

SPECIAL STUDY SESSION

April 7, 2003

The Board of Supervisors of Maricopa County, Arizona convened at 12:00 p.m., April 7, 2003, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman; Andy Kunasek, Vice Chairman; Don Stapley, Max W. Wilson (entered late) and Mary Rose Wilcox. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

ENFORCEMENT ACTION TO COMPEL COMPLIANCE

Item: Authorize filing an enforcement action to compel compliance with Board of Supervisors' subpoena. (C1903049M)

Bruce White, Deputy County Attorney, cited A.R.S. §11-218 (which permits the Board of Supervisors to issue a subpoena for any matter within their jurisdiction) on this authorization. The matter refers to claims for reimbursement of medical costs of allegedly indigent County residents by several Valley hospitals. Information and data on the eligibility or non-eligibility for AHCCCS benefits of certain indigent patients plays a key role in this ongoing litigation. A subpoena was issued to obtain this information and AHCCCS objected on confidentiality grounds. Counsel recommends filing an action to compel compliance with this subpoena.

Motion made by Supervisor Stapley, seconded by Supervisor Kunasek and unanimously carried (4-0-1) to authorize filing an enforcement action on compliance.

DISCUSSION OF RECOMMENDATIONS FROM CITIZEN'S TASK FORCE ON COUNTY HEALTH CARE SYSTEM AND GENERAL LEGISLATIVE UPDATE

Sandi Wilson, Deputy County Administrator
Mark Hillard, Maricopa Integrated Health Systems
Chris Keller, Chief Counsel, Division of County Counsel
Diane Sikokis, Director, Government Relations
Bill Sims, Outside Counsel
Rory Hays, Lobbyist
Doug Cole, Lobbyist

Chairman Brock recognized Jane Grace, representing Senator Jon Kyl's office, and Birgitte Santaella from Congressman John Shadegg's office, who were in attendance. He said, "We appreciate your being here on this important matter and hope you will express our gratitude to the Senator and Congressman for their interest in this very important issue.

Diane Sikokis and Doug Cole reported on the status of their work with the legislature and legislative leadership in getting a bill introduced in the House and Senate on proposals contained in the recent report from the Citizen's Task Force dealing with the financial problems facing Maricopa County's healthcare system. Senate President Ken Bennett has been briefed on this issue and the proposed legislation and has indicated he recognized its importance. Time is an issue and Mr. Cole said there was a good possibility the Speaker would give permission to introduce the matter as new legislation if it became necessary. An outline of the proposed legislation was distributed that addressed the following:

Background, Creation, Governance, Taxing Authority and Bond Provisions Addressing Private Sector Health Provider Concerns and Special Features.

Discussion ensued on what the Board could expect to have happen from this legislation and possible restrictions. Also discussed was the optimum number of Board members to serve on a new hospital district board as well as specifics of their partisan or non-partisan, staggered or non-staggered election and terms of office. Possible compensation and/or per diem for the members was also discussed in light of their extensive duties and with regard to practices for other similar local boards. Most boards are not salaried and the existing statute on this subject was discussed with varying opinions expressed by Members. County Counsel warned that including provisions/changes that conflict with existing law could slow or even stop the process. It was agreed that the important thing is to obtain necessary legislation allowing the County to place the issue of establishing a new district on the ballot. It was pointed out that it is key for all the Supervisors to "come together" to maintain a united front and "to speak with one voice" on this issue.

Karen Osborne, Elections Director, was asked to give input on the different kinds of elections. Discussion ensued on optimum ballot dates and suggestions for proper wording for the ballot in presenting the matter to voters.

Another topic discussed dealt with Banner Hospital's insistence on having a ten-year, three-mile limit on expansion and building new facilities. Although this was considered by most to be overly restrictive Mark Hillard believed it would be something he could deal with over the years with relatively little consequence. Supervisor Stapley said, "We have to have support from the healthcare community to get this passed. It's a reasonable compromise."

~ Supervisor Wilson entered the meeting ~

Additional and alternative methods of financing a hospital district were discussed at length, as was the amount of taxing authority to request. So much is needed so quickly and the \$40 million figure finally agreed to was thought by most to be insufficient to meet the need.

The Mission Statement continues to be a "sticking point" with some of the privately funded hospitals. Concessionary language was discussed with the hope of keeping it as "unmuddied and intact" as possible. The attorneys will continue to try to hold the line on this issue as they continue negotiations.

MARICOPA COUNTY BOARD OF SUPERVISORS' MINUTE BOOK

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MEETING RECESSED TO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.03(a)(3), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, to recess into Executive Session for the purpose of obtaining legal advice from counsel on this matter.

ATTEST:

Fulton Brock, Chairman of the Board

Fran McCarroll, Clerk of the Board