

Los Angeles County Board of Supervisors

March 19, 2013

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Mitchell H. Katz, M.D.

Hal F. Yee, Jr., M.D., Ph.D. Chief Medical Officer

Christina Ghaly, M.D. Deputy Director, Strategic Planning The Honorable Board of Supervisors

County of Los Angeles
383 Kenneth Hahn Hall of Administration

Los Angeles, California 90012

500 West Temple Street

Dear Supervisors:

APPROVAL OF ORDINANCE AMENDING THE COUNTY CODE,TITLE (5) PERSONNEL, CHAPTER 5.44, ADDITIONAL EMPLOYMENT AND
COMPENSATION
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)

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www.dhs.lacounty.gov

To ensure access to high-quality, patient-centered, cost-effective health care to Los Angeles County residents through direct services at DHS facilities and through collaboration with community and university partners.



SUBJECT

Request approval of an ordinance to amend County Code, Title 5 - Personnel, Los Angeles County Code, Chapter 5.44, Additional Employment and Compensation to add a new clarifying subsection related to loan repayment and scholarship programs.

IT IS RECOMMENDED THAT THE BOARD:

- 1. Approve the ordinance (Exhibit I) to amend Los Angeles County Code, Title 5 Los Angeles County Code, Chapter 5.44, by adding a new subsection C to Section 5.44.020 Officers or employees -- No extra fees allowed for County services, to clarify that Section 5.44.020 does not preclude County employees or officers from participating in a student loan repayment program or a scholarship program that requires the participant to provide services, at the time of the award or in the future, as an employee of a qualified entity or site, which may be a County facility.
- Introduce, waive reading and adopt the Ordinance.

- 3. Delegate authority to the Director of Health Services, or his designee, to execute all required applications and agreements for student loan repayment programs or scholarships which do not require a County contribution or which require County contributions of less than \$100,000 in the aggregate annually for all such programs involving Department of Health Services (DHS) personnel, offered to health professionals employed at a County facility.
- 4. Delegate authority to the Director of Public Health (DPH), or his designee, to execute all required applications and agreements for student loan repayment programs or scholarships which do not require a County contribution or which require County contributions of less than \$100,000 in the aggregate annually for all such programs involving DPH personnel, offered to health professionals employed at a County facility.
- 5. Delegate authority to the Director of Mental Health (DMH), or his designee, to execute all required applications and agreements for student loan repayment programs or scholarships which do not require a County contribution or which require County contributions of less than \$100,000 in the aggregate annually for all such programs involving DMH personnel annually offered to mental health professionals employed at a County facility.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Currently, Section 5.44.020 of the County Code restricts the ability of County Officers or employees to accept compensation or other reward from any person or entity except the County for work performed as County personnel. Approval of the first recommendation will amend the County Code to clarify that it is not intended to preclude County officers or employees from participating in student loan repayment or scholarship programs where the programs may require employment at an eligible site or entity, which can include a County facility, as a condition of receiving benefits under such a program. Loan repayment programs are programs which provide funds to selected professionals who are employed for certain minimum periods of time to provide services at qualified sites in Medically Underserved Areas, Health Professional Shortage Areas or who work with Medically Underserved Populations. The funds are to be used to pay down student debt incurred in connection with achieving a professional degree or license.

Approval of the third, fourth, and fifth recommendations will allow the Directors of DHS, DPH, and DMH (collectively "Departments"), or their designees, to execute required student loan repayment program or scholarship applications and agreements as needed to allow County personnel to participate in those programs. This will enable the Departments to offer the opportunity to participate in student loan repayment or scholarship programs in an effort to increase recruitment and/or retention of qualified, health professionals to work in County facilities that are located in Medically Underserved Areas, areas with Medically Underserved Population or Health Professional Shortage Areas (HPSA).

Implementation of Strategic Plan Goals

The recommended actions support Goal 1, Operational Effectiveness, of the County's Strategic Plan.

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Except for expenses related to administering the program and achieving HSPA designations, there are no County costs associated with these actions for programs that provide loan repayment or scholarship without matching funds. However, some loan repayment programs require matching contributions. The Directors could, at their discretion, spend up to \$100,000 in the aggregate annually per Department to provide such match. Should a Department choose to expend more than that amount to participate in such a program or programs, that Department will return to your Board to request permission to participate. The Departments are hopeful that private donations to provide these matching funds can be received so that ordinary County revenue does not have to be used.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On August 28, 2012, the Board requested that the Directors of DHS, DMH and DPH develop a plan, including, as necessary, revised ordinances, that would enable the Departments to address more strategically health professional shortages with available federal, State, and philanthropic health provider student loan repayment and scholarship program funds.

Generally, the Section 5.44.020 of the County Code precludes officers and employees from receiving supplemental fees, rewards or payment for services provided as County personnel. County Counsel had advised that technical clarification of Section 5.44.020 of the County Code would be desirable to assure that officers and employees could accept the loan repayment and scholarship funds while providing services at County facilities and drawing County salaries.

On October 17, 2012, DHS responded to the Board on behalf of the Departments with a plan to address health professional shortage areas with student loan repayment and scholarship programs. To date, the Departments have identified 18 scholarship and student loan repayment programs, only one of which requires matching funds (Exhibit II).

Programs that do not require matching funds will be pursued by each Department as appropriate for their scope of service. Their respective Human Resources staff will advise employees on program availability and selection criteria as well as provide guidance to employees on the application process.

Each Department will determine if it wishes to have employees participate in loan repayment/scholarship programs that require matching funds. To the extent possible, Departments will attempt to utilize external funds for the match. If County funds are requested, and the number of applicants exceeds the available match pool, each Department will establish a loan repayment/scholarship committee to prioritize applicants for matching funds. Further, if aggregate contributions by any Department will exceed \$100,000 for the year, that Department will seek Board authority for the additional expenditure.

DHS, DMH and DPH will support their respective facilities with the process of HPSA designation, promote the availability of student loan repayment and scholarship programs in connection with recruitment and retention efforts, and ensure compliance with the use of awards.

County Counsel has approved Exhibit I as to form.

CONTRACTING PROCESS

Not applicable.

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IMPACT ON CURRENT SERVICES (OR PROJECTS)

Recruitment and retention of highly qualified health professionals remains a challenge for the Departments. Approval of the recommendations will enhance the Departments' ability to provide a more competitive compensation package for staff with substantial student debt by leveraging federal and State programs. The ability to recruit high quality health professionals will enhance timely delivery of patient-centered care.

Respectfully submitted,

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Mitchell H. Katz, M.D.

Director

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Enclosures

c: Chief Executive Office County Counsel Executive Office, Board of Supervisors

ANALYSIS

This ordinance amends Title 5 – Personnel of the Los Angeles County Code,
Chapter 44, relating to Additional Employment and Compensation by the Department of
Health Services by adding a new subsection C to section 5.44.020:

The addition of subsection C confirms that a county officer or employee may participate in a student loan repayment program or a scholarship program that requires the participant to provide services, at the time of the award or in the future, as an employee of a qualified entity or site. A qualified entity or site may include a county facility.

JOHN F KRATTLI County Counsel

By

ANITA D. LEE

Principal Deputy County Counsel

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Health Services Division

ADL:vn

Requested:

07/24/12 12/07/12

An ordinance amending Title 5 - Personnel of the Los Angeles County Code, relating to Additional Employment and Compensation.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 5.44.020 is hereby amended to read as follows:

5.44.020 Officers or employees -- No extra fees allowed for county services.

- A. No officer or employee of the county shall charge, request or receive for his own use any fee, reward or payment of any kind from any person, firm or corporation other than the county of Los Angeles for any services rendered by him as such officer or employee, or render during his office hours or hours of work for the county any service to anyone other than such services as he is employed by the county to render; provided, however, that officers and employees of the county are authorized, and it is made their duty, to make and furnish copies of public records to private persons during office hours and to charge and collect the fees prescribed by law, or to charge and collect a reasonable fee not exceeding the actual cost of providing such copies, whichever is less. All such fees and charges shall be paid into the county treasury, and no officer or employee of the county shall retain any such fee or charge for his own use.
- B. No officer or employee of the county shall make copies of public records outside of office hours and make a charge therefor; nor shall any county officer or employee make a charge or retain for his own use any compensation for permitting any person other than a county employee to make or furnish copies of any public records.
- C. Nothing in this section is intended to preclude any officer or employee of the county from participating in and benefiting from a federal, state or privately

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sponsored student loan repayment program or scholarship program which establishes, as a condition for receiving loan repayment program or scholarship benefits, that the individual provide services, either at the time of the award or in the future, as an employee of a qualified entity or site. A qualified entity or site may include a county facility.

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PROGRAM	ELIGIBLE PERSONS	REQUIREMENTS	SITE ELIGIBILITY	AWARD/SERVICE COMMITMENT
Allied Healthcare Scholarship (AHSP) OR Allied Healthcare Loan Repayment (AHLRP) Sponser: Health Profesions Education Foundation	-Diagnostic Medical Sonography -Clinical Laboratory Science -Medical Assistant -Medical Imaging -Medical Laboratory Technology -Nuclear Medicine Technology -Occupational Therapy -Pharmacy/Pharmacy Technician -Physical Therapy/Assistant -Radiation Therapy Technology -Radiologic Technology -Respiratory Care -Social Work -Speech Therapy -Surgical Technician -Ultrasound Technician	-Have valid legal presence and ability to work and provide care in the State of California. Scholarship program: -Priority will be given to students accepted or enrolled in one of the listed programsBe willing to work in a medically underserved area for two years. Loan Repayment program: -Work in a medically underserved area for two yearsHave outstanding educational debt from a commercial or U.S. governmental lending institution.	-HPSA, MUA/MUP, County, State or Veterans Facility	-Eligible to receive up to receive \$4,000. Scholarship program: -One year service obligation OR 100 volunteer hours practicing direct patient care in a HPSA or MUA/MUP. Loan Repayment program: -One year service obligation practicing direct patient care in a HPSA or MUA/MUP.
Associate Degree Nursing Scholarship (ADN) Sponser: Health Profesions Education Foundation		-Have valid legal presence and ability to work and provide care in the State of CaliforniaFree from any other service obligationGraduate after January 31, 2013.	-HPSA, MUA/MUP, County, State or Veterans Facility	-Eligible to receive up to \$10,000 -Two-year service obligation practicing direct patient care at a qualified facility in CA
Bachelor of Science Nursing Scholarship (BSN) OR Bachelor of Science Nursing Loan Repayment Program (BSNLRP) Sponser: Health Professions Education Foundation	Scholarship program: Students who are currently accepted or enrolled in a Bachelor Degree nursing program in California Loan Repayment program: currently licensed as a Registered Nurse in California and have a BSN degree	-Have valid legal presence and ability to work and provide care in the State of California. -Be free from any other service obligation. -Be willing to work in a medically underserved area for two years. Scholarship program: -Graduate after January 31, 2013. Loan Repayment program: -Currently licensed as a RN in California and have BSN -Practicing as an RN providing direct patient care in a MUA, HPSA in a County, State, prison, or Veteran's facility. -Have outstanding educational debt from a commercial or U.S. governmental lending institution.	-HPSA, MUA/MUP, County, State or Veterans Facility	Scholarship program: -Awards scholarships up to \$13,000 per year Loan Repayment program: -May receive up to \$8,000. If previously awarded, may be awarded a second time for up to an additional \$11,000If awarded, recipients agree to a two-year service obligation practicing direct patient care at a qualified facility in California. Each award requires an additional two year service obligation.

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PROGRAM	ELIGIBLE PERSONS	REQUIREMENTS	SITE ELIGIBILITY	AWARD/SERVICE COMMITMENT
Health Professions Education Scholarship (HPSP) OR Health Professions Education Loan Repayment Program (HPLRP) Sponser: Health Professions Education Foundation	accepted or enrolled into a field of Dentist, Dental Hygienists, Nurse Practitioners, Certified Nurse Midwives, Physician Assistant or Clinical Nurse Specialists in California Loan Repayment program: currently licensed as a Dentist, Dental Hygienists, Nurse	-Have valid legal presence and ability to work and provide care in the State of California. -Be free from any other service obligation. -Be willing to work in a medically underserved area for two years. Scholarship program: -Graduate after January 31, 2013 Loan Repayment program: -Practicing as a licensed Dentist, Dental Hygienists, Nurse Practitioners, Certified Nurse Midwives, Physician Assistant or Clinical Nurse Specialists providing direct patient care in a HPSA or MUA/MUP in a County, State, prison, or Veteran's facility.	County, State or Veterans Facility	Scholarship program: -Award scholarship may receive up to \$10,000 Loan Repayment program: -May receive up to \$20,000If awarded, recipients agree to a two-year service obligation practicing direct patient care at a qualified facility in California
Licensed Mental Health Services Provider Education Program (LMHSPEP) Sponser: Health Professions Education Foundation	-Registered or Licensed Psychologists -Postdoctoral Psychological Assistants -Postdoctoral Psychological Trainees -Registered or Licensed Marriage and Family Therapists -Registered or Licensed Clinical Social Workers		funded or public mental health facility, a non- profit mental health	Awardee may receive up to \$15,000 to repay educational loans over a two-year period in exchange for a two year commitment to practicing and providing direct care in a publicly funded or public mental health facility, a non-profit mental health facility, a mental health professions shortage area, or in a Public Mental Health System.
Licensed Vocational Nurse Loan Repayment Program (LVNLRP) Sponser: Health Professions Education Foundation	Nurse in CA	-Be practicing as a LVN providing direct patient careHave valid legal presence and ability to work and provide care in the State of CaliforniaBe free from any other service obligationBe willing to work in a medically underserved area for two years.	-HPSA, MUA/MUP, County, State or Veterans Facility'	-Awardee may receive up to \$6,000. If awarded, recipients agree to a two-year service obligation practicing direct patient care at a qualified facility in California.
Licensed Vocational Nurse to Associate Degree Nursing Scholarships Program (LVN to ADN) Sponser: Health Professions Education Foundation	Currently accepted or enrolled in a Licensed Vocational Nurse to Associate Degree Nursing program in CA	-Have valid legal presence and ability to work and provide care in the State of California -Free from any other service obligationGraduate after January 31, 2013.	-HPSA, MUA/MUP, County, State or Veterans Facility	-Awardee may receive up to \$8,000. If awarded, recipients agree to a two-year service obligation practicing direct patient care at a qualified facility in California.
Mental Health Loan Assumption Program (MHLAP) Sponser: Health Professions Education Foundation	are not limited to: -Registered or Licensed Psychologists -Registered or Licensed Psychiatrists -Postdoctoral Psychological		-Must be working in or have entered into agreement to work at a Public Mental Health System.	-Awardee may receive up to \$10,000 to repay educational loans in exchange for a 12-month service obligation in a hard-to-fill or retain position within the County PMHS.

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PROGRAM	ELIGIBLE PERSONS	REQUIREMENTS	SITE ELIGIBILITY	AWARD/SERVICE COMMITMENT
	Primary care Physicians	-U.S. citizen (U.S. born/naturalized) or U.S. National.	-located in a HPSA	-2-yr F/T ² Clinical Practice in a
	(MD/DO) including:	-Participate or be eligible to participate as a provider in the	-Accept public	NHSC approved service sites w/
	-Family practice	Medicare, Medicaid, and Children's Health Insurance	insurance and have a	HPSA score of 14 or higher
	-Internal medicine	Programs, as appropriate.	sliding fee scale	Eligible to receive up to \$60,000* for an initial 2 years of full-time clinical practice to
	-Pediatrics	- Not have any outstanding service obligation for health	-All primary care,	clinicians.
	-Ob Gyn	professional or other service to the Federal government,	outpatient settings	HPSA scores of 13 or lower
National Health	-Gerontology	State or other entity ¹ unless the obligation would be		Eligible to receive up to \$40,000* for an initial 2 years of full-time clinical service.
	-Psychiatry	completed prior to receipt of the NHSC LRP award.		
	-Nurse practitioners	-Not be in breach of a health professional service		-4 yr Half-Time ³ Clinical Practice in a NHSC approved sites w/
	-Physician assistant	obligation to the Federal, State or local government.		HPSA score of 14 or higher
	-Certified nurse mid-wives	-Not have any judgment liens arising from Federal debt;		Eligible to receive up to \$60,000* for an initial 4 years of half-time clinical practice
Service Corps		Not be excluded, debarred, suspended, or disqualified by a		to clinicians.
(NHSC)	Dental care professionals:	Federal agency.		HPSA scores of 13 or lower
Sponser: National	-Dentists (DDS/DMD)			Eligible to receive up to \$40,000* for an initial 4 years of half-time clinical service.
Health Service	-Registered dental hygienist			Lingible to receive up to \$40,000 for an initial 4 years of fian-time clinical service.
Corps				
00100	Mental Health professionals:			
	-Psychiatrists			
	-Health service psychologist			2 vs Half Time Clinical Practice in a NUCC approved sites vs/
	-Licensed clinical social worker			-2-yr Half-Time Clinical Practice in a NHSC approved sites w/
	-Psychiatric nurse specialist			HPSA score of 14 or higher
	-Marriage & family therapist			Eligible to receive up to \$30,000* for an initial 2 years of half-time clinical service to
	-Licensed professional			clinicians.
	counselor			HPSA scores of 13 or lower
				Eligible to receive up to \$20,000 for an initial 2 years of half-time clinical service.
	Desistant d Number and	LLC citi-cu	Lagatadia a Deigage	Tional funding requirements. Con application and program wide for an edition
	Registered Nurse and	-U.S. citizen	-Located in a Primary	Tiered funding requirements. See application and program guide for specific
	advanced Registered Nurse	-Have received a bachelor's degree, a master's degree, an		details.
	such an NP		HPSA	
		nursing Reampleyed as a full time RN defined as at least 22		
		-Be employed as a full-time RN, defined as at least 32		
		hours per week, at a public or private nonprofit Critical		
		Shortage Facility -OR-		
Nurse Corps Loan		-Be employed as a full-time nurse faculty member at an		
Repayment		accredited, public or private nonprofit eligible school of		
Program		nursing;		
Sponser: Health		-Have oustanding qualifying educational loans leading to a		
Resources Services		deploma or degree in nursing		
Administration		-Have completed the nursing education program for which		
		the loan balance applies -Have a current, full, permanent, unencumbered,		
		unrestricted license to practice as an RN in the State in		
		which they intend to practice or be authorized to practice in		
		that State pursuant to the Nurse Licensure Compact.		
ı				
	Enrolled or accepted to:	II C citizen (cither II C have an neturalized) II C metical	Located in a Drive are	In evaluation of the minimum 2 year complete contribution of a backle core facility with
	-Enrolled or accepted for	-U.S. citizen (either U.S. born or naturalized), U.S. national,	-	-In exchange for a minimum 2-year service commitment at a health care facility with
	enrollment in a professional	or a Lawful Permanent Resident.	Care or Mental Health	a critical shortage of nurses, the Nursing Scholarship Program pays:
Nursing	nursing degree program	-Begin classes no later than September 30, 2012	HPSA	-tuition
Scholarship	(baccalaureate, graduate,	-Free from any Federal judgment liens		-eligible fees
Program (NSP)	associate degree, or diploma)	-Free from existing service commitments		-other reasonable costs, such as books, clinical supplies/instruments and uniforms.
Sponser: Health	at accredited school of nursing	-Not delinquent on a Federal debt		-monthly stipend (\$1,289 for the 2012-2013 school year)
Resources Services	located in a U.S. state or			
Administration	territory.			

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PROGRAM	ELIGIBLE PERSONS	REQUIREMENTS	SITE ELIGIBILITY	AWARD/SERVICE COMMITMENT
	-Any public service organization	-Must be employed full-time in a public service job for each	-Must be a public	-May qualify for forgiveness of the remaining balance due on a eligible federal
	employee OR must be serving	of the 120 monthly payments.	service organization.	student loan after 120 payments on those loans under certain repayment plans
Public Service Loan	in a full-time AmeriCorps or			while employed full time by certain public service employers.
Forgiveness	Peace Corps position	-Eligible Loans: Eligible loans include Federal Direct		
(PSLF)		Stafford Loans (Subsidized and Unsubsidized), Federal		
Sponser: U.S.		Direct PLUS Loans, and Federal Direct Consolidation		
Department of		Loans. Borrowers in the Direct Loan program do not need		
Education		to consolidate in order to qualify for loan forgiveness.		
		Borrowers in the FFEL program will need to consolidate		
		into Direct Loans.		
Steven M.	-Be an allopathic or osteopathic	-Be free of any contractual service obligations.	-HPSA, MUA/MUP,	-Program authorizes a plan for repaying up to \$105,000 in educational loans in
Thompson	1, -	-Have outstanding educational debt from a government or	County, State or	exchange for full-time service for a minimum of three years.
Physician Corp		commercial lending institution.	Veterans Facility	
Loan Repayment		-Have a valid, unrestricted license to practice medicine in		
Program		California.		
(STLRP)		-Be currently employed or have accepted employment in a		
Sponser: Health		HPSA in California.		
Professions		-Commit to providing full-time direct patient care in a HPSA		
Education		for a minimum of three years.		
Foundation				
Vocational Nurse	-Be currently accepted or	-Have valid legal presence and ability to work and provide	-HPSA, MUA/MUP,	-Awardee may receive up to \$4,000. If awarded, recipients agree to a two-year
Scholarship	enrolled in a Vocational Nurse	care in the State of California.	County, State or	service obligation practicing direct patient care at a qualified facility in California.
Program	program in California	-Free from any other service obligation.	Veterans Facility	
(VNSP)		-Graduate after January 31, 2013.		
Sponser: Health				
Professions				
Education				
Foundation				

¹ Outstanding service obligations in other entities include active military, an NHSC Scholarship Program, a Nursing Education Loan Repayment Program, a State Loan Repayment Program, or a recruitment bonus that obligates you to remain employed at a certain site.

² Full-time clinical practice is defined as no less than 40 hours per week, for a minimum of 45 weeks per year.

³ Half-time clinical practice is defined as a minimum of 20 hours per week (not to exceed 39 hours per week), for a minimum of 45 weeks per year. *2013 Application deadlines TBA

LOS ANGELES COUNTY LOAN REPAYMENT PROGRAM MATCHING FUNDS REQUIRED

PROGRAM	ELIGIBLE PERSONS	REQUIREMENTS	SITE ELIGIBILITY	AWARD/SERVICE COMMITMENT
State Loan Repayment Program (SLRP) Sponser: Health Resources and Services Administration Me Pro -cli psy -cli cool -psy spo	hysicians (MD/DO) pecializing in: amily practice general internal nedicine general pediatrics obstetrics/gynecology gerontology general psychiatry ohysician assistants	REQUIREMENTS -Be U.S. citizen with a valid, unrestricted healthcare license or certificate for the State of California. -Have no other existing service commitment, including residency. -Free of judgements arising from Federal debt. -Current on all child support payments. -Currently employed or have accepted employment as a SLRP Certified Eligible site. -Commit to providing full-time (40 hours per week) primary care service in a California HPSA for a minimum of 2 years.		-Health professionals may be granted up to \$50,000 for a two-year initial award. The following amounts and payments are made directly to the awardee and are based on full-time status (part-time options are available): • For new applicants: \$50,000 for a two-year full-time obligation. \$50,000 for a four-year half-time obligation. \$25,000 for a two-year half-time obligation. • For extension applicants: \$40,000 for a one-year full-time extension (3rd or 4th yr). \$40,000 for a two-year half-time extension (3rd or 4th yr). \$30,000 for a one-year full-time extension (5th yr). \$30,000 for a two-year half-time extension (5th yr).

^{*2013} Application deadlines TBA

-clinical or counseling psychologists