

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 3.26
(ID # 12708)

MEETING DATE:
Tuesday, June 02, 2020

FROM : SUPERVISOR KAREN SPIEGEL:

SUBJECT: SUPERVISOR KAREN SPIEGEL: INLAND EMPIRE HEALTH PLAN JOINT POWERS AGREEMENT: Approve the Eighth Amendment to the Inland Empire Health Plan (IEHP) Joint Powers Agreement and the Second Amendment to the IEHP Health Access Joint Powers Agreement

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Eighth Amendment to the IEHP Joint Powers Agreement (JPA) as approved by the IEHP Governing Board; and
2. Approve the Second Amendment to the IEHP Health Access Joint Powers Agreement (JPA) as approved by the IEHP Health Access Governing Board.

ACTION:

Karen S. Spiegel
Supervisor Karen Spiegel, Vice-Chairwoman 6/18/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: June 2, 2020
xc: Supvr. Spiegel

Kecia R. Harper
Clerk of the Board
By: *R. S. Rasso*
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

BACKGROUND:

In 1994, the Board of Supervisors for the Counties of Riverside and San Bernardino established the Inland Empire Health Plan (IEHP), a joint powers authority, to provide the health plan administration for the members enrolled in the Medi-Cal managed care plan as legislated by the State. Additionally, due to certain regulations imposed (at the time) by the California Department of Health Services and Centers for Medicaid and Medicare, a companion healthcare plan, IEHP Health Access was created by the Counties on May 3, 2005 to service non Medi-Cal membership of Inland Empire Health Plan. The IEHP Health Access JPA agreement provides that IEHP Health Access will have a management agreement for all administrative services with Inland Empire Health Plan.

The Governing Board of IEHP Health Access is the same as for Inland Empire Health Plan.

Section 4(a) in both Inland Empire Health Plan and IEHP Health Access' Joint Powers Agreements does explicitly state that the parties may amend this Agreement by mutual written consent. Riverside and San Bernardino Counties are the parties to these JPAs, and therefore, any amendments or revisions to the JPA must be approved in writing by these county parties.

The IEHP and IEHP Health Access JPAs were last updated on July 11, 2016. In February 2020, Inland Empire Health Plan received confirmation from the Department of Health Care Services (DHCS) that they will not release annual revenue rates until September of each calendar year (due to DHCS moving to a calendar year rating period). As a result, IEHP and IEHP Health Access would like to align their operating year with DHCS' rating period to ensure IEHP and IEHP Health Access have the appropriate revenue information for budget development.

The current JPAs, SECTION 9. FISCAL YEAR read as follows, "The fiscal year of the Agency shall be the period commencing July 1 of each year and ending on and including the following June 30." The proposed change would adjust financial reporting from a Fiscal Year (July 1 - June 30) to a Calendar Year (January 1 - December 31) beginning January 1, 2021. The current FY19/20 will end on June 30, 2020; however, upon the ending of this Fiscal Year a one-time 6-month bridge period will begin July 1, 2020 and will end on December 31, 2020.

Although DHCS' rating cycle for managed care health plans in on a Calendar Year (January 1 - December 31) basis, the State of California operates on a Fiscal Year (July 1 - June 30). Therefore, DHCS' funding is based on the budget and appropriations, and subject to the availability of Federal congressional appropriation funds. Upon adopting a Calendar Year as IEHP and IEHP Health Access' operational year, Inland Empire Health Plan would not only align with the DHCS calendar rating year period, but would also align with the DHCS Rate Development Template (RDT) report period, IEHP and IEHP Health Access' incentive programs, the Medicare program (for CMC and future D-SNP line of business), and other Regulatory reporting requests.

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STATE OF CALIFORNIA**

RECOMMENDED ACTION:

The Governing Board of Inland Empire Health Plan and IEHP Health Access approved the Amendments as proposed during their regularly scheduled Governing Board Meeting on May 11, 2020 and have submitted them to the County Board of Supervisors with a recommendation for approval.

ATTACHMENTS:

1. Inland Empire Health Plan (IEHP) Joint Powers Authority (JPA) 8th Amendment
2. IEHP Health Access Joint Powers Authority (JPA) 2nd Amendment

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

WHEN DOCUMENT IS FULLY EXECUTED RETURN

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

JOINT POWERS AGREEMENT
BETWEEN
THE COUNTIES OF SAN BERNARDINO
AND RIVERSIDE
CREATING A MEDI-CAL
MANAGED CARE SYSTEM
TO BE KNOWN AS
THE INLAND EMPIRE HEALTH PLAN

EIGHTH AMENDMENT

(Adopted JUN 02 2020, 2020)

June 2, 2020
3.26

AMENDMENTS TO THE JOINT POWERS AGREEMENT BETWEEN THE
COUNTIES OF SAN BERNARDINO AND RIVERSIDE CREATING A MEDI-
CAL MANAGED CARE SYSTEM TO BE KNOWN AS
THE INLAND EMPIRE HEALTH PLAN

RECITALS:

WHEREAS, the COUNTY OF SAN BERNARDINO (hereinafter referred to as "SAN BERNARDINO") and the COUNTY OF RIVERSIDE (hereinafter referred to as "RIVERSIDE"), are the parties to the Joint Powers Agreement, approved by both parties' Boards of Supervisors on July 26, 1994, as amended, and now agree to further amend that Inland Empire Health Plan Joint Powers Agreement document between them:

NOW, THEREFORE, the following amendments are made to the Inland Empire Health Plan Joint Powers Agreement:

- A. Under SECTION 9. FISCAL YEAR, all references to July 1 shall be replaced with January 1, and all references to June 30 shall be replaced with December 31.

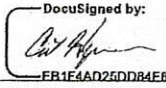
FURTHER, all other terms and conditions of the Inland Empire Health Plan Joint Powers Agreement, as amended shall be unchanged and shall remain in full force and effect.

This Amendment may be executed in separate counterparts, each of which shall be deemed an original, and all of which shall be deemed one and the same instrument. The parties' faxed signatures, and/or signatures scanned into PDF format, shall be effective to bind them to this Amendment.

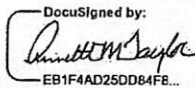
(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed and attested to by their proper officers thereunto duly authorized.

IEHP HEALTH ACCESS

By: 
Chair, IEHP Health Access

Dated: 5/12/2020

ATTEST:
By: 
Annette Taylor, Secretary

Dated: 5/12/2020

COUNTY OF SAN BERNARDINO

By: _____
Chair, Board of Supervisors

Dated: _____

ATTEST:
Clerk of the Board

By: _____
Deputy

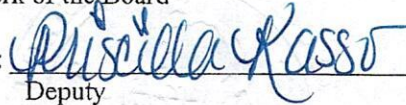
Dated: _____

COUNTY OF RIVERSIDE

By: 
Chair, Board of Supervisors

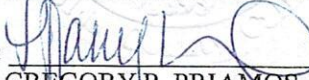
Dated: 06/02/2020

ATTEST:
Clerk of the Board

By: 
Deputy

Dated: 06/02/2020

APPROVED AS TO LEGAL FORM:

By: 
GREGORY P. PRIAMOS, County Counsel
Raymond M. Mistica, Deputy County Counsel

Dated: 6/25/2020

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010

Post Office Box 1147, Riverside, Ca 92502-1147

Thank you.

JOINT POWERS AGREEMENT
BETWEEN
THE COUNTIES OF SAN BERNARDINO
AND RIVERSIDE
CREATING A MEDI-CAL
MANAGED CARE SYSTEM
TO BE KNOWN AS
IEHP HEALTH ACCESS

SECOND AMENDMENT

(Adopted JUN 02 2020, 2020)

JUN 02 2020 3.26

AMENDMENTS TO THE JOINT POWERS AGREEMENT BETWEEN THE
COUNTIES OF SAN BERNARDINO AND RIVERSIDE CREATING A MEDICAL
MANAGED CARE SYSTEM TO BE KNOWN AS IEHP HEALTH ACCESS

RECITALS:

WHEREAS, the COUNTY OF SAN BERNARDINO (hereinafter referred to as "SAN BERNARDINO") and the COUNTY OF RIVERSIDE (hereinafter referred to as "RIVERSIDE"), are the parties to the IEHP Health Access Joint Powers Agreement, approved by both parties' Boards of Supervisors on May 3, 2005 and now agree to further amend that IEHP Health Access Joint Powers Agreement document between them:

NOW, THEREFORE, the following amendments are made to the IEHP Health Access Joint Powers Agreement:

- A. Under SECTION 9. FISCAL YEAR, all references to July 1 shall be replaced with January 1, and all references to June 30 shall be replaced with December 31.

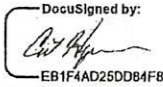
FURTHER, all other terms and conditions of the IEHP Health Access Joint Powers Agreement, as amended shall be unchanged, and shall remain in full force and effect.

This Amendment may be executed in separate counterparts, each of which shall be deemed an original, and all of which shall be deemed one and the same instrument. The parties' faxed signatures, and/or signatures scanned into PDF format, shall be effective to bind them to this Amendment.

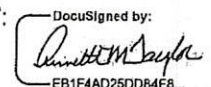
(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed and attested to by their proper officers thereunto duly authorized.

INLAND EMPIRE HEALTH PLAN

By: 
Chair, IEHP

Dated: 5/12/2020

ATTEST:
By: 
Annette Taylor, Secretary

Dated: 5/12/2020

COUNTY OF SAN BERNARDINO

By: _____
Chair, Board of Supervisors

Dated: _____

ATTEST:
Clerk of the Board

By: _____
Deputy

Dated: _____

COUNTY OF RIVERSIDE

By: 
Chair, Board of Supervisors

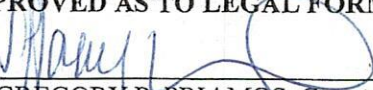
Dated: 6/02/2020

ATTEST:
Clerk of the Board

By: 
Deputy

Dated: 6/02/2020

APPROVED AS TO LEGAL FORM:

By: 
GREGORY P. PRIAMOS, County Counsel
Raymond M. Mistica, Deputy County Counsel

Dated: 6/25/2020