

**AN ORDINANCE ESTABLISHING THE SANTA
BARBARA COUNTY HEALTH CENTER BOARD**

ORDINANCE NO. 09_____

WHEREAS, the Santa Barbara County Public Health Department, through its Healthcare for the Homeless grant (Public Health Service Act-Section 330 (h)), has been designated as a Federally Qualified Health Center (FQHC) and thereby operates six public health FQHC clinics and four satellite clinics; and

WHEREAS, in operating its FQHC clinics, the mission of the Public Health Department-Primary Care & Family Health division is to serve as the “safety net” and provide access to quality healthcare for the homeless, uninsured and underinsured in Santa Barbara County; and

WHEREAS, the Public Health Department wishes to expand its FQHC qualification by becoming a Community Health Center under Section 330 (e) of the Public Health Service Act (42 U.S.C. Section 254b(e)) in order to better provide access to healthcare for all “safety net” residents of Santa Barbara County; and

WHEREAS, the requirements of Section 330 (e) include the establishment of a Health Center Board with specific authority for the Community Health Center.

THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. Chapter ____ is added to the Santa Barbara County Code to read as follows:

**SANTA BARBARA COUNTY HEALTH CENTER
BOARD**

Sections:

- I. Establishment.
- II. Membership and Appointment.
- III. Terms of Office.
- IV. Meetings.
- V. Board Limitations of Authority.
- VI. Duties.
- VII. Conflicts of Interest.

I. Establishment.

There is hereby established in Santa Barbara County a body which shall be known as the Santa Barbara County Health Center Board ("the Board"). The purpose of the Board is to act, in conjunction with the Board of Supervisors, as the governing board of those health care clinic operations of the County of Santa Barbara ("County") which are designated as Federally Qualified Health Centers pursuant to 42 U.S.C. Section 1395x(aa)(3) and/or (4) ("FQHC clinics") as provided by 42 U.S.C. Section 254b(e) (Health Centers) and further described in Policy Information Notice ("PIN") 99-09, issued April 20, 1999, by the U.S. Department of Health and Human Services, Health Resources and Services Administration ("HRSA) through its Bureau of Primary Health Care ("BPHC"), and concerning "Federally Qualified Health Center Entities for Public Entities," and as more particularly described in PIN 2003-21, issued August 26, 2003.

II. Membership and Appointment.

The Board shall consist of thirteen (13) members approved by the Board of Supervisors. The Public Health Department Director will recommend the eight (8) consumer members and each member of the Board of Supervisors will appoint one Community Member from the district they represent. All members of the Board shall be residents of Santa Barbara County and lawful citizens of the United States. No member of the Board shall be an employee or an immediate family member of an employee of the FQHC clinics; however, a member may be an employee of the County. No members shall have a financial interest which would constitute a conflict of interest.

A. Consumer Members.

Eight (8) of the members shall be individuals who are, or will be, served by the FQHC clinics ("consumer members"). The eight (8) consumer members shall represent broad geographical areas served by the FQHC clinics and as a group, represent the FQHC clinics' user population in terms of factors such as ethnicity, location of residence, race, gender, age and economic status.

B. Community Members.

The remaining five (5) members of the Board ("community members"), shall possess expertise in community affairs, finance, legal affairs, or business, and be capable of providing expertise in government or in business and leadership. They shall also have a commitment to the population that utilizes the County's FQHC clinics and the special needs of that population. No more than two (2) community members (less than one-half) may receive more than ten percent (10%) of their annual income from the health care industry.

III. Terms of Office.

The term of each Board member shall be three (3) years.

With respect to the appointment of the Board members upon the vacancy of a position or the expiration of a term of a member, the Public Health Department Director shall make recommendations to the Executive Committee of the Board concerning appropriate candidates for the open position. In making these recommendations, the Public Health Department Director shall take into consideration:

- that the members as a whole are representative of the community;
- that the ratio of consumer members to community members is maintained;
- that the consumer members reflect the FQHC clinics' user mix; and
- that the objectives of Government Code Section 54970, et seq are maintained .

The Board shall recommend new members by a majority vote and submit the names to the Board of Supervisors for approval.

IV. Meetings.

Meetings shall be held at least monthly, within the geographic area of the County. The Deputy Director of the FQHC clinics shall attend all meetings of the Board.

All meetings of the Board, including, without limitation, regular, special, and adjourned meetings, shall be called, publicly noticed, held, and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code).

V. Board Limitations of Authority.

The Board of Supervisors shall maintain the authority to set general policy on fiscal and personnel matters pertaining to the FQHC clinics, policies related to financial management practices, charging and rate setting, labor relations and conditions of employment. The Board may not adopt any policy or practice, or take any action, which is inconsistent with or which alters the scope of any policy set by the Board of Supervisors on fiscal or personnel issues.

VI. Duties.

Subject to the provisions of Section V, the duties of the Board shall be as follows:

- Participation in the selection, annual review and continued leadership of the Deputy Director of the FQHC clinics;
- Identification and consultation about the services to be delivered and the hours of operation;

- Review and approval of financial priorities and approval of the FQHC clinic budget within appropriations made available by the Board of Supervisors;
- Adoption of policies necessary and proper for the efficient and effective operation of the FQHC clinics;
- Periodic evaluation of the effectiveness of the FQHC clinics in making services accessible to County residents;
- Development and implementation of a procedure for hearing and resolving patient grievances;
- Approval of applications necessary to establish and maintain the Community Health Center and the ongoing operation of the Community Health Center (CHC);
- Adoption of a quality of care audit procedure;
- Compliance with federal, state, and local laws and regulations; and
- Adoption of bylaws, following the initial approval by the Board of Supervisors.

VII. Conflicts of Interest.

The Board shall be subject to the same conflict of interest rules and reporting requirements which are applicable to the Board of Supervisors.

Section 2. This ordinance shall take effect thirty (30) days after passage and it shall be published once, with the names of the members voting for and against the same, in the Santa Barbara News-Press, a newspaper published in the County of Santa Barbara, State of California.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____ 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

Chair, Board of Supervisors

By: _____
Deputy

Date: _____

APPROVED AS TO FORM:
DENNIS MARSHALL
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:
ROBERT W GEIS, CPA
AUDITOR-CONTROLLER

By: _____
Deputy County Counsel

By: _____
Deputy