted in the following recommended actions (see Attachment D for additional details):

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Action	Number of Fees	Division Impact
Increases	22	<ul style="list-style-type: none"> <li>Public Health Services (21)</li> <li>Behavioral Health Services (1)</li> </ul>
Decreases	13	<ul style="list-style-type: none"> <li>Public Health Services (13)</li> </ul>
New	5	<ul style="list-style-type: none"> <li>Public Health Services (5)</li> </ul>
No Change	1	<ul style="list-style-type: none"> <li>Public Health Services (1)</li> </ul>
<b>Total Fees</b>	<b>41</b>	

Board Policy B-29 (Fees, Grants, and Revenue Contracts—Department Responsibility for Cost Recovery) requires departments to ensure costs are fully recovered for services provided to agencies or individuals. Based on cost increases, a cost recovery proposal is being presented that includes a fee adjustment to ensure full cost recovery for services when possible.

To develop the cost recovery proposal, HHSA performed an analysis of all services provided to customers to examine the tasks and functions performed, including the direct and indirect costs of performing those tasks in relation to the specific services. The analysis focused on services that directly benefit an individual, group, or the general public. Criteria were established to determine a fair and equitable fee for direct services provided.

The Auditor and Controller has reviewed and approved the supporting documentation and the methodology for establishing the fees in this proposal for FY 2023-24. The following provides an overview of the fee adjustments, by department.

**Proposed Fee Package**

*Public Health Services*

The proposed Ordinance supports the cost recovery related to the County HHSA, Public Health Services (PHS) Public Health Laboratory. A total of 40 PHS fees were reviewed resulting in the following recommended actions (see Attachment A for details):

Action	Number of Fees	Description
Increases	21	<ul style="list-style-type: none"> <li>Public Health Laboratory fees (21)</li> </ul>
Decreases	13	<ul style="list-style-type: none"> <li>Public Health Laboratory fees (13)</li> </ul>
New	5	<ul style="list-style-type: none"> <li>Public Health Laboratory fees (5)</li> </ul>
No Change	1	<ul style="list-style-type: none"> <li>Public Health Laboratory fees (1)</li> </ul>
<b>Total Fees</b>	<b>40</b>	

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*Public Health Laboratory Fees*

A total of thirty-four existing testing fees requires updating for Public Health Laboratory, which include twenty-one proposed increases and thirteen proposed decreases to reflect updated cost recovery information. Included in the forty are five existing fees for Non-Diagnostic General Health Assessments (NDGHA) will be added to the County Administrative Code Article XV-B, Section 244 to consolidate all Public Health Laboratory fees in the same Admin Code.

The NDGHA fees were added statutorily on October 13, 1992 (3) via Resolution No. 92-412. These are filing fees for the filing of documentation and related enforcement activities pertaining to the County’s program to regulate the NDGHA program. Non-diagnostic general health assessments include total cholesterol, high-density lipoprotein, triglycerides, blood glucose, hemoglobin, dipstick urinalysis, fecal occult blood, urine pregnancy, and other tests in which the sample is tested onsite, and results are provided on the same day at the same place where the test was administered.

In addition, a total of five new Public Health Laboratory fees are proposed related to clinical fees. Of the five, three will be added under County Administrative Code XV-B, Section 239 and two will be added in Section 244. The fees added include tests currently being performed by the Public Health Laboratory which will provide future opportunity to recover costs when possible. The Public Health Laboratory fees are primarily established for those circumstances in which costs are claimable to federal, State, and other jurisdictions.

*Behavioral Health Services Fees*

County HHSA, Behavioral Health Services (BHS) provides a continuum of mental health and substance use services to San Diego County residents of all ages who are Medi-Cal eligible. Services are provided through a coordinated system of County-operated and contracted community-based providers. BHS also operates two hospitals, including the San Diego County Psychiatric Hospital and Edgemoor Distinct Part Skilled Nursing Facility (DPSNF), that provide inpatient care to the region’s most vulnerable adults.

Most BHS fees are aligned with Medi-Cal rates under Administrative Code XV-B, Section 239. There is a private pay fee for Edgemoor DPSNF in which an increase is proposed in order to align with updated full cost recovery information.

Action	Number of Fees	Description
Increase	1	• Edgemoor private pay fee
<b>Total Fees</b>	<b>1</b>	

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**LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN**

Today's proposed actions supports the Sustainability (Economy), Equity (Health), and Empower (Transparency and Accountability) Strategic Initiatives in the County of San Diego's (County) 2023-2028 Strategic Plan. Periodically reviewing Health and Human Services Agency services and related fees ensures that the County has optimized its health and social services delivery system to ensure efficiency, integration, and innovation while maintaining fiscal stability.

Respectfully submitted,



HELEN N. ROBBINS-MEYER  
Interim Chief Administrative Officer

**ATTACHMENT(S)**

Attachment A - Summary Comparison of Current and Proposed Fees

Attachment B - An Ordinance Amending Article XV-B of the San Diego County Administrative Code, Relating to Health and Human Services Charges and Fees (Clean Copy)

Attachment C - An Ordinance Amending Article XV-B of the San Diego County Administrative Code, Relating to Health and Human Services Charges and Fees (Informational Copy)

Attachment D - Summary of Cost Recovery Proposal Actions and Alignment of Fees to Section 239