



September
2017

ACHD Advocate

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Legislative Update

ACHD Working Group

The ACHD's Working Group Healthcare District Law Subcommittee continues to meet to discuss potential updates and revisions to the Healthcare District Enabling Act. ACHD will continue to update our members as progress is made.

Legislative Update

The Legislature adjourned on September 15, and will reconvene on January 3, 2018. The Governor has until October 15 to take action on all legislation that made it to his desk. Look for our End of Session wrap-up in the coming weeks. Here is an update on a few key bills ACHD took an active position on:

[AB 994](#) (*Muratsuchi, D-Manhattan Beach*) authorizes Beach Cities Health District to utilize the design-build process for a construction project on a pilot basis. This bill was signed by the Governor and will become law on January 1, 2018. ACHD supported this measure.

[AB 1728](#) (*Committee on Local Government*) requires Healthcare Districts to: 1. create and maintain a website, which must include contact information for the district 2. annually adopt a budget 3. annually adopt policies for providing assistance or grant

funding to ensure funding is spent on health care services consistent with the mission and purpose of the District. This bill was signed by the Governor and will become law on January 1, 2018. ACHD supported this measure.

[SB 448](#) (*Wieckowski, D-Fremont*) streamlines LAFCO review to dissolve districts that are no longer providing public services or never became active after their formation. SB 448 provides an efficient process for LAFCOs to address these districts in a manner that preserves LAFCO resources while ensuring appropriate public discussion. This bill was signed by the Governor and will become law on January 1, 2018. ACHD supported this measure in its final form.

[SB 793](#) (*Hill, D-San Mateo*) authorizes Peninsula Healthcare District to utilize the design-build process on a pilot basis. This bill is now on the Governor's desk. ACHD supports this measure.

For more bills ACHD has a position on, find our Legislative Reports on our website, [here](#).

Please contact [Amber King](#) at (916) 266-5207, with questions or comments.

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Supreme Court Decision Puts Tax Approval Thresholds in Doubt

The California Supreme Court issued its decision in [California Cannabis Coalition v. City of Upland](#) on August 28, and caused quite a stir in the world of local taxes. The decision, to uphold an appellate court ruling, was that constitutional restrictions on taxation by local governments did not apply to citizen initiatives. While the case was focused on the City's decision to submit a citizen's initiative to voters at the next general election instead of calling a special election, as the initiative proponents requested, it was widely viewed to extend to all constitutional restrictions, including the requirement for 2/3 voter approval of special (i.e. for an intended purpose) taxes.

Assembly Member Chad Mayes and a number of his Republican colleagues in the Assembly have introduced a constitutional amendment in the Legislature to "fix" the loophole, [ACA 19](#). ACA 19 would place a constitutional amendment on the ballot for voter approval to clarify that the term "local government" also includes the electorate exercising its initiative power. ACA 19 was introduced at the end of the legislative session and has not yet had a policy committee hearing in the Legislature. (Constitutional amendments are not subject to the same legislative deadlines as regular bills.) Given the need for a 2/3 vote of the Legislature to approve constitutional amendments and the Democratic supermajority in both houses, it is unlikely that ACA 19 will be successful in 2018.

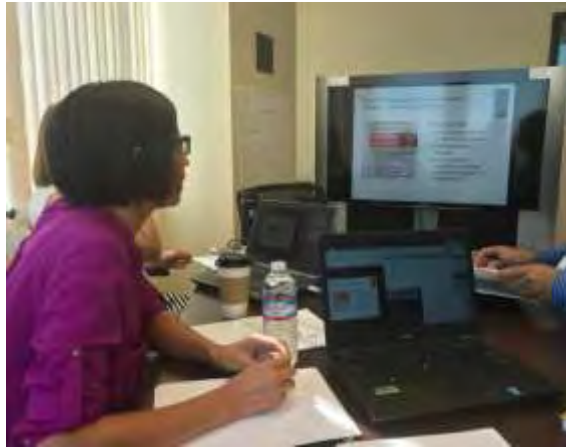
Generally, citizen's initiatives to raise local taxes are rare, but a test case is certainly waiting to get clarity on the Court's viewpoint on vote thresholds, specifically. Noted city attorney and Proposition 218 expert Michael Colantuono suggests that the more

narrow reading of the decision is warranted; his article for California City News is available [here](#). Check out Dan Walters' [commentary](#) on the issue and an accompanying CalMatters piece [here](#) for more information and background.

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ACHD Webinar Education Series

ACHD hosted their third Webinar Series- Effective Healthcare District Messaging, which featured Sarah Jimenez, Senior Strategist for Paschal Roth Public Affairs. Sarah presented valuable tools for Healthcare Districts to improve community engagement and outreach, and ways to look for opportunities to share the District's value and role in the community. Sarah also reviewed how to connect with local media and utilize social media and websites to effectively publicize information. To view a recording of Sarah's presentation, [click here](#).



Here is a snapshot of the remaining 2017 Webinar Education Series!

Leadership and Governance: Enhancing Board Effectiveness

October 25, 2017/10:00 am

[Register Here](#)

Emergency Preparedness

November 15, 2017/11:00 am

[Register Here](#)

Website Compliance

December 14, 2017/10:00 am

[Register Here](#)

Please contact [Sheila Johnston](#) with any questions.

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Thank You for Attending Annual Meeting!

More than 120 Healthcare District trustees and professional staff from across the state gathered for ACHD's 65th Annual Meeting, September 12-14, to learn and share about the challenges and opportunities their communities face as they navigate the evolving landscape of healthcare.

The three-day conference in San Diego - titled "Future Roles and Challenges of Healthcare Districts" - featured a dynamic lineup of speakers and presentations covering an array of topics. Workshops covered issues such as: how Healthcare Districts can find opportunities to share their standards of accountability and show community outcomes in a Municipal Service Review; learning how the state's health insurance exchange, Covered California, is adapting amid ongoing state and federal policy changes; and what is the state of behavioral health services in California and how it affects some of the most vulnerable populations served by Healthcare Districts.

Among the highlights of the Annual Meeting was the recognition of Mayers Memorial Hospital District as ACHD's District of the Year. The designation is awarded each year to a Healthcare District for its commitment to improving the health of the communities it serves. Mayers Memorial Hospital District, located in Shasta County, received the award for its "Planting Seeds and Growing Our Own" internship program. The program offers high school seniors the opportunity to spend 20 hours a week over four months to gain skills and knowledge working in the District's hospital and learning about career opportunities. Given the healthcare workforce shortages many rural regions face, the program has been instrumental in allowing Mayers Memorial Hospital District to build its next generation of healthcare professionals.

ACHD wanted to personally thank our Education Committee for providing guidance and recommendations for our conference, and a special thank you to Beach Cities Health District and Fallbrook Regional Health District for hosting our wellness events throughout the conference; to Grossmont Healthcare District for their sponsorship of our Women's Leadership Breakfast and for WIPFLi/HFS Consultants for sponsoring our Awards Reception.

If you attended Annual Meeting, we would love your feedback! Please fill out [this brief survey](#) and let us know how we can make next year's event even better.

To view more photos from our 65th Annual Meeting, [click here](#).





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Save the Date for ACHD's Leadership Academy!



The goal of the Leadership Academy is to provide newly elected and returning District Trustees, CEOs, District Staff and Board Clerks with the tools necessary to improve governance effectiveness, sharpen organizational intelligence and be successful leaders in their Healthcare Districts. The Leadership Academy will take place February 8-9, 2018, at the Hyatt Regency Hotel in Sacramento.

We are excited to offer topics including:

- How the Board can ensure an effective delivery of services in the changing health care landscape;
- How to work efficiently with your Local Agency Formation Commission;
- How ACHD is working collaboratively to improve the Healthcare District Law, and what this means for the future of your District;
- How you and your Board can adopt best practices in leadership and governance;
- Complete your AB 1234 Ethics Training, and;
- Increase your understanding of District's financials and the metrics needed to ensure a strong financial performance.

For a schedule of events, please [click here](#).

Registration will be open on October 20th. Please stay tuned for more information.

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In Case You Missed It... Healthcare District News from Around the State



John C. Fremont to offer Emergency Medical Technician training

An Emergency Medical Technician course will be offered by John C. Fremont Healthcare District, Education Department, in Mariposa, beginning in January through April 2018. The EMT Training course meets the standards for National Registry, the

State of California EMS Authority, D.O.T., and the American Heart Association. Read the full article [here](#).

Poway's hospital has provided care for 40 years

Palomar Medical Center Poway - known as Pomerado Hospital until its renaming last December - officially turned 40 this summer, but Palomar Health officials decided to not mark the milestone until this month with a quiet acknowledgement among its staff. Read the full article [here](#).

Benwell welcomed as seniors coordinator for Corning Healthcare District

Corning Healthcare District welcomes Elaine Benwell as the new Elder Services Program and Public Relations coordinator. Read the full article [here](#).

Calaveras health care reaching a vital crossroads

Dignity Health's contract to operate Mark Twain Medical Center is set to expire in 2019, and the Mark Twain Health Care District is carefully considering all the options to preserve and improve health care in Calaveras with voters being a part of this process. Read the full article [here](#).

WOW program shows how to melt pain away

Fallbrook Regional Health District sponsored its latest Woman of Wellness program Sept. 7 with Pilates instructor Kat Folger introducing the MELT Method®, a self-treatment technique that reduces pain. Read the full article [here](#).

Grossmont Healthcare District continues support for Burn Institute

The Grossmont Healthcare District is continuing its support of the Burn Institute, a non-profit health agency dedicated to supporting burn survivors and reducing the number of burn injuries and deaths in San Diego County. Read the full article [here](#).

Golden opportunity for Coachella Valley unity in effort to ease homelessness

Sabby Jonathan, Palm Desert's mayor pro tem who also chairs CVAG's Homelessness Committee, said a boost in the form of \$618,000 from the Desert Healthcare District/Foundation has put the West Valley Housing Navigation Program far above its initial budget of just under \$865,000 for its first year. Read the full article [here](#).

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Grant Opportunity for Special Districts



The Health Resources and Services Administration, Bureau of Primary Health Care (BPHC) is accepting applications for fiscal year (FY) 2018 Service Area Competition (SAC) under the Health Center Program. The purpose of this grant program is to improve the health of the Nation's underserved communities and vulnerable

populations by assuring continued access to affordable, quality primary health care services.

Types of applications sought:

- Competing continuation - A current Health Center Program award recipient whose project period ends May 31, 2018 that seeks to continue serving its current service area.
- New - A health center not currently funded through the Health Center Program that seeks to serve an announced service area through the proposal of one or more permanent service delivery sites.
- Competing supplement - A current Health Center Program award recipient that seeks to serve an announced service area, in addition to its current service area, through the addition of one or more new service delivery sites.

The closing date for applications is currently **November 20th, 2017**.

[Click here to view this grant opportunity.](#)

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2018 Calendar of Events is now on ACHD.org!

ACHD is pleased to announce that our events for 2018 is now loaded on our website! Our calendar features committee and Board meetings, and all educational events for the entire year. To access our calendar, [click here](#) and once you find an event, simply click on the event title to save the event into your calendar.



For more information, contact [Sheila Johnston](#).

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About ACHD:

The Association of California Healthcare Districts (ACHD) represents Healthcare Districts throughout the state. The Association serves the diverse needs of California's Healthcare Districts by enhancing public awareness, training and educating its members and advocating for legislation and regulatory policies that allow Healthcare Districts to deliver the best possible health services to Californians. Learn more at achd.org.

Resources

[Legislative Reports](#)

[ACHD Message](#)

[Certified Healthcare District](#)
[Board Self-Assessment Tool](#)
[CEO Evaluation](#)
[Californians Allied for Patient Protection](#)

Connect with ACHD on social media



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CEO Highlights – September 2017

Mark Twain Medical Center completed the process of nominating and selecting awardees for Dignity Health’s annual **Acts of Humankindness** awards. A hospital celebration is being planned for the week of Oct. 23-27. Interesting note—MTMC had more nominations per capita than any other hospital in Dignity Health. This may mean Mark Twain is better at doing acts of humankindness, or better at recognizing each other for it and celebrating—or both!

MTMC has signed its first 2401e **direct physician employment** agreement; Dr. Athena Taylan, pediatrician in Valley Springs. As doctors across the clinic system come up on their contract renewal dates, the intent is to offer them a switch out of their old 1206d/Professional Services Agreements, into the new 2401e model. According to the California Hospital Association MTMC is not quite the first hospital in California to implement a direct employment agreement, but is among the first few.

A **new general practitioner**, Dr. Mikel Meyer, has started practicing at the San Andreas Clinic. In addition to primary care and urgent care, Dr. Meyer also brings specialty training in Occupational Health. Mark Twain will work with him to build up an OCC Health/Work Health outreach to local employers. This also fills a gap in offering D.O.T. physicals, which has been negatively impacting the San Andreas Fire District.

On the specialty recruiting front, **new urologist** Dr. Jim Brennan is seeing patients in clinic and has done surgical procedures in the hospital O.R. It has been several years since MTMC did urological cases; new equipment and new training was required to prepare the staff for assisting Dr. Brennan with his cases. Vendor reps from Boston Scientific and Olympus visited MTMC to orient O.R. staff to the new scopes and instruments recently acquired for use with this surgical specialty.

A contract is now finalized with Medicus, the physician staffing group that will provide **temp primary care doctors**. CVs (curricula vitae) have been received for 3 candidates, and Medicus is preparing them for start dates as soon as November 1. While temps are not the ideal situation, this approach will allow the clinics to quickly staff back to full strength and decompress the pent-up backlog of appointments. Efforts continue for traditional long-term recruitment; 2 new CVs are being evaluated for primary care physicians.

MTMC has submitted various **data requests to Sue Cosgrove** of Healthcare Financial Consultants in Oakland, the firm retained by the MTHCD to perform additional analysis of current state operations and finances at the hospital.

MTMC held the **annual health fair** at the main campus, Sat. Sep. 30. The numbers this year (including lab draws, flu shots, pneumonia) were a total of 407 patients, up 13% from 361 patients last year.

The plans for the **new medical office site in Angels Camp** are in review with the City's planning offices. The analysis of traffic signal versus roundabout, required by CalTrans, has been completed as part of the overall planning review, and the intersection at Stanislaus was found to be suitable for a conventional traffic signal. The City will take this matter to the October meeting, and is expected to give final approval at that time. DesCor Builders and Aspen Street Architects are mindful of the impending rainy season as they evaluate the construction timeline for Summer 2018 completion.

Opinion of Probable Costs

| Key Project Data Information | Total Project | Site | Building | Other Costs non-grant related | ACTUAL SPEND | OVER/(UNDER) |
|---|---------------|---------|----------|----------------------------------|--------------|--------------|
| Square Footage Totals | 19,800 | 147,222 | 19,800 | | | |
| Direct Construction Cost per SQFT | 248 | 3.74 | 220 | | | |
| Total Construction Cost per SQFT | 276 | 4.14 | 245 | | | |
| Total Project Cost per SQFT (including Financing) | \$ 350 | \$ 7.18 | \$ 297 | | | |

| Direct Construction Cost | | | | | | |
|---------------------------------------|---------------------|-------------------|---------------------|-------------|-------------|-----------------------|
| Direct Construction Cost | \$ 4,856,555 | \$ 500,555 | \$ 4,356,000 | | | \$ (4,856,555) |
| Monument Signs | \$ 50,000 | \$ 50,000 | \$ - | | | \$ (50,000) |
| | \$ - | \$ - | \$ - | | | \$ - |
| Total Direct Construction Cost | \$ 4,906,555 | \$ 550,555 | \$ 4,356,000 | \$ - | \$ - | \$ (4,906,555) |

| In-Direct Construction Cost | | | | | | |
|---|------------------|-----------------|------------------|-------------|-------------|--------------------|
| Labor/Material & Performance Bonds (1.5%) | \$ 73,598 | \$ 8,258 | \$ 65,340 | | | \$ (73,598) |
| | \$ - | \$ - | \$ - | | | \$ - |
| | \$ - | \$ - | \$ - | | | \$ - |
| Total In-Direct Construction Cost | \$ 73,598 | \$ 8,258 | \$ 65,340 | \$ - | \$ - | \$ (73,598) |

| Construction Contingencies / Escalation | | | | | | |
|--|---------------------|-------------------|---------------------|-------------|-------------------|-----------------------|
| Building Contingency | \$ 485,655 | \$ 50,055 | \$ 435,600 | | \$ 104,820 | \$ (380,835) |
| | \$ - | \$ - | \$ - | | | |
| Total Construction Contingencies / Escalation | \$ 485,655 | \$ 50,055 | \$ 435,600 | \$ - | \$ 104,820 | \$ (380,835) |
| Total Construction Budget | \$ 5,465,809 | \$ 608,869 | \$ 4,856,940 | \$ - | \$ 104,820 | \$ (5,360,989) |

| Equipment Budget | | | | | | |
|---|-------------|-------------|-------------|---------------------|-------------|-----------------------|
| Group I - Fixed Medical Equipment | \$ - | | | | | |
| Group II - Major Movable Medical Equipment | \$ - | | | | | |
| Group III - Minor Movable Medical Equipment | \$ - | | | | | |
| Group IV- Instruments (relocation of med dispensers) | \$ - | | | | | |
| Food Service Equipment | \$ - | | | | | |
| Furniture Fixtures and Equipment Allowance | \$ - | | | \$ 700,000 | | \$ (700,000) |
| Graphic / Signage / Artwork / Plants | \$ - | | | | | |
| Nursecall & Code Blue Systems | \$ - | | | | | |
| Intercom/Public Address/Fixed AV | \$ - | | | | | |
| Radio Systems | \$ - | | | | | |
| Dictation Systems | \$ - | | | | | |
| Security/Video Surveillance/Access Control | \$ - | | | | | |
| Television | \$ - | | | | | |
| Structured Cabling / IT Allowance | \$ - | | | \$ 500,000 | | \$ (500,000) |
| PBX -Telecom (includes VM) | \$ - | | | | | |
| Desktop Devices (Desktops, Laptops, Handhelds & Printers) | \$ - | | | | | |
| Network Electronics | \$ - | | | | | |
| Software Applications (Installation, Licenses etc.) | \$ - | | | | | |
| Time & Attendance | \$ - | | | | | |
| IT Construction Project Mgmt | \$ - | | | | | |
| IT Construction 3rd Party Resources | \$ - | | | | | |
| Other Equipment Costs | \$ - | | | | | |
| Total Equipment Budget | \$ - | \$ - | \$ - | \$ 1,200,000 | \$ - | \$ (1,200,000) |

Opinion of Probable Costs

| Key Project Data Information | Total Project | Site | Building | Other Costs non-grant related | ACTUAL SPEND | OVER/(UNDER) |
|--|---------------------|---------------------|---------------------|----------------------------------|---------------------|-----------------------|
| Consultant Fees | | | | | | |
| Architect/Engineer Fees | \$ 370,429 | \$ 30,443 | \$ 339,986 | | \$ 187,103 | \$ (183,327) |
| Equipment Planner Fees | \$ - | \$ - | | | | |
| Other Consultant Fees | \$ - | \$ - | | | \$ 4,175 | \$ 4,175 |
| Total Consultant Fees Budget | \$ 370,429 | \$ 30,443 | \$ 339,986 | \$ - | \$ 191,278 | \$ (179,152) |
| Administrative Costs | | | | | | |
| Permit Fees & Hook ups | \$ 410,000 | \$ 260,000 | \$ 150,000 | | \$ 7,459 | \$ (402,541) |
| IOR/Special Inspections | \$ - | | | | | |
| Site Survey, Testing, Boring & Reports | \$ 67,500 | \$ 27,500 | \$ 40,000 | | \$ 15,250 | \$ (52,250) |
| Testing Services | \$ 40,000 | | \$ 40,000 | | | |
| Legal Fees | \$ 30,000 | \$ 10,000 | \$ 20,000 | | \$ 24,057 | \$ (5,943) |
| Move-in Start-up | \$ - | | | tbd | | |
| Internal Project Management | \$ - | | | | | |
| 3rd Party Project Management | \$ 45,000 | \$ 5,000 | \$ 40,000 | | | \$ (45,000) |
| Other Administrative Costs (includes Commissioning, Auditing, EIR) | \$ - | | | | | |
| Total Administrative Cost | \$ 592,500 | \$ 302,500 | \$ 290,000 | \$ - | \$ 46,766 | \$ (505,734) |
| Land & Site Development | | | | | | |
| Land Acquisition | \$ - | tbd | | \$ 890,000 | \$ 903,112 | \$ 13,112 |
| Off Site Development | \$ - | | | | | |
| Total Land & Site Development Budget | \$ - | \$ - | \$ - | \$ 890,000 | \$ 903,112 | \$ 13,112 |
| Total (Construction+ Equipment + A/E Fees+ Admin Costs) | \$ 6,428,738 | \$ 941,812 | \$ 5,486,926 | \$ 2,090,000 | \$ 1,245,976 | \$ (7,232,762) |
| Owner Reserves | | | | | | |
| Owner's Contingency | \$ 368,527 | \$ 94,181 | \$ 274,346 | | | \$ (368,527) |
| Project Escalation - other than construction | \$ - | \$ - | \$ - | | | |
| Total Owner Reserves | \$ 368,527 | \$ 94,181 | \$ 274,346 | \$ - | \$ - | \$ (368,527) |
| Total Project Capital Cost excluding Financing | \$ 6,797,265 | \$ 1,035,993 | \$ 5,761,272 | \$ 2,090,000 | \$ 1,245,976 | \$ (7,601,290) |
| Financing Costs (Final) | 135,945 | 20,720 | 115,225 | | \$ 16,029 | (119,916) |
| Total Project Capital Cost including Financing | \$ 6,933,211 | \$ 1,056,713 | \$ 5,876,498 | \$ 2,090,000 | \$ 1,262,005 | \$ (7,721,206) |

Mark Twain Health Care District
 Opinion of Probable Cost
 September 30, 2017

| Row Labels | Sum of Amount | OPC Category |
|--------------------------------------|----------------------|--|
| Air Permitting Specialists | 3,200 | Site Survey, Testing, Boring & Reports |
| Aspen Street Architects | 168,183 | Architect/Engineer Fees |
| Calaveras County Planning Department | 5,806 | Permit Fees & Hook ups |
| Calaveras County Public Works | 425 | Permit Fees & Hook ups |
| California Certified Appraisers | 500 | Site Survey, Testing, Boring & Reports |
| Cardmember Service | 299 | Financing Cost |
| CCWD | 1,003 | Permit Fees & Hook ups |
| CSU Stanislaus | 225 | Permit Fees & Hook ups |
| First American Title Company | 903,112 | Land Acquisition |
| Hendrickson Consulting | 15,730 | Financing Cost |
| Kittelson & Associates | 18,920 | Architect/Engineer Fees |
| Kleinfelder | 9,300 | Site Survey, Testing, Boring & Reports |
| Meyers Nave | 21,584 | Legal Fees |
| Michael W. Skenfield | 4,175 | Other Consultant |
| Van Lieshout, Patrick | 104,820 | Building Contingency |
| Wiebe Land Surveying | 2,250 | Site Survey, Testing, Boring & Reports |
| Archer Norris | 2,473 | Legal Fees |
| Grand Total | 1,262,005 | |



September 25, 2017

AMENDED LETTER OF CONDITIONS

4TH AMENDMENT

MR RANDY SMART
CHIEF EXECUTIVE OFFICER
MARK TWAIN HEALTH CARE DISTRICT
768 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA 95249

Subject: Application for USDA Rural Development's Community Facilities Program to Construct a New Clinic in Valley Springs, CA

Dear Mr. Smart:

This 4th Amendment to the Letter of Conditions dated September 28, 2015 is issued to extend the time to meet the Letter of Conditions for the subject project.

The period to meet the Letter of Conditions dated September 28, 2015 is **extended from September 28, 2017 to September 28, 2018.**

Please attach this 4th Amendment to the Letter of Conditions dated September 28, 2015, 3rd Letter of Conditions Amendment dated September 23, 2016, 2nd Letter of Conditions Amendment dated May 19, 2016, and 1st Letter of Conditions Amendment dated October 13, 2015. In addition to these amended approval conditions, all other approval conditions in the Letter of Conditions, not hereby amended, will need to be complied with.

In the event the project has not advanced to the point of construction within this allowed time, USDA Rural Development reserves the right to discontinue the processing of the application.

If you have any questions, feel free to contact this office.

Sincerely,

JOSÉ E. GUARDADO
Area Specialist

cc: Anita Lopez, CP Director, USDA Rural Development, Davis, CA
USDA Office of General Counsel, San Francisco, CA
Brian D. Quint, Quint & Thimmig LLP, Bond Counsel, 900 Larkspur Circle, Suite 270,
Larkspur, CA 94939-1726
Gary L. Hicks, President G. L. Hicks Financial, LLC 5033 Riverpark Way, Provo, Utah 84604

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