



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: February 24, 2009

Subject: Contract Amendment Agreement #23-336-7 with Toyon Associates, Inc.

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee (Pat Godley) to execute on behalf of the County, Contract Amendment Agreement #23-336-7 with Toyon Associates, Inc., a corporation, effective January 1, 2009, to amend Contract #23-336-6, to increase the payment limit by \$40,000, from \$750,000 to a new payment limit of \$790,000 and to extend the term from June 30, 2009 through June 30, 2011.

**FISCAL IMPACT:**

This Contract is included in the Health Services Department's Enterprise Fund I Budget. This Contract is a contingent fee contract. Contractor will be paid a commission based on Medicare recoveries.

**BACKGROUND:**

On August 5, 2008, the Board of Supervisors approved Contract #23-336-6 with Toyon Associates, Inc., for the period from through July 1, 2008 and June 30, 2009, for the provision of consultation and technical assistance with regard to conducting reviews of the Medicare ratios to assess the maximum disproportionate share calculation to which Contra Costa Regional Medical

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/24/2009** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I  
Supervisor  
Gayle B. Uilkema, District II  
Supervisor  
Mary N. Piepho, District III  
Supervisor  
Susan A. Bonilla, District IV  
Supervisor  
Federal D. Glover, District V  
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 24, 2009

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Celia Nelson, Deputy

Contact: Patrick Godley,  
957-5405



BACKGROUND: (CONT'D)

Center is entitled.

This contract covers services to be provided for several different cost report years up to and including Fiscal Year 2006-2007. The Contractor will review and pursue as appropriate additional reimbursement for each fiscal year individually. The appeals being put forward are by the very nature, extremely aggressive in seeking the maximum amount of additional reimbursement possible on behalf of Contra Costa Regional Medical Center. In all likelihood, the actual amount of the recoveries will be significantly less than the amounts claimed. This contract payment limit is an estimate of the amount of commission that the Contractor could earn if they were to prevail at the full aggressive filing levels.

Approval of Contract Amendment Agreement #23-336-7 will allow the Contractor to provide additional consultation and technical assistance with regard to Medicare Prospective Payment System appeals, through June 30, 2011.