

..Title

- a. Approve and authorize the Director of Health Services or designee to execute a non-standard Professional Agreement with Joseph Herbert, M.D., to provide professional pediatric services to medically fragile children with physician malpractice coverage provided by the County retroactively from May 11, 2011 to June 30, 2028; and
- b. Approve a non-standard Agreement as recommended by the Director of Health Services or designee; and
- c. Approve and authorize the Director of Health Services or designee to sign up to three future amendments that do not significantly change the scope.

..Report

RECOMMENDATION:

It is recommended that the County of Monterey Board of Supervisors:

- a. Approve and authorize the Director of Health Services or designee to execute a non-standard Professional Agreement with Joseph Herbert, M.D., to provide professional pediatric services to medically fragile children with physician malpractice coverage provided by the County retroactively from May 11, 2011 to June 30, 2028; and
- b. Approve a non-standard Agreement as recommended by the Director of Health Services or designee; and
- c. Approve and authorize the Director of Health Services or designee to sign up to three future amendments that do not significantly change the scope.

SUMMARY DISCUSSION:

The County of Monterey Health Department, Public Health Bureau, California Children's Services Medical Therapy Program (MTP) provides physical therapy (PT) and occupational therapy (OT) services to eligible children with physically handicapping conditions at three clinic locations in Monterey County. The goal of the MTP is to assist each child to obtain his/her maximum physical potential through the provision of physical and occupational therapy services. Fundamental to the provision of services for children with physical handicapping conditions is the concept that the nature of the disability, with its effect on physical growth, personality development, and the learning process, requires the combined professional services of physicians, OT, PT, educational, nursing, nutrition, and social work disciplines.

It is the function of the Medical Therapy Conference (MTC) to bring together the expertise of this multi-disciplinary team in order to bring maximum benefit to the child and family. The MTC physician provides the oversight, management and coordination of the child's PT and OT services, as well as durable medical equipment (DME) and bracing/splinting needs. The MTC physician is the team leader and makes the final determination of the child's medical therapy plan of care. Specific responsibilities include review of the child's medical and therapy history, confirmation of MTP eligible condition through examination and documentation of clinical findings, development of prescriptions, identification of need for specialty referrals, and communication with care providers. The physician's goal is to assure the medical therapy plan provides the child with appropriate medical intervention to allow the child the opportunity to reach maximum physical function. The CCS MTP utilizes physicians of various specialties (orthopedics, physical medicine & rehabilitation, pediatrics, etc.) with expertise in managing these challenging conditions.

The Department seeks approval for an Agreement with Joseph Herbert, M.D., for professional pediatric physician services to support the MTC and continue specialized PT and OT services to these medically fragile children. This Agreement is being requested retroactively from the time the CCS MTP began paying the physician's malpractice insurance costs. The CCS MTP utilizes physicians selected from a California Department of Health Care Services (DHCS) pre-approved list of providers. Physician salaries are paid by DHCS. When physicians are employed by a health care agency or private practice, the agency/practice usually covers the cost of the physician's malpractice insurance. When a physician is not employed by an agency or private practice, CCS MTP pays the physician's malpractice insurance. Prior to this fiscal year, CCS MTP did not enter into a formal agreement when paying malpractice insurance for a DHCS-approved physician. This process was recently reviewed, and an Agreement was recommended in these circumstances. Therefore, this Agreement is being requested retroactively to cover the period the physician provided CCS MTP services and the CCS MTP was responsible for the physician's malpractice insurance.

This work supports the County of Monterey Health Department 2025-2028 Strategic Plan Goals: 3. Enhance employee wellbeing and workforce capacity; and 4. Deepen organizational effectiveness and support long-term sustainability. It also supports four of the ten essential public health services, specifically: 1. Assess and monitor population health status, factors that influence health, and community needs and assets; 2. Investigate, diagnose, and address health problems and hazards affecting the population; 4. Strengthen, support, and mobilize communities and partnerships to improve health; and 10. Build and maintain a strong organizational infrastructure for public health.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller have reviewed and approved this Agreement as to legal form and fiscal provisions, respectively.

FINANCING:

There is no cost to the General Fund for this agreement.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

☐ Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

☐ Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability, and transparency.

☒ Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services, promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

☐ Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

☐ Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses, and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Veronica Salinas, Management Analyst II, 755-4630

Approved by: Elsa Mendoza Jimenez, Director of Health Services, 755-4526

Attachments:

Board Report

Agreement