

ITEM 5
TEST CLAIM DISMISSAL
PROPOSED STATEMENT OF DECISION

Health and Safety Code Sections 1442 and 1442.5
Welfare and Institutions Code Sections 11150, 14005, 14005.4, 14005.10, 14005.16, 14006,
14011, 14016, 14124.89, 14132, 14133.3, 16700, 16703, 16704, 16708 and 16717

And Uncodified Section 8.3,

As Added or Amended by
Statutes 1982, Chapter 328
Statutes 1982, Chapter 1594

Medically Indigent Adults (01-TC-26)

County of San Bernardino, Claimant

EXECUTIVE SUMMARY

On March 28, 2007, the County of San Bernardino requested withdrawal of the test claim filing on *Medically Indigent Adults* (01-TC-26).¹ Claimant's request was served in writing, and a sixty-day notice of this withdrawal and dismissal was provided pursuant to California Code of Regulations, title 2, section 1183.08.²

The deadline for an eligible claimant to request to take over the claim by substitution of the parties is on or before Tuesday, May 29, 2007. If such a request is received, this item will be pulled from the May 31, 2007 hearing agenda. Otherwise, the sole issue before the Commission on State Mandates ("Commission") is whether the Commission adopts the Proposed Statement of Decision, dismissing the above-named test claim.³

Recommendation

Staff recommends that the Commission adopt the Proposed Statement of Decision, dismissing the entire *Medically Indigent Adults* test claim.

¹ Claimant's withdrawal request letter (Attachment 1.)

² Commission's notice of withdrawal and dismissal hearing (Attachment 2.)

³ California Code of Regulations, test claim, section 1188.1, subdivision (g).

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM:

Health and Safety Code Sections 1442 and 1442.5; Welfare and Institutions Code Sections 11150, 14005, 14005.4, 14005.10, 14005.16, 14006, 14011, 14016, 14124.89, 14132, 14133.3, 16700, 16703, 16704, 16708 and 16717; and Uncodified Section 8.3,

As Added or Amended by Statutes 1982, Chapter 328 and Statutes 1982, Chapter 1594,

Filed on June 28, 2002,

Withdrawn on March 28, 2007,

By County of San Bernardino, Claimant.

Case No.: (01-TC-26)

Medically Indigent Adults

PROPOSED STATEMENT OF DECISION
PURSUANT TO GOVERNMENT CODE
SECTION 17500 ET SEQ.; CALIFORNIA
CODE OF REGULATIONS, TITLE 2,
DIVISION 2, CHAPTER 2.5, ARTICLE 7

(Proposed for Adoption on May 31, 2007)

PROPOSED STATEMENT OF DECISION

On March 28, 2007, the County of San Bernardino requested withdrawal of the test claim filing on *Medically Indigent Adults* (01-TC-26). Claimant's request was served in writing, and a sixty-day notice of this withdrawal and dismissal was provided pursuant to California Code of Regulations, title 2, section 1183.08.

No interested parties objected to the claimant's request for withdrawal, or took over the claim by substitution of the parties, on or before May 29, 2007.

CONCLUSION

IT IS HEREBY ORDERED that the test claim filing, *Medically Indigent Adults* (01-TC-26), is dismissed, without prejudice, pursuant to California Code of Regulations, title 2, section 1183.08.

Any claimant may file a new test claim on the above-referenced test claim legislation. However, any such claim shall be subject to a new filing date and to the statute of limitations pursuant to Government Code section 17551.