October 1, 2013

Ms. Tracy Sandoval, General Manager  
County of San Diego Auditor and Controller  
1600 Pacific Highway, Room 166  
San Diego, CA 92101

Ms. Lisa Macchione, Senior Deputy County Counsel  
County of San Diego, Office of the County Counsel  
1600 Pacific Highway, Room 355  
San Diego, CA 92101

Mr. Alfredo Aguirre, Mental Health Director  
County of San Diego  
3255 Camino Del Rio South  
San Diego, CA 92108

Re: Notice of Incomplete Filing and Request for Additional Information  
Incorrect Reduction Claim, 10-9705-I-01  
Seriously Emotionally Disturbed (SED) Pupils: Out-of-State Mental Health Services

Dear Ms. Sandoval, Mr. Aguirre and Ms. Macchione:


Commission staff has further reviewed this filing and determined that it is incomplete because the County of San Diego Department of Mental Health is not authorized to file IRCs on behalf of the County of San Diego. Claims may be filed with the Commission by any city, county, special district or school district which is subject to the tax and spend limitations of the California Constitution. Only the county itself is eligible for reimbursement since no department of a county has the authority to impose taxes or make appropriations. Generally, responsibility for collecting debts and other money of a county, including mandate reimbursement, rests with the county auditor-controller who is authorized to act on behalf of the county. Government Code section 26900 generally charges auditor-controllers with examining and settling accounts of anyone indebted to or holding money payable to the county treasury.

Though it may be appropriate for the Department of Mental Health to prepare the claim, submit documentation in support of the claim and testify before the Commission in support of the claim, since it knows the program best, the Auditor-Controller is the proper claimant before the Commission for County of San Diego matters.

Therefore, to complete the filing and maintain the original filing date, please submit a new IRC form (just the first four pages) specifying the county as the claimant in this matter and a new certification signed by the appropriate person in the office of the Auditor-Controller. Please file with the Commission by October 31, 2013.
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You may file electronically at http://www.csm.ca.gov/dropbox.shtml via the Commission’s e-filing system pursuant to section 1181.2 of the Commission’s regulations.

If the incorrect reduction claim filing is not completed within 30 days of the date of this letter, the Commission shall deem the filing to be withdrawn. (Cal. Code Regs., tit. 2, § 1185(g)).

Please call Heidi Palchik at (916) 323-3562 if you have any questions.

Sincerely,

Heather Halsey
Executive Director