



# Jackson County Missouri

Jackson County Courthouse  
415 E. 12th Street, 2nd floor  
Kansas City, Missouri 64106  
(816)881-3242

## Legislation Details (With Text)

**File #:** 13859      **Version:** 0      **Name:** New Mark Care Center claim  
**Type:** Resolution      **Status:** Passed  
**File created:** 10/15/2001      **In control:** County Legislature  
**On agenda:** 10/15/2001      **Final action:** 10/15/2001  
**Title:** A RESOLUTION authorizing the County Counselor to settle the claim of New Mark Care Center, Inc., for the total payment of \$14,160.22.  
**Sponsors:** Victor E. Callahan  
**Indexes:** SETTLEMENT OF CLAIM  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
10/15/2001	0	County Legislature	adopt	Pass

### IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**A RESOLUTION** authorizing the County Counselor to settle the claim of New Mark Care Center, Inc., for the total payment of \$14,160.22.

**RESOLUTION # 13859**, October 15, 2001

**INTRODUCED BY** Victor E. Callahan, County Legislator

WHEREAS, the County Counselor is in receipt of a claim filed by New Mark Care Center, Inc., in which the claimant, the owner and operator of a nursing home in the Kansas City metropolitan area, has alleged that staff of a previous Public Administrator breached a duty owed to the claimant by failing to timely apply for public assistance benefits due to three wards of the Public Administrator's Office who were housed in the claimant's facility; and,

WHEREAS, the claimant has further alleged that, because of this breach, the claimant was deprived of payments to which the wards were entitled, which could have been applied by the claimant to the wards' care; and,

WHEREAS, the Public Administrator has reviewed the files of the wards in question and has determined that, if her predecessor's staff had timely and properly processed applications for benefits of all of the wards in question, the claimant would have received an additional \$14,160.22 in benefits which it did not and is no longer eligible to receive; and,

WHEREAS, the Public Administrator and County Counselor have thoroughly reviewed this claim and recommend that it be settled by payment to the claimant of the sum of \$14,160.22; and,

WHEREAS, settlement as recommended is in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Counselor be and hereby is authorized to settle the claim of New Mark Care Center, Inc., by the payment to the claimant of the sum of \$14,160.22; and,

BE IT FURTHER RESOLVED that the Manager of the Division of Finance be and hereby is authorized to make all payments required by this settlement; and,

BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to execute any and all documents necessary to effect this settlement.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution # 13859 of October 15, 2001 was duly passed on \_\_\_\_\_ October 15 \_\_\_\_\_, 2001 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_ 7 \_\_\_\_\_

Nays \_\_\_\_\_ 0 \_\_\_\_\_

Abstaining \_\_\_\_\_ 0 \_\_\_\_\_

Absent \_\_\_\_\_ 2 \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Brogato  
Clerk of Legislature

Funds sufficient for this expenditure are available from the source indicated below.

ACCOUNT NUMBER: 060 5160 6380

ACCOUNT TITLE: Self Insurance Fund  
Non-Departmental - Self Insurance Fund  
Uninsured Claimants

NOT TO EXCEED: \$14,160.22

\_\_\_\_\_

Date

Director of the Department of Finance