



## MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R.3 DATE 7/18/13  
LYNDA GROW, BOARD CLERK

### Board Clerk Use Only

Meeting Date: 7/18/13  
Agenda Item #: R.3  
Est. Start Time: 10:10 AM  
Date Submitted: 7/2/13

**Agenda Title:** **Authorizing the County Attorney to File a Petition for Review in Multnomah County Circuit Court.**

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.*

Requested Meeting Date:	<u>July 18, 2013</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>Non-Departmental</u>	Division:	<u>County Attorney</u>
Contact(s):	<u>Patrick Henry</u>		
Phone:	<u>(503) 988-3138</u>	Ext.	<u>83138</u>
	<u>I/O Address: 503/5/500</u>		
Presenter(s):	<u>Jenny M. Madkour</u>		

### General Information

**1. What action are you requesting from the Board?**

Approval for County Attorney to file a Petition for Review with the Multnomah County Circuit Court seeking review of a decision by the Oregon Health Authority requiring the County to pay for in-patient psychiatric services for a Medicaid eligible individual.

**2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.**

The Oregon Health Authority ("OHA") has issued a Final Order in Other Than Contested Case requiring the mental health organization operated by the County, formerly known as Verity, to pay for certain in-patient psychiatric services for a Medicaid eligible child. The Mental Health Program believes that the requested services were not medically appropriate and the process followed by OHA did not meet the requirements of the Administrative Procedures Act ("APA"). The Petition for Review is the avenue under the APA that permits the County to challenge OHA's action.

**3. Explain the fiscal impact (current year and ongoing).**

N/A.

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**4. Explain any legal and/or policy issues involved.**

On February 22, 2007, the Board adopted Resolution 07-037 delegating to the County Attorney authority to initiate legal proceedings upon approval by the Board of County Commissioners.

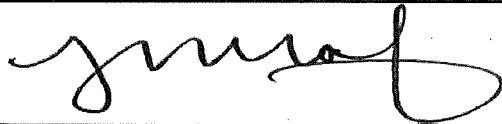
**5. Explain any citizen and/or other government participation that has or will take place.**

The Oregon Health Authority, an agency of the State of Oregon, will be the respondent in the case.

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**Required Signature**

Elected Official or  
Department/  
Agency Director:



Date: July 2, 2012

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