

Fresno County health funds transfer triggers debate on undocumented care

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Fresno County Supervisor Henry R. Perea criticized his board colleagues Tuesday for being hypocritical about medical care for undocumented immigrants.

The remarks came during discussion about health funding. Supervisors voted unanimously to transfer \$3.4 million so the county is ready to cover medical care once the state cuts funding in answer to the federal Affordable Care Act.

Supervisors, led by Judy Case McNairy, said they don't plan on cutting health services for undocumented workers. Perea countered that recent board action to end "specialty care" for the undocumented belie their comments.

Case McNairy said care given at clinics for the undocumented offers an adequate level of "specialty care" services.

Late last year, the county told a judge that it could no longer afford to provide specialty care since the passage of the federal Affordable Care Act. Because of the federal law, the state cut \$14 million for health care, but many of those "indigent" residents now have insurance through Medi-Cal, which will get billed instead of the county's indigent services program.

Last week, Fresno County Superior Court Judge Donald S. Black ruled that the county does not have to follow the 30-year-old court order requiring it to pay for medical services for undocumented immigrants. But he stayed his decision for 60 days to allow for an appeal.

The judge stopped short of dissolving the entire injunction that requires health care services be provided to the indigent -- people living in poverty.

But, he said, the county had proved that a change in law no longer required it to pay for certain medical care for undocumented immigrants.

The county was trying to dissolve the 1984 injunction requiring it to pay for health services when Clinica Sierra Vista, which operates community health centers in Fresno, was allowed to intervene in the case.

Supervisors have authorized \$265,000 to fight Clinica Sierra Vista, which serves undocumented immigrants with primary care. The undocumented also have access to pregnancy and emergency care. But undocumented immigrants are not qualified for coverage under the Affordable Care Act.

The county was getting \$42 million in health care funding until the Affordable Care Act went into effect. The state cut \$14 million in funding because more people are insured.

On Tuesday, supervisors voted to transfer \$3.4 million from mental health funding to public health monies to allow the county to have money available after the cutback in state funding. It also sent a signal to Sacramento that Fresno County should be reimbursed for its costs.

By transferring the funds, the county is telling the state the \$14 million cut was too large and that more should be reimbursed to the county, said John Navarrette, the county administrative officer.

"If cuts were made instead of a transfer, the county would have lost an opportunity to get the money reimbursed," he said. "If we don't transfer that money to public health and we lower the amount, then going forward our bar has been lowered as far as reimbursement."

Perea said Medi-Cal is getting billed for most of the \$14 million. He said the county should have a method to pay for health care for the undocumented and, if not, employers of the undocumented should pay.

The agricultural work force is 90% undocumented and Fresno County's agricultural industry had revenues exceeding \$6.5 billion last year, Perea said. He pointed to a poster in the supervisors' chambers while driving home his point.

"Look at the No. 1 engine that drives this county, which is ag, and you look at that \$6.5 billion number," Perea said. "We have a work force that when there is a water shortage we are happy to parade these 'brave people' to Sacramento for water rallies and tell people we are trying to save their jobs and the next day, when we talk about something like this, we call them illegal. I think that's wrong."

He said \$5 million to \$7 million -- about 0.1% of those revenues -- is the annual cost for "specialty care" and it should not be paid by state taxpayers.

"We are not talking about Botox or tummy tucks, these are CT Scans and MRIs, these are life-or-death kinds of stuff," he said.

He said the county could use savings derived from catching Williamson Act violators -- people who live on agricultural land, but don't farm it. Perea estimates the county could have accumulated between \$7 million and \$8 million in the past three years from violators.

But Case McNairy said care isn't denied to those who have urgent needs.

"Should somebody who enters this country illegally receive a higher standard of specialty care than other individuals who are born in this country and work in this country, also?" she asked. "Should they have to pay the bill for somebody who comes in this country illegally?"

She said primary care physicians can treat many health issues that people are treated for by specialists, such as diabetes or heart problems.

"We have some adjustments we have to look at in terms of we have so many dollars to spend ... going forward," she said. "I would never want somebody to have a true medical emergency and say we would not address it, that would be cruel and inhumane."

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