

ORDINANCE NO. C.S. 1068

**AN ORDINANCE AMENDING THE STANISLAUS COUNTY  
COMMUNITY HEALTH CENTER BOARD ORDINANCE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

**Section 1.** Chapter 9.90 of the Stanislaus County Code is amended to read as follows:

**COMMUNITY HEALTH CENTER BOARD**

Sections:

- 9.90.010 Establishment.
- 9.90.020 Membership and Appointment.
- 9.90.030 Terms of Office.
- 9.90.040 Meetings.
- 9.90.050 Limitations of Authority.
- 9.90.060 Duties.
- 9.90.070 Conflicts of Interest.

9.90.010 Establishment.

There is hereby established in Stanislaus County a commission which shall be known as the Stanislaus County Community Health Center Board (“CHCB”). The purpose of the CHCB is to act, in conjunction with the Board of Supervisors, as the governing board of those health care clinic operations of the County of Stanislaus (“County”) which are designated as Federally Qualified Health Centers (“Look Alike”) pursuant to 42 U.S.C. Section 1395x(aa)(3) and/or (4), and/or Section 1396(1)(2)(A) and/or (B) (“FQHCs”) and further described in Policy Information Notice (“PIN”) 99-09, issued April 20, 1999, by the U.S. Department of Health and Human Services, Health Resources and Services Administration (“HRSA”) through its Bureau of Primary Health Care (“BPHC”), and concerning “Federally Qualified Health Center Look-Alike Entities for Public Entities,” and as more particularly described in PIN 2003-21, issued August 26, 2003.

9.90.020 Membership and Appointment.

The CHCB shall consist of eleven (11) members initially appointed by the Board of Supervisors. All subsequent appointments, removals and replacements of members shall be made in accordance with subsections (A) and (B) of this section 9.90.020. All members of the CHCB shall be residents of Stanislaus County and lawful citizens of the United States. No member of the CHCB shall be an employee or an immediate family member of an employee of the County. No members shall have a financial interest which would constitute a conflict of interest.

A. User Members.

Six (6) of the members shall be individuals who are, or will be, served by the FQHCs ("User Members"). The six (6) user members shall broadly represent geographical areas served by the FQHC clinics. In making all appointments, removal and replacements of User Members, the CHCB will assure that the User Members, as a group, are representative of the FQHCs' user population in terms of factors such as ethnicity, location of residence, race, gender, age and economic status. The appointment, removal and replacement of all six User Members shall be made by the CHCB.

B. Non-user Members.

The remaining five (5) members of CHCB ("Non-User Members") shall consist of individuals who possess expertise in community affairs, finance and banking, legal affairs, trade unions, and other commercial and industrial concerns, or social service agencies within the community, and who are capable of providing leadership in the community. No more than two (2) non-user members may receive more than ten percent (10%) of their annual income from the health care industry. Two (2) of the Non-User members shall be appointed, removed and replaced by the Board of Supervisors. The other three (3) Non-User Members shall be appointed, removed and replaced by the CHCB.

9.90.21 Alternates.

After October 1, 2009, Alternates for Members may be appointed, subject

to the requirements of Members set forth in Section 9.90.020 herein. If and for those appointed, each Alternate would serve as the designee for a specific member in order to maintain the federally required composition of the Community Health Center Board. Each Alternate would assume the Rights and Responsibilities of a member, but only in the absence of the respective designated member. Alternates shall not assume Elected Officer duties. The CHCB shall have the authority to appoint Alternates for the Members of the CHCB which are to be appointed by the CHCB, and the Board of Supervisors shall have the authority to appoint Alternates for the Members of the CHCB which are to be appointed by the Board of Supervisors.

#### 9.90.030 Terms of Office.

The term of each CHCB member shall be four (4) years.

With respect to the appointment of the CHCB members upon the vacancy of a position or the expiration of a term of a user member, the remaining members of the CHCB shall appoint appropriate candidates for the open position with the exception of vacancies of the two member seats appointed by the Board of Supervisors which shall be filled by appointment by the Board of Supervisors. In making appointments to the Non-User seats, the CHCB will take into consideration the requirement that the user members reflect the FQHCs' user mix.

#### 9.90.040 Meetings.

Meetings shall be held at least monthly, within the geographic area of the County. The person or persons having direct administrative responsibility for the operation of FQHCs shall attend all meetings of the CHCB.

All meetings of the CHCB, including, without limitation, regular, special, and adjourned meetings, shall be called, publicly noticed, held, and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code).

9.90.050 Limitations of Authority.

The Board of Supervisors shall maintain the authority to set general policy on fiscal and personnel matters pertaining to the FQHCs, policies related to financial management practices, charging and rate setting, labor relations and conditions of employment. The CHCB may not adopt any policy or practice, or take any action, which is inconsistent with or which alters the scope of any policy set by the Board of Supervisors on fiscal or personnel issues.

9.90.060 Duties.

Subject to the provisions of Section 9.90.050, the duties of the CHCB shall be as follows:

- a. Approve the selection and dismissal of the FQHC Executive Director who shall have direct administrative responsibility for the operation of the Stanislaus County FQHCs;
- b. Adopt policies identifying the services to be delivered at each Stanislaus County FQHC location and the hours during which services are to be provided;
- c. Approve, within appropriations made available for such purposes, the budget for Stanislaus FQHCs operations, subject to approval by the Board of Supervisors. Such budget shall be initially prepared by the FQHC Executive Director who shall have direct administrative responsibility for the operation of the Stanislaus FQHCs or their delegate. All allocations, disbursements, or other commitment of public funds that are subject to the control or recommendations of the CHCB shall be made only upon duly agendized motions that are seconded and approved by a majority vote;
- d. Develop financial priorities and strategies for major resource utilization;
- e. Evaluate at least annually the effectiveness of the Stanislaus County FQHCs in making services available and accessible to residents of the County. Such evaluation shall include, but not be

limited to, utilization patterns, productivity, efficiency of operations, patient satisfaction, and achievement of program objectives;

f. Develop and implement a procedure for hearing and resolving patient grievances, unless otherwise provided for by the County Ordinance Code;

g. Adopt quality of care audit procedures;

h. Assure compliance with Federal, State and local laws, ordinances and regulations;

i. Periodically inform the Board of Supervisors regarding the Stanislaus County FQHCs' utilization, productivity, patient satisfaction, and achievement of project objectives;

j. Adopt such other policies as are necessary and proper for the efficient and effective operation of the Stanislaus County FQHCs;

k. Evaluate the performance of the Stanislaus County FQHC Executive Director, who shall have direct administrative responsibility for the FQHCs, annually and share the evaluation with the Board of Supervisors. The evaluation may use the County's "Pay For Performance" evaluation system; and

I. Adopt bylaws for the CHCB which comply with all applicable statutes, regulations, and with the conditions of this enabling ordinance.

9.90.070 Conflicts of Interest.

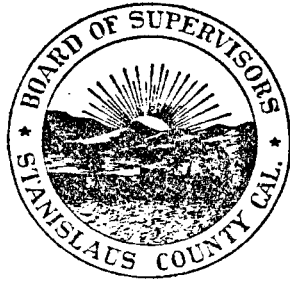
The CHCB shall be subject to the same conflict of interest rules and reporting requirements which are applicable to the Board of Supervisors.

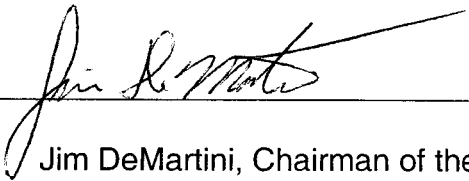
**Section 2.** This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor Chiesa, seconded by Supervisor Grover, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the 22nd day of December, 2009, by the following called vote:

AYES: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini  
NOES: Supervisors: None  
ABSENT: Supervisors: None





  
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Jim DeMartini, Chairman of the  
Board of Supervisors of the  
County of Stanislaus, State of  
California

ATTEST:

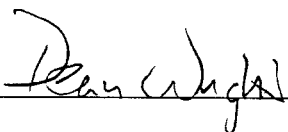
Christine Ferraro Tallman  
Clerk of the Board of Supervisors of the  
County of Stanislaus, State of California

By   
\_\_\_\_\_

Deputy

APPROVED AS TO FORM:

John P. Doering  
County Counsel

By   
\_\_\_\_\_

Dean Wright  
Deputy County Counsel

ORDINANCE C.S. 1068

Upon motion of Supervisor Chiesa, seconded by Supervisor Grover, Ordinance C.S. 1068 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 22nd day of December 2009, by the following called vote:

AYES: SUPERVISORS: O'Brien, Chiesa, Grover, Monteith and Chairman DeMartini  
NOES: None  
ABSENT: None  
ABSTAINING: None

Ordinance C.S. 1068 amends Stanislaus County Code Chapter 9.90 relating to the membership of the Stanislaus County Community Health Center Board. A full copy of the ordinance is available for review at the Clerk of the Board's Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact Mary Ann Lee, Managing Director, Stanislaus County Health Services Agency at (209) 558-7163 or at P.O. Box 3271, Modesto, CA 95353.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: December 22, 2009

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California



BY:

\_\_\_\_\_  
Elizabeth A. King, Assistant Clerk of the Board

**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO** , County of **STANISLAUS** , State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS** , State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Dec 29, 2009

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I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

**MODESTO, California** on

December 30th, 2009

(Signature)

*Marie Hickman*

ORDINANCE C.S. 1068  
Upon motion of Supervisor Chiesa, seconded by Supervisor Monteith, Ordinance C.S. 1068 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 22nd day of December 2009, by the following called vote: AYES: SUPERVISORS: O'Brien, Chiesa, Grover, Monteith and Chairman DeMartini; NOES: None; ABSENT: None; ABSTAINING: None. Ordinance C.S. 1068 amends Stanislaus County Code Chapter 9.90 relating to the membership of the Stanislaus County Community Health Center Board. A full copy of the ordinance is available for review at the Clerk of the Board's Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact Mary Ann Lee, Managing Director, Stanislaus County Health Services Agency at (209) 558-7163 or at P.O. Box 3271, Modesto, CA 95353. BY ORDER OF THE BOARD OF SUPERVISORS. DATED: December 22, 2009. ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Elizabeth A. King, Assistant Clerk of the Board  
**Pub Dates Dec 29, 2009**