

RECEIVED



IDAHO DEPARTMENT OF
HEALTH & WELFARE

FEB 20 2013

CANYON COUNTY
COMMISSIONERS

C. L. "Butch" Otter - Governor
RICHARD M. ARMSTRONG - Director

Russell S. Barron - Administrator
STATEWIDE SELF RELIANCE PROGRAMS
450 West State Street, 2nd Floor
P.O. Box 83720
Boise, Idaho 83720-0036
PHONE 208-334-5815
FAX 208-334-5817

February 15, 2013

Canyon County Board of Commissioners
1115 Albany Street
Caldwell, ID 83605

Subject: [REDACTED] - Case #2011-1606

Dear Sir or Madam:

The pre-litigation panel, as authorized in Idaho Code 31-3552, met January 8, 2013, to consider the above mentioned case.

An application was submitted on [REDACTED] behalf for assistance for medical costs related to a heart problem diagnosed in the emergency room for total costs of \$94,263.

The panel disagreed with the County. The panel thought the procedure was emergent and the client was indigent at the time of service. The County's denial was based on the timeliness of the application, which was filed as a 31-day rather than a 10-day prior. The decision to deny was made only after a review which was done a year later. The panel felt that, at the time of service, the applicant had a verbal confirmation the procedure was emergent, and the denial upon review did not leave the client a clear appeal process. The panel did not feel that the denial was clearly reviewed, and would have liked to have testimony from the client's physician to consider due to the amount of time between the procedure and the review.

Sincerely,

Shannon Epperley
Medicaid Program Manager

SE/pj

c: St. Alphonsus Regional Medical Center
Taylor Law Offices PLLC

RECEIVED



IDAHO DEPARTMENT OF
HEALTH & WELFARE

FEB 20 2013

CANYON COUNTY
COMMISSIONERS

C. L. "Butch" Otter - Governor
RICHARD M. ARMSTRONG - Director

Russell S. Barron - Administrator
STATEWIDE SELF RELIANCE PROGRAMS
450 West State Street, 2nd Floor
P.O. Box 83720
Boise, Idaho 83720-0036
PHONE 208-334-5815
FAX 208-334-5817

February 15, 2013

Canyon County Board of Commissioners
1115 Albany Street
Caldwell, ID 83605

Subject: [REDACTED] - Case #11-1196.922

Dear Sir or Madam:

The pre-litigation panel, as authorized in Idaho Code 31-3552, met January 8, 2013, to consider the above mentioned case.

An application was submitted on [REDACTED] behalf for medical costs related to heart surgery for total costs of \$92,726.

The panel agreed with the County that the client did not meet indigence requirements or State residency requirements. The client's condition was ongoing for at least four years and was not emergent. The filing was untimely and the panel agreed that the client also had time to apply for PCIP insurance and would then have had another resource for retiring the debt.

Sincerely,

Shannon Epperley
Medicaid Program Manager

SE/pj

c: St. Alphonsus Regional Medical Center
Duke Scanlan & Hall, PLLC

RECEIVED

FEB 20 2013



IDAHO DEPARTMENT OF
HEALTH & WELFARE

CANYON COUNTY
COMMISSIONERS

C. L. "Butch" Otter - Governor
RICHARD M. ARMSTRONG - Director

Russell S. Barron - Administrator
STATEWIDE SELF RELIANCE PROGRAMS
450 West State Street, 2nd Floor
P.O. Box 83720
Boise, Idaho 83720-0036
PHONE 208-334-5815
FAX 208-334-5817

February 15, 2013

Canyon County Board of Commissioners
1115 Albany Street
Caldwell, ID 83605

Subject: [REDACTED] - Case #2011-1421

Dear Sir or Madam:

The pre-litigation panel, as authorized in Idaho Code 31-3552, met January 8, 2013, to consider the above mentioned case.

An application was submitted on [REDACTED]'s behalf for assistance for medical costs related to a stab wound received during an altercation for total costs of \$30,191.

The panel agreed with the County. The client did not meet indigence requirements as he had resources to retire the debt in the allotted time. The client also failed to provide full financial documents and failed to cooperate with Crime Victims Compensation which would have afforded him an additional resource to retire the debt.

Sincerely,

Shannon Epperley
Medicaid Program Manager

SE/pj

c: St. Alphonsus Regional Medical Center
Duke Scanlan Hall PLLC



RECEIVED

MAR - 7 2013

March 6, 2013

CANYON COUNTY
COMMISSIONERS

Board of Canyon County Commissioners
Attn: Monica Reeves
1115 Albany Street
Caldwell, Idaho 83605

Re: [REDACTED] Case No. 2012-1326
DSH File No. 35-012

KEELY E. DUKE
KEVIN J. SCANLAN
RICHARD E. HALL*
BRYAN A. NICKELS
CHRIS D. COMSTOCK
SANJA E. PRUTINA
KEVIN A. GRIFFITHS
JOE M. ALDRIDGE**

Dear Ms. Reeves:

Enclosed please find our firm's check in the amount of \$50, which you indicated is the estimated fee for preparation of the transcript in the above-referenced matter. We are seeking judicial review by the District Court and review by the Prelitigation Screening Panel of the appeal hearing that was held on February 21, 2012 and the denial of the medial indigency application in this matter. We will be providing you with copies of the Petition for Judicial Review, Motion to Stay Proceedings Pending Review by the Prelitigation Screening Panel, Memorandum and Affidavit in Support thereof shortly.

Additionally, I look forward to hearing from you regarding the estimated fee for the preparation of the record as well.

Please contact me if you have any questions concerning this request.

Very truly yours,


Bryan A. Nickels

BAN/klb
Encl.

cc: Bradford D. Goodsell - Canyon Co. Prosecutor's Office (w/ encl.)

DUKE · SCANLAN · HALL PLLC

1087 W. RIVER STREET | SUITE 300 | BOISE, ID 83702 | P.O. BOX 7387 | BOISE, ID 83707
208.342.3310 PHONE | 208.342.3299 FAX | WWW.DUKESCANLANHALL.COM

*ATTORNEY AND OF COUNSEL
**IDAHO LICENSE PENDING
WITH ATTORNEYS LICENSED IN IDAHO
WASHINGTON, OREGON AND NEBRASKA

STP
COPY

March 6, 2013

Clerk of the District Court
c/o Canyon County Courthouse
1115 Albany Street
Caldwell, Idaho 83605

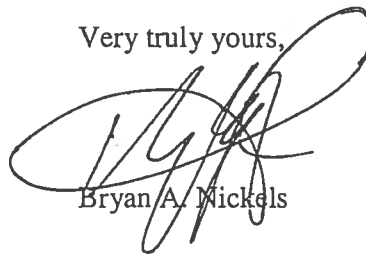
Re: *In Re: B.M.C.*
DSH File No. 35-012

Dear Clerk:

Enclosed please for filing with the Court, please find an original and front-page-only copy of the **PETITION FOR JUDICIAL REVIEW** and a check in the amount of \$96.00 for the filing fee regarding the above-referenced matter. Please assign the case number and return the front-page-only copy in the self-addressed stamped envelope provided.

Please contact my office if you have any questions. Thank you for your assistance.

Very truly yours,



Bryan A. Mickels

BAN/klb

Encls.

cc: ✓ Canyon County Commissioners (w/ encl.)
Bradford D. Goodsell, Canyon County Prosecutor's Office (w/ encl.)

*ATTORNEY AND OF COUNSEL
**IDAHO LICENSE PENDING

WITH ATTORNEYS LICENSED IN IDAHO
WASHINGTON, OREGON AND NEBRAS

DUKE · SCANLAN · HALL PLLC

1087 W. RIVER STREET | SUITE 300 | BOISE, ID 83702 | P.O. BOX 7387 | BOISE, ID 83707
208.342.3310 PHONE | 208.342.3299 FAX | WWW.DUKESCANLANHALL.COM

Bryan A. Nickels
ISB #6432; ban@dukescanlan.com
DUKE SCANLAN & HALL, PLLC
1087 West River Street, Suite 300
P.O. Box 7387
Boise, Idaho 83707
Telephone (208) 342-3310
Facsimile (208) 342-3299

RECEIVED

MAR - 7 2013

CANYON COUNTY
COMMISSIONERS

Attorneys for Saint Alphonsus Regional Medical Center

COPY

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

SAINT ALPHONSUS REGIONAL
MEDICAL CENTER,

Petitioner,

vs.

CANYON COUNTY and THE BOARD OF
CANYON COUNTY COMMISSIONERS,

Respondents.

In re: B.M.C.

Case No. _____

PETITION FOR JUDICIAL REVIEW

Saint Alphonsus Regional Medical Center ("Petitioner") hereby petitions this Court for judicial review from the Certificate of Denial ("Decision") of the Board of Canyon County Commissioners ("Board") (Board's Case No. 2012-1326) rendered on the medical indigency application of [REDACTED] ("B.M.C." or "Patient"). Petitioner seeks review as follows:

1. Review is sought from the Decision of the Board of Canyon County Commissioners.

2. This Petition is taken to the Third Judicial District Court of the State of Idaho, in and for the County of Canyon, by Petitioner, Saint Alphonsus Regional Medical Center, an Idaho corporation with its principal place of business at 1055 North Curtis Road, Boise, County of Ada, Idaho.

3. Review is sought of the Board's Decision denying the medical indigency application of the Patient. The initial Decision was rendered on or about August 29, 2012 and upheld on February 21, 2013.

4. The Board conducted a hearing on or about February 21, 2013, which were digitally/electronically recorded. Based on this information and belief, the Board, located at 1115 Albany Street, Caldwell, Idaho 83605, is in possession of the recordings of the aforementioned hearing. A copy of the transcript is requested.

5. The issues for judicial review include the following:

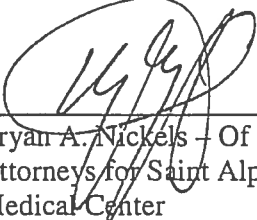
- a. Whether the Patient is medically indigent; and
- b. Whether the Board erred in denying the medical indigency application.

6. Saint Alphonsus Regional Medical Center will request that a transcript be prepared.

7. The undersigned certifies that the service of this Petition has been made upon the Board of Canyon County Commissioners, and that the estimated fee for preparation of the transcript and record has been and/or will be paid.

DATED this 6th day of March, 2013.

DUKE SCANLAN & HALL, PLLC

By 
Bryan A. Nickels - Of The Firm
Attorneys for Saint Alphonsus Regional
Medical Center

CERTIFICATE OF SERVICE

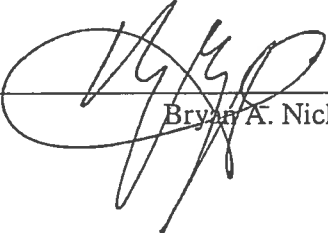
I HEREBY CERTIFY that on the 6th day of March, 2013, I caused to be served a true copy of the foregoing PETITION FOR JUDICIAL REVIEW, by the method indicated below, and addressed to each of the following:

Canyon County Commissioners
c/o Canyon County Courthouse
1115 Albany Street
Caldwell, Idaho 83605
Telephone (208) 454-7507

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile

Bradford D. Goodsell
Deputy, Civil Division
Canyon County Prosecuting Attorney's Office
1115 Albany Street
Caldwell, Idaho 83605
Telephone (208) 454-7391

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Overnight Mail
- Facsimile (208) 454-7474
- Email
bgoodsell@canyonco.org


Bryan A. Nickels