

**ORDINANCE AMENDING
SANTA BARBARA COUNTY
OUTPATIENT AND PROFESSIONAL PUBLIC HEALTH MEDICAL SERVICES FEES**

ORDINANCE NO. ___ - _____

An Ordinance of the County of Santa Barbara amending the existing Outpatient and Professional Public Health Medical Services Fee Schedule to adjust for increased costs of providing services and to establish a nexus to the published Medicare Physician Fee Schedule.

The Board of Supervisors of the County of Santa Barbara ordains as follows:

WHEREAS, the Public Health Department receives a grant under Section 330 of the Public Health Service (PHS) Act (42 U.S.C. § 254b) that qualifies it as a Federally Qualified Health Center (FQHC); and

WHEREAS, providing services to patients regardless of the ability to pay, and removing barriers to receiving care is key to the mission of every health center; and

WHEREAS, The Santa Barbara County Board of Supervisors shares responsibility for certain financial functions, including the setting of patient service fees and discounts, with the Santa Barbara County Public Health Department Community Health Center Board, through its approved Co-Applicant Agreement; and

WHEREAS, Section 330 requires health centers to have “a schedule of fees or payments for the provision of its services consistent with locally prevailing rates or charges and designed to cover its reasonable costs of operation” and, “a corresponding schedule of discounts to be applied to the payment of such fees or payments, which discounts are adjusted on the basis of the patient’s ability to pay” with limitations, using at least three discount levels between 100% and 200% of the federal poverty level; and

WHEREAS, Section 330 requires that individuals and families with incomes below 100% of the federal poverty level be offered a full discount, unless the health center has chosen to have a fixed, nominal charge; and

WHEREAS, the fixed charge is not expressed as a percentage of the actual charge/cost and must be not more than the fee paid by a patient in the first sliding fee scale pay class above 100% of the federal poverty level; and

WHEREAS, Federally Qualified Health Centers are required to charge and use best efforts to collect applicable fees from all patients – including discounted amounts from persons who qualify, and full fees for patients who do not qualify, for the health center’s schedule of discounts; and

WHEREAS, failure to update the Public Health Department’s FQHC fee schedule will result in lower reimbursement for County health services from those payers that reimburse for services at the lower of published charges or a set reimbursement schedule; and

WHEREAS, the fees and charges established by this ordinance are based on the lower of the reasonable costs of providing the service or 180% of the Medicare Physician Fee Schedule for Santa Barbara County;

WHEREAS, certain special fees designed to meet specific public health objectives, such as disease control and prevention, will be offered at fixed rates in the fee schedule.

WHEREAS, pursuant to Government Code Section 54986, the County has, in connection with the proposed 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; and

WHEREAS, the fees may be revised as needed by the Santa Barbara County Public Health Department Community Health Center Board and 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 fees set forth as 180% of the 2013 Medicare Physician Fee Schedule for Santa Barbara County and that Sliding Fee Scale Discounts for qualifying self-pay patients, based on their documented income in the amount of:
 - Below 100% of Federal Poverty Level: \$45.00 (~72% of Charges)
 - 101% to 150% of Federal Poverty Level: 60% of Charges
 - 151% to 175% of Federal Poverty Level: 50% of Charges
 - 176% to 200% of Federal Poverty Level: 45% of Charges
 - Over 200% of Federal Poverty Level: No Discount

are hereby adopted pursuant to 42 USC 254b(k)(3)(G)(i)&(ii). This Ordinance shall take effect and be in full force on January 1, 2016; and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same, in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED and ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2015 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chair, Board of Supervisors

Date: _____

ATTEST:
MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:
FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: _____
Deputy County Counsel

APPROVED AS TO ACCOUNTING:

ROBERT W GEIS, CPA
AUDITOR-CONTROLLER

By: _____
Deputy