

**RESOLUTION NO.**  
**ELECTING CEASE TO BE SUBJECT TO THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT**

- WHEREAS,       (1)       Government Code Section 22938 provides that a contracting agency which has elected to be subject to the Public Employees' Medical and Hospital Care Act (the "Act") may cease to be so subject by proper application by the contracting agency; and
- WHEREAS,       (2)       **County of San Benito (Non-PERS)** is a contracting agency under Government Code Section 22920 and subject to the Act; now, therefore be it
- RESOLVED,     (a)       **County of San Benito** elects to cease to be subject to the Act; and be it further
- RESOLVED,     (b)       That coverage under the Act cease on December 31, 2016.

Adopted at a regular meeting of the Board of Supervisors of San Benito County at Hollister, CA, this 9th day of August, 2016.

Signed: \_\_\_\_\_  
Robert Rivas, Chair

Attest: \_\_\_\_\_  
Louie Valdez, Clerk of the Board

## **INSTRUCTIONS**

This resolution form is the approved form designated by the California Public Employees' Retirement System (CalPERS). It should be used by a contracting agency subject to the Public Employees' Medical and Hospital Care Act (PEMHCA) when the agency desires to terminate coverage under the Act.

If the resolution is filed **within 60 days of premium rate notification of any year**, coverage will cease on the last day of December (31) following the filing (date stamped as received by CalPERS; See address below).

WHEREAS, (2) should be completed with full name of the contracting agency.

RESOLVED, (a) should be completed with full name of the contracting agency.

RESOLVED, (b) provides for the date that coverage under PEMHCA will cease -- the last day of December (31).

**Note that Section 599.515 (e) of the California Administrative Code (Board's Regulations) prohibits a new contract for Public Employees' Medical and Hospital Care coverage within five years of termination date.**

**Because resolutions serve as a legally binding document, we require the original resolution, certified copy with original signatures, or a copy of the resolution with the agency's raised seal.**

**Upon receipt by the California Public Employees' Retirement System, the termination resolution is IRREVOCABLE.**

**For resolution processing, deliver to the following:**

**Overnight Mail Service**

California Public Employees' Retirement System  
Health Contracts Unit  
400 Q Street  
Sacramento, CA 95811-6210

**Regular Mail**

California Public Employees' Retirement System  
Health Contracts Unit  
PO BOX 942714  
Sacramento, CA 94229-2714

The certification shown following the resolution is to be completed by those individuals authorized to sign for the contracting agency in legal actions and is to include the name of the executive body; i.e. Board of Directors, Board of Trustees, etc., the location and the date of signing.