



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: A 23-336

July 25, 2023

Introduced: 7/5/2023

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

Authorize the Chief Executive Officer (CEO) for Natividad Medical Center (NMC) or his designee to execute a Renewal and Amendment No. 2 to Agreement with Hooper, Lundy & Bookman PC, for legal services with respect to healthcare matters, adding two years effective July 1, 2023 through June 30, 2025, for a revised full term of July 1, 2018, through June 30, 2025, and adding \$400,000 for a contract amount not to exceed \$1,600,000.

RECOMMENDATION:

It is recommended the Board of Supervisors:

Authorize the Chief Executive Officer (CEO) for Natividad Medical Center (NMC) or his designee to execute a Renewal and Amendment No. 2 to Agreement with Hooper, Lundy & Bookman PC, for legal services with respect to healthcare matters, adding two years effective July 1, 2023, through June 30, 2025, for a revised full term of July 1, 2018, through June 30, 2025, and adding \$400,000 for a contract amount not to exceed \$1,600,000.

SUMMARY/DISCUSSION:

Hooper, Lundy & Bookman PC is the largest full service law firm in the country, with offices in San Francisco, Los Angeles, San Diego, and Washington, D.C., dedicated solely to the legal representation of health care providers in Medicare Medicaid payments, health care business transactions, licensing and certifications.

Hooper, Lundy & Bookman provides legal services to the County of Monterey to ensure that the operations of Natividad Medical Center comply with state and federal healthcare and Medicare compliance laws. The potential sanctions for noncompliance with these laws are severe and include civil and criminal liability, as well as debarment or exclusion from participation in Medicare. Additionally, the firm provides advice on medical staff matters, affiliation agreements; Medi-Cal managed care agreements, and commercial payor agreements.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this agreement as to legal form and risk provisions, and the Auditor-Controller has reviewed and approved as to payment provisions. This agreement has also been reviewed and approved by Natividad's Finance Committee and Board of Trustees on June 9,

2023.

FINANCING:

The cost for this amendment is \$400,000 of which \$200,000 shall be included in the Fiscal Year 2024 Recommended Budget. The remaining amount will be included in the Fiscal Year 2025 budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

☐ Economic Development

☒ Administration

The services rendered in this agreement provide legal consulting services, as needed, with respect to healthcare matters; the outcome of which contributes to assisting NMC run efficient business operations.

☐ Health and Human Services

☐ Infrastructure

☐ Public Safety

Prepared by: Daniel Leon, Chief Financial Officer, 783-2561

Approved by: Chad Harris, M.D., Chief Executive Officer, 783-2504

Attachments:

Hooper, Lundy & Bookman P.C. Original Agreement

Hooper, Lundy and Bookman P.C. Amendment No. 1 to Original Agreement

Hooper Lundy and Bookman P.C. Renewal and Amendment No. 2 to Original Agreement

Attachments on file with the Clerk of the Board

Charles R. Harris
Charles R. Harris, M.D., Chief Executive Officer

07/10/2023
Date