

COUNTY OF VENTURA	2021 ADMINISTRATIVE POLICY MANUAL	Legislative Mandates
ORIGINATING AGENCY: A-C	Last Issued/Revised: January 28, 2021	Policy No. AC.29
Policy Change Requires: Forms Change Requires: N/A	<input type="checkbox"/> Board of Supervisors Approval <input checked="" type="checkbox"/> CHC Board Approval <input type="checkbox"/> CEO Approval	Page 1 of 4

Policy:

Ventura County Health Care Agency (VCHCA) will manage federal grants in accordance with all Legislative Mandates.

VCHCA provides safeguards to ensure compliance with the Legislative Mandates, as follows:

- (1) **Salary Limitations (Section 202)** – VCHCA shall not use federal grant funds to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.
- (2) **Gun Control (Section 210)** – VCHCA shall not use federal grant funds to advocate or promote gun control.
- (3) **Anti-Lobbying (Section 503)** –
 - A. VCHCA shall not use federal grant funds, other than for normal and recognized executive legislative relationships, for the following:
 - i. For publicity or propaganda purposes; or
 - ii. For the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.
 - B. VCHCA shall not use federal grant funds to pay the salary or expenses of any employee or agent of VCHCA for activities designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.
 - C. The prohibitions in subsections A and B include any activity to advocate or promote any proposed, pending or future Federal, State or local tax increase, or any proposed, pending, or future requirement or restriction on any legal consumer product, including its sale or marketing, including but not limited to the advocacy or promotion of gun control.

- (4) **Acknowledgement of Federal Funding** - When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with federal money, VCHCA shall clearly state:
- A. The percentage of the total costs of the program or project which will be financed with Federal money;
 - B. The dollar amount of Federal funds for the project or program; and
 - C. The percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.
- (5) **Restrictions on Abortions and (6) Exceptions to Restrictions on Abortions** – VCHCA shall not use federal grant funds for any abortion or for health benefits coverage that includes coverage of abortion. The VCHCA health centers do not provide abortion services but recognizes that restrictions do not apply to abortions (or health coverage of abortions) that fall within the Hyde Amendment exceptions.
- (7) **Ban on Funding Human Embryo Research** –
- A. VCHCA shall not use federal grant funds for (i) the creation of human embryos for research purposes; or (ii) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).
 - B. For purposes of this section, the term “human embryo or embryos” includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.
- (8) **Limitation on Use of Funds for Promotion of Legalization of Controlled Substances**–
- A. VCHCA shall not use federal grant funds to promote the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications.
 - B. The limitation in subsection (A) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.
- (9) **Restriction of Pornography on Computer Networks** –
- A. VCHCA shall not use federal grant funds to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.
 - B. Nothing in subsection (A) shall limit the use of funds necessary for any federal, state, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
- (10) **Restriction on Funding ACORN** – VCHCA shall not provide any federal grant funds to the Association of Community Organizations for Reform Now (“ACORN”), or any of its

affiliates, subsidiaries, allied organizations, or successors.

- (11) **Restriction on Distribution of Sterile Needles** – VCHCA shall not use federal grant funds to purchase sterile needles or syringes for the hypodermic injection of any illegal drug. Such limitation does not apply to the use of funds for elements of a program other than making such purchases if the relevant State or local health department, in consultation with the Centers for Disease Control and Prevention, determines that the State or local jurisdiction, as applicable, is experiencing, or is at risk for, a significant increase in hepatitis infections or an HIV outbreak due to injection drug use, and such program is operating in accordance with State and local law.

(12) **Confidentiality Agreements** –

- A. Ventura County Health Services Agency shall not require its employees or contractors seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
- B. The limitation in subsection (a) shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

Purpose:

VCHCA is committed to compliance with all applicable laws and regulations. The purpose of this policy is to ensure VCHCA is meeting the requirements in accordance to the Legislative Mandates for Health Resources and Services (HRSA) and all other federal funding.

Procedures:

1. VCHCA will review HRSA's Legislative Mandates annually for the passage of a new HHS Appropriations Act or issuance of HRSA guidance regarding the Legislative Mandates and ensure VCHCA's policies and procedures are updated as necessary. Any modifications to VCHCA's Legislative Mandates Policy and Procedures will require review and approval by the Ventura County Community Health Center Board of Directors
2. The Project Director/Chief Executive Officer shall ensure that health center key management and fiscal staff receive training regarding the Legislative Mandates and the procedures set forth in this Policy and Procedures.
3. VCHCA Chief Financial Officer shall ensure that VCHCA health center's management systems and procedures are structured to ensure that no federal grant funds are used for purposes that are impermissible under this P&P. As necessary, the CFO may establish cost centers/accounts for the accumulation and segregation of such costs. The CFO may use any practical means to do so, consistent with VCHCA's financial management policies (including by establishing appropriate cost centers and associated accounts to accumulate and segregate the following costs where necessary).
4. All statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with federal money, will be reviewed and approved by VCHCA Ambulatory Care CEO/Project Director for compliance in accordance to Legislative Mandates.
5. VCHCA computer network is and shall remain configured to block the viewing,

downloading, and exchange of pornography. The Ambulatory Care CEO/Project Director, in collaboration with the Chief Information Officer shall ensure appropriate information technology assets and support are made available to ensure continued compliance.

6. VCHCA Ambulatory Care CEO/Project Director shall review any and all confidentiality agreements entered into between VCHCA and its employees and/or contractors and, prior to execution, shall confirm that such agreements do not prohibit or otherwise restrict the employee/contractor from lawfully reporting waste, fraud, or abuse to (i) federal law enforcement or other federal investigative personnel, or (ii) other representatives of federal departments and agencies.