



State of California – Health and Human Services Agency  
**California Department of Public Health**  
 Center for Health Care Quality  
 Licensing and Certification



EDMUND G. BROWN JR.  
 Governor

State Health Facilities Citation Penalties Account (Fund 0942-601)

<u>SPECIAL DEPOSIT FUND 0942-601</u>	<u>FUND CONDITION STATEMENT</u>	<u>FUNDING FISCAL YEAR</u>	<u>BUDGET ACT APPROPRIATION *</u>	<u>EXPENDITURES *</u>	<u>BUDGET ACT APPROPRIATION BALANCE *</u>	<u>REVENUES *</u>
<u>STATE HEALTH FACILITIES CITATION PENALTIES ACCOUNT</u>		SFY 2011-2012**	2,149	0	2,149	579
<u>STATE CITATION PENALTY ACCOUNTS SUMMARY</u>		SFY 2010-2011	2,149	36	2,113	3,837
		SFY 2009-2011	2,149	189	1,960	1,905

Figures in thousand dollars

\*\* SFY 2011-2012 Expenditures and Revenues reflect actual data from quarter ending September 30, 2011.



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**Expenditures**  
**SFY 2010-2011**  
[\(back to top\)](#)

<b>SPECIAL DEPOSIT FUND 0942-601</b>		
<b>STATE HEALTH FACILITIES CITATION PENALTY ACCOUNT</b>		
* Figures in thousand dollars		
<u>TEMPORARY MANAGER</u>	<u>FACILITY NAME</u>	<u>EXPENDITURES *</u>
HFS CONSULTANTS	GOLDEN CROSS HEALTH CARE OF FRESNO	<u>36</u>
	<b>TOTAL</b>	<b><u>36</u></b>



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**Fund Condition Statement – PROJECTED**

**SFY 2011-2012**

[\(back to top\)](#)

<b>SPECIAL DEPOSIT FUND 0942-601</b>	
<b>STATE HEALTH FACILITIES CITATION PENALTY ACCOUNT</b>	
* Figures in thousand dollars	
<b>FUND BEGINNING BALANCE - JULY 1, 2011</b>	10,319
Prior Year Adjustment	<u>0</u>
<b>Adjusted Fund Beginning Balance</b>	<b><u>10,319</u></b>
<b>REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>	
<b>Revenues:</b>	
217600 Fines and Penalties - External - Private Sector	3,801
250300 Income from Surplus Money	<u>43</u>
<b>Total Revenues, Transfers and Other Adjustments</b>	<b><u>3,844</u></b>
<b>Total Resources</b>	<b><u>14,163</u></b>
<b>EXPENDITURES AND EXPENDITURE ADJUSTMENTS</b>	
<b>Expenditures:</b>	
4265 Department of Public Health (State Operations)	<u>2,149</u>
<b>Total Expenditures and Expenditure Adjustments</b>	<b><u>2,149</u></b>
<b>FUND BALANCE, END - JUNE 30, 2012</b>	<b><u>12,014</u></b>



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State Health Facilities Citation Penalties Account (Fund 0942-601)

**Fund Condition Statement – ACTUAL  
 SFY 2010-2011**

[\(back to top\)](#)

<b>SPECIAL DEPOSIT FUND 0942-601</b>	
<b>STATE HEALTH FACILITIES CITATION PENALTY ACCOUNT</b>	
* Figures in thousand dollars	
<b>FUND BEGINNING BALANCE - JULY 1, 2010</b>	6,518
Prior Year Adjustment	<u>0</u>
<b>Adjusted Fund Beginning Balance</b>	<b><u>6,518</u></b>
<b>REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>	
<b>Revenues:</b>	
217600 Fines and Penalties - External – State Licensing	3,801
250300 Income from Surplus Money	<u>36</u>
<b>Total Revenues, Transfers and Other Adjustments</b>	<b><u>3,837</u></b>
<b>Total Resources</b>	<b><u>10,355</u></b>
<b>EXPENDITURES AND EXPENDITURE ADJUSTMENTS</b>	
<b>Expenditures:</b>	
4265 Department of Public Health (State Operations)	<u>36</u>
<b>Total Expenditures and Expenditure Adjustments</b>	<b><u>36</u></b>
<b>FUND BALANCE, END - JUNE 30, 2011</b>	<b><u>10,319</u></b>



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State Health Facilities Citation Penalties Account (Fund 0942-601)

Citation Summary Report  
 Fiscal Years<sup>1</sup> 11-12 (1st Qtr.), 10-11, 09-10, 08-09  
[\(back to top\)](#)

	Fiscal Year 11-12 (7/1/11-9/30/11)			Fiscal Year 10-11			Fiscal Year 09-10			Fiscal Year 08-09		
	Total Amount Assessed	% of \$ Assessed	# of Citations Issued	Total Amount Assessed	% of \$ Assessed	# of Citations Issued	Total Amount Assessed	% of \$ Assessed	# of Citations Issued	Total Amount Assessed	% of \$ Assessed	# of Citations Issued
<b>TOTAL AMOUNT ASSESSED</b>	\$316,000.00	100%	148	\$2,814,300.00	100%	609	\$4,143,350.00	100%	701	\$4,694,250.00	100%	787
<b>ALLOWABLE ADJUSTMENTS<sup>2</sup></b>	\$42,967.50	14%	3	\$347,732.50	12%	7	\$549,282.50	13%	44	\$1,623,415.18	35%	137
Reduced	\$0.00	0%	0	\$16,200.00	5%	4	\$168,367.50	31%	33	\$847,365.00	52%	107
Dismissed	\$0.00	0%	0	\$0.00	0%	0	\$8,950.00	2%	8	\$223,700.00	14%	13
35% payment offset	\$40,967.50	99%	(58)	\$329,332.50	93%	(178)	\$370,615.00	64%	(174)	\$414,837.50	26%	(209)
Uncollectable Other	\$0.00	1%	0	\$1,200.00	1%	2	\$400.00	1%	1	\$125,512.68	7%	13
Withdrawn	\$2,000.00	5%	3	\$1,000.00	1%	1	\$1,750.00	1%	2	\$12,000.00	1%	4
Reverse offset payment	\$0.00	0%	0	\$0.00	0%	0	\$800.00	1%	0	\$0.00	0%	0
<b>NET AMOUNT SUBJECT TO COLLECTION<sup>3</sup></b>	\$273,032.50	86%		\$2,466,567.50	88%		\$3,594,067.50	87%		\$3,070,834.82	65%	
<b>AMOUNT COLLECTED TO DATE<sup>4</sup></b>	\$92,782.50	29%	91	\$893,317.50	32%	389	\$1,074,967.50	26%	428	\$2,129,034.82	45%	524
65% payment	\$76,082.50	82%	77	\$611,617.50	68%	307	\$688,285.00	64%	329	\$770,412.50	36%	386
Full payment	\$13,450.00	26%	14	\$244,500.00	25%	82	\$200,300.00	19%	99	\$332,950.00	16%	138
Installment payment	\$0.00	0%	(0)	\$0.00	0%	(0)	\$16,950.00	2%	(4)	\$124,300.00	6%	(17)
Continuing Penalty payment	\$600.00	1%	(1)	\$5,400.00	1%	(17)	\$6,200.00	1%	(19)	\$7,700.00	1%	(42)
Medi-Cal Offset payment	\$0.00	1%	(0)	\$600.00	1%	(1)	\$7,500.00	1%	(10)	\$16,950.00	1%	(12)
Other payment	\$2,650.00	3%	(3)	\$3,450.00	1%	(4)	\$4,000.00	1%	(2)	\$6,500.00	1%	(17)
Settlement payment	\$0.00	0%	(0)	\$30,600.00	3%	(4)	\$151,732.50	12%	(31)	\$878,522.32	38%	(98)
Reverse payment	\$0.00	0%	(0)	\$2,850.00	1%	(3)	\$0.00	0%	0	\$8,300.00	1%	(6)
<b>PENDING RESOLUTION<sup>5</sup></b>	\$180,250.00	57%	54	\$1,573,250.00	56%	213	\$2,519,100.00	61%	229	\$941,800.00	20%	126
Litigation												
Citation Review Conference	\$118,700.00	66%	27	\$737,450.00	47%	167	\$1,190,050.00	47%	176	\$531,025.00	56%	79
Administrative Law Judge	\$0.00	0%	0	\$16,550.00	1%	15	\$19,000.00	1%	19	\$16,775.00	2%	17
Superior/Municipal Court	\$0.00	0%	0	\$787,000.00	49%	22	\$1,287,150.00	50%	23	\$329,000.00	35%	13
Binding Arbitration	\$2,000.00	1%	2	\$1,250.00	1%	2	\$6,900.00	1%	6	\$4,000.00	1%	4
Collection in Process	\$59,550.00	1%	25	\$31,000.00	2%	7	\$16,000.00	1%	5	\$61,000.00	6%	13

Footnotes:

- Fiscal Year dates refer to the date the citation was issued and is not reflective of the date the data was updated.
- Allowable Adjustments include reduction amount of citations paid @ 65% discount rate per HSC Sections 1428.1, and 1424.5(b). Citations paid within 15 days (30 days for skilled nursing or intermediate care facilities) are reduced by 35%. Amount reduced in Appeals and/or Settlements, Uncollectable due to bankruptcy (discharged), change of ownership, facility closure or withdrawal by the Department.
- Net Amount Subject to Collection reflects the collectable amount after allowable adjustments.
- Amount Collected to Date - Note: Citation numbers reflected in brackets are non-add figures for purposes of this report only. The collections that result in a closed citation are counted in the total.
- Pending Resolution includes citations in litigation/appealed to a citation review conference, administrative law judge, binding arbitration or court. Collection in Process includes payment demands, Medi-Cal offset, settlement money pending

Source: ELMS Disposition of Civil Money Penalty Assessments, 9/30/2011