



TOBY DOUGLAS
DIRECTOR

State of California—Health and Human Services Agency
Department of Health Care Services



EDMUND G. BROWN JR.
GOVERNOR

Received
August 6, 2013
Commission on
State Mandates

August 6, 2013

Ms. Heather Halsey
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

**Re: Department of Health Care Services' Comments on Test Claim 08-TC-04
Medi-Cal Eligibility of Juvenile Offenders**

Dear Ms. Halsey:

The Department of Health Care Services (DHCS) has reviewed the draft staff analysis for the above-named matter. DHCS disagrees with the draft analysis to the extent that it recommends the Commission partially approve the test claim. The reasons for DHCS's disagreement are well-documented in its June 22, 2009, and October 27, 2010, comments. DHCS renews and maintains the arguments set forth in its previous comments, but for the sake of brevity, will not repeat all of those arguments here.

DHCS's position that no additional costs will be incurred by the County Probation Department, however, is worth restating, as it was largely ignored by the draft analysis. As DHCS has previously noted, counties are already being reimbursed for their intake, investigation, and other services incidental to juvenile incarceration. Counties are responsible for the case management of juveniles who have been incarcerated in the juvenile justice system. (See Welf. & Inst. Code, §§ 650 et seq., 850 et seq., and 207.1, subd. (e)(1).)

The draft analysis does acknowledge that determining eligibility for benefits under the Medi-Cal program is not a new activity for the County. This, together with the fact that counties are already reimbursed and responsible for services incidental to juvenile incarceration, means that even a partial finding of a reimbursable mandate would result in duplicative reimbursement to the counties.

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If you have any questions concerning this submission, please contact Mr. Jesse Phillips at (916) 440-7692 or via email at jesse.phillips@dhcs.ca.gov.

Sincerely,

Kara Read-Spangler
Senior Assistant Chief Counsel

A handwritten signature in black ink, appearing to read 'Jesse D. Phillips', with a long horizontal flourish extending to the right.

Jesse D. Phillips
Attorney III