

**RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

**IN THE MATTER OF ADOPTING FEES)
FOR THE PUBLIC HEALTH LABORATORY)
PURSUANT TO THE CALIFORNIA)
HEALTH & SAFETY CODE §101325)**

RESOLUTION NO. _____

WHEREAS, California Health and Safety Code §101150 provides that for the purposes of protecting the community and the public health, the local health department of a county shall have available the services of a public health laboratory; and

WHEREAS, California Health and Safety Code §101155 provides that the cost of establishment and maintenance of the public health laboratory is a legal expenditure from any county funds that are for disbursement under the direction of the county health officer to protect public health; and

WHEREAS, the Santa Barbara County Public Health Laboratory is an approved public health laboratory as defined in California Business and Professions Code section 1206(a)(11) and maintains a Certificate of Compliance with the State Department of Health Services as required by California Health and Safety Code §101160; and

WHEREAS, the Santa Barbara County Health Officer requires that polymerase chain reaction (PCR) testing for *Bordetella pertussis* and polymerase chain reaction (PCR) testing for other diseases be conducted in the Public Health Laboratory in order to enforce his responsibilities in the County that are essential to protect the health of the public; and

WHEREAS, the Santa Barbara County Public Health Laboratory performs these essential laboratory tests according to Clinical Laboratory Improvement Amendments of 1998 (CLIA), including the clinical laboratory personnel requirements, specimen specifications, and the type and complexity of clinical laboratory tests or examinations performed; and

WHEREAS, California Health and Safety Code §101325 provides that the Board of Supervisors may adopt a resolution prescribing fees to pay the reasonable expenses of the health officer incurred in the enforcement of any statute or regulation relating to public health; and

WHEREAS, the fees established by this Resolution are reasonable as related to the burden imposed on the County and will enable the County to recover a portion of the costs of administering and enforcing the duties and responsibilities imposed by the California Health and Safety Code for validated and non-reference laboratory tests; and

WHEREAS, the County of Santa Barbara has, in connection with the above fees, held a public hearing as part of a regularly scheduled meeting and published notice of the meeting, including a general description of the matter to be considered, in accordance with Government Code §6062a; and

WHEREAS, the fees may be revised as needed by the Santa Barbara County Board of Supervisors, and if the revision does not occur, the existing fees shall remain in effect.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED, as follows:

That the laboratory tests and associated fees which are set forth in the attached Schedule of Fees are hereby adopted pursuant to California Health and Safety Code §101325 and §§101150-101165 and are to become effective on October 1, 2010. The fees that are established under this Resolution will pay a portion of the expenses of the Health Officer for laboratory tests necessary to enforce applicable statutes, orders, quarantines, or regulations prescribed by a State Officer or Department relating to public health. Each of the covered tests represents diseases and organisms that have the potential to adversely impact public health and are under the purview of the Health Officer.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this __ day of ____ 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
Chair, Board of Supervisors

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy

APPROVED AS TO FORM:
DENNIS MARSHALL
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:
ROBERT GEIS
AUDITOR-CONTROLLER

By _____
Deputy County Counsel

By _____

Schedule of Fees

Testing Type	CPT Code	Recommended Fee
Polymerase chain reaction (PCR) testing (<i>Bordetella Pertussis</i>)	87798	\$70.00
Generic Polymerase chain reaction (PCR) testing	87798	\$70.00