



# City of San Antonio

## Agenda Memorandum

**File Number:**18-1877

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**Agenda Item Number:** 20.

**Agenda Date:** 3/8/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Police

**DEPARTMENT HEAD:** William P. McManus, Chief of Police

**COUNCIL DISTRICTS IMPACTED:** City wide

### **SUBJECT:**

Contract Amendments for Sexual Assault/Abuse Examinations

### **SUMMARY:**

This ordinance authorizes the City Manager or designated representative to amend two contracts with Methodist Healthcare System, of San Antonio, LTD. LLP, d/b/a/ Methodist Hospital (campus of Methodist Specialty and Transplant Hospital), and Christus Santa Rosa Health System d/b/a Children's Hospital of San Antonio, to provide specialized sexual assault/abuse examinations. The Office of Attorney General increased the reimbursement rate from \$700.00 to \$1000.00, funded from the Police Department's General Fund budget. The contract amendments will be effective upon approval and expire March 31, 2020.

### **BACKGROUND INFORMATION:**

The purposes of the contracts are to secure services to conduct specialized sexual assault/abuse examinations. The examinations will allow for evidence gathering used in the prosecution of these cases. Texas Code of Criminal Procedures, Article 56.06, Section A, requires an investigating law enforcement agency, which requests a medical examination of a victim of an alleged episode of sexual assault/abuse, to pay for the cost of such exam. With City Council approval, the prior contract was effective April 1, 2015, ordinance 2015-04-02-0242. A public health and safety waiver was obtained for these services, which allowed SAPD to contract with Methodist Healthcare System and Christus Santa Rosa as a sole source contract.

The contract with Methodist Healthcare System is for persons thirteen (13) years of age and older and is estimated to provide 326 exams for a total amount of \$326,000.00 a year. The contract with Christus Santa

Rosa is for persons sixteen (16) years of age and younger and is estimated to provide 342 exams for a total amount of \$342,000.00 a year. These hospitals are the only hospitals within the city that provide sexual assault nurse examiners (SANE) within the city of San Antonio. Today, the average expense for an examination is \$603.00 and does not exceed the current Office of the Attorney General's maximum rate of \$700.00. Under the amended contract, the average expense for an examination will increase but will not exceed the new Office of Attorney General maximum reimbursement rate \$1,000.00. The Texas Attorney General Office Crime Victim's Compensation (CVC) will reimburse SAPD at 100% through their Sexual Assault Examination Reimbursement Program for eligible costs of a forensic examination upon submission of applications.

All personnel who perform any part of the services shall meet and maintain all minimum requirements set by federal, state, and local laws, rules and regulations, including, but not limited to, all licensing and training agreements.

## **ISSUE:**

Since April 2015, the SAPD has sent all medical exams for victims of sexual assault/abuse, to both Methodist Hospital and Christus Santa Rosa Health System. The existing contract allowed for fees not to exceed \$700, for which the SAPD was reimbursed by the State's CVC office, and the average cost was \$603. The maximum reimbursement of \$700 went into effect in 2010 and has not changed since that time. The State approved an increase to \$1,000, which went into effect on July 15, 2016; however, the City did not increase the fees or reimbursement rate to the hospitals at that time. The amendment presented today will allow for an increase in the fees paid for that service, per State regulation.

With the increase of the maximum reimbursable rate from \$700 to \$1,000, approved by the State of Texas Office of the Attorney General, the contractors will not be allowed to charge more than \$1,000 total for each necessary exam. The SAPD is required to pay this cost, per the Texas Code of Criminal Procedures, Article 56.06, Section A, as it is the law enforcement agency requesting the exam.

By approving the ordinance presented, the City Manager or designated representative will amend the two contracts with Methodist Healthcare System, of San Antonio, LTD. LLP, d/b/a/ Methodist Hospital (campus of Methodist Specialty and Transplant Hospital), and Christus Santa Rosa Health System d/b/a Children's Hospital of San Antonio, to provide specialized sexual assault/abuse examinations. The contract amendments will be effective upon approval and expire March 31, 2020.

This ordinance will support the City's efforts in addressing sexual assault/abuse and ensure the City is reimbursed in full for the services of the contracts.

## **ALTERNATIVES:**

City Council can decide not to approve this ordinance, which would leave the department unable to collect the maximum reimbursement for the cost of the medical exams.

## **FISCAL IMPACT:**

This ordinance authorizes the City Manager or a designated appointee to amend two contracts with Methodist Hospital and Christus Santa Rosa Health System to provide specialized sexual assault/abuse examinations. The annual amount under the amendment is \$668,000 and funds for these contracts are available within the Police Department Budget funded by the City's General Fund.

**RECOMMENDATION:**

Staff recommends that City Council approve the amendments for implementation.