

**SANTA FE COUNTY
RESOLUTION NO. 2014- 47**

A RESOLUTION ESTABLISHING THE SANTA FE COUNTY HEALTH CARE ASSISTANCE PROGRAM, RATIFYING ACTIONS OF THE SANTA FE COUNTY INDIGENT HOSPITAL AND HEALTH CARE BOARD AND REPEALING RESOLUTION 2013-1-IB

WHEREAS, Santa Fe County, acting through its Board of County Commissioners ("BCC"), adopted Ordinance 1987-5, which was effective July 1, 1988, imposing a County gross receipts tax for the purpose of providing funding for indigent health care;

WHEREAS, Section 27-5-5 of the Indigent Hospital and County Health Care Act, NMSA 1978, Section 27-5-1 et seq. ("the Act"), created within each county a 'county indigent hospital and county health care board'" which was composed of the members of the board of county commissioners whose duty was to administer claims pursuant to the Act and to otherwise administer an indigent hospital and county health care program in accordance with the Act;

WHEREAS, pursuant to the Act, the Santa Fe County Indigent Hospital and County Health Care Board has regularly convened meetings pertaining to the indigent health care in Santa Fe County at which it approved claims submitted to Santa Fe County pursuant to the Act;

WHEREAS, on March 12, 2014 Governor Susana Martinez signed into law Senate Public Affairs Committee Substitute for Senate Bill 268 & 314 And Senate Finance Committee Substitute for Senate Bill 368, as amended with emergency clause with certificate of correction and with certain items vetoed, thereby amending the Act;

WHEREAS, through the aforementioned legislation, Section 27-5-5 of the Act was repealed and there is no longer a statutorily created indigent hospital and county health care board in Santa Fe County;

WHEREAS, since repeal of Section 27-5-5 of the Act, the Board of County Commissioners continued to meet as the Santa Fe County Indigent Hospital and County Health Care Board transitioning the Santa Fe County Indigent Hospital and County Health Care program to conform to the Act as amended;

WHEREAS, Section 27-5-7 of the Act as amended created in the Santa Fe County Treasury the County Health Care Assistance Fund which may be used to pay for ambulance services, burial or cremation expenses, and health care services for indigent patients;

WHEREAS, Section 27-5-4 of the Act defines health care services as "treatment and services designed to promote improved health in the county indigent population, including primary care, prenatal care, dental care, behavioral health care, alcohol or drug detoxification and rehabilitation, hospital care, provision of prescription drugs, preventive care or health outreach services, to the extent determined by resolution of the county";

REC CLERK RECORDED 05/28/2014

WHEREAS, Section 27-5-6(G) of the Act provides that a county may contract with health care providers for the provision of services for indigent patients domiciled within the county;

WHEREAS, in 2013 the BCC adopted Resolution No. 2013-1-IB, specifying providers eligible to submit claims to Santa Fe County for reimbursement pursuant to the Act;

WHEREAS, the Act no longer requires that funds be used solely for the reimbursement of claims;

WHEREAS, on April 29, 2014, the Santa Fe County Indigent Hospital and County Health Care Board, approved the County Health Action Plan recommended by the Santa Fe County Health Policy and Planning Commission, entitled *Santa Fe County Health Action Plan FY 2015-2017*;

WHEREAS, the BCC desires to supplement the policies reflected in *Santa Fe County Health Action Plan FY 2015-2017* with additional policies pertaining to indigent health care provided by Santa Fe County; and

WHEREAS, the BCC recognizes the need to replace the Santa Fe County Health Care Assistance Program Health Care Claim Rules and Regulations with procedures to implement indigent health care claims processing and programming in conformity with the Act and the Santa Fe County Health Action Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County:

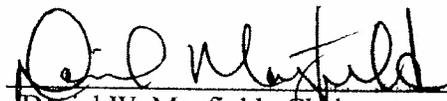
1. All actions of the Santa Fe County Indigent Hospital and County Health Care Board taken on or after March 12, 2014 are hereby ratified and adopted as the actions of the Board of County Commissioners.
2. Santa Fe County now adopts a Health Care Assistance Program in accordance with the Act as amended. Santa Fe County's Health Care Assistance Program shall provide health care services for indigent patients domiciled in the County, and shall support the health priorities set forth in *Santa Fe County Health Action Plan FY 2015-2017*. Santa Fe County's Health Care Assistance Fund ("the Fund") shall be used for these purposes.
3. The Fund may be used for reimbursement of claims of indigent patients of nonprofit providers for non-hospital based health care services, as that term is defined in Section 27-5-4 of the Act provided the claims are submitted in accordance with and eligible for reimbursement under the policies and procedures adopted by Santa Fe County.
4. The Fund may be used to support initiatives and projects that provide treatment and services for indigent patients targeted to the health priorities in the *County Health Action Plan FY 2015-2017*.

2014 SEP 26 11:28 AM

5. Ambulance providers and services, as defined by Section 27-5-4(A) of the Act, may submit claims to Santa Fe County in accordance with procedures for claims processing and policies established pursuant to paragraph 7 below.
6. Santa Fe County will process and pay burial and cremation claims out of the Fund pursuant to NMSA 1978, Section 24-13-3 (2001).
7. Staff is directed to replace the existing claims procedures referred to as the *Santa Fe County Health Care Assistance Program Health Care Claim Rules and Regulations* with procedures for claims processing and indigent health care initiatives to implement *Santa Fe County Health Action Plan FY 2015-2017* and to incorporate into those procedures the following policies:
- A. Eligibility for services will be based on financial status, which includes a combination of household income and liquid assets. Household income cannot exceed 80 percent of the median average as published annually in the Federal Register by the United States Department of Housing and Urban Development (HUD). Liquid assets cannot exceed \$10,000 for a single individual or \$20,000 for a household.
 - B. The lifetime cap for claims for services will be set at \$25,000 per individual, regardless of provider. Staff shall develop procedures for the consideration of exceptional circumstances where the cap may be exceeded.
 - C. The Healthcare Assistance Program will not pay for services eligible for coverage by the applicant's insurance, or Centennial Care, regardless of whether the applicant has applied for Centennial Care, if the applicant would have qualified for Centennial Care.
 - D. Any person (regardless of their immigration status) applying for services must be domiciled in Santa Fe County.
 - E. The definition of primary care includes dental and mental health services when provided within a medical home. Payment for dental services will be capped at \$5,000 per lifetime.
8. Santa Fe County Resolution No. 2013-1-IB is repealed and replaced by this Resolution.

APPROVED, ADOPTED AND PASSED this 29 day of June, 2014.

BOARD OF COUNTY COMMISSIONERS


Daniel W. Mayfield, Chair

REC'D DEPT. RECORDS & COMM. 6/29/14

Attest:

Geraldine Salazar
Geraldine Salazar, County Clerk

6-24-2014



Approved as to Form:

Gregory S. Shaffer
Gregory S. Shaffer, County Attorney

REC CLERK RECORDED 06/25/2014

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 4

I Hereby Certify That This Instrument Was Filed for
Record On The 26TH Day Of June, 2014 at 01:16:58 PM
And Was Duly Recorded as Instrument # 1740047
Of The Records Of Santa Fe County

Deputy Marcella [Signature] Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

