



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-3 DATE 8/29/13
MARINA BAKER, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 8/29/13
Agenda Item #: R.3
Est. Start Time: 9:55 am
Date Submitted: 8/19/13

Agenda Title: **Authorizing the County Attorney to File Petitions 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>August 29, 2013</u>	Amount of Time Needed:	<u>2 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>
Presenter(s):	<u>Jenny Madkour</u>		
I/O Address:	<u>503/5/500</u>		

General Information

1. What action are you requesting from the Board?

Approval for County Attorney to file four Petitions for Review with the Multnomah County Circuit Court seeking review of a decision by the Oregon Health Authority requiring the County to pay for mental health services for Medicaid eligible individuals.

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 four Final Orders in Other Than Contested Case requiring HSO Multnomah, the mental health organization operated by the County on behalf of Health Share Oregon, to pay for certain mental health services for Medicaid eligible children. 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 actions.

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

N/A.

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

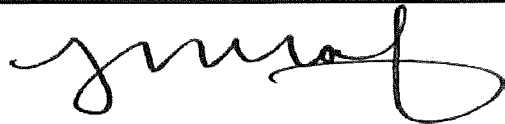
On February 22, 2007, the Board adopted Resolution 07-037 delegating to the County Attorney authority to initiate legal proceedings upon approval by the Board of County Commissioners.

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.

Required Signature

Elected Official or
Department/
Agency Director:

A handwritten signature in black ink, appearing to be "J. M. S.", written over a horizontal line.

Date: August 29, 2013