

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY

DEPT: Health Services Agency

BOARD AGENDA #: B-12

AGENDA DATE: March 22, 2016

**SUBJECT:**

Approval to Re-Hire Ms. Gail Sakai Prior to the 180 Day Sit Out Period as Required by the Public Employee's Pension Reform Action of 2013

**BOARD ACTION AS FOLLOWS:**

No. 2016-153

On motion of Supervisor Withrow, Seconded by Supervisor Chiesa  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith


Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1)  Approved as recommended
- 2)  Denied
- 3)  Approved as amended
- 4)  Other:

MOTION:

ATTEST:   
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Health Services Agency

BOARD AGENDA #: B-12

Urgent

Routine

AGENDA DATE: March 22, 2016

CEO CONCURRENCE: \_\_\_\_\_

4/5 Vote Required: Yes  No

*Photo*

**SUBJECT:**

Approval to Re-Hire Ms. Gail Sakai Prior to the 180 Day Sit Out Period as Required by the Public Employee's Pension Reform Action of 2013

**STAFF RECOMMENDATIONS:**

1. Authorize the Health Services Agency Director to rehire Gail Sakai following her retirement, as a part-time Occupational Therapist in the California Children's Services (CCS) Medical Therapy Unit as of April 4, 2016 prior to the 180 day sit out period as required by the Public Employees' Pension Reform Act of 2013.
2. Certify that the re-hiring of Gail Sakai in a part time capacity as an Occupational Therapist is necessary to fill a critically needed position prior to the passage of the 180 day period.

**DISCUSSION:**

The ability to recruit and retain qualified Physical Therapists and Occupational Therapists is a very difficult task considering the shortage of these professionals in the Central Valley. The County is forced to compete with higher salaries of local competitors and those of other communities.

The California Children's Services (CCS) is a statewide program that arranges, directs and pays for medical care, equipment, and rehabilitation, for children and young adults, up to the age of twenty-one (21) who have eligible medical conditions. The Health Services Agency (HSA), Medical Therapy Unit (MTU) provides necessary physical therapy and occupational therapy services to medically eligible children referred by the CCS staff. HSA is mandated to provide direct and consultative services to CCS medically eligible children under Health and Safety Code section 123950. This section states, in part, that "the designated county agency shall administer the medical-therapy program in local public schools for physically handicapped children."

The MTU has had ongoing recruitment opportunities for our vacant positions but has been unsuccessful in attracting qualified candidates. HSA revised its posted flyer after the equity adjustment in pay was approved by the Social Services Union, Local 521 (Service Employee International Union) and the Board of Supervisors on November 4, 2014. HSA had hoped that with the fifteen (15%) percent equity adjustment that MTU would be in a better position to attract more qualified applicants. In addition to its regular Human Resources recruitment process, HSA has placed advertisements with four (4) vendors and sent special flyers for both

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Physical Therapists and Occupational Therapists to state-wide educational institutions that offer degrees for these professions. HSA have been very disappointed in the number of qualified applications received. To date and since opening the recruitment back in September, 2014, HSA has received eighteen (18) applications. Out of the eighteen (18) applications received, four (4) candidates met the minimum qualifications, only one (1) completed the entire recruitment process, was interviewed and hired.

Gail Sakai has been an Occupational Therapist with the Department since April 1, 1977. She is retiring on March 31, 2016. Ms. Sakai has been instrumental in providing direct and consultative services to the departments CCS eligible children this entire time. In addition, she has been the coordinator of the department's durable medical equipment and orthotics-prosthetics authorization program. Further, Ms. Sakai has acted as supervisor of the Occupational Therapists and supervisor in the absence of the Chief Therapist, Ms. Sakai has a wealth of institutional knowledge. Ms. Sakai has also been instrumental in coordinating the agency's medical therapy conferences for many years. Ms. Sakai has offered to come back immediately after her retirement in a part time capacity to alleviate part of the burden of the department's understaffed therapy program. HSA's mandate to provide services to county patients and fulfill the requirements of both Medi-Cal and other state regulations will be in jeopardy without Gail's continued assistance.

**POLICY ISSUE:**

Government Code sections 7522-7522.74 describes the California Public Employees' Pension Reform Action of 2013 (PEPRA). The PEPRA provides that a non-safety retired person shall not be eligible to be employed for a period of 180 days following the date of retirement unless the employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed and the appointment has been approved by the governing body in a public meeting. The appointment may not be placed on the consent calendar. Appointments under this section shall not exceed 960 hours per year.

**FISCAL IMPACT:**

Funding for this position is included in the HSA Public Health Division Fiscal Year 2015-2016 Final Budget. HSA will utilize these currently budgeted funds while continuing to recruit for a replacement Occupational Therapist. The MTU is funded by State as well as existing County mandated match funds.

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<b>Cost of recommended action:</b>		\$	31,650
<b>Source(s) of Funding:</b>			
Public Health Fund	\$	31,650	
<b>Funding Total:</b>		\$	31,650
<b>Net Cost to County General Fund</b>		\$	-

<b>Fiscal Year:</b>	2015/2016
<b>Budget Adjustment/Appropriations needed:</b>	No

**Fund Balance as of 1/31/2016**  
Public Health Fund \$ 11.9M

**BOARD OF SUPERVISORS' PRIORITY:**

Approval to rehire Gail Sakai prior to the 180 day sit out period as required by the PEPRA will enable HSA to continue to provide appropriate care to individuals and supports the Board of Supervisors' priorities of A Healthy Community.

**STAFFING IMPACT:**

HSA staff will continue to aggressively recruit qualified Physical Therapist and/or Occupational Therapist candidates while utilizing the part-time services of Gail Sakai.

**CONTACT PERSON:**

Rebecca Nanyonjo, Dr.PH, Associate Director, (209) 558-7116

**ATTACHMENT(S):** N/A