

# HEFFERNAN MEMORIAL

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## HEALTHCARE DISTRICT

March 21, 2024

Imperial County LAFCO  
1122 State Street, Suite D  
El Centro, CA 92243

Board of Directors  
Pioneers Memorial Healthcare District  
207 W. Legion Road  
Brawley, CA 92227

Dear LAFCO BOARD OF DIRECTORS:

Heffernan Memorial Healthcare District's Board of Directors submits this letter regarding the pending Pioneers Memorial Healthcare District's application before Imperial County's LAFCO, for the expansion of Pioneers Memorial's service area boundaries to either a county wide healthcare district and/or an expansion to encompass the Heffernan Memorial service area boundaries into Pioneers Memorial Healthcare District's area and boundaries. Heffernan Memorial Healthcare District opposes any dissolution of the Heffernan Memorial Healthcare District as requested by Pioneers Memorial Healthcare District. Heffernan Memorial requests that LAFCO reject the pending expansion application of Pioneers Memorial Healthcare District.

The California legislature enacted AB 918 during the summer of 2023 and Governor Gavin Newsom signed AB 918 into law as an emergency measure which

became effective upon signature on October 8, 2023. Chapter 11 was added to Division 23 of the California Health and Safety Code and codified in Ca. Health and Safety Code section 32499.5 through section 32499.9 establishing the Imperial Valley Healthcare District in Imperial County.

The Imperial Valley Healthcare District's initial boards of directors have been chosen and have assumed their appointed duties per the requirements of Health and Safety Code section 32499.5. Several meetings of the Imperial Valley Healthcare District board of directors have been held and actions have been taken. The initial board of directors of IVHD shall make the recommendations to LAFCO for the dissolution dates of both Pioneers Memorial Healthcare District and Heffernan Memorial Healthcare District.

Health and Safety Code section 32499.5 et. al. provide for the dissolution of the Pioneers Memorial Healthcare District and the Heffernan Memorial Healthcare District no later than January 1, 2025.

Health and Safety Code section 32499.5 et. al. provides that LAFCO in conjunction with the Imperial Valley Healthcare District shall recommend a permanent funding source mechanism to be presented to the voters of Imperial County to place on the ballot for the March 2024 or the November 2024 ballot. Both IVHD and LAFCO shall use the financial feasibility study conducted and supervised by LAFCO to determine the financial funding mechanism for the IVHD.

Health and Safety Code section 32499.5 et. al. also requires that IVHD and LAFCO collaborate in establishing voting districts for the new countywide healthcare district.

Health and Safety Code section 32499.5 et. al. tasks LAFCO with the ultimate decision on the dissolution dates of both Pioneers Memorial Healthcare District and Heffernan Memorial Healthcare District.

Pioneers Memorial and Imperial County LAFCO nonetheless are proceeding with the LAFCO application for the expansion of Pioneers Memorial's service area and boundaries. The Pioneers Memorial's LAFCO application is redundant and moot.

LAFCO should declare the Pioneers Memorial's application for the expansion of its service area and boundaries as being preempted by Health and Safety Code section 32499.5 et. al. and should be denied immediately.

LAFCO has substantial responsibilities under Health and Safety Code section 32499.5 et. al. LAFCO should abide by the delegated responsibilities under this code section and commence to help put into place the governance and financial obligations that have been entrusted to the new county wide healthcare district and LAFCO.

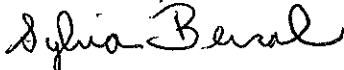
Any further work and resources spent on the Pioneers Memorial's expansion application before LAFCO is a waste of taxpayer money and resources. LAFCO does not have jurisdiction to proceed with Pioneers Memorial's expansion application because of the adoption and signature of AB 918. The expansion application is a legal nullity and preempted by Ca. Health and Safety Code section 32499.5 et. al.

Therefore, LAFCO should deny the expansion application of Pioneers Memorial Healthcare District as null and void.

Respectfully submitted,

Heffernan Memorial Healthcare District

Sylvia Bernal, President of the Board



CC: Luis Plancarte, Chair of the Board of Supervisors

County of Imperial Board of Supervisors

Miguel Figueroa, Executive Officer