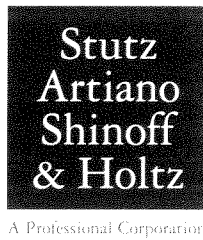


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July 20, 2015

Heather Halsey
Executive Director
Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814

Re: Case No.: Immunization Records – Pertussis (11-TC-02)
Request to Amend Parameters & Guidelines to Adopt a Reasonable
Reimbursement Methodology
Claimant: Desert Sands Unified School District

Dear Ms. Halsey:

Desert Sands Unified School District (“Claimant”) files this Rebuttal in response to the Department of Finance and State Controller Office comments.

A. **Legal Authority**

The Commission has the authority to “amend, modify, or supplement the parameters and guidelines” upon the claim or request of a local agency, school district, or state agency. (Gov. Code § 17557(d).) The Commission may adopt a reasonable reimbursement methodology change to the parameters and guidelines for all reimbursement activities.

Claimant requests to Amend the Parameters & Guidelines To Adopt A Reasonable Reimbursement Methodology, a uniform cost allowance, pursuant to Government Code sections 17557(d)(1); 17557(2)(C); 17518.5 and California Code of Regulations section 1183.17 (a)(3). The request includes proposed language for the specific sections of the existing parameters and guidelines and a narrative explaining why the amendment is required. In support of the request for the reasonable reimbursement methodology claimant has submitted a Statistical Analysis of Pertussis Mandate Claims Report describing the source data and the statistical analysis performed in calculating a proposed unit rate.

The Statistical Analysis of Pertussis Mandate Claims Report is in conformity with Government Code section 17518.5(b) as it is based on cost information from a representative sample of eligible claimants, information provided by association of local agencies and school districts, or other projections of local costs. The reasonable reimbursement methodology is based on uniform cost allowances, derived from a broad range of criteria and information, and need not conform to any specific statutory standards, other than balancing accuracy with simplicity, and considering variation in costs among local government claimants in order to implement the

Heather Halsey
Executive Director

mandate in a cost efficient manner, rather than detailed documentation of actual local costs. (Gov. Code § 17518.5(d))

The auditing of reimbursement claims is not a prerequisite for the development and approval of a reasonable reimbursement methodology. (CCR §1183.12)

Mandate Block Grant

The Mandate Block Grant (“MGB”) is for School Districts that annually elect to receive reimbursement based on their annual daily attendance. Whether or not Immunization Records – Pertussis (11-TC-02) program is included in the MBG is irrelevant, as Schools Districts may annually decide to file claims, requiring the necessity for approval of a reasonable reimbursement methodology.¹

CERTIFICATION

I certify by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.



Arthur M. Palkowitz
Attorney for the Claimant

¹ Immunization Records – Pertussis (11-TC-02) program is not included in the Mandate Block Grant and not an option for reimbursement for mandated costs. Consequently, School Districts are eligible to file reimbursement claims with the State Controller Office for the costs incurred in fiscal year 2014–15. (<http://www.cde.ca.gov/fg/aa/ca/mandatebgfaq.asp#q21>)

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On July 22, 2015, I served the:

Claimant Rebuttal Comments

Request to Amend Parameters and Guidelines

Immunization Records - Pertussis, 14-PGA-01 (11-TC-02)

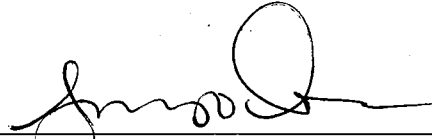
Health and Safety Code Section 120335

Statutes 2010, Chapter 434 (AB 354)

Desert Sands Unified School District, Requester

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on July 22, 2015 at Sacramento, California.



Lorenzo Duran
Commission on State Mandates
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 7/8/15

Claim Number: 14-PGA-01 (11-TC-02)

Matter: Immunization Records - Pertussis

Requester: Desert Sands Unified School District

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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