

**RULES & REGULATIONS OF THE COUNTY OF MCDONALD COUNTY  
HEALTH OFFICE**

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HEALTH DEPARTMENT**

**METHOD OF CALCULATION OF FEES TO SUPPORT PUBLIC HEALTH  
ACTIVITIES**

"The following rule was adopted by MCHD that would allow fee's to be collected for certain services".

Whereas the Eighty-fifth General Assembly enacted Senate Bill 68 to enable county commissions and county health centers to charge reasonable fees for public health activities, and

Whereas Section 67.042 RSMO (1988 Supp) is a duly enacted exception to Article X, Section 22 of the Missouri Constitution allowing fees to be assessed for the offset for the actual cost to provide a service, and

Whereas otherwise fees which are set simply to generate revenues at the local level, are subject to the Article X, Section 22 voter approval process. it is essential that any fees set by the county commission and the county health center shall be done in accordance with the following formula so that cost justification of the fee will be readily available to defend any and all challenges thereto whether based on Article X, Section 22 or some other equity theory, and

Whereas any allowable fee to offset the actual provision of service that would not be challengeable under the Hancock Amendment must further be reduced in order to meet legislative objectives of Senate Bill 68 which was to allow county commissions and local health centers to charge fees for service; but not such a level of fees as would deny personal health services to those unable to pay nor to impede the prevention or control of communicable disease, and

Wherefore, be it ordained that McDonald County Health Department of McDonald County, Missouri may charge fees for certain services and that any such fees charged by the county health center shall be calculated in accordance to the following formula:

Total cost of provision of Service minus  
 Total Local Tax Revenues Assignable or identifiable Service minus  
 Total State Revenues Assignable OR identifiable to the Service minus  
 Total Federal Funds Assignable Or Identifiable To The Service equals

Net Unreimbursed Expenses  
 Total Units of Service =  
 Maximum Allowable Fee Under Hancock

Which Must Further Be modified Downward  
So As not to Deny Personal Health Services to Those Unable to Pay  
Nor To Impede The Prevention Or Control Of Communicable Diseases

### **DEFINITIONS**

“Units of Service” is a logical, measurable and appropriate division of public activity for which the 85th General Assembly, through its duly enacted Senate Bill 68, intended county commissions and county health centers to change fees for the provision of said public health activities.

“Total Costs of Service” is the total of all cost whether direct or indirect, variable or fixed, for which accurate and defensible documentation can be made in accordance with recognized standards of accounting that thereby can justifiable and accurately assign costs that have been incurred in order to provide the public health activity or service in question.

“Reasonable Fee” is a fee not challengeable under Article X, Section 22 of the Missouri Constitution as a non-voter approved fee generating revenue not offsetting the cost provision of the service as required by 67.042 RSMo (1988 Supp.) and has been reduced and/ or put on a sliding scale so as not to deny personal health services to those unable to pay such fees or impede the prevention or control of communicable disease.

### **Compliance With County Budget Law**

The County Commission of McDonald County Health Department hereby agrees to employ the formula contained in this rule in such a manner as to comply with the filling requirements contained in Section 50.140 RSMo (1986).

### **County Treasurer’s Duty to Keep Subdivided Funds**

Pursuant to Section 54.140 and Section 54.145 the county treasurer shall account for fees covered by this rule so that funds shall be created which shall be divided for service for subsequent expenditure thereon in subsequent fiscal years. All fees generated under the provision of this rule shall be used to support the public health activities for which they were generated. The county commission shall not exercise its power to transfer encumbered appropriations in the last two months of a fiscal year as contained in Section 50.630 RSMo. (1986)

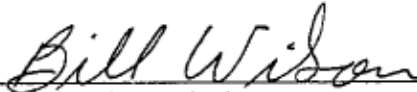
### **Amendments and Changes in Fee Schedules**

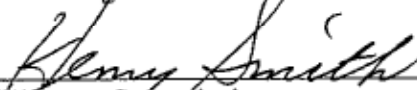
Nothing in this rule shall prevent the county health center to raise or lower fees as may be deemed financially or legally necessary during the course of the fiscal year. Nothing in this rule shall prevent the county health department add new services with new fees or subtract the imposition of fees for discontinued services. The county health department shall certify such amendments or changes in the fee structure to the county treasurer with appropriate recommendations and amendment of changes to the County's budget.

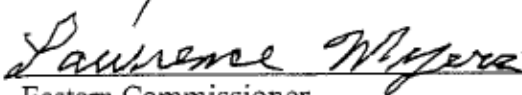
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Be it ordained by the County Commissioners of McDonald County Health Department that the aforementioned rule was duly adopted and passed by the county of McDonald on this 3rd day of June 1999.

Signed by the County Commissioners of McDonald County Health Department as follows:

  
\_\_\_\_\_  
Presiding Commissioner

  
\_\_\_\_\_  
Western Commissioner

  
\_\_\_\_\_  
Eastern Commissioner

ATTEST:

  
\_\_\_\_\_  
Joye Helm  
County Clerk