



# BOARD OF GOVERNORS

## Executive Committee Meeting

November 20, 2024 • 2:00 PM

Lobby Conference Room 100

1055 W. 7<sup>th</sup> Street, Los Angeles, CA 90017

*L.A. Care offices have moved to 1200 W. 7th Street, Los Angeles, CA 90017.  
Public meetings will continue to be held in the Board Room at 1055 W. 7th Street  
until early 2025.*

**DRAFT**



## **AGENDA**

### **Executive Committee Meeting**

### **Board of Governors**

Wednesday, November 20, 2024, 2:00 P.M.  
1055 West 7<sup>th</sup> Street, Conference Room 100, 1<sup>st</sup> Floor  
Los Angeles, CA 90017

Members of the Committee, staff and the public can attend the meeting in person at the address listed above. Public comment can be made in person at the meeting. A form will be available at the meeting to submit public comment.

**To listen to the meeting via videoconference please register by using the link below:**

<https://lacare.webex.com/lacare/j.php?MTID=m59c9a0de63bec4af9d8a4f33d54540ab>

**To listen to the meeting via teleconference please dial: +1-213-306-3065**

**Meeting Number 2488 426 2744 Password: lacare**

The purpose of public comment is an opportunity for members of the public to inform the governing body about their views. The Committee appreciates hearing the input as it considers the business on the Agenda.

The process for public comment is evolving and may change at future meetings.

All votes in a teleconferenced meeting shall be conducted by roll call.

If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act (ADA) please contact L.A. Care Board Services staff prior to the meeting for assistance by text to 213 628-6420 or by email to [BoardServices@lacare.org](mailto:BoardServices@lacare.org).

#### **Welcome**

Alvaro Ballesteros, MBA

1. Approve today's Agenda *Chair*
2. Public Comment *(Please read instructions above.)* *Chair*
3. Approve the October 23, 2024 Meeting Minutes **p.5** *Chair*
4. Chairperson's Report *Chair*
5. Chief Executive Officer Report  
• Government Affairs Update

John Baackes  
*Chief Executive Officer*  
Cherie Compartore  
*Senior Directors, Government Affairs*

#### **Committee Issues**

6. Impact of L.A. Care's advertising investments for the past several years *John Cota*  
*Senior Director, Creative & Marketing*
7. Approve Revisions to the Conflict of Interest Code of the L.A. Care Health Plan **(EXE 100) p.16** *Augustavia J. Haydel, Esq.*  
*General Counsel*

8. Approve Revisions to General Legal Services Policy LS-010 (Delegation of Authority to Approve, Compromise, and/or Settle Certain Pre- Litigation Claims and Pending Litigation) **(EXE 101)** p.39 Augustavia J. Haydel, Esq.  
William Laurits Seldeen, Esq.  
*Associate Counsel III Senior  
Director General Legal Services*
9. Employee Annual Incentive Program FY 2023-24 **(EXE 102)** p.45 Terry Brown  
*Chief Human Resources Officer*
10. Human Resources Policies HR-210 (Meal Breaks and Rest Periods), HR-230 (Learning Management System), HR-233 (HR-233 Introductory Period), and HR-313 (Reemployment and Reinstatement) **(EXE A)** p.46 Terry Brown
11. Approve the list of items that will be considered on a Consent Agenda for December 5, 2024 Board of Governors Meeting. *Chair*
- November 7, 2024 meeting minutes
  - Revisions to the Conflict of Interest Code of the L.A. Care Health
    - *Revisions to the Conflict of Interest Code of the L.A. Care Health Plan Joint Powers Authority*
  - Revisions to General Legal Services Policy LS-010 (Delegation of Authority to Approve, Compromise, and/or Settle Certain Pre- Litigation Claims and Pending Litigation)
  - Availity, LLC Contract to support L.A. Care with Electronic Claims Clearinghouse Services
  - Claris Health (formerly Santé Analytics) Contract Amendments:
    - Scope of Work 2 (A3) to support L.A. Care with a centralized overpayment repository with workflow capabilities to allow L.A. Care to manage and warehouse internal payment integrity audits and vendor audits
    - Scope of Work 5 (A3) to continue supporting L.A. Care with Pareo Analytics to ensure continued progress in optimizing L.A. Care’s payment integrity efforts and maximizing savings
    - Scope of Work 6 (A2) to continue to support L.A. Care by providing Pareo clinical analytics algorithms, medical record request operations, a full time Claris Health clinical healthcare expert, and access to Claris Health’s Optical Character Recognition (OCR) software
    - Scope of Work 7 (New Contract) Pareo Pre-Pay analytics services
  - WiPro Contract to perform claims processing, Provider Dispute Resolution processing, claims adjustment processing, and Payment Integrity pre-payment data mining validation and processing services
  - Quarterly Investment Report for the quarter ending September 30, 2024
12. Public Comment on Closed Session Items *(Please read instructions above.)* *Chair*
- ADJOURN TO CLOSED SESSION (Est. time: 60 mins.)** *Chair*
13. REPORT INVOLVING TRADE SECRET  
Pursuant to Welfare and Institutions Code Section 14087.38(n)  
Discussion Concerning New Service, Program, Technology, Business Plan  
Estimated date of public disclosure: *November 2026*

14. **CONTRACT RATES**  
Pursuant to Welfare and Institutions Code Section 14087.38(m)
  - Plan Partner Rates
  - Provider Rates
  - DHCS Rates
  - Plan Partner Services Agreement
15. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**  
Pursuant to paragraph 1 of subdivision (d) of Section 54956.9 of the Ralph M. Brown Act  
HRRP Garland, LLC v. Local Initiative Health Authority for Los Angeles County  
L.A.S.C. Case No. 21STCV47250
16. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**  
Pursuant to Section 54956.9(d)(1) of the Ralph M. Brown Act  
*KND Development 52, LLC, et al. v. Local Initiative Health Authority for Los Angeles County*, L.A.S.C.  
Case No. 24STCV15962
17. **CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**  
Significant Exposure (3 cases)  
Pursuant to paragraph (2) of subdivision (d) of Section 54956.9 of the Ralph M. Brown Act
18. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**  
Pursuant to Section 54956.9(d)(1) of the Ralph M. Brown Act  
L.A. Care Health Plan's Notice of Contract Dispute under Contract No. 04-36069  
Department of Health Care Services (Case No. Unavailable)
19. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION, PUBLIC EMPLOYMENT and CONFERENCE WITH LABOR NEGOTIATOR**  
Sections 54957 and 54957.6 of the Ralph M. Brown Act  
Title: Chief Executive Officer  
Agency Designated Representative: Alvaro Ballesteros, MBA  
Unrepresented Employee: John Baackes

## RECONVENE IN OPEN SESSION

## ADJOURNMENT

*Chair*

There is no Executive Committee meeting in December 2024  
The next Executive Committee meeting is scheduled on **Wednesday, January 22, 2025 at 2:00 p.m.**  
and may be conducted as a teleconference meeting.  
The order of items appearing on the agenda may change during the meeting.  
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THE PUBLIC MAY SUBMIT COMMENTS TO THE EXECUTIVE COMMITTEE BEFORE DISCUSSION OF EACH ITEM LISTED ON THE AGENDA BY SUBMITTING THE COMMENT IN WRITING BY TEXT MESSAGE TO 213 628 6420, OR IN WRITING BY EMAIL TO [BoardServices@lacare.org](mailto:BoardServices@lacare.org). Please follow additional instructions on the first page of this Agenda.

ACTION MAY NOT BE TAKEN ON ANY MATTER RAISED DURING THE PUBLIC COMMENT PERIODS UNTIL THE MATTER IS SPECIFICALLY LISTED ON A FUTURE AGENDA, according to California Govt Code Section 54954.2 (a)(3) and Section 54954.3.  
AGENDA and PRINTED MEETING MATERIALS ARE AVAILABLE FOR INSPECTION 72 HOURS BEFORE THE MEETING:

1. At L.A. CARE'S Website: <http://www.lacare.org/about-us/public-meetings/board-meetings>
2. L.A. Care's Reception Area, Lobby, at 1055 W. 7<sup>th</sup> Street, Los Angeles, CA 90017, or
3. by email request to [BoardServices@lacare.org](mailto:BoardServices@lacare.org)

Any documents distributed to a majority of the Executive Committee Members regarding any agenda item for an open session after the agenda and meeting materials have been posted will be available for public inspection by email request to [BoardServices@lacare.org](mailto:BoardServices@lacare.org)

*An audio recording of the meeting is made to assist in writing the minutes and is retained for 30 days.*

Meetings are accessible to people with disabilities. Individuals who may require any accommodations (alternative formats – i.e., large print, audio, translation of meeting materials, interpretation, etc.) to participate in this meeting and wish to request an alternative format for the agenda, meeting notice, and meeting packet may contact L.A. Care's Board Services Department at (213) 628 6420. Notification at least one week before the meeting will enable us to make reasonable arrangements to ensure accessibility to the meetings and to the related materials.

# BOARD OF GOVERNORS

## Executive Committee

### Meeting Minutes – October 23, 2024

1055 West 7<sup>th</sup> Street, 1<sup>st</sup> Floor, Los Angeles, CA 90017



**L.A. Care**  
HEALTH PLAN

**Members**

Alvaro Ballesteros, MBA, *Chairperson* \*  
 Ilan Shapiro MD, MBA, FAAP, FACHE,  
*Vice Chairperson*  
 Stephanie Booth, MD, *Treasurer*  
 John G. Raffoul, *Secretary* \*  
 G. Michael Roybal, MD

**Management/Staff**

John Baackes, *Chief Executive Officer*  
 Sameer Amin, MD, *Chief Medical Officer*  
 Augustavia J. Haydel, Esq., *General Counsel*  
 Todd Gower, *Interim Chief Compliance Officer*  
 Linda Greenfeld, *Chief Products Officer*

Alex Li, MD, *Chief Health Equity Officer*  
 Noah Paley, *Chief of Staff*  
 Acacia Reed, *Chief Operating Officer*  
 Afzal Shah, *Chief Financial Officer*

*\*Absent*

AGENDA ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
<b>CALL TO ORDER</b>	Ilan Shapiro, MD, <i>Vice Chairperson</i> , called to order at 2:00 pm the regular and special meetings of the L.A. Care Executive Committee and the L.A. Care Joint Powers Authority Executive Committee. The meetings were held simultaneously. He welcomed everyone to the meetings.  He provided information on how to submit public comments.	
<b>APPROVE MEETING AGENDA</b>	The Agenda for today’s meeting was approved.	<b>Approved unanimously. 3 AYES (Booth, Roybal, and Shapiro)</b>
<b>PUBLIC COMMENT</b>	There was no public comment.	
<b>APPROVE MEETING MINUTES</b>	The minutes of the September 25, 2024 meeting were approved.	<b>Approved unanimously. 3 AYES</b>
<b>CHAIRPERSON’S REPORT</b>	Vice Chairperson Shapiro reported that L.A. Care is preparing to welcome a new CEO soon. Officer elections usually are held in November or soon thereafter. He invited discussion for continuing with the current officers until the February 2025 meeting after the new CEO has settled in. Board Member Booth commented that current Officers should remain until there is confidence that the CEO transition is complete. Board	

<b>AGENDA ITEM/PRESENTER</b>	<b>MOTIONS / MAJOR DISCUSSIONS</b>	<b>ACTION TAKEN</b>
	<p>Member Roybal agreed. Board Member Booth suggested that the Executive Committee recommend to the Board of Governors that the officer elections are delayed.</p> <p>Vice Chairperson Shapiro reported that each member of the Board represents an important stakeholder category (members, providers including physicians, hospitals, clinics, and others). Terms in office for six Board seats are scheduled to end in October, 2024. He noted that the Temporary Transitional Executive Community Advisory Committee (TTECAC) voted at its last meeting to extend the terms for the two Board seats representing consumer Regional Community Advisory Committee (RCAC) members. At its June 2024 meeting, TTECAC members approved a timeline to hold election of the two consumer representatives in mid-2025. This will allow RCAC members time to establish the new structure and elect RCAC Chairpersons to serve on Executive Community Advisory Committee (ECAC). RCAC members will be very involved during the campaigns of the candidates for nomination to the Board so it is important that candidates can attend RCAC meetings to meet the RCAC members.</p> <p>There is a Board seat nominated by the Board of Governors (incumbent is Hector De La Torre). For continuity in leadership the Board could consider waiting until next year to nominate a representative for this seat (representing health care expertise).</p> <p>The three remaining seats are nominated by outside entities named in the enabling legislation. The nominations could be sent by the nominating entities to the Los Angeles County Executive Offices at any time. If the nominating entity sends a nomination, the nominee would be processed as usual through the Los Angeles County Executive Office.</p> <p>Traditionally, the incumbent in each of the 13 seats continues to represent the stakeholders until a new nominee is named and processed through the Los Angeles County Executive Office.</p> <p>Executive Committee members agreed by consensus to recommend to the Board of Governors at the November meeting, if he is willing to serve.</p>	
<b>CHIEF EXECUTIVE OFFICER'S REPORT</b>	<p>John Baackes, <i>Chief Executive Officer</i>, reported that the Los Angeles County Board of Supervisors approved a resolution earlier this year appropriating \$5 million for medical debt relief. It is estimated that medical debt is a burden for a tremendous number of families across the United States. The Board of Supervisors voted for Los Angeles County to help with this situation that affects the lives of so many people. One hundred</p>	

AGENDA ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
	<p>million people in the United States are saddled with medical debt. In Los Angeles, there has been coverage about medical bills pushing families into poverty.</p> <p>Medi-Cal members also have occasionally incurred medical debt. According to the Board of Supervisors, medical debt burden affects approximately 785,000 adults in Los Angeles County. Much of the medical debt affects individuals with incomes below the federal poverty level. The total amount of debt rose during the pandemic from \$2.6 billion to over \$3 billion. Many L.A. Care member grievances are related to financial disputes and co-pay related issues with out of network or private ambulance billing. The Los Angeles County Department of Public Health (DPH) led a Los Angeles County medical debt coalition consisting of community based organizations, hospitals, public agencies, and provider groups. The coalition met throughout 2023 and 2024; Alexander Li, MD, <i>Chief Health Equity Officer</i>, participated representing L.A. Care.</p> <p>In September 2024, Los Angeles County adopted an ordinance that would require hospitals to report on medical debt and financial assistance provided to residents. DPH contracted with a national nonprofit, Undue Medical Debt, to manage the retirement of debt with collection agencies. The coalition aims to raise \$24 million, which will relieve \$2 billion in medical debt. Undue Medical Debt acts as an agency and negotiates with the hospitals to accept a lower amount to satisfy the debt.</p> <p>Dr. Li commented that this has a tremendous impact for those with medical debt, many of whom are L.A. Care members, future members or past members, and medical debt is a leading cause of bankruptcy.</p> <p>Mr. Baackes was contacted by Barbara Ferrer, PhD, MPH, MEd., Director of DPH, asking L.A. Care to support the medical debt coalition with \$2 million, in addition to the \$5 million appropriated by the Board of Supervisors. Mr. Baackes spoke to George Greene, President and CEO of the Hospital Association of Southern California (HASC). There is language in the original legislation that a goal is to identify software technology to help patients qualify for programs that will reduce or cancel medical debts.</p> <p>L.A. Care staff recommends the Board's consideration of a proposal to agree to fund up to \$2 million, with a priority to identify and purchase software technology that will help patients qualify for programs. That would produce dividends over a long period, whereas the part of money just to reduce or buy down the debt will be exhausted at some point. If the board is willing to fund up to \$2 million, the remaining balance left after the cost of the software technology would support medical debt relief for L.A.</p>	

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	<p>Care members. Mr. Baackes noted this funding would not be eligible to be paid out of the enforcement action settlement and it does not fit into the Elevating the Safety Net reserves. He recommended funding this new project from unassigned reserves.</p> <p>Afzal Shah, <i>Chief Financial Officer</i>, agreed with the approach.</p> <p>Board Member Booth asked if the funding fits in with the new community investment requirements from California Department of Health Care Services (DHCS). Dr. Li responded those requirements will apply in 2026.</p> <p>Board Member Booth asked if funding could help people that are really trying to stay out of poverty or lose their house, people who are working and trying to make things happen for themselves, rather than the people who are sort of at the lower end, because programs always help them and being in debt really seems to not burden them. In the same way that programs help physicians, she suggested providing support at ten times debt and match the earnings. This would help people that really deserve it, who are not able to receive help most of the time.</p> <p>Board Member Roybal commented that the recommendation makes sense especially given L.A. Care’s mission. He supports making sure that L.A. Care is doing everything possible to ensure members avail themselves of support and services to which they are entitled. He has patients that are afraid to call the ambulance because they will be charged for the ambulance. He wonders if that is covered with Medi-Cal or other insurance. He would like to know L.A. Care is doing everything possible to make sure that patients are not getting into medical debt when they are not fully informed by the healthcare provider or even being misled. He thinks that is one part of this. For those who are not L.A. Care members should be part of this too. Some people do not have somebody to advocate for them so that they can take full advantage of all that insurance is supposed to pay for, they might need a navigator to understand how services are covered before incurring costs. People can be sometimes desperate for care and they may really need is an insurance navigator to work with them on what services are covered and how they can get needed care without incurring unnecessary debt.</p> <p>Mr. Baackes responded that is part of presumptive eligibility technology, which can link members to other resources available rather than have the funds go into a pot of money and used negotiate through the third party. L.A. Care would invest in technology for the DPH that would provide exactly that kind of service. When members call for an appeal and grievance about coverage, L.A. Care can review what is currently done and look for</p>	



AGENDA ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
	<p>opportunities to increase support through the appeals and grievance process in advising members who might be on the verge of a medical debt situation. The technology being suggested for investment and that the hospital association recommends would address this for everybody. Mr. Baackes suggests that operationally L.A. Care can tighten up on the appeals and grievance process to be more alert to medical debt avoidance.</p> <p>Board Member Roybal agreed the technology is important. Eventually what will help people the most is a navigator to help manage the situation so members avoid medical debt. Undue Medical Debt may be able to provide that service. It is a really important component, in addition to the technology that could be developed and implemented. Mr. Baackes noted that L.A. Care will participate in the coalition. If L.A. Care proceeds with funding, it can recommend to the coalition that, based on guidance from the Board of Governors, there are further actions to pursue.</p> <p>Dr. Li noted that the \$5 million investment from Los Angeles County includes criteria for assisting those with the heaviest burden in addition to financial qualifications. Board Member Booth made a great point with regard to debt relief assistance programs. Board Member Roybal also had a great point about doing more for patients. Many of the private hospitals are referring members to other resources, but not consistently. Having both the resources and technology as well as staff training will really tighten up the safety net in many ways for the many different individuals that use the safety net hospital system. He noted this prevention effort is for the hospital setting, and does not include outpatient settings.</p> <p>Sameer Amin, MD, <i>Chief Medical Officer</i>, noted that as Dr. Li outlined, a majority of medical debt is accumulated on the inpatient side and is of particular concern as people are leaving the hospital. He mentioned at the last Compliance &amp; Quality Committee meeting and he will provide more detail during the Board of Governor's meeting that L.A. Care is realigning strategy in the Health Services department to consolidate transitions of care to minimize transactions among utilization management, care management, and Managed Long Term Supportive Services so one person acts as care coordinator. There will be a staff person from discharge planning through lower levels of care, such as a skilled nursing facility and on to home. He will talk with team members to determine whether a component for medical debt should be added. This could include a conversation with members leaving the hospital about what services are covered to provide some comfort in knowing what to expect. Particularly for Medi-Cal</p>	

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	<p>members, who should not be getting a surprise bill, it is important to help them with the documents received from the hospital that can be hard to understand.</p> <p>Mr. Baackes commented that when Dr. Ferrer called him, he asked who else has contributed in response to her request. She responded that she wanted to start with L.A. Care to “prime the pump.” Mr. Baackes wanted to point out that L.A. Care is, as cynics might say, viewed as an easy touch. He thinks L.A. Care is seen as having a mission compatible with this effort, if the Board agrees that \$2 million in funding is acceptable, some guardrails are placed on it, such as investing in technology and directing the balance of whatever is left over after the technology and assisting L.A. Care members who are in debt. Hopefully other funders would follow suit. L.A. Care was asked first, and that is a compliment to how well the mission of L.A. Care is understood.</p> <p>Board Member Booth commented that people at poverty level may not care if the doctor's bills or hospital bill is paid. It will be the people who are earning something that feel like they need to pay the bill who be helped the most. That is the reason she would like to help, rather than help those who are either in most in most debt or at the lowest level of poverty, for whom paying bills is basically giving money to hospitals.</p> <p>Mr. Baackes agreed with Board Member Booth, and he noted the high level of sophistication that would be required to determine who fits the criteria outlined, which could be very helpful, but is not something L.A. Care could take on. He suggested that L.A. Care fund the Coalition and not take on more administrative tasks. By participating in the Coalition, L.A. Care could hopefully encourage the right action.</p> <p>Board Member Shapiro asked about the cost for the software and if the funding would this be a onetime thing or require additional rounds of funding?</p> <p>Dr. Li suggested the answer could be provided at a future meeting as further investigation is needed. L.A. Care has asked the HASC to help identify vendors and potential costs.</p> <p>Board Member Shapiro commented that support is needed to help members with medical debt. He praised the idea of not just giving money but doing something tangible by providing software to support those who have a medical debt burden, and bringing support to L.A. Care members that need extra help. He thinks that the safety belts will be key, and noted that the navigation and educational components are important. He suggested pitching the project to the California Health Foundation for additional funding.</p>	

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	<p>Mr. Baackes noted that he did not want L.A. Care to take on an administrative burden. One issue for L.A. Care’s budget is that the administrative costs are rising as it has addressed the many new CalAIM regulations a lot of staff was added over recent years and it has resolved enforcement matters. L.A. Care would like to bring that cost down and increase efficiency with the administrative staff. He recommended not taking on tasks that would increase administrative costs; it would be irresponsible.</p> <p>Board Member Roybal noted that sustainability will be important as the Coalition develops. Hopefully the program will prevent people from getting into medical debt in the first place, by using existing resources. Mr. Baackes recommends that L.A. Care specify that the first priority for funding would be to invest in the technology and make to support sustainability.</p> <p>Dr. Li noted that, in addition to DPH, Los Angeles County also has a Department of Consumer Affairs, and county counsel is involved. To the point about sustainability, the initial effort to tighten the belts among safety net hospitals and broaden knowledge of resources available, there are other departments that will take a more active role. There is also state and federal legislations under consideration.</p> <p>Mr. Baackes noted he is taking direction from the Executive Committee as a motion is prepared for Board consideration at the next meeting.</p>	
<ul style="list-style-type: none"> <li>Government Affairs Update</li> </ul>	<p>Cherie Compartore, <i>Senior Director, Government Affairs</i>, reported that the state legislative session is over and the legislators have gone back to their districts. The next legislative session will begin on December 2 and newly elected legislators will be sworn in, then promptly go back to their districts until the new year. After the elections in November there will likely be changes in committee leadership. L.A. Care staff will reach out to committee leadership and members, and to newly elected officials, between December and January.</p> <p>During this interim period, the L.A. Care Government Affairs team is preparing for next year, meeting with elected officials, staff, and with budget and health committee staff to continue conversations on Medi-Cal reimbursement.</p> <p>The Government Affairs team has continued reaching out to elected officials in the districts where L.A. Care has community resource centers (CRC), offering tours so they can see what services are offered and what goes on at the CRCs. The feedback has been extremely positive so far. Thus far staff has met with Assembly Member Tina</p>	

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	<p>McKinnor at the Inglewood CRC, Senator Bob Archuleta toured the Norwalk Center, Assembly Member Juan Carrillo toured Palmdale CRC, and all three elected officials were very impressed. They interacted with CRC staff, took lots of photos and interacted with the public during the visits. CRC staff in Palmdale reached out with news that Assembly Member Juan Carrillo contacted them about a turkey handout at the CRC with Partners In Health, which is affiliated with AT&amp;T. AT&amp;T is very interested in helping the CRC distribute turkeys. The details are being worked out. Two additional community resource center tours are scheduled with Senator Lena Gonzalez in the Inglewood CRC as well as Senator Maria Elena Durazo in the Los Angeles Metro CRC. Staff will continue the outreach and after the November election, staff will reach out to all new Los Angeles Congressional Legislators to inform them about L.A. Care over the next few months.</p> <p>Mr. Baackes added that he has been at all three of the meetings with local elected officials and will continue to participate. The visits are eye-opening for the representatives who may not understand about L.A. Care. Assemblyman Carrillo was a freshman in this term and he noted that now he knows why he sees lines of people outside the CRC when he drives by. Mr. Baackes found that refreshing and he is glad staff is doing this. The grand opening of the South LA CRC was held a week ago. It was a very successful event. That is now the 13<sup>th</sup> CRC, and the grand opening for the 14<sup>th</sup> will be held in December in Lincoln Heights.</p> <p>Noah Paley, <i>Chief of Staff</i>, attended the CRC events. He thinks it was important for the Assembly Persons to hear the breadth of services that are available at the CRCs and that the services are available to members and nonmembers, and to understand the extent of nonmember utilization. It is truly a resource for the communities and not just for L.A. Care members.</p>	
<b>COMMITTEE ISSUES</b>		
Human Resources Policies HR-213 (Personnel Records Access), HR-310 (Per Diem Employment Status), HR-314 (Separation of Employment), HR-401	Terry Brown, <i>Chief Human Resources Officer</i> , presented a motion to revise HR policies. Most revisions are very minor adjustments to the policies. The personnel record access has been changed to reference a changed to recognize records are now electronic. The separation of employment to indicate that once an employee separation is entered into employee central, all of the appropriate parties are notified to eliminate human error and ensure that former employees are deactivated in all areas upon their separation. We also removed job abandonment from employee separation, because abandonment will lead	

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(Drug Free Workplace) <b>(EXE A)</b>	<p>to employee separation, job abandonment is addressed in the progressive discipline policy and the attendance and punctuality policy. The revision to the drug free workplace policy clarifies that even outside of work hours, certain levels of behavior are expected and violating those standards of professionalism could lead to discipline. For employment status, there is a new law that requires employers to provide mandatory, sick leave to individuals in certain categories that may not be eligible for PTO. The per diem employee is was adjusted to be compliant with current legal requirements.</p> <p>Board Member Booth commented that in relation to the drug and alcohol policy, she would like to make sure everybody has a really low threshold for taking people to the emergency room or calling an ambulance. It is important not to miss a stroke when someone behaving strangely. Mr. Brown noted this is a valid point and he will make sure it is added to education in this area.</p> <p>The revised policy is written to comply with changes to Regulatory, Legislative and Judicial changes, and reflect changes in L.A. Care’s practices.</p> <table border="1" data-bbox="493 717 1579 1226"> <thead> <tr> <th>Policy Number</th> <th>Policy</th> <th>Section</th> <th>Description of Modification</th> </tr> </thead> <tbody> <tr> <td>HR-213</td> <td>Personnel Records Access</td> <td>Employee Relations</td> <td>Transferred into new policy template, and minor changes</td> </tr> <tr> <td>HR-310</td> <td>Per Diem Employment Status</td> <td>Employment</td> <td>Transferred into new policy template, and minor changes</td> </tr> <tr> <td>HR-315</td> <td>Separation of Employment</td> <td>Employment</td> <td>Transferred into new policy template. Removed one definition and updated Procedure section</td> </tr> <tr> <td>HR-401</td> <td>Drug Free Workplace</td> <td>Health &amp; Safety</td> <td>Definition added, suspicious behavior added, and other minor edits</td> </tr> </tbody> </table> <p><b><u>Motion EXE A.1024</u></b>  <b>To approve the Human Resources Policies HR-213 (Personnel Records Access), HR-310 (Per Diem Employment Status), HR-314 (Separation of Employment, HR-401 (Drug Free Workplace), as presented.</b></p>	Policy Number	Policy	Section	Description of Modification	HR-213	Personnel Records Access	Employee Relations	Transferred into new policy template, and minor changes	HR-310	Per Diem Employment Status	Employment	Transferred into new policy template, and minor changes	HR-315	Separation of Employment	Employment	Transferred into new policy template. Removed one definition and updated Procedure section	HR-401	Drug Free Workplace	Health & Safety	Definition added, suspicious behavior added, and other minor edits	<p><b>Approved unanimously. 3 AYES</b></p>
Policy Number	Policy	Section	Description of Modification																			
HR-213	Personnel Records Access	Employee Relations	Transferred into new policy template, and minor changes																			
HR-310	Per Diem Employment Status	Employment	Transferred into new policy template, and minor changes																			
HR-315	Separation of Employment	Employment	Transferred into new policy template. Removed one definition and updated Procedure section																			
HR-401	Drug Free Workplace	Health & Safety	Definition added, suspicious behavior added, and other minor edits																			

AGENDA ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
Approve Consent Agenda	<p>Approve the list of items that will be considered on a Consent Agenda for November 7, 2024 Board of Governors Meeting.</p> <ul style="list-style-type: none"> <li>• October 3, 2024 meeting minutes</li> <li>• Annual Review of Investment Policy AFS 008</li> <li>• Revised Compliance &amp; Quality Committee Charter</li> <li>• Children’s Health Consultant Advisory Committee Membership</li> <li>• Regional Community Advisory Committee Membership</li> </ul>	<p><b>Approved unanimously. 3 AYES</b></p>
<b>PUBLIC COMMENTS ON CLOSED SESSION ITEMS</b>	There were no public comments.	
<b>ADJOURN TO CLOSED SESSION</b>	<p>The Joint Powers Authority Executive Committee meeting adjourned at 2:45 pm.</p> <p>Augustavia J. Haydel, Esq., <i>General Counsel</i> announced the items for discussion in closed session. She announced there is no report anticipated from the closed session. The meeting adjourned to closed session at 2:45 pm.</p> <p><b>REPORT INVOLVING TRADE SECRET</b> Pursuant to Welfare and Institutions Code Section 14087.38(n) Discussion Concerning New Service, Program, Business Plan Estimated date of public disclosure: <i>October 2026</i></p> <p><b>CONTRACT RATES</b> Pursuant to Welfare and Institutions Code Section 14087.38(m)</p> <ul style="list-style-type: none"> <li>• Plan Partner Rates</li> <li>• Provider Rates</li> <li>• DHCS Rates</li> </ul> <p><b>THREAT TO PUBLIC SERVICES OR FACILITIES</b> Government Code Section 54957 Consultation with: Tom MacDougall, <i>Chief Information &amp; Technology Officer</i>, and Gene Magerr, <i>Chief Information Security Officer</i></p> <p><b>CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION</b> Significant Exposure (3 cases) Pursuant to paragraph 4 of subdivision (d) of Section 54956.9 of the Ralph M. Brown Act</p>	

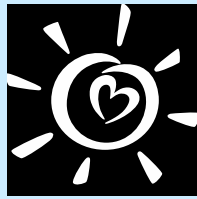
AGENDA ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
	<p>CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION Pursuant to Section 54956.9(d)(1) of the Ralph M. Brown Act HRRP Garland, LLC v. Local Initiative Health Authority for Los Angeles County L.A.S.C. Case No. 21STCV47250</p> <p>CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION Pursuant to Section 54956.9(d)(1) of the Ralph M. Brown Act L.A. Care Health Plan’s Notice of Contract Dispute under Contract No. 04-36069 Department of Health Care Services (Case No. Unavailable)</p> <p>PUBLIC EMPLOYEE PERFORMANCE EVALUATION, PUBLIC EMPLOYMENT and CONFERENCE WITH LABOR NEGOTIATOR Sections 54957 and 54957.6 of the Ralph M. Brown Act Title: Chief Executive Officer Agency Designated Representative: Alvaro Ballesteros, MBA Unrepresented Employee: John Baackes</p>	
<b>RECONVENE IN OPEN SESSION</b>	The meeting reconvened in open session at 2:59 pm. No reportable actions were taken during the closed session.	
<b>ADJOURNMENT</b>	The meeting adjourned at 2:59 pm	

Respectfully submitted by:  
Linda Merkens, *Senior Manager, Board Services*  
Malou Balones, *Board Specialist III, Board Services*  
Victor Rodriguez, *Board Specialist II, Board Services*

APPROVED BY:

\_\_\_\_\_  
Alvaro Ballesteros, MBA, *Board Chairperson*

Date: \_\_\_\_\_



**L.A. Care**  
HEALTH PLAN®

**Board of Governors**  
**MOTION SUMMARY**

**Date:** November 20, 2024

**Motion No.** EXE 100.1224

**Committee:** Executive

**Chairperson:** Alvaro Ballesteros, MBA

**Issue:** Biennial Review of L.A. Care Health Plan’s (L.A. Care) Conflict of Interest Code

**New Contract**  **Amendment**  **Sole Source**  **RFP/RFQ was conducted in <<year>>**

**Background:** California state law requires local public agencies, such as Local Initiative Health Authority for Los Angeles County (“L.A. Care”), to review and update their Conflict of Interest Codes biennially. Pursuant to the notice received from Los Angeles County – L.A. Care’s Conflict of Interest Code (Code) Reviewing Body – staff conducted a review of the Code and recommends updating the list of Designated Positions that are required to file a Form 700, as shown in the attached Exhibit B.

The list of Designated Positions was updated to reflect five added positions, six title changes, and five deleted positions. Specifically, the following positions were added to the Code: (i) Advisor Provider Network Management (Disclosure Category 2); (ii) Advisor Provider Network Operations (Disclosure Category 2); (iii) Deputy Chief Human Resources Officer (Disclosure Categories 1 and 2); (iv) Lead Executive Owner Innovation and Implementation (Disclosure Category 2); and (v) Managing Advisor, Provider Training Compliance (Disclosure Category 3).

The following title changes were made in the Code: (i) “Chief of Human Resources” was changed to “Chief Human Resources Officer”; (ii) “Senior Director, Pharmacy” was changed to “Chief Pharmacy Executive”; (iii) “Senior Director II, Enterprise Shared Services” was changed to “Deputy Chief Operating Officer”; (iv) “Information Technology Business Relationship Director II” was changed to “Executive Advisor Information Technology Strategy”; (v) “Director, Service Oriented Architecture Platform Solutions” was changed to “Senior Advisor Cloud Architecture and Engineering”; and (vi) “Senior Medical Director, Quality Improvement and Informatics” was changed to “Senior Quality, Population Health and Informatics Executive.”

Finally, the following positions were deleted from the Code: (i) Chief Pharmacy Officer; (ii) Chief Quality and Information Executive; (iii) Deputy Chief Medical Officer; (iv) Chief Actuary (within the “Senior Directors” designated position); and (v) Privacy Officer (within the “Directors” designated position).

Pursuant to instructions from Los Angeles County, L.A. Care timely submitted its 2024 Biennial Review Certification Form to the Board of Supervisors Executive Office. The next step in the process is to submit the proposed revisions and supporting documentation to the County by December 31, 2024.

L.A. Care’s legal staff recommends approving the revisions shown in the attached Code.



**Board of Governors**  
**MOTION SUMMARY**

Member Impact: N/A.

Budget Impact: N/A.

Motion: To approve revisions to the Conflict of Interest Code of the L.A. Care Health Plan, as attached, for submission to the Los Angeles County Board of Supervisors and delegate authority to the CEO and General Counsel (including their respective designees) to make any non-substantive changes or changes that may be required by the County upon their review.

Conflict of Interest Code  
of the

**LOCAL INITIATIVE HEALTH AUTHORITY FOR LOS ANGELES COUNTY**  
**(L.A. CARE HEALTH PLAN)**

Incorporation of FPPC Regulation 18730 (2 California Code of Regulations, Section 18730) by Reference

The Political Reform Act (Government Code Section 81000, *et seq.*) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated into the conflict of interest code of this agency by reference. This regulation and the attached Appendices (or Exhibits) designating officials and employees and establishing economic disclosure categories shall constitute the conflict of interest code of this agency.

Place of Filing of Statements of Economic Interests

All officials and employees required to submit a statement of economic interests shall file their statements with the General Counsel of L.A. Care Health Plan, or his or her designee. L.A. Care Health Plan shall make and retain a copy of all statements filed by its Board Members and its Chief Executive Officer and forward the originals of such statements to the Executive Office of the Board of Supervisors of Los Angeles County.

L.A. Care Health Plan shall retain the originals of statements for all other Designated Positions named in the agency's conflict of interest code. All retained statements, original or copied, shall be available for public inspection and reproduction (Gov. Code Section 81008).

Conflict of Interest Code

**LOCAL INITIATIVE HEALTH AUTHORITY FOR LOS ANGELES COUNTY  
(L.A. CARE HEALTH PLAN)**

**EXHIBIT 'A'**

**CATEGORY 1**

Persons in this category shall disclose all interests in real property in Los Angeles County if the property or any part of it is located within or not more than two miles outside the boundaries of Los Angeles County or within two miles of any land owned or used by the Agency.

Persons are not required to disclose a residence, such as a home or vacation cabin, used exclusively as a personal residence; however, a residence in which a person rents out a room or for which a person claims a business deduction may be reportable.

**CATEGORY 2**

Persons in this category shall disclose all investments, income (including loans, gifts, and travel payments) and business positions with any of the following:

- a. Plan Partners (health plans under contract with the Agency), health care providers or other businesses under contract with or under consideration to contract with the Agency;
- b. Businesses engaged in the delivery of health care services or supplies, or services or supplies ancillary thereto of a type to be provided or arranged for by the Agency;
- c. Businesses that manufacture, provide, or sell services, supplies, materials, machinery or equipment of a type purchased or leased by the Agency; and
- d. Businesses subject to the regulatory, permitting or licensing authority of the Agency.

**CATEGORY 3**

Persons in this category shall disclose all business positions, investments in, or income (including loans, gifts, and travel payments) received from businesses that manufacture, provide or sell services and/or supplies of a type utilized by the agency and associated with the job assignment of designated positions assigned this disclosure category.

Conflict of Interest Code

LOCAL INITIATIVE HEALTH AUTHORITY FOR LOS ANGELES COUNTY  
(L.A. CARE HEALTH PLAN)

EXHIBIT “B”

<u>Designated Positions</u>	<u>Disclosure Categories</u>	
Board Members	1,	2
Chief Executive Officer	1,	2
General Counsel	1,	2
Chief Medical Officer	1,	2
Chief Operating Officer	1,	2
Chief Financial Officer	1,	2
Senior Executive Advisor Digital		2
Chief Compliance Officer	1,	2
Chief <del>of</del> Human Resources <u>Officer</u>	1,	2
<del>Chief Pharmacy Officer</del>		<del>2</del>
<u>Chief Pharmacy Executive</u>		<u>2</u>
Chief Information and Technology Officer	1,	2
Chief Product Officer		2
<del>Chief Quality and Information Executive</del>		<del>2</del>
Chief of Staff	1,	2
Senior Manager, Community Resource Centers	1,	2
Executive Directors		2
Senior Director, Facilities Services	1,	2
Clinical Operations Executive		2
Any Attorney Position within the Legal Services Department	1,	2
<del>Deputy Chief Medical Officer</del>		<del>2</del>

Conflict of Interest Code

LOCAL INITIATIVE HEALTH AUTHORITY FOR LOS ANGELES COUNTY  
(L.A. CARE HEALTH PLAN)

**EXHIBIT “B”**

<b>Designated Positions</b>	<b>Disclosure Categories</b>	
Director, Contracting and Procurement	1,	2
Senior Manager, Procurement Operations	1,	3
Senior Directors <del>(including Chief Actuary)</del>		2
Directors (including <del>Privacy Officer and</del> Controller)		3
Senior Managers		3
Manager, Contracts (Accounting)	1,	3
Managers		3
Manager, Sourcing and Procurement	1,	3
Buyer	1,	3
<u>Advisor Provider Network Management</u>		<u>2</u>
<u>Advisor Provider Network Operations</u>		<u>2</u>
Chief of Communications and Community Relations	1,	2
Chief Health Equity Officer		2
Chief of Enterprise Performance Optimization		2
Deputy Chief Financial Officer	1,	2
<u>Deputy Chief Human Resources Officer</u>	<u>1,</u>	<u>2</u>
<u>Deputy Chief Operating Officer</u>	<u>1,</u>	<u>2</u>
<u>Executive Advisor Information Technology Strategy</u>		<u>2</u>
<u>Lead Executive Owner Innovation and Implementation</u>		<u>2</u>
<u>Managing Advisor, Provider Training Compliance</u>		<u>3</u>
<u>Senior Advisor Cloud Architecture and Engineering</u>		<u>3</u>
<u>Senior Quality, Population Health and Informatics Executive</u>		<u>2</u>

**Designated Positions**

**Disclosure Categories**

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Consultants or New Positions

Conflict of Interest Code  
**LOCAL INITIATIVE HEALTH AUTHORITY FOR LOS ANGELES COUNTY  
(L.A. CARE HEALTH PLAN)**

**EXHIBIT “B”**

☐ Consultants/New Positions<sup>1</sup>

**Consultants/New Positions Who Make Governmental Decisions**

Consultants or new positions who make (not just recommend) governmental decisions, such as whether to approve a rate, rule, or regulation; issue, deny, suspend, or revoke any permit, license, application, certificate or similar authorization; adopt or grant Agency approval to a plan, design, report, or study; or adopt or grant Agency approval of policies, standards, or guidelines for the Agency or any subdivision thereof shall disclose pursuant to the broadest disclosure category in the code (i.e., Disclosure Categories 1 and 2). However, if the Chief Executive Officer or his or her designee, determines in writing that a particular consultant or new position is not required to fully comply with the requisite disclosure requirements, then such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Section 81008.)

**Consultants/New Positions Who Serve in a Staff Capacity**

Consultants or new positions who serve in a staff capacity with the Agency, and in that capacity participate in making a governmental decision by providing information, an opinion, or a recommendation for the purpose of affecting the decision without significant intervening substantive review shall disclose at the same level as a comparable designated position in the same or similar Agency Department identified elsewhere in this Code.

**Consultants/New Positions Who Perform the Same or Substantially All the Same Duties as a Comparable Designated Position**

Consultants or new positions who perform the same or substantially all the same duties for the Agency that would otherwise be performed by an individual holding a designated position in this Code shall disclose at the same level as the comparable designated position identified elsewhere in this Code.

<sup>1</sup> When the consultant is a corporation or partnership, only individuals within the corporation or partnership who fit into one of the three categories of “Consultants/New Positions” must file disclosure statements.

**Effective:**

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

**§ 18730. Provisions of Conflict of Interest Codes.**

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.



(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.<sup>1</sup>

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in the employee's statement of economic interests those economic interests the employee has which are of the kind described in the disclosure categories to which the employee is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which the employee foreseeably can affect materially through the conduct of the employee's office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.<sup>2</sup>

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following the person's return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that the person is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of the person's military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided the person did not make or participate in the making of, or use the person's position to influence any decision and did not receive or become entitled to receive any form of payment as a result of the person's appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation the person did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received

during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property<sup>3</sup> is required to be reported,<sup>4</sup> the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,<sup>5</sup> the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,<sup>6</sup> the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which

the employee is a director, officer, partner, trustee, employee, or in which the employee holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$590.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$590 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular

course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while the official holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.



(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of the officer's election to office through the date the officer vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

- a. The date the loan was made.
- b. The date the last payment of \$100 or more was made on the loan.
- c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

- 1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
- 2. A loan that would otherwise not be a gift as defined in this title.
- 3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
- 4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
- 5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use the employee's official position to influence the making of any governmental decision which the employee knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of the official's immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$590 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

#### (9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent the employee's participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make the employees' participation legally required for purposes of this section.

#### (9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use the official's position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom

the state administrative official, or any member of the official's immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that the employee should not make a governmental decision because the employee has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of the duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for the employee's agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

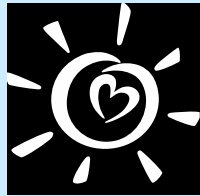
(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

## Footnotes

1. Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.
2. See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.
3. For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.
4. Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.
5. A designated employee's income includes the employee's community property interest in the income of the employee's spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.
6. Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater

interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.



**L.A. Care**  
HEALTH PLAN®

**Board of Governors**  
**MOTION SUMMARY**

**Date:** November 20, 2024

**Motion No.** EXE 101.1224

**Committee:** Executive

**Chairperson:** Alvaro Ballesteros, MBA

**Requesting Department:** General Legal Services

**Issue:** Revising General Legal Services Policy LS-010 (Delegation of Authority to Approve, Compromise, and/or Settle Certain Pre- Litigation Claims and Pending Litigation).

**Background:** L.A. Care periodically reviews and updates General Legal Services Policy LS-010 (Delegation of Authority to Approve, Compromise, and/or Settle Certain Pre- Litigation Claims and Pending Litigation) to ensure it aligns with the organization’s evolving business needs while preserving robust oversight and transparency. As the Board is aware, much of L.A. Care’s litigation involves provider disputes, an area in which staff and the executive committee possess significant expertise. Settlement of these cases is driven by costs of healthcare services at issue and litigation costs, which can and frequently do exceed the current delegated authority, even though the underlying dispute does not involve complex or novel issues.

Following a comprehensive review, staff recommends updating the delegation of the CEO’s authority to approve the settlement of certain pre-litigation claims and pending litigation matters from \$250,000 to \$1 million and updating the delegated authority to the Executive Committee from \$500,000 to \$2 million. Matters above \$2 million would continue to be presented to the Board for approval, while the exercise of this delegated authority would be periodically reported to the Board to ensure continued oversight and transparency.

This change would align the delegated authority with limits already approved for the CEO and Finance Committee under Accounting and Finance Services Policy AFS-006. This alignment will provide greater flexibility in settling cases efficiently, which could lead to more advantageous outcomes for L.A. Care. Furthermore, it will reduce the number of closed session motions required, enabling the Board to focus public meeting time and resources on matters of greater interest and strategic importance.

The revised policy, attached hereto in red-line form, would also make sundry non-substantive revisions to update references and correct typo-graphical errors.

**Member Impact:** None.

**Budget Impact:** None.

**Motion:** To approve revisions to General Legal Services Policy LS-010 (Delegation of Authority to Approve, Compromise, and/or Settle Certain Pre- Litigation Claims and Pending Litigation) as submitted.

	<b>DELEGATION OF AUTHORITY TO APPROVE, COMPROMISE, AND/OR SETTLE CERTAIN PRE- LITIGATION CLAIMS AND PENDING LITIGATION</b>		<b>LS-010</b>
	<b>DEPARTMENT</b>	GENERAL LEGAL SERVICES	
Supersedes Policy Number(s)			

DATES					
Effective Date	3/7/2013	Review Date	2/1/2024	Next Annual Review Date	12/31/2025
Legal Review Date	2/1/2024	Committee Review Date	Click here to enter a date.		

LINES OF BUSINESS			
<input type="checkbox"/> Medicare D-SNP	<input type="checkbox"/> L.A. Care Covered	<input type="checkbox"/> L.A. Care Covered Direct	<input type="checkbox"/> MCLA
<input type="checkbox"/> PASC-SEIU Plan	<input checked="" type="checkbox"/> Internal Operations		

DELEGATED ENTITIES / EXTERNAL APPLICABILITY			
<input type="checkbox"/> PP – Mandated	<input type="checkbox"/> PP – Non-Mandated	<input type="checkbox"/> PPGs/IPA	<input type="checkbox"/> Hospitals
<input type="checkbox"/> Specialty Health Plans	<input type="checkbox"/> Directly Contracted Providers	<input type="checkbox"/> Ancillaries	<input type="checkbox"/> Other External Entities

ACCOUNTABILITY MATRIX			

ATTACHMENTS
➤ None

ELECTRONICALLY APPROVED BY THE FOLLOWING		
	OFFICER	DIRECTOR
NAME	Augustavia J. Haydel	William Seldeen
DEPARTMENT	Legal Services	General Legal Services
TITLE	General Counsel	Associate General Counsel



AUTHORITIES
<ul style="list-style-type: none"> <li>➤ Cal. Welf. &amp; Inst. Code §§ 14087.96, <i>et seq.</i> (inc. §§ 14087.9605, 14087.961 &amp; 14087.963);</li> <li>➤ Cal. Welf. &amp; Inst. Code §§ 14087.3, <i>et seq.</i>;</li> <li>➤ L.A. Care Health Plan By-Laws.</li> </ul>

REFERENCES
<ul style="list-style-type: none"> <li>➤ CLM-002 (“Claims Submission and Processing”);</li> <li>➤ <del>CLM-012</del><u>PDR-001</u> (“Provider Disputes Resolution Policy”)-<del>(now PDR-001)</del>;</li> <li>➤ <del>CLM-014 (“Provider Payment Dispute/Appeal Resolution Process for Non-Contracted Providers”);</del></li> <li>➤ <del>4832 (“Claims Appeals/Disputed Process for Providers and Members”)- (subsumed into PDR-001);</del></li> <li>➤ LS-009 (“Government Claims Presentation &amp; Delegation to Approve, Deny or Settle Certain Government Claims”).</li> </ul>

HISTORY	
REVISION DATE	DESCRIPTION OF REVISIONS
3/7/2013	New policy
2/6/2020	Updated referenced authorities and policies; increased threshold limits; clarified scope; updated to new template.
12/31/2020	Annual review; no changes.
<u>11/11/2024</u>	<u>Updated referenced authorities and policies; increased threshold limits.</u>



**1.0 OVERVIEW**

**1.1** The Board of Governors (“Board”) of L.A. Care Health Plan (“L.A. Care”) desires to provide for the efficient, timely, and appropriate handling of all Pre-Litigation Claims and Pending Litigation (as these terms are defined below) made by or against L.A. Care. Accordingly, by this Policy, the Board delegates to the Chief Executive Officer (“CEO”) (or designee) and L.A. Care’s Executive Committee the authority to approve, compromise and/or settle such Pre-Litigation Claims and Pending Litigation in the amounts and subject to the requirements set forth herein.

**2.0 DEFINITIONS**

Whenever a word or term appears capitalized in this Policy, the reader should refer to the “Definitions” below.

**2.1** “Pre-Litigation Claim” means any demand, claim, or circumstance of potential lawsuit, cause of action, arbitration, or any claim of administrative, adjudicatory, or special proceeding, identified by L.A. Care, or submitted to or against L.A. Care prior to commencement of a formal proceeding before any court or any adjudicative body, official, or agency (including without limitation any administrative or special proceeding).

This definition excludes the following categories, as they are subject to separate policies and procedures and may be settled or compromised thereunder:

- (a) ~~a~~Any claim presented pursuant to the Government Claims Act or L.A. Care’s Policy & Procedures LS-009 (“Government Claims & Delegation to Approve, Deny or Settle Certain Government Claims”) ~~Policy & Procedure LS-009~~;
- (b) ~~a~~Any claim subject to, submitted, or processed under any relevant or applicable L.A. Care policy or procedure relating to claims submission, processing, appeals, disputes resolution, provider payment dispute or appeal resolution processes or adjudication of claims, including any such policies or procedures that may be amended, replaced, or revised from time to time; or
- (c) ~~a~~Any Pre-Litigation Claim asserted by a contracted or non-contracted provider, including without limitation a hospital, participating provider group (“PPG”), or independent practice association (“IPA”).

**2.2** “Pending Litigation” means any action, proceeding, cause of action, lawsuit, arbitration matter, or any other dispute pending in any court, or before any adjudicative body, official, or agency, including (without limitation), any administrative, adjudicatory, or special proceeding. This definition excludes any criminal proceeding.



### 3.0 POLICY

3.1 The Board delegates to the CEO (or designee) and L.A. Care’s Executive Committee the authority to approve, compromise and/or settle Pre-Litigation Claims and Pending Litigation in the amounts and subject to the requirements set forth herein.

### 4.0 PROCEDURES

#### 4.1 Delegation to the CEO (or ~~d~~Designee)

4.1.1 The Board hereby delegates to the CEO (or designee), in consultation with L.A. Care’s General Counsel (or designee), the authority to approve, compromise and/or settle any Pre-Litigation Claim or Pending Litigation in the amount not to exceed ~~\$250,000.~~ \$1,000,000.

4.1.2 The CEO (or designee), at own discretion, may refer the approval, compromise, or settlement of any Pre-Litigation Claim or Pending Litigation authorized under this Section ~~3-4.1~~, to L.A. Care’s Executive Committee or the Board, if the CEO deems appropriate to do so.

4.1.3 In the event that the CEO (or designee) has a conflict of interest, the Pre-Litigation Claim or Pending Litigation shall be referred to L.A. Care’s Executive Committee or the Board.

4.1.4 Exclusions. The delegated authority to the CEO to approve, compromise, or settle any Pending Litigation under this Policy shall not extend or apply to any claim, action, lawsuit, cause of action, arbitration matter, adjudication, or any other dispute (including without limitation notice of dispute under L.A. Care’s Medi-Cal contract with California Department of Health Care Services) initiated, maintained, or commenced by L.A. Care.

#### 4.2 Delegation to L.A. Care’s Executive Committee

4.2.1 The Board hereby further delegates to L.A. Care’s Executive Committee, in consultation with the General Counsel (or designee), the authority to approve, compromise and/or settle any Pre-Litigation Claim or Pending Litigation in the amount over ~~\$251,000,000~~ but not exceeding ~~\$5,000,000~~.

4.2.2 The Executive Committee, at its own discretion, may refer the approval, compromise, or settlement of any Pre-Litigation Claim or Pending Litigation authorized under this Section 4.2, to L.A. Care’s Board, if the Committee deems appropriate to do so.

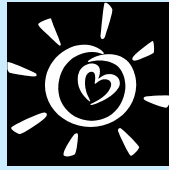
4.2.3 In the event of a conflict of interests with at least three members of the Executive Committee, the Pre-Litigation Claim or Pending Litigation shall be referred to L.A. Care’s Board.



**4.3** The authority to approve, compromise and/or settle any Pre-Litigation Claim or Pending Litigation in an amount over \$5,000,000 shall remain with L.A. Care's Board; unless otherwise specifically delegated by the Board.

## **5.0 MONITORING & REPORTING**

**5.1** L.A. Care's CEO (or designee) or General Counsel (or designee) shall: (a) report to the Executive Committee and/or the Board any approved settlement or compromise of any Pre-Litigation Claim or Pending Litigation authorized pursuant to Section 4.1, above; and (b) provide an annual report to the Board on any significant, new or different trends observed as a result of taking actions pursuant to this Policy.



**L.A. Care**  
HEALTH PLAN

**Board of Governors**  
**MOTION SUMMARY**

**Date:** November 20, 2024

**Motion No.** EXE 102.1224

**Committee:** Executive

**Chairperson:** Alvaro Ballesteros, MBA

**Issue:** Approve the disbursement of funds for the Annual Incentive Plan, based on the results of individual performance goals and organizational targets for FY 2023-24.

**Background:**

Currently, employees are eligible to participate based upon job classification, and under one of the following components of the Annual Incentive Program:

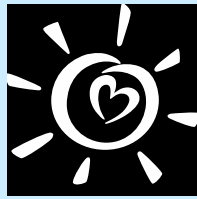
- Monthly Production Incentives Program based on predetermined criteria;
- Individual Annual Incentives Program based on predetermined goals; and,

The Production Incentive Program was budgeted and paid monthly according to policy.

This request is for authorization to payout for the Annual Incentives Program, not to exceed \$12.63 million.

**Budget Impact:** The Annual Incentive Program was accounted for and previously accepted by the Board of Governors for FY 2023-2024, roughly 3.5% of forecasted Salaries and Benefits. The projected amount for a potential incentive for the Chief Executive Officer has a separate budget.

**Motion:** **To authorize the disbursement of funds not to exceed \$12.63 million for the Individual Annual Incentive Program, based on the completion of pre-determined individual goals and targets in support of L.A. Care’s FY 2023-24 Organizational Goals. Distribution of the annual incentive payout shall be guided by Human Resource Policy No. 602, Annual Organizational Incentive Program.**



**L.A. Care**  
HEALTH PLAN®

**Board of Governors**  
**MOTION SUMMARY**

**Date:** November 20, 2024

**Motion No.** EXE A.1124

**Committee:** Executive

**Chairperson:** Alvaro Ballesteros, MBA

**Issue:** L.A. Care Policy HR-501 requires that the Executive Committee annually review substantial changes to the Human Resources Policies.

**New Contract**    **Amendment**    **Sole Source**    **RFP/RFQ was conducted**


**Background:** The revised policy is written to comply with changes to Regulatory, Legislative and Judicial changes, and reflect changes in L.A. Care’s practices.

<b>Policy Number</b>	<b>Policy</b>	<b>Section</b>	<b>Description of Modification</b>
HR-210	MEAL BREAKS AND REST PERIODS	Employee Relations	Annual Review
HR-230	LEARNING MANAGEMENT SYSTEM	Learning & Development	Transfer policy into new template and updates to section 5.2 and 5.3
HR-233	HR-233 INTRODUCTORY PERIOD	Employee Relations	Annual Review and added 3.2 Employment beyond the introductory period does not change the at-will nature of a person’s employment with L.A. Care
HR-313	REEMPLOYMENT AND REINSTATEMENT	Employment	Annual Review and Rearranged sections

**Member Impact:** L.A. Care members will benefit from this motion by receiving more efficient service from L.A. Care staff members, who will be thoroughly versed on L.A. Care Human Resource policies

**Budget Impact:** None

**Motion:** To approve the Human Resources Policies HR-210 (Meal Breaks and Rest Periods), HR-230 (Learning Management System), HR-233 (HR-233 Introductory Period), and HR-313 (Reemployment and Reinstatement), as presented.

	<b>MEAL BREAKS AND REST PERIODS</b>	<b>HR-210</b>
<b>DEPARTMENT</b>	HUMAN RESOURCES	
Supersedes Policy Number(s)	6309	

DATES					
Effective Date	3/24/2006	Review Date	<del>2/27/2019</del> 10/21/2024	Next Annual Review Date	<del>2/27/2020</del> 10/21/2025
Legal Review Date	<del>2/15/2019</del> 11/7/2024	Committee Review Date	<del>2/25/2019</del> 11/20/2024		

LINES OF BUSINESS			
<input type="checkbox"/> Cal MediConnect	<input type="checkbox"/> L.A. Care Covered	<input type="checkbox"/> L.A. Care Covered Direct	<input type="checkbox"/> MCLA
<input type="checkbox"/> PASC-SEIU Plan	<input checked="" type="checkbox"/> Internal Operations		

DELEGATED ENTITIES / EXTERNAL APPLICABILITY			
<input type="checkbox"/> PP – Mandated	<input type="checkbox"/> PP – Non-Mandated	<input type="checkbox"/> PPGs/IPA	<input type="checkbox"/> Hospitals
<input type="checkbox"/> Specialty Health Plans	<input type="checkbox"/> Directly Contracted Providers	<input type="checkbox"/> Ancillaries	<input type="checkbox"/> Other External Entities

ACCOUNTABILITY MATRIX			

ATTACHMENTS
<ul style="list-style-type: none"> <li>➤ Meal Period Waiver: 5-6 Hour Shift Agreement</li> <li>➤ Meal Period Waiver: 10-12 Hour Shift Agreement</li> </ul>

ELECTRONICALLY APPROVED BY THE FOLLOWING		
	OFFICER	DIRECTOR
<b>NAME</b>	Terry Brown	<del>Jyl Russell</del> Ruben Simental
<b>DEPARTMENT</b>	Human Resources	Human Resources
<b>TITLE</b>	Chief Human Resources Officer	<del>Senior Director, Business Supp Svcs, Learning Experience and Organizational Excellence</del> Senior Director, HR Business Support Services



**AUTHORITIES**

- HR-501, “Executive Committee of the Board: HR Roles and Responsibilities”
- California Welfare & Institutions Code §14087.9605

**REFERENCES**

- Meal Period Waiver: 5-6 Hour Shift Agreement
- Meal Period Waiver: 10-12 Hour Shift Agreement

**HISTORY**

REVISION DATE	DESCRIPTION OF REVISIONS
6/18/2012	Revision
April 2014	Review
5/24/2017	Revision
2/25/2019	Revision: Rest period increased to 15 minutes to allow 10 minutes of actual rest time, Premium Pay defined,
<u>10/21/2025</u>	<u>Annual Review</u>

**DEFINITIONS**

Please visit the L.A. Care intranet for a comprehensive list of definitions used in policies:  
<http://insidelac/ourtoolsandresources/departmentspoliciesandprocedures>





## 1.0 **OVERVIEW:**

1.1 L.A. Care Health Plan (L.A. Care) provides all non-exempt employees with meal breaks and rest periods in accordance with applicable Federal and State wage and hour regulations.

## 2.0 **DEFINITIONS:**

Whenever a word or term appears capitalized in this policy and procedure, the reader should refer to the “Definitions” below.

**2.1** ~~Major Fraction Thereof~~ - means a fraction greater than one half of any amount of time. For example, any time in excess of two hours over and above the prior four-hour work period.

**2.22.1** ~~Premium Pay~~ ~~refers to one hour of additional pay the employee receives for each workday he/she was not provided with one or more meal periods under this policy during the next pay period, and one hour of additional pay for each workday he/she was not permitted to take one or more rest periods under this policy.~~

## 3.0 **POLICY:**

3.1 All non-exempt employees are provided with a paid rest period for each four work hours, or Major Fraction Thereof, and a minimum of one meal break for each workday.

3.2 Department managers or supervisors are responsible for scheduling and authorizing employees’ meal breaks and rest periods. Employees are responsible for ensuring they take their assigned meal breaks and rest periods. Employees must also report to their manager or supervisor if they are unable to take their assigned meal breaks or rest periods on the day of the occurrence.

## 4.0 **PROCEDURES:**

### 4.1 **MEAL PERIODS:**

**4.1.1** Employees who work more than five hours in a day will be provided with the opportunity to take an ~~uninterrupted-unpaid~~ meal period of at least 30 consecutive minutes (maximum: 60 minutes) after not more than five hours of work.

#### **4.1.1**

**4.1.2** Employees must accurately record the beginning and end of each meal period in the automated time management system.

#### **4.1.2**

**4.1.3** Employees who work no more than six hours in a day may voluntarily agree to waive their meal period for that day if their supervisor agrees to



allow such a waiver, and the “Meal Period Waiver: 5-6 Hour Shift” is completed and submitted to the Human Resources Business Partner (HRBP).

**4.1.3**

**4.1.4** Employees who work more than 10 hours in a day will be provided with the opportunity to take a second ~~uninterrupted-unpaid~~ meal period of at least 30 consecutive minutes (maximum: 60 minutes) after not more than 10 hours of work.

~~4.1.4~~

**4.1.5** Employees who work shifts of more than 10 but no more than 12 hours in a day may voluntarily waive their right to a second meal period for that day, so long as they have not waived their first meal period, their ~~supervisor agrees~~ supervisor agrees to allow such a waiver, and the “Meal Period Waiver: 10-12 Hour Shift” is completed and submitted to the HRBP

~~4.1.6~~

**4.1.7** 4.1.6 Employees are free to leave L.A. Care’s premises during their meal periods.

**4.2 REST PERIODS:**

**4.2.1** Employees are also authorized and permitted to take one paid 15-minute rest break during each four hours or Major Fraction Thereof of four hours they work. The only exception applies if an employee's total daily work time is less than three and one-half hours, in which case no rest break need be permitted.

~~4.2.1.1 The 15-minute rest break allows employees time to go to and return from the break area to assure the employee receives the legally required minimum of 10 minutes rest time.~~

**4.2.2** Employees who work more than six hours in a day are permitted to take two paid 15-minute rest breaks, and employees who work more than 10 hours in a day are permitted to take three paid 15-minute rest breaks.

4.2.2.1 Employees who work six hours or less are permitted to take one 15-minute rest break.

~~4.2.2~~

**4.2.3** ~~Rest breaks shall be provided in the middle of each four-hour work period insofar as that is practicable.~~ [KMS1] Rest breaks may not be combined with each other or added to an employee's meal period. Rest periods may not be taken at the start or end of the work day to arrive late or leave early.

**4.3 QUESTIONS AND COMPLAINTS NOTIFICATION:**

**4.3.1** Employees can bring any questions regarding their meal period and rest break rights to the attention of their supervisor and/or their HRBP.

~~4.3.1~~



**4.3.2** If an employee believes ~~he/she~~they ~~has~~have not been provided with the opportunity to take meal periods or was not permitted to take rest breaks in accordance with this policy, during any shift, the employee ~~must~~should notify ~~his/her~~their supervisor and inform their HRBP, as provided by this policy, so this can be addressed.

**4.3.2**

**4.3.3** Employees are required to notify their HRBP as soon as possible, and no later than 10 days from the date of the shift during which the employee believes ~~he/she~~they ~~were~~was not provided with the opportunity to take a meal period~~(s) or meal periods~~, or not permitted to take rest breaks, in accordance with this policy. ~~Premium Pay will be provided upon notification to the employee's HRBP and verification of the infraction.~~

**4.3.3**

**4.4 RECORDS:**

**4.4.1** Meal periods must be accurately recorded on each employee's time record through the use of the automated time management system. Rest breaks need not be recorded.

**4.5 COMPLIANCE:**

**4.5.1** Supervisors and employees are required to comply with this meal and rest period policy. Any supervisor or employee who violates this policy is subject to disciplinary action, up to and including immediate termination of employment.


**5.0 MONITORING:**

**5.1** Human Resources reviews its policies routinely to ensure they are updated appropriately and has processes in place to ensure the appropriate required steps are taken under this policy.

**6.0 REPORTING:**

**6.1** Any suspected violations to this policy should be reported to your HRBP.

**7.0** L.A. Care reserves the right to modify, rescind, delete, or add to this policy at any time, with or without notice.

	<b>LEARNING MANAGEMENT SYSTEM</b>	<b>HR-230</b>
<b>DEPARTMENT</b>	HUMAN RESOURCES	
Supersedes Policy Number(s)		

DATES					
Effective Date	10/1/2013	Review Date	<u>10/18/24</u>	Next Annual Review Date	<u>10/18/2025</u>
Legal Review Date	<u>11/6/2024</u>	Committee Review Date	<u>11/20/2024</u>		

LINES OF BUSINESS			
<input type="checkbox"/> Cal MediConnect	<input type="checkbox"/> L.A. Care Covered	<input type="checkbox"/> L.A. Care Covered Direct	<input type="checkbox"/> MCLA
<input type="checkbox"/> PASC-SEIU Plan	<input checked="" type="checkbox"/> Internal Operations		

DELEGATED ENTITIES / EXTERNAL APPLICABILITY			
<input type="checkbox"/> PP – Mandated	<input type="checkbox"/> PP – Non-Mandated	<input type="checkbox"/> PPGs/IPA	<input type="checkbox"/> Hospitals
<input type="checkbox"/> Specialty Health Plans	<input type="checkbox"/> Directly Contracted Providers	<input type="checkbox"/> Ancillaries	<input type="checkbox"/> Other External Entities

ACCOUNTABILITY MATRIX			

ATTACHMENTS	

ELECTRONICALLY APPROVED BY THE FOLLOWING		
	OFFICER	DIRECTOR
<b>NAME</b>	Terry Brown	<u>Jyl Russell</u>
<b>DEPARTMENT</b>	Human Resources	<u>Human Resources</u>
<b>TITLE</b>	Chief Human Resources Officer	<u>Senior Director, Business Supp Svcs, Learning Experience and Organizational Excellence</u>



**AUTHORITIES**

- HR-501, “Executive Committee of the Board: HR Roles and Responsibilities”
- California Welfare & Institutions Code §14087.9605.

**REFERENCES**

**HISTORY**

REVISION DATE	DESCRIPTION OF REVISIONS
4/202410/18/2 <u>4</u>	Transfer policy into new template <u>and updates to section 5.2 and 5.3</u>

**DEFINITIONS**

Please visit the L.A. Care intranet for a comprehensive list of definitions used in policies:  
<http://insidelac/ourtoolsandresources/departmentspoliciesandprocedures>



## 1.0 OVERVIEW:

1.1 To provide a Learning Management System (LMS) where L.A. Care can provide a catalog of on-line training opportunities, track program registration for all training programs offered by L.A. Care and monitor completion of courses and selected programs for all employees. L.A. Care required training programs for vendors and providers ~~will also~~ will also be offered and/or tracked through the LMS.

## 2.0 DEFINITIONS:

Whenever a word or term appears capitalized in this policy and procedure, the reader should refer to the “Definitions” below.

2.1 N/A

## 3.0 POLICY:

4.0 Human Resources Learning Technology and Processes ~~Learning and Career Services~~ will be responsible for the loading of information content into and management of the LMS system.

4.1 Employees are required to register for all programs offered by L.A. Care through the LMS. This will include but not be limited to all mandatory training and general orientation learning modules assigned by employee’s direct supervisor or assigned by program teams for training on new products and L.A. Care initiatives.

4.2 Employees can also explore on-line programs available through the LMS to enhance their skills, ability and knowledge specific to a work related function.

4.3 Prior to enrolling in any on-line course, employees should ~~seek approval of~~ discuss with their immediate supervisor if work time will be spent on such learning activities, unless the courses have been assigned by that supervisor.

4.4 The LMS will be used to register and track training completion for L.A. Care vendors and providers for required training modules.

4.5 L.A. Care reserves the right to modify, rescind, delete, or add to this policy at any time, with or without notice.

## 5.0 PROCEDURES:

5.1 L.A. Care trainers, ~~or~~ training coordinators and other L.A. Care staff who wish to provide learning modules for employees are responsible for notifying the HR Learning Technology and Processes team ~~Learning and Career Services~~ at least 14 days ~~before~~ prior to program production or scheduling to ensure pertinent information can be loaded into the LMS. Training materials must be received in



the standard pre-determined format to ensure consistent application performance in the LMS.

5.2 ~~After~~ Prior to logging into the LMS for the first time, employees, providers and vendors are ~~advised~~ required to create a unique user name and password in order to access the LMS.

5.25.3 The provider compliance training team is responsible for ensuring providers receive the quick reference guide (QRG) for how to access the LMS to register for and complete required learning modules.

5.35.4 ~~Departments with full time learning and development personnel~~ trainers are are required to submit a list of employees who are designated to complete a training to the HR Learning Technology and Processes team, who will assign the learning module to the identified employees. For Instructor-led courses, learning & development personnel must submit a “request to record completion” with a roster of participants within 7 calendar days of course delivery. ~~enroll L.A. Care Staff through the LMS and track training completion data. Said trainers will be provided ‘Instructor’ access in the LMS and trained in this process by the Program Manager for Learning Technologies, Learning and Career Services.~~

~~5.4~~ ~~Provider Network Operations will be responsible for loading provider data into the LMS for provide access to register for and complete required learning module.~~

5.5 ~~Purchasing~~ purchasing will work with the Manager and, Learning Technology and Processes team ~~Learning and Career Services~~ to provide information on specific vendors who will be required to complete assigned training prior to activating their contractual relationship with L.A. Care.

5.6 The HR Learning Technology and Processes team tracks and reports on course completions.

~~5.5~~

**6.0 MONITORING:**

6.1 Human Resources shall review its policies routinely to ensure they are updated appropriately and have processes in place to ensure the appropriate required steps are taken under this policy.

**7.0 REPORTING:**


7.1 Any suspected violation of this policy should be reported to your Human Resources Business Partner or the Human Resources Department

8.0 L.A. Care reserves the right to modify, rescind, delete, or add to this policy at any time, with or without notice.

~~7.1~~





	<b>INTRODUCTORY PERIOD</b>	<b>HR-233</b>
<b>DEPARTMENT</b>	HUMAN RESOURCES	
Supersedes Policy Number(s)	6207, 307	

DATES					
Effective Date	5/30/1996	Review Date	<del>4/25/2018</del> 9/10/2024	Next Annual Review Date	<del>4/25/2019</del> 9/10/2025
Legal Review Date	<del>3/20/2018</del> 11/7/2024	Committee Review Date	<del>4/25/2018</del> 11/20/2024		


LINES OF BUSINESS			
<input type="checkbox"/> Cal MediConnect	<input type="checkbox"/> L.A. Care Covered	<input type="checkbox"/> L.A. Care Covered Direct	<input type="checkbox"/> MCLA
<input type="checkbox"/> PASC-SEIU Plan	<input checked="" type="checkbox"/> Internal Operations		

DELEGATED ENTITIES / EXTERNAL APPLICABILITY			
<input type="checkbox"/> PP – Mandated	<input type="checkbox"/> PP – Non-Mandated	<input type="checkbox"/> PPGs/IPA	<input type="checkbox"/> Hospitals
<input type="checkbox"/> Specialty Health Plans	<input type="checkbox"/> Directly Contracted Providers	<input type="checkbox"/> Ancillaries	<input type="checkbox"/> Other External Entities

ACCOUNTABILITY MATRIX			

ATTACHMENTS	

ELECTRONICALLY APPROVED BY THE FOLLOWING		
	OFFICER	DIRECTOR
<b>NAME</b>	Terry Brown	<del>Ruben Simental</del> Jyl Russell
<b>DEPARTMENT</b>	Human Resources	Human Resources
<b>TITLE</b>	Chief Human Resources Officer	<del>Senior Director, Business Supp Svcs, Learning Experience and Organizational Excellence</del> Senior Director, Business Support Services

	INTRODUCTORY PERIOD	HR-233
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<b>AUTHORITIES</b>
<ul style="list-style-type: none"> <li>➤ HR-501, “Executive Committee of the Board: HR Roles and Responsibilities”</li> <li>➤ California Welfare &amp; Institutions Code §14087.9605</li> </ul>

<b>REFERENCES</b>

<b>HISTORY</b>	
<b>REVISION DATE</b>	<b>DESCRIPTION OF REVISIONS</b>
12/2/2009	Revision
April 2014	Review
4/25/2018	Revision, changed policy number from HR-307 to HR-233 and moved from Recruitment section to Employee Relations. Added <del>one-time</del> <u>one-time</u> introductory period extension. Hiring manager to consult with HR if termination during introductory period is impending.
<u>9/10/24</u>	<u>Annual Review and added 3.2 Employment beyond the introductory period does not change the at-will nature of a person’s employment with L.A. Care</u>

<b>DEFINITIONS</b>
<p style="text-align: center;"><del>Please visit the L.A. Care intranet for a comprehensive list of definitions used in policies:</del>  <a href="http://insidelac/ourtoolsandresources/departmentpoliciesandprocedures" style="color: red;">http://insidelac/ourtoolsandresources/departmentpoliciesandprocedures</a></p>



## 1.0 **OVERVIEW:**

- 1.1 This policy was ~~est~~-established to ensure all newly hired, rehired, transferred or promoted L.A. Care Health Plan (L.A. Care) employees are provided an Introductory Period of employment commencing with their first day of employment, or effective date of the position change. All newly hired, rehired, transferred or promoted employees shall serve an Introductory Period commencing with their first day of employment, or effective date of the position change.
- 1.2 The purpose of the Introductory Period is for the employee and the employer to determine whether the continuation of the employment relationship is in the mutual interest of both parties.

## 2.0 **DEFINITIONS:**

Whenever a word or term appears capitalized in this policy and procedure, the reader should refer to the “Definitions” below.

- 2.1 **Introductory Period** - is the time period during which the supervisor has the opportunity to determine the ability with which the employee performs ~~his or her~~their job, as well as the time period for the employee to decide if ~~he or she is~~they are satisfied with the position.

## 3.0 **POLICY:**

- 3.1 All newly hired, rehired, transferred or promoted employees must successfully complete an ~~Introductory P~~eriod of employment as follows:

3.1.1 Non-management employees – 180 calendar days.

3.1.2 Management employees – 365 calendar days.

~~3.1.2~~3.2 Employment beyond the Introductory P~~eriod~~ does not change the at-will nature of a person’s employment with L.A. Care.

## 4.0 **PROCEDURES:**

- 4.1 During and after the Introductory Period, the immediate supervisor evaluates the employee’s performance, skill level and competency to ensure the employee can and will meet the needs of the position. This is the final step in the recruitment and selection process.
- 4.2 At the end of the designated Introductory Period, if the employee’s work performance is satisfactory and there are no other documented concerns regarding conduct or attendance, the employee’s Introductory Period will conclude.
- 4.3 The responsible department manager or supervisor may terminate the employment relationship at any time during the Introductory Period if ~~he/she~~they believes that



the prospects of continued employment are not satisfactory or viable. In all cases, requests to terminate an employee under this policy will be reviewed and determined in advance with the department director, the Human Resources Business Partner (HRBP) and the Senior Director, Human Resources Business Support Services (HR BSS). The Chief Human Resources Officer (CHRO) will be informed of the decision to terminate prior to the termination of employment. Any such determinations of termination (unless otherwise determined by ~~Chief Human Resources Officer~~the CHRO) should be implemented in accordance with the requirements of Human Resources and documented for the employee’s personnel file. Termination will be implemented, unless otherwise determined by the ~~Chief Human Resources Officer~~CHRO.

**4.4** Department managers may extend the Introductory Period one time to continue to evaluate or correct performance issues not to exceed an additional 60 calendar days, if necessary, with prior approval of the department director, the Senior Director, Human Resources Business Support Services (HR BSS) and the Human Resources Business Partner (HRBP); unless otherwise determined by Chief Human Resources Officer (CHRO).

**4.4.1** Weekly documented performance discussions shall be conducted between the manager/supervisor and employee to evaluate performance progress during the extended Introductory Period.

**4.5** The employment relationship can be terminated by the employee or L.A. Care at any time during or after the Introductory Period, at-will, either with or without cause, or with or without advance notice. Furthermore, no one at L.A. Care, other than the Chief Executive Officer (CEO) or the Chairman of the Board of Governors has the authority to alter ~~these conditions~~the at-will nature of employment, to enter into an agreement for employment for a specific period of time, or to make any agreement contrary to this policy. The CEO and/or the Chairman of the Board of Governors can do so only in a written agreement that is signed by both the employee and CEO or the Chairman of the Board of Governors. This represents an integrated agreement with respect to the at-will nature of the employment relationship.


**5.0 MONITORING:**

**5.1** Human Resources reviews its policies routinely to ensure they are updated appropriately and has processes in place to ensure the appropriate required steps are taken under this policy.

**6.0 REPORTING:**

**6.1** Any suspected violations to this policy must be reported to your Human Resources Business Partner.

**7.0** L.A. Care reserves the right to modify, rescind, delete, or add to this policy at any time, with or without notice.

	<b>REEMPLOYMENT AND REINSTATEMENT</b>		<b>HR-313</b>
	<b>DEPARTMENT</b>	HUMAN RESOURCES	
Supersedes Policy Number(s)	6213		

DATES					
Effective Date	5/30/1996	Review Date	<del>4/25/2018</del> 10/23/2024	Next Annual Review Date	<del>4/25/2019</del> 10/23/2025
Legal Review Date	<del>4/12/2018</del> 11/7/2024	Committee Review Date	<del>4/25/2018</del> 11/20/2024		

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<input type="checkbox"/> Specialty Health Plans	<input type="checkbox"/> Directly Contracted Providers	<input type="checkbox"/> Ancillaries	<input type="checkbox"/> Other External Entities

ACCOUNTABILITY MATRIX			

ATTACHMENTS	

ELECTRONICALLY APPROVED BY THE FOLLOWING		
	OFFICER	DIRECTOR
<b>NAME</b>	Terry Brown	<del>Edward Topps</del> Darren Lee
<b>DEPARTMENT</b>	Human Resources	Human Resources
<b>TITLE</b>	Chief Human Resources Officer	<del>Deputy Chief Human Resources Officer</del> Director, Talent Acquisition



**AUTHORITIES**

- HR-501, “Executive Committee of the Board: HR Roles and Responsibilities”
- California Welfare & Institutions Code §14087.9605

**REFERENCES**

**HISTORY**

REVISION DATE	DESCRIPTION OF REVISIONS
12/02/1996	Revision
April 2014	Review
4/25/2018	Revision, reinstatement versus reemployment eligibility with regards to employment and benefits clearly defined.
<u>10/24/2024</u>	<u>Annual Review and Rearranged sections and removed two definitions</u> <u>Reemployment and reemployed</u>

**DEFINITIONS**

Please visit the L.A. Care intranet for a comprehensive list of definitions used in policies:  
<http://insidelac/ourtoolsandresources/departmentspoliciesandprocedures>

**1.0 OVERVIEW:**

1.1 This policy establishes the conditions that shall apply to former L. A. Care Health Plan (L.A. Care) employees who are Reemployed or Reinstated after separation of employment from L.A. Care within a specified period of time.

**2.0 DEFINITIONS:**

Whenever a word or term appears capitalized in this policy and procedure, the reader should refer to the “Definitions” below.

~~2.11.1 Reemployment - employing an applicant, who had separated employment with L.A. Care in good standing, after six months of separation from L.A. Care.~~

~~2.22.1 Reemployed~~ - applicants who had separated employment with L.A. Care in good standing and who are employed again after separation ~~for~~ of more than six months.

~~2.2 Reinstatement~~ - employing an applicant, who had separated employment with L.A. Care ~~in good standing~~, within six months of separation from L.A. Care.

~~2.3 Reemployment - employing an applicant, who had separated employment with L.A. Care in good standing, after six months of separation from L.A. Care.~~

~~2.3~~

2.4 **Reinstated** - applicants who had separated employment with L.A. Care in good standing and who are employed again within six months of separation.

**3.0 POLICY:**

3.1 Persons who separate employment from L.A. Care ~~in good standing, as determined by L.A. Care,~~ may apply to be employed again at a later date. The status of their ~~Reemployment or Reinstatement~~ hire is dependent upon their meeting certain criteria and job qualifications at the time of subsequent employment. They are considered for employment in the same manner as all other applicants.

**4.0 PROCEDURES:****4.04.1 Persons Reinstated**

4.1.1 Persons who are Reinstated but have not completed their initial Introductory Period will be required to resume their Introductory Period to equal the length of the normal Introductory Period.

4.1.2 Persons who are Reinstated will have their service date adjusted for the length of time they were not employed at L.A. Care. The adjusted service date will be used to compute seniority and Paid Time Off (-PTO) accruals.



~~and eligibility for the retirement employer match and 3.5% supplemental contributions for eligible participants.~~

~~4.1.3 If an employee separates from L.A. Care and is Reinstated, the employee will automatically be enrolled into Social Security and will have their benefits reactivated immediately.~~

## 4.2 Persons Reemployed

~~4.1~~

~~4.2~~ Persons who are Reemployed must serve an Introductory Period, as well as a waiting period similar to new hires for benefit eligibility including ~~Paid Time Off (PTO)~~ accruals ~~and eligibility for the retirement employer match and 3.5% supplemental contributions for eligible participants.~~

~~4.2.1~~

~~4.31.1.1~~ ~~Persons who are Reinstated will have their service date adjusted for the length of time they were not employed at L.A. Care. The adjusted service date will be used to compute seniority, PTO accruals, and eligibility for the retirement employer match and 3.5% supplemental contributions for eligible participants.~~

~~4.4~~ If an employee separates from L.A. Care and is Reinstated, the employee will automatically be enrolled into Social Security and will have their benefits reactivated immediately. ~~If Reinstated employee was previously eligible for the employer match and 3.5% supplemental contributions to the retirement benefit, the employee will have their benefits resume immediately.~~

~~4.5~~ If an employee separates from L.A. Care and is Reemployed (regardless of time away), the employee will automatically be enrolled into Social Security and will have their benefits reactivated after employee has satisfied the mandatory waiting period. ~~Reemployed employee will be eligible for the employer match and 3.5% supplemental contributions to the retirement benefit after employee has satisfied the mandatory waiting period.~~

~~4.2.2~~

~~4.64.2.3~~ Persons who return to work within five years of their employment separation date will have their prior vesting status restored for the 401(a) retirement benefit plan.

## 5.0 MONITORING:

5.1 Human Resources reviews its policies routinely to ensure that they are updated appropriately and has processes in place to ensure that the appropriate required steps are taken under this policy.





**6.0 REPORTING:**

**6.1** Any suspected violations to this policy should be reported to your Human Resources Business Partner.

**7.0** L.A. Care reserves the right to modify, rescind, delete, or add to this policy at any time, with or without notice.