

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY

DEPT: Health Services Agency

BOARD AGENDA #: B-13

AGENDA DATE: January 24, 2017

**SUBJECT:**

Approval to Re-Hire Ms. Kathy Kirros Prior to the 180 Day Sit Out Period as Required by the Public Employee's Pension Reform Action of 2013

BOARD ACTION AS FOLLOWS:

No. 2017-37

On motion of Supervisor DeMartini, Seconded by Supervisor Monteith  
and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended


2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

ATTEST:

  
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Health Services Agency  
Urgent  Routine

BOARD AGENDA #: B-13

AGENDA DATE: January 24, 2017

CEO CONCURRENCE: *pkx*

4/5 Vote Required: Yes  No

---

**SUBJECT:**

Approval to Re-Hire Ms. Kathy Kirros Prior to the 180 Day Sit Out Period as Required by the Public Employee's Pension Reform Action of 2013

---

**STAFF RECOMMENDATIONS:**

1. Authorize the Health Services Agency Director to rehire Kathy Kirros, Public Health Nurse, as a part-time Public Health Nurse III in the California Children's Services (CCS) as of February 6, 2017 prior to the 180 day sit out period as required by the Public Employees' Pension Reform Act of 2013.
2. Certify that the re-hiring of Kathy Kirros in a part time capacity as a Public Health Nurse III is necessary to fill a critically needed position prior to the passage of the 180 day period.

**DISCUSSION:**

The California Children's Services (CCS) Program is mandated by the Welfare and Institutions Code and the California Code of Regulations (Title 22, Section 51013) to act as an "agent of Medi-Cal" for Medi-Cal beneficiaries with CCS medically eligible conditions. Medi-Cal is required to refer all CCS-eligible clients to CCS for case management services and authorization for treatment. The statute also requires all CCS applicants who may be eligible for the Medi-Cal program to apply for Medi-Cal. The CCS program provides diagnostic and treatment services, medical case management, and physical and occupational therapy services to children under age 21 with CCS-eligible medical conditions.

The ability to recruit and retain qualified nurses, specifically public health nurses, is very difficult due to competitive compensation in comparison to current salary structure. HSA/Public Health Division has conducted multiple recruitments to fill this nursing position which have all been unsuccessful. The Health Services Agency has had an open recruitment for a full-time Public Health Nurse III vacancy since May 15, 2014.

Eight Full Time (FT) nurse case manager positions are allocated for this department. As of January 12, 2017, CCS will have three FT nurse case managers with two Part-Time (PT) nurse case managers taking care of 3,458 cases (462 Medical Therapy Unit (MTU) cases + 2,996 treatment cases). Between November 22, 2016 and December 22, 2016, CCS had 157 new referrals distributed to the nurses. There is currently a full-time Public Health Nurse assigned the 462 MTU cases, who will be resigning from Health Services Agency in January 2017. Due to

## Approval to Re-Hire Ms. Kathy Kirros Prior to the 180 Day Sit Out Period as Required by the Public Employee's Pension Reform Action of 2013

---

these departures, it is not feasible to provide timely diagnostic services and timely medical case management in accordance with state code. Without additional assistance from an experienced nurse, such as Ms. Kirros, utilizing remaining staff to adopt additional responsibilities will not be feasible. The minimum time required for training and learning the medical case management required in CCS is six (6) months. Kathy Kirros began her career with the County in June 1994, was promoted to a Public Health Nurse III on October 17, 2005 and California Children's Services Manager II on February 9, 2014. She was reclassified to a Manager III position effective September 14, 2014. Ms. Kirros retired on October 29, 2016. Ms. Kirros has offered to return in a part-time Public Health Nurse III capacity. The CCS Program currently has 3 full-time public health nurse vacancies so Ms. Kirros' imminent return is critical as mandated deadlines for service requests will be impacted without the appropriate staffing.

Ms. Kirros is already trained and proficient in this discipline of case management and the CCS computer system. She has built rapport with the Medical Therapy Program therapists, children and families, doctors throughout and outside of the County and many other organizations the CCS program works with. The full-time nurses are working at maximum capacity with the caseloads they currently oversee. Interviews are scheduled with nurse candidates at the start of 2017; however, if hired, they will need to be trained which can take six months to a one year. Ms. Kirros will be able to transition immediately in case management responsibilities once brought back onboard. Should the CCS Program not be able to meet the mandated requirements, federal and state funding can be adversely impacted. Additionally, the need for trained, competent personnel is critical to meet current caseload and meet state requirements in a timely manner. If approved Ms. Kirros' time will be limited to 960 hours per calendar year.

### **POLICY ISSUE:**

Government Code sections 7522-7522.74 describes the California Public Employees' Pension Reform Action of 2013 (PEPRA). The PEPRA provides that a non-safety retired person shall not be eligible to be employed for a period of 180 days following the date of retirement unless the employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed and the appointment has been considered as a non-consent agenda item and approved by the governing body in a public meeting.

### **FISCAL IMPACT:**

Total funding for this position is \$42,592 and is included in the HSA Public Health Division Fiscal Year 2016-2017 Final Budget. The California Children's Services (CCS) program is funded by State as well as existing County mandated match funds.

Approval to Re-Hire Ms. Kathy Kirros Prior to the 180 Day Sit Out Period as Required by the Public Employee's Pension Reform Action of 2013

---

<b>Cost of recommended action:</b>		\$ 42,592
<b>Source(s) of Funding:</b>		
Public Health Fund	\$ 42,592	
<b>Funding Total:</b>		<u>\$ 42,592</u>
<b>Net Cost to County General Fund</b>		<u><u>\$ -</u></u>

<b>Fiscal Year:</b>	2016/2017
<b>Budget Adjustment/Appropriations needed:</b>	No

**Fund Balance as of December 31, 2016**  
 Public Health Fund \$10,374,947

**BOARD OF SUPERVISORS' PRIORITY:**

Approval to rehire Kathy Kirros prior to the 180 day sit out period as required by the PEPRRA will enable HSA to continue to provide appropriate services to individuals and supports the Board of Supervisors' priority of A Healthy Community.

**STAFFING IMPACT:**

HSA staff will continue to aggressively recruit qualified Public Health Nurses candidates while utilizing the part-time services of Ms. Kathy Kirros.

**CONTACT PERSON:**

Rebecca Nanyonjo, DrPH, Chief Deputy Director, (209) 558-8045

**ATTACHMENT(S):** N/A