

**KAMALA D. HARRIS**  
**Attorney General**

**State of California**  
**DEPARTMENT OF JUSTICE**



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December 7, 2016

***Sent by Internet and U.S. Mail***

Kevin P. Duthoy, Esq.  
Bewley, Lassleben, & Miller, LLP  
13215 East Penn Street, Suite 510  
Whittier, CA 90602

RE: PIH Health Hospital –Downey’s Request For Modification of Condition VII

Dear Mr. Duthoy:

Pursuant to Title 11, California Code of Regulations, section 999.5, subdivision (h), the Attorney General hereby agrees to amend the definition of “Minimum Charity Care Amount” in Condition VII of the Attorney General’s Decision dated April 15, 2013 to be \$1,254,498. This amendment is based upon PIH Health Hospital– Downey’s corrected Fiscal Years 2008-2012 Annual Financial Disclosure Reports that were resubmitted to and audited by the California Office of Statewide Health and Planning Development. The Attorney General hereby denies PIH Health Hospital– Downey’s request for a further reduction of the required amount of charity care based upon the implementation of the Federal Patient Protection and Affordable Care Act and Covered California in 2014.

For Fiscal Year 2014 (10/1/2013- 9/30/2014), the required amount of charity care is \$1,254,498. Fiscal Year 2014’s deficiency is \$600,190 (\$1,254,498 – 654,307). Based upon PIH Health Hospital – Downey’s request dated August 10, 2016, it has provided a deficiency payment in excess of the deficiency amount.

For Fiscal Year 2015, the Minimum Charity Care Amount is \$1,264,534 that includes an amount equal to the Annual Percent increase, if any, in the 12-Month Percent Change: Consumer Price Index - All Urban Consumers in the Los Angeles-Riverside-Orange County Consolidated Metropolitan Statistical Area Base Period: 1982-84=100” (CPI-LA, as published by the U.S. Bureau of Labor Statistics). Fiscal Year 2015’s deficiency is \$1,031,545 (\$1,264,534 – 232,988). Please provide proof by February 10, 2017 that such payments have been made.

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The Attorney General's Decision dated April 15, 2013 remains in effect as issued except for the above amendment to Condition VII.

Sincerely,

[Original Signed]

WENDI A. HORWITZ  
Deputy Attorney General

For KAMALA D. HARRIS  
Attorney General