



Legislation Details (With Board Report)

**File #:** RES 22-175      **Name:** Article I.b Master Fee Resolution  
**Type:** BoS Resolution      **Status:** Passed  
**File created:** 9/13/2022      **In control:** Board of Supervisors  
**On agenda:** 9/27/2022      **Final action:** 9/27/2022

**Title:** Adopt a Resolution to:  
 Amend Article I.b. - Public Health Bureau of the Monterey County Master Fee Resolution effective November 1, 2022, to adjust fees pursuant to the attached Fee Schedule relating to services provided by the Health Department’s Administration and Public Health Bureaus - Sexual Assault Response Team (SART) Fee Schedule (Penal Code Section 13823.95) and Research/Evaluation and Information Technology Fee Schedule.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Resolution Amendment, 3. Resolution Amendment, 4. Proposed Article I.b Fee Schedule, 5. Proposed Article I.b Fee Schedule - (strike through), 6. Fee Schedule - Backup Documentation - FY 2022-23- Research - Evaluation and Information Technology 29Aug2022, 7. Fee Schedule - Backup Documentation - FY 2022-23- SART 29Aug2022, 8. Board Order RES 19-110 & Resolution 19-301, 9. Completed Board Order No. 29, 10. Completed Resolution No. 29

Date	Ver.	Action By	Action	Result
9/27/2022	1	Board of Supervisors		

Adopt a Resolution to:  
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**RECOMMENDATION:**

It is recommended that the Board of Supervisors adopt a Resolution to:  
 Amend Article I.b. - Public Health Bureau of the Monterey County Master Fee Resolution effective November 1, 2022, to adjust fees pursuant to the attached Fee Schedule relating to services provided by the Health Department’s Administration and Public Health Bureaus - Sexual Assault Response Team (SART) Fee Schedule (Penal Code Section 13823.95) and Research/Evaluation and Information Technology Fee Schedule.

**SUMMARY:**

The Monterey County Health Department’s Administration and Public Health Bureaus are requesting approval of the proposed fee adjustment to the Public Health Bureau’s Master Fee schedule, Article I.b., for SART and research and evaluation services. The revised SART fees were approved by the Monterey County Chief Law Enforcement Officer Association (MCCLEOA) in an effort to assure the viability of the Monterey County’s Sexual Assault Response Team (SART) Program. The Research/Evaluation and Information Technology services provided by the Health Department’s Administration Bureau were updated based on increased cost of performing services. The revised fees were updated to more closely reflect, while still not exceeding, the actual and reasonable cost of services and benefits provided to the public by the Health Department’s Administration and Public Health Bureaus.

DISCUSSION:

The fee adjustment increases are recommended in the following categories:

- Sexual Assault Response Team (SART) Fee Schedule
- The Research/Evaluation and Information Technology Fee Schedule

The County of Monterey Health Department (County) has operated the SART Program since July 1, 2007. A revision to the Fee Schedule was approved and became effective on August 28, 2020. Since 2020, no adjustments have been made to the SART fee schedule. Pursuant to Penal Code Section 13823.95, the County will charge local Law Enforcement agencies in order to recover a portion of the cost associated with performing victim forensic examinations and testifying in court at their request; and Law Enforcement may seek reimbursement to offset the cost of conducting medical evidentiary examinations for victims of sexual assault.

More recently, the California Office of Emergency Services (OES) will reimburse Law Enforcement to offset the cost of medical evidentiary examinations as follows:

- The actual cost of the examination up to \$911 for victims that are undecided at the time of an examination, whether to report the assault to Law Enforcement.
  - Examinations must have occurred on, or after, October 1, 2020.
- The actual cost of the examination up to \$1,127 for victims that have determined, at the time of the examination, to report the assault to Law Enforcement, to the extent funds are available.
  - Examinations must have occurred, on or after July 1, 2021.

The County requests that existing fees be amended as follows: Victim Examination SART Program Service Fee increase from \$925 per exam to \$2,052 per exam so as long as OES reimburses the Victim Examination Fee, and if the OES reimbursement is no longer available based on lack of funding, the cost per exam will revert back to \$925 per exam. The Annual Retainer “Readiness Participation” Fee of \$2,000 be credited to the Law Enforcement Agency for any SART exams performed, but if no SART exams are performed then the \$2,000 stays with the County SART Program.

The Research/Evaluation and Information Technology Fee provides epidemiological consulting services to local agencies. Services include health outcomes study design, coordination, and management; bio statistical analysis; spatial analysis; grant development; and program evaluation. The proposed fees are for services provided by subject matter experts who work with agencies to build local capacity and foster collaborative relationships.

The documents in support of the fee adjustment recommended herein are attached hereto. They reflect both increases and decreases based on the actual current costs of the indicated services. By definition, the changes to these charges are not a “tax” and are exempt from voter approval pursuant to Article XIII C section 1(e)(1)-(3) and (5) of the California Constitution (Prop. 26; charges imposed for specific benefit conferred/privilege/service or product, reasonable regulatory costs provided or granted to the payor, and/or fines and/or penalties). As such, they reflect no more than the actual cost of the service/benefit received by the payor.

A copy of the Proposed Resolution and the Proposed fee schedule (in two formats: comparison to current and prior year amounts if applicable (changes in strikeouts at the base of page one, and clean version) are attached to this report and on file with the Clerk of the Board.

This work supports the MCHD 2018-2022 Strategic Plan Goals: 1. Empower the community to improve health;

2. Enhance public health and safety through prevention; and 3. Ensure access to culturally and linguistically appropriate, customer-friendly, quality health services. Additionally, this work supports three of the ten essential public health services: inform, educate, and empower people about health issues; link people to needed personal health services and assure the provision of health care when otherwise unavailable; and assure competent public and personal health care workforce.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller have reviewed and approved this Agreement as to legal form and fiscal provisions, respectively.

FINANCING:

The recommended fee adjustment does not exceed actual costs for providing these services. As such, the fees represent a charge imposed for the specific service provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the County for providing the service. Anticipated revenues resulting from the proposed fee adjustments are included in the Fiscal Year (FY) 2022-23 Adopted Budget and Requested Budgets for the years out. The proposed fees will offset actual and reasonable costs of services and benefits provided to the public by the Health Department's Administration and Public Health Bureau.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Juanita Sanders, Management Analyst II, 755-5494

Approved by:

Date: \_\_\_\_\_

Elsa Mendoza Jimenez, Director of Health, 755-4526

Attachments:

Resolution Amendment

Proposed Article I.b. Fee Schedule (clean; effective November 1, 2022)

Proposed Article I.b. Fee Schedule (previous, current and proposed fees shown for comparison)

Fee Schedule

Board Resolution