



# Board Agenda Item 16

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DATE: June 6, 2017

TO: Board of Supervisors

SUBMITTED BY: David Pomaville, Director, Department of Public Health

SUBJECT: Amendment to Master Schedule of Fees, Charges, and Recovered Costs

RECOMMENDED ACTION(S):

1. **Conduct the first hearing to amend the Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Section 2100 - Public Health, Subsection 2113; and waive the reading of the ordinance in its entirety and set the second hearing for June 20, 2017.**
2. **Designate County Counsel to prepare a fair and adequate summary of the proposed ordinance and direct the Clerk to the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1).**

Approval of the first recommended action would schedule the second hearing to amend rates in Section 2100, subsection 2113 to reflect the passage of Proposition 64, Adult Use of Marijuana Act (AUMA) in November 8, 2016. Approval of the second recommended action satisfies the legal requirement to publicize the proposed service rates for the issuance of Medical Marijuana Identification Cards (MMICs) by the Department of Public Health.

ALTERNATIVE ACTION(S):

There is no viable alternative as this is a legal requirement as with the passage of AUMA the California Department of Public Health (CDPH) portion of the fees are no longer required to be collected.

FISCAL IMPACT:

There is no additional Net County Cost related to the adoption of the recommended rates listed on Exhibit A. These rates will be used by the Department to recover direct and indirect costs for services performed in the issuance of MMICs. The prior rates were:

- \$107
- \$49 (Medi-Cal)

The recommended rates are:

- \$63
- \$32 (Medi-Cal)

DISCUSSION:

On November 8, 2016, the voters passed the AUMA, which removed language that authorized CDPH to collect

fees from counties to support program operation costs and capped the fees local health departments may charge for the issuance of MMICs. Per Health and Safety Code, section 11362.755, local health departments can only charge up to \$100 per MMIC application or renewal. If the applicant provides satisfactory proof of participation and eligibility in the Medi-Cal program, the applicant receives a 50% reduction in the assessed fee.

The recommended rates in Exhibit A consist of applicable direct and indirect salaries, benefits, services and supplies, including departmental and countywide overhead costs. Attachment A provides a detail of changes proposed to the existing rates for comparative purposes.

The recommended rates, including their calculation, and the methodology applied for cost recovery, has been reviewed and approved by the Auditor-Controller/Treasurer Tax-Collector. If approved, the second hearing will be scheduled on June 20, 2017.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A - Proposed Rates  
Attachment A - MSF Rate Change Comparison  
Ordinance Amending MSF Section 2100  
Ordinance Amending MSF Section 2100 - Red-line

CAO ANALYST:

Sonia De La Rosa