



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
County Manager's Office



DATE: July 12, 2011
BOARD MEETING DATE: October 4, 2011
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors
FROM: David S. Boesch, County Manager
SUBJECT: 2010-11 Grand Jury Response

RECOMMENDATION:

Accept this report containing the County's response to the following 2010-11 Grand Jury report: Is the County Wedded to Long-Term Care?

BACKGROUND / DISCUSSION:

The County is mandated to respond to the Grand Jury within 90 days from the date that reports are filed with the County Clerk and Elected Officials are mandated to respond within 60 days. To that end, included is the County's response to the "Is the County Wedded to Long-Term Care?" report issued on July 11, 2011.

Acceptance of this report contributes to the Shared Vision 2025 outcome of a Collaborative Community by ensuring that all Grand Jury findings and recommendations are thoroughly reviewed by the appropriate County departments and that, when appropriate, process improvements are made to improve the quality and efficiency of services provided to the public and other agencies.

FISCAL IMPACT:

There is no Net County Cost associated with accepting this report.

Is the County Wedded to Long-Term Care?

Findings:

Grand Jury Finding Number 1. Patients with dementia and behavioral issues remain at BLTC for lack of alternative placements; releasing them without placements is prohibited by law.

Partially agree. Every person admitted to BLTC undergoes an evaluation to determine their need for services provided at BLTC. It is common for persons living in long-term care facilities to have dementia and/or behavioral issues, and BLTC is no exception. At BLTC, we have a team of psychologists and psychiatrists who assist the staff with the care of these individuals, and approximately 2/3 of the patients are involved with this team in some way. It is true that finding placements for persons with behavioral issues, whether or not they have dementia, is very challenging.

Grand Jury Finding Number 2. After spending time recuperating from medical conditions, patients often have lost their homes or other housing arrangements; therefore BLTC becomes their only residence and cannot release them until a safe and appropriate housing is obtained.

Agree.

Grand Jury Finding Number 3. The lack of available low-cost housing in the county makes it difficult for BLTC staff to find safe discharge for patients who no longer need skilled nursing care.

Agree.

Grand Jury Finding Number 4. Medi-Cal is the primary means of payment for approximately 94% of the patients at BLTC. A small number do not qualify for any insurance but still need skilled nursing care.

Agree. We proactively work with patients to ensure that they are enrolled in Medi-Cal and other insurance programs for which they qualify.

Grand Jury Finding Number 5. Medi-Cal will pay only its "accepted fees," a rate significantly lower than the cost to the hospital. Medi-Cal has cut its reimbursement rates over the last several years. There was a 2-year rate freeze for fiscal years 2009-10 and 2010-11. The State of California has now proposed an additional 10% cut for FY 2011-12. BLTC continues to run deficits annually.

Partially Agree. In 2009, the State froze the BLTC (and similar facilities) rates beginning August 1, 2009 at Fiscal Year 2008-2009 levels. Currently there are pending legal cases and legislation to seek relief for this freeze from the period February 24, 2010 thru May 31, 2011. The State has also passed legislation to reduce the rate paid to BLTC (and similar facilities) by 25%, but the State cannot implement this rate reduction without federal approval. The federal government has not yet ruled on this proposed rate reduction.

Grand Jury Finding Number 6. Many residents of BLTC no longer require skilled nursing, but placement at a lower level of care is not feasible because Medi-Cal will not pay for Residential Care Facilities, smaller Board and Care Facilities, or Assisted Living Facilities.

Agree.

Grand Jury Finding Number 7. A Medi-Cal waiver for Long-Term Care Integration is pending in the State legislature and could be implemented as early as 2012 if passed.

Partially agree. The Medi-Cal waiver is an agreement between the State and the Federal governments and authorized by the State Legislature. The currently adopted Medi-Cal waiver would need to be amended to adopt our Long-Term Care Integration program. The State's current timeline is for implementation by July, 2012.

Recommendations:

The 2011 San Mateo Civil Grand Jury recommends that the Board of Supervisors:

- 1. Pursue appropriate renovations necessary to consolidate long-term care at the Medical Center main campus and close Burlingame Long-Term Care facility.**

Response:

The recommendation requires further analysis. We have hired an independent consultant to do a detailed analysis of our options regarding the provision of skilled nursing services both at BLTC and on the Main Campus of the Medical Center. We intend to present this analysis, as well as our recommendation, no later than January 2012. Meanwhile, to ensure that we have options, we have submitted architectural plans to the State that would enable us to use the ground floor of the Medical Center for skilled nursing care.

- 2. Continue to seek assistance from locally elected state legislators to expedite Office of Statewide Health Planning and Development approval of the renovations required to provide long-term care at the main campus.**

Response:

For the reasons stated in response to #1, the recommendation requires further analysis. However, we are continuing to work with the State administratively to respond to any questions they have about our architectural plans.

- 3. Continue to enlist support from locally elected state and federal legislators to obtain Medi-Cal waivers allowing Long-Term Care Integration to be administered by the County.**

Response:

The recommendation has been implemented. We, in partnership with the Health Plan of San Mateo, are working with the State Department of Health Care Services to implement Long Term Care Integration. We hope the State will be ready to implement by July 2012.