

AGENDA ITEM # 19**May 25, 1999**

Discuss and take any appropriate action on request from Texas Department of Health to refund portion of tobacco money to City of Austin.

Moved: Commissioner Boatright

Seconded: Judge Doerfler

Motion: To table this agenda item for one (1) week.

Vote: Motion carried 5 - 0

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William R. Archer III, M.D.
Commissioner of Health

<http://www.tdh.state.tx.us>

1100 West 49th Street
Austin, Texas 78756-3199
512/ 458-7111

Patti J. Patterson, M.D., M.P.H.
Executive Deputy Commissioner

May 3, 1999

The Honorable John C. Doerfler
County Judge, Williamson County
710 Main Street
Georgetown, Texas 78626

Re: Tobacco Settlement Distribution

Dear Judge Doerfler:

The letter concerns the excess payment of \$43,163.66 that Williamson County received in January 1999 from the tobacco settlement proceeds. My correspondence to you dated February 11, 1999, included an explanation of the overpayment along with a request that Williamson County contact the Texas Department of Health (TDH) to arrange a refund.

Your check from the State of Texas included payment for 2,444 residents of Williamson County who also resided in the City of Austin, according to the 1990 federal census. TDH should have incorporated these individuals in the city's population for the tobacco settlement distribution.

The tobacco settlement specifies that political subdivisions with responsibility for providing health care to the general public are eligible for a share of the proceeds. Chapter 61 of the Texas Health and Safety Code makes public hospitals responsible for providing indigent care to the population within their boundaries. Since the City of Austin owns a public hospital, the 2,444 residents were the responsibility of the city, rather than the county.

Please be aware that the State of Texas will withhold the above overpayment from the next distribution of proceeds to Williamson County in April 2000, unless you have refunded this amount by that date. Feel free to have a member of your staff contact Mr. Joe Walton at (512) 458-7261 in the Bureau of State Health Data and Policy Analysis to discuss this matter.

Sincerely,

Susan K. Steeg

Susan K. Steeg
General Counsel

cc: The Honorable Kirk Watson
Mayor of Austin

Jesus Garza, City Manager
City of Austin

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