

March 19, 2013

County of Los Angeles

500 West Temple Street

Los Angeles, CA 90012

Dear Supervisors:

The Honorable Board of Supervisors

383 Kenneth Hahn Hall of Administration

ADOPTED

BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

21

March 19, 2013

chi a. Hamai SACHI A. HAMAI **EXECUTIVE OFFICER**

Los Angeles County **Board of Supervisors**

Gloria Molina First District

Mark Ridley-Thomas Second District

> Zev Yaroslavsky Third District

> > Don Knabe Fourth District

Michael D. Antonovich Fifth District APPROVAL OF ORDINANCE AMENDING THE COUNTY CODE. TITLE (5) - PERSONNEL, CHAPTER 5.44, ADDITIONAL EMPLOYMENT AND COMPENSATION (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)

Mitchell H. Katz, M.D. Director

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

Christina R. Ghaly, M.D. Deputy Director, Strategic Planning 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.

313 N. Figueroa Street, Suite 912 Los Angeles, CA 90012

> Tel: (213) 240-8101 Fax: (213) 481-0503

www.dhs.lacounty.gov

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



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.



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- 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.
- 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).

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Implementation of Strategic Plan Goals

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

FISCAL IMPACT/FINANCING

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 PROVISION/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.

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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.

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,

Mitchell H. Katz, M.D

`Director

MKH:ja

Enclosures (2)

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

Principal Deputy County Counsel

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Health Services Division

ADL:vn

Requested: 07/24/12

Revised:

12/07/12

ORDINANCE NO).
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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

HOA.903925.1

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.

[544020ALCC]

HOA.903925.1

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 Cinical Laboratory Science -Medical Assistant -Medical Imaging -Medical Laboratory Technology Nuclear Medicine Technology -Occupational Therapy -Occupational Therapy -Pharmacy/Pharmacy -Physical Therapy/Assistant -Radiation Therapy/Assistant -Radiation Care -Social Work -Speech Therapy -Surgical Technician -Ultrasound Technician	o work and provide ted or enrolled in served area for two years. In a commercial or	-HPSA, MUAMUP, 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	Students who are currently enrolled or accepted into an Associate Degree Nursing Program	-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 Science Nursing Science Nursing Science Nursing Science Nursing Loan Repayment Program (BSNLRP) Sponser: Health Professions Education Foundation	Scholarship program: Sudents 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. -Cardulate 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, MUAMUP, 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 \$1,000. If 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.

or -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 th	-Must be working in or have entered into agreement to work at a Public Mental Health System.	I-flave valid legal presence and ability to work in the state of California. -Have no outstanding service obligation to an entity other than the Health Education Profession Foundation. -Have outstanding educational debt from a commercial or U.S. governmental lending institution. -Work or volunteer in the Public Mental Health System for a minimum of 20 hours per week.	Eligible professions include, but are not limited to: -Registered or Licensed Psychologists -Registered or Licensed Psychologists -Registered or Licensed Psychological Assistants -Postdoctoral Psychological Trainese Assistants -Registered or Licensed Clinical Capital Workers -Registered Professional Clinical Counselors -Cuensed Professional Clinical Counselors -Licensed Professional Clinical Counselors -Registered/Licensed	Mental Health Loan Assumption Program (MHLAP) Sponser: Health Professions Education Foundation
-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.	-HPSA, MUA/MUP, County, State or Veterans Facility	-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.	Currently accepted or enrolled in a Licensed Vocational Nurse to Associate Degree Nursing program in CA	Licensed Vocational Nurse to Associate Degree Nursing Scholarships Program (LVN to ADN) Sponser: Health Professions Education Foundation
-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.	-HPSA, MUA/MUP, County, State or Veterans Facility	-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.	Currently a Licensed Vocational Nurse in CA	Licensed Vocational Nurse Loan Repayment Program (LVNLRP) Sponser: Health Professions Education Foundation
Awardee may receive up to \$15,000 to repay educational loans over a two-year antal 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.	-Work in a publicly funded or public mental health facility, a non-profit mental health facility, a mental health facility, a mental health professions shortage area, or in a Public Mental Health System.	-Must be both a permanent resident of California and U.S. citizenBe free from any other service obligation to another entity.	Registered or Licensed Psychologists Psychological Assistants Postdoctoral Psychological Trainees Registered or Licensed Marriage and Family Therapists Registered or Licensed Clinical Social Workers	Licensed Mental Health Services Provider Education Program (LMISPEP) Sponser: Health Professions Education Foundation
AWARD/SERVICE COMMITMENT Scholarship program: -Award scholarship may receive up to \$10,000 Loan Repayment program: -May receive up to \$20,000 -If awarded, recipients agree to a two-year service obligation practicing direct patient care at a qualified facility in California	SITE ELIGIBILITY -HPSA, MUA/MUP, County, State or Veterans Facility	REQUIREMENTS 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: Scholarship program: Carduate after January 31, 2013 Loan Repayment program: Fractioning as a licensed Dentist, Dental Hyglenists, Nurse Fractioners, Certified Nurse Midwers, Physician Assistant or Clinical Nurse Specialists providing direct patient care in a HPSA or MUAMUP in a County, State, prison, or Veteran's facility.	ELIGIBLE PERSONS Scholarship program: Students who are currently 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 Dental Poglenists, Nurse Practitioners, Certified Nurse Midwives, Physician Assistant or Clinical Nurse Specialists in California	PROGRAM Health Professions Education Scholarship (HPSP) OR Health Professions Education Lean Repayment Program (HPLRP) Sponser: Health Professions Education Foundation

PROGRAM	ELIGIBLE PERSONS Primary care Physicians (MD/DO) including: -Family practice -Internal medicine -Pediatrics
National Health Service Corps (NHSC) Sponser: National Health Service Corps	-Gerontology -Psychiatry -Psychiatry -Psychiatry -Physician assistant -Certified nurse mid-wives -Physician assistant -Certified nurse mid-wives -Pertified nurse mid-wives -Psychiatrist -Registered dental hygienist -Psychiatris nurse specialist -Psychiatric nurse specialist -Counselor
	Registered Nurse and advanced Registered Nurse such an NP
Nurse Corps Loan Repayment Program Sponser: Health Resources Services Administration	is 3
Nursing Scholarship Program (NSP) Sponser: Health Resources Services Administration	-Enrolled or accepted for enrollment in a professional nursing degree program (baccalaureate, graduate, associate degree, or diploma) at accredited action of nursing operated in a U.S. state or located in a U.S. state or

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 recultment 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

*2013 Application deadlines TBA

-clinical or counseling psychologists