



Monterey County

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Board Report

Legistar File Number: A 18-419

October 23, 2018

Introduced: 10/8/2018

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

a. Authorize the County Counsel to execute amendment No. 2 to the agreement (A-13923) with Best Best & Krieger, LLP for specialized attorney services, extending the agreement an additional three (3) year period (May 1, 2019 through April 30, 2022) for a revised full agreement term of May 1, 2017 through April 30, 2022, and adding \$127,000 for a revised total agreement amount not to exceed \$325,000.

RECOMMENDATION:

It is recommended the Board of Supervisors:

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a. Authorize the County Counsel to execute amendment No. 2 to the agreement (A-13923) with Best Best & Krieger, LLP for specialized attorney services, extending the agreement an additional three (3) year period (May 1, 2019 through April 30, 2022) for a revised full agreement term of May 1, 2017 through April 30, 2022, and adding \$127,000 for a revised total agreement amount not to exceed \$325,000.

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 advice 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.2 as to legal form, and the Auditor-Controller has reviewed and approved as to payment provisions. The amendment No. 2 has also been reviewed and approved by NMC's Finance Committee on September 27, 2018 and by its Board of Trustees on October 5, 2018.

FINANCING:

The cost for this amendment No. 2 is \$127,000 of which \$40,000 is included in the Fiscal Year 2018-19 Adopted Budget. Amounts for remaining years of the agreement will be included in those budgets as appropriate.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This agreement is for legal consulting services regarding healthcare related matters on an as needed basis, the outcome of which will contribute 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 & Krieger, LLP Amendment 2
Best Best & Krieger, LLP Amendment 1
Best Best & Krieger, LLP Agreement

Attachments on file with the Clerk of the Board