



Monterey County

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Board Report

Legistar File Number: A 18-105

April 24, 2018

Introduced: 4/9/2018

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment no. 1 to the agreement with Best Best & Krieger, LLP for specialized attorney services at NMC, adding \$118,000 for a revised total agreement amount not to exceed \$198,000 and with no change to the agreement term of May 1, 2017 through April 30, 2019.
- b. 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%) (\$8,000) of the original cost of the agreement per each amendment.

RECOMMENDATION:

It is recommended the Board of Supervisors:

- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment no. 1 to the agreement with Best Best & Krieger, LLP for specialized attorney services at NMC, adding \$118,000 for a revised total agreement amount not to exceed \$198,000 and with no change to the agreement term of May 1, 2017 through April 30, 2019.
- b. 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%) (\$8,000) of the original cost of the agreement per each amendment.

SUMMARY/DISCUSSION:

Best Best & Krieger, LLP, provides advice in consultation with the Office of the County Counsel on a variety of healthcare-related issues of significant importance to Natividad Medical Center. They perform specialized legal attorney services related to healthcare law, including, but not limited to, the Health Insurance Portability and Accountability Act (HIPAA), Stark and Anti-Kickback laws and laws pertaining the formation and development of Institutional Review Boards (IRBs) and Trademark laws. They provide needed information for questions related to Business Associate Agreements, contracts, the developments of a Local IRB at NMC, and a variety of issues related to confidentiality of medical information and third party requests for that information. They also continue to advise on implementation of population health initiatives and healthcare issues related to claims against NMC.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this amendment no. 1 as to legal form, and the Auditor-Controller has reviewed and approved as to payment provisions. This amendment no. 1 has also been reviewed and approved by NMC's Finance Committee on April 2, 2018 and by its Board of Trustees on April 6, 2018.

FINANCING:

The cost for this amendment no. 1 is \$118,000 of which \$35,420 is included in the Adopted Budget for Fiscal Year 2017-18 and \$82,580 shall be included in the FY18-19 Recommended Budget. There is no impact to the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This agreement is for legal consulting services, as needed, with respect to healthcare matters, the outcome of which contributes to assisting NMC run efficient business operations.

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

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

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

Attachments:

Best Best and Krieger LLP Amendment 1
Best Best and Krieger LLP Agreement

Attachments on file with the Clerk of the Board