

MONTEREY COUNTY BOARD OF SUPERVISORS BOARD REPORT

American College of Surgeons

Legistar Number: A 15-405

..Title

- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute a Hospital Participation Agreement with the American College of Surgeons (ACS) for participation in the ACS Trauma Quality Improvement Program in an amount not to exceed \$75,000 for a 5-year term of January 25, 2016 through January 24, 2021; and
- b. Accept the non-standard insurance, indemnification, warranty and governing law language; and
- c. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) of the original cost of the agreement per each amendment.

..Report

RECOMMENDATION:

It is recommended the Board of Supervisors:

- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute a Hospital Participation Agreement with the American College of Surgeons (ACS) for participation in the ACS Trauma Quality Improvement Program in an amount not to exceed \$75,000 for a 5-year term of January 25, 2016 through January 24, 2021; and
- b. Accept the non-standard insurance, indemnification, warranty and governing law language; and
- c. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) of the original cost of the agreement per each amendment.

SUMMARY/DISCUSSION:

On February 5, 2013, the Board of Supervisors approved (A-12391) Natividad Medical Center's (NMC) Hospital Participation Agreement with the American College of Surgeons to participate in their National Surgical Quality Improvement Program. This Agreement is very similar and allows NMC to participate in ACS's Trauma Quality Improvement Program (ACS TQIP).

The ACS TQIP is a database and reporting system that provides NMC with fact-based information needed to make quick, confident decisions in support of the hospital's quality improvement initiatives. The database and reporting system allows NMC to evaluate our performance compared to other Level II Trauma Centers and evaluate our outcomes, complications, and risk-adjusted mortality. The database and reporting system allows NMC to improve performance through comparative analysis of outcomes across appropriately risk-adjusted populations and compare patient-care patterns among physicians. ACS TQIP is the leading nationally validated, risk-adjusted, outcomes-based program to measure and improve the quality of trauma care. Participation in ACS TQIP will satisfy the American College of Surgeons – Committee on Trauma's requirement (CD15-5), "All trauma centers must use a risk-adjusted benchmarking system to measure performance and outcomes". The ACS TQIP database and reporting system is used by many public and private

trauma centers in California and throughout the nation, such as Santa Clara Valley Medical Center and Stanford Hospital.

NMC's Information Technology Department has reviewed the database and reporting system and found that it does not pose a security risk.

County Counsel has not approved the Agreement as to risk provisions. ACS has provided an ACORD Certificate of Liability Insurance for Commercial General (GL) in the amount of \$1,000,000 each occurrence and \$2,000,000 in the general aggregate. NMC requests that the Board of Supervisors (BOS) authorize a modification of the County's insurance requirements, as ACS will not agree to provide the additional insured or primary and non-contributory language for the GL, as well as provide the Worker's Compensation certificate. In addition, NMC requests that the BOS accept non-standard indemnification, warranty and governing law language. NMC does not believe there is inherent risk of liability exposure.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this Agreement as to legal form, and the Auditor-Controller has reviewed and approved as to payment provisions. The Agreement has also been reviewed and approved by NMC's Finance Committee on November 24, 2015 and by its Board of Trustees on December 4, 2015.

FINANCING:

The cost for this Agreement is \$75,000 (\$9,000 per year, plus audit fees at \$2,500 per audit). Funding in the amount of \$14,000 for FY 2014-15 was included in the Fiscal Year 2014-15 Adopted Budget. Funding for remaining years of the Agreement will be included in those budgets, as appropriate. There is no impact to the General Fund.

Prepared by: Chelsi Mettler, Trauma Program Manager, 772-7350

Approved by: Gary R. Gray, DO, Chief Executive Officer, 783-2504

Attachment:

American College of Surgeons Agreement

The Agreement is on file with the Clerk of the Board