

COMMISSION ON STATE MANDATES

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SACRAMENTO, CA 95814
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November 17, 2011

Ms. Kimberly Engelby
County of Orange
Auditor-Controller, Health Care Agency
405 W. 5th Street, 7th Floor
Santa Ana, CA 92701

Ms. Jill Kanemasu
Division of Accounting and Reporting
State Controller's Office
3301 C Street, Suite 700
Sacramento, CA 95816

Re: **Notice of Complete Filing and Schedule for Comments**
Incorrect Reduction Claim
Seriously Emotionally Disturbed (SED) Pupils: Out-of-State Mental Health Services,
11-9705-I-02
Government Code Section 7576; Statutes 1996, Chapter 654
California Code of Regulations, Title 2, Division 9, Chapter 1,
Sections 60000-60610
California Department of Mental Health Information Notice Number 86-29
Fiscal Years 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, and 2005-2006
County of Orange, Claimant

Dear Ms. Engelby and Ms. Kanemasu:

On November 9, 2011, the County of Orange filed an incorrect reduction claim (IRC) with the Commission on State Mandates (Commission) based on the *Seriously Emotionally Disturbed (SED) Pupils: Out of State Mental Health Services* program for fiscal years 2000-01 through 2005-2006 in the amount of \$2,973,826. Staff determined that the IRC filing is complete.

Government Code section 17551(b) requires the Commission to hear and decide claims by local agencies and school districts that the State Controller's Office (SCO) has incorrectly reduced payments to the local agencies or school districts.

SCO Review and Response. Please file the SCO response and supporting documentation regarding this claim within 90 days of the date of this letter. Please include an explanation of the reasons for the reductions and the computation of reimbursements. All documentary evidence must be authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so and be based on the declarant's personal knowledge, information or belief. The Commission's regulations also require that the responses (opposition or recommendation) filed with the Commission be simultaneously served on all parties and interested parties on the mailing list, and accompanied by a proof of service (Cal. Code Regs., tit. 2, 1185.1).

The failure of the SCO to respond within this 90-day timeline shall not cause the Commission to delay consideration of this IRC.

Claimant's Rebuttal. Upon receipt of the SCO response, the claimant and interested parties may file rebuttals. The rebuttals are due 30 days from the service date of the response.

Ms. Engelby and Ms. Kanemasu
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Prehearing Conference. A prehearing conference will be scheduled if requested.

Public Hearing and Staff Analysis. The public hearing on this claim will be scheduled after the record closes. A staff analysis will be issued on the IRC at least eight weeks prior to the public hearing.

Withdrawal of Incorrect Reduction Claims. Under section 1185.6(a) of the Commission's regulations, an IRC may be withdrawn by written application any time before a decision is adopted or by oral application at the time of hearing. If such an application is made, the Executive Director shall issue a letter dismissing the claim.

Please contact Heidi Palchik at (916) 323-8218 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Patton", with a long horizontal flourish extending to the right.

Nancy Patton
Acting Executive Director

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**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Solano and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On November 17, 2011, I served the:

Incorrect Reduction Claim

Seriously Emotionally Disturbed (SED) Pupils: Out-of State Mental Health Services,
11-9705-I-02

Government Code Section 7576; Statutes 1996, Chapter 654
California Code of Regulations, Title 2, Division 9, Chapter 1,
Sections 60000-60610

California Department of Mental Health Information Notice Number 86-29

Fiscal Years 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, and 2005-2006
County of Orange, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on November 17, 2011 at Sacramento, California.



Heidi J. Palchik

Commission on State Mandates

Original List Date: 11/14/2011

Last Updated:

List Print Date: 11/17/2011

Claim Number: 11-9705-I-02

Issue: Seriously Emotionally Distrubed (SED) Pupils: Out-of-State Mental Health Services

Mailing List

TO ALL PARTIES AND INTERESTED PARTIES:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.2.)

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