



# County of Monterey

Item No.

## Board Report

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

Legistar File Number: A 23-020

February 07, 2023

**Introduced:** 1/18/2023

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Agreement

- a. Authorize the Chief Executive Officer of Natividad to sign the patient transfer agreement with the County of Santa Clara-Santa Clara Valley Medical Center including O Connor Hospital and Saint Louise Regional Hospital, which defines the terms of transferring a patient between Natividad and Santa Clara Valley Medical Center for the term of July 1, 2023 through June 30, 2028; and
- b. Approve the Natividad Chief Executive Officer's recommendation to accept non-standard indemnification (Monterey County indemnifies Santa Clara County) and insurance (professional liability insurance only; standard limits) provisions within the agreement; and
- c. Authorize execution of additional amendments to the agreement where the amendments do not extend the term and do not significantly alter the risk associated with the parties' duties under the Agreement, subject to review and approval of County Counsel and County Auditor-Controller.

### **RECOMMENDATION:**

#### **It is recommended the Board of Supervisors:**

- a. Authorize the Chief Executive Officer of Natividad to sign the patient transfer agreement with the County of Santa Clara-Santa Clara Valley Medical Center including O Connor Hospital and Saint Louise Regional Hospital, which defines the terms of transferring a patient between Natividad and Santa Clara Valley Medical Center for the term of July 1, 2023 through June 30, 2028; and
- b. Approve the Natividad Chief Executive Officer's recommendation to accept non-standard indemnification (Monterey County indemnifies Santa Clara County) and insurance (professional liability insurance only; standard limits) provisions within the agreement; and
- c. Authorize execution of additional amendments to the agreement where the amendments do not extend the term and do not significantly alter the risk associated with the parties' duties under the Agreement, subject to review and approval of County Counsel and County Auditor-Controller.

### **SUMMARY/DISCUSSION:**

It may be necessary on occasion for Natividad Medical Center to transfer a patient to Santa Clara Valley Medical Center, including O'Connor Hospital and Saint Louise, for outpatient or inpatient healthcare services that are not provided or available at NMC.

The parties desire to enter into this Agreement to arrange for the orderly, timely and therapeutically beneficial transfer of patients and to establish the conditions under which transfers occur. This agreement is a patient transfer agreement whereby the terms and conditions regarding the transfer are

mutually agreed upon in advance of the transfer.

The current five-year transfer agreement expires June 30, 2023. The County of Santa Clara requires a new agreement be executed in lieu of extending the Agreement for an additional term. The indemnification provision in which Monterey County, as the transferring hospital, and insurance provisions in the proposed agreement are identical to the same provisions in the current agreement.

**OTHER AGENCY INVOLVEMENT:**

The Office of County Counsel has reviewed and approved this agreement as to form, and the Auditor-Controller has reviewed and approved as to limited payment provisions. The agreement has also been reviewed and approved by NMC's Finance Committee on January 13, 2023 and by its Board of Trustees on January 13, 2023.

**FINANCING:**

Costs associated with the Agreement are minimal. In some circumstances Medicare/Medi-Cal will require NMC to pay for some services and include them in NMC's facility claim to Medicare/Medi-Cal.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

This agreement provides for the treatment of patients who require a higher level of care.

- Economic Development
- Administration
- Health and Human Services
- Infrastructure
- Public Safety

Prepared by: Nancy Majewski, Managed Care Operations Manager, 783-2385

Approved by: Charles R. Harris III MD, Chief Executive Officer, 783-2504

Attachments:

Transfer Agreement between the County of Santa Clara and Natividad

Attachments on file with the Clerk of the Board

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

1/30/2023  
Date