

	Date Approved: <u>Manuel Jimenez</u> By: Manuel J. Jimenez, Jr., MA, MFT, Behavioral Health Care Services Director <u>6/23/2019</u>
POLICY: Payment of Last Resort AUTHOR: Leda Frediani Reviewed by Executive Committee, Recommended for approval by BHCS Director: Date <u>6/23/19</u> initials <u>LF</u>	Date Revised: _____ Policy No.: _____

POLICY: Payment of Last Resort

The purpose of this policy is to provide processes and procedures to ensure adherence to Title 45 Code of Federal Regulations Part 96, Section 96.137 requiring SAPT (Substance Abuse Prevention and Treatment) funds to be the payment of last resort for services for Pregnant and Parenting Women, Tuberculosis and HIV

To ensure compliance with Title 45 of the Code of Federal Regulations, Part 96, all Substance Use Disorder (SUD) Services contracts are to include language defining the compliance requirements:

This policy states:

- (a) The Block Grant money that may be spent for Sections 96.124(c) and (e), 96.127 and 96.128 is governed by this section which ensures that the block grant will be the "payment of last resort." The entities that receive funding under the Block Grant and provide services required by the above-referenced sections shall make every reasonable effort, including the establishment of systems for eligibility determination, billing, and collection, to:
 - 1) Collect reimbursement of the costs of providing such services to persons who are entitled to insurance benefits under the Social Security Act, including programs under title XVIII and title XIX, any State compensation program, any other public assistance program for medical expenses, any grant program, any private health insurance, or any other benefit program; and
 - 2) Secure from patient or clients payments for services in accordance with their ability to pay.

Additionally the County's Drug and Alcohol Services Division will include the payment of last resort provisions in all subcontracts. Compliance with this policy shall be achieved through:

- 1. Approval of contract as to form and legal affect by county counsel;
- 2. Signature of contractor on contract agreeing to all conditions set forth in the contract;
- 3. Approval and execution of contract by the County Board of Supervisors; and
- 4. Annual fiscal audit and compliance review of contractors.

BHCS will additionally insure compliance through management and control of funding streams used to support programs serving Pregnant and Parenting Women, Tuberculosis and HIV. This process is managed through Network Office contracting process and the Finance Department budget monitoring and Source of Funds.