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### WELFARE AND INSTITUTIONS CODE - WIC

**DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98]** ( *Division 9 added by Stats. 1965, Ch. 1784.*  )

**PART 4.7. HEALTH CARE FOR INDIGENTS [16900 - 16996.2]** ( *Heading for Part 4.7 added by Stats. 1990, Ch. 50, Sec. 10.5.*  )

**CHAPTER 5. California Healthcare for Indigents Program [16940 - 16995.1]** ( *Chapter 5 added by Stats. 1989, Ch. 1331, Sec. 9.*  )

**ARTICLE 7. Financial Maintenance of Effort [16990 - 16990.9]** ( *Article 7 added by Stats. 1989, Ch. 1331, Sec. 9.*  )

**16990.** (a) (1) Any county receiving an allocation pursuant to this chapter and Chapter 4 (commencing with Section 16930) shall, at a minimum, maintain a level of financial support of county funds for health services at least equal to the total of the amounts specified in this subdivision. The amounts specified in paragraph (1) shall be adjusted on July 1 of each year equal to the growth in the sales tax and vehicle license fees allocated to the trust fund accounts and the county general fund pursuant to Chapter 6 (commencing with Section 17600) of Part 5.

Each of the following counties shall maintain a realignment financial maintenance of effort according to the following schedule:

Jurisdiction	Amount
Alameda .....	\$ 62,950,138
Alpine .....	150,781
Amador .....	1,702,152
Butte .....	8,378,036
Calaveras .....	1,286,374
Colusa .....	1,362,787
Contra Costa .....	31,188,063
Del Norte .....	1,305,412
El Dorado .....	5,626,036
Fresno .....	32,555,212
Glenn .....	1,368,045
Humboldt .....	8,995,114
Imperial .....	8,526,220
Inyo .....	2,320,718
Kern .....	23,025,845
Kings .....	4,310,952
Lake .....	1,767,837

Lassen .....	1,555,628
Los Angeles .....	510,082,064
Madera .....	3,523,697
Marin .....	11,349,537
Mariposa .....	766,751
Mendocino .....	2,782,024
Merced .....	4,711,969
Modoc .....	939,453
Mono .....	1,673,165
Monterey .....	11,816,218
Napa .....	4,751,422
Nevada .....	2,669,976
Orange .....	66,846,735
Placer .....	3,009,967
Plumas .....	1,143,704
Riverside .....	33,598,282
Sacramento .....	33,012,993
San Benito .....	1,601,614
San Bernardino .....	27,576,793
San Diego .....	49,373,333
San Francisco .....	106,622,954
San Joaquin .....	12,646,288
San Luis Obispo .....	5,888,487
San Mateo .....	21,788,027
Santa Barbara .....	12,659,559
Santa Clara .....	47,316,403
Santa Cruz .....	8,373,710
Shasta .....	6,521,122
Sierra .....	327,339
Siskiyou .....	2,401,825
Solano .....	8,942,768
Sonoma .....	16,146,306
Stanislaus .....	13,403,954

Sutter .....	4,872,252
Tehama .....	3,257,915
Trinity .....	1,599,409
Tulare .....	8,593,714
Tuolumne .....	2,525,076
Ventura .....	17,042,243
Yolo .....	4,396,875
Yuba .....	3,083,423
Total .....	\$1,278,014,696

(2) A county may, upon notifying the department of the transfers authorized by this paragraph, reduce the level of financial maintenance of effort required of the county by paragraph (1) by the amount of the funds transferred from the Health Account pursuant to Section 17600.20.

(b) For purposes of this section, if a county desires to use any of its allocation pursuant to this chapter or Chapter 4 (commencing with Section 16930) for programs and costs not reported as part of the plan and budget required by Section 16800, the county, as a condition of using its allocation for these purposes, must maintain an amount of county funding for those programs and costs at least equal to the 1988–89 fiscal year levels.

(c) Moneys received by a county under this chapter shall be accounted for as revenue in the plan and budget which is required pursuant to Section 16800 and shall not be used as county matching funds for any other program requiring a county match.

(d) If a county fails to maintain financial maintenance of effort at least equal to the total of the amounts specified in paragraph (1) of subdivision (a), the department shall recover funds allocated to the county under this part sufficient to bring the county into compliance with the financial maintenance of effort provisions. Funds shall be recovered proportionately from the Hospital Services Account, the Physician Services Account, and the Unallocated Account.

(e) The participation fee specified in Section 16809.3 shall not be included in determining a county's compliance with the maintenance of effort provisions of this section.

(f) For the purposes of determining the level of financial support required for the 1991–92 fiscal year, the amounts specified in paragraph (1) of subdivision (a) shall be reduced to reflect shortfalls in revenue to local health and welfare trust fund health accounts due to shortfalls in receipts of sales tax revenue and county deposits required pursuant to subdivision (b) of Section 17608.10, compared to the amounts of these funds originally anticipated, as determined by the Director of Health Services.

(g) For the purposes of determining the level of financial support required in the 1992–93 fiscal year, the amounts specified in paragraph (1) of subdivision (a) shall be reduced by 7 percent.

(h) For the purposes of determining the level of financial support required in the 1993–94 fiscal year and subsequent fiscal years, the amounts specified in paragraph (1) of subdivision (a) shall be reduced to reflect shortfalls in revenue to local health and welfare trust fund health accounts due to shortfalls in receipts of sales tax revenue and county deposits required pursuant to subdivision (b) of Section 17608.10, compared to the amounts of these funds originally anticipated for the 1991–92 fiscal year, as determined by the Director of Health Services.

*(Amended by Stats. 1996, Ch. 6, Sec. 6. Effective January 1, 1997.)*

**16990.1.** Notwithstanding the first sentence of paragraph (1) of subdivision (a) of Section 16990, for the purposes of determining the level of financial support in the 1996–97 fiscal year, the amounts specified in subparagraph (A) of paragraph (1) of subdivision (a) of Section 16990 shall be added to 50 percent of the amounts specified in subparagraph (B) of paragraph (1) of subdivision (a).

*(Added by Stats. 1996, Ch. 199, Sec. 17. Effective July 22, 1996.)*

**16990.5.** (a) The following definitions shall govern the construction of this section, unless the context requires otherwise:

(1) “Capital outlay” means net disproportionate share hospital revenues used for projects that involve the acquisition, construction, renovation, improvement, modernization, expansion, or replacement of a plant, building, or fixed or movable equipment, including debt service for facilities used in the provision of county health care services or mental health services.

(2) "County health care services" means those services described in subdivision (a) of Section 16801.

(3) "County financial maintenance of effort" means the level of financial support required of a county pursuant to Section 16990.

(4) "Net disproportionate share hospital revenues" means the amount determined by subtracting the total intergovernmental transfers made by a county pursuant to Sections 14163 and 14164 from the total amount of the payment adjustments paid to the county's hospital or hospitals pursuant to Section 14105.98. This calculation shall reflect any amendment to Sections 14163 and 14164, including amendments to paragraph (2) of subdivision (d) of Section 14163.

(5) "Mental health services" means those programs transferred or otherwise financed pursuant to Chapters 89 and 91 of the Statutes of 1991.

(b) (1) Each county shall deposit all net disproportionate share hospital revenues into a fund or funds other than the county general fund, and shall retain those revenues until utilized for the purposes described in this section.

(2) All disproportionate share hospital revenues are intended to support health care services rendered by disproportionate share hospitals, including, but not limited to, health or mental health services and health or mental health capital outlays. Net disproportionate share hospital revenues shall not be used to supplant or offset county general funds or other funds that were expended or encumbered for those purposes prior to July 1, 1991.

(3) Net disproportionate share hospital revenues shall be included in computing county financial maintenance of effort only as set forth in subdivision (c).

(c) For the 1991–92 fiscal year, and for each fiscal year thereafter, for purposes of computing county financial maintenance of effort, net disproportionate share hospital revenues deposited in accordance with subdivision (b) shall be treated as follows:

(1) Net disproportionate share hospital revenues utilized for a county for mental health services, or for capital outlay for health or mental health services, shall not be counted as revenue in the computation of county financial maintenance of effort.

(2) Net disproportionate share hospital revenues that are not utilized as described in paragraph (1) shall be counted as revenue in the computation of a county's financial maintenance of effort only to the extent that by not counting those revenues for a particular fiscal year, a county's net county costs for county health care services exceeds the amount of county funds required to satisfy the requirements of Section 16990 for the particular fiscal year.

(3) Net disproportionate share hospital revenues counted as revenue in the calculation of county financial maintenance of effort for a particular year pursuant to paragraph (2) shall not be counted as revenue in the calculation of county financial maintenance of effort relating to any subsequent fiscal year.

(d) Net disproportionate share hospital revenues may not be used for deposits required by Sections 17608.05 and 17608.10 or as county funds required by Section 16990.

*(Amended by Stats. 1997, Ch. 294, Sec. 82. Effective August 18, 1997.)*

**16990.9.** The level of financial maintenance of effort required of a county that contracts with the department pursuant to Section 101300 of the Health and Safety Code during the 1991–92, 1992–93, 1993–94, 1994–95, and subsequent fiscal years may be reduced by the amount of local public health service funds retained by the county for that fiscal year that are unexpended as a result of vacant contracted positions.

*(Amended by Stats. 1996, Ch. 1023, Sec. 497. Effective September 29, 1996.)*