



## Legislation Details (With Board Report)

<b>File #:</b>	A 22-092	<b>Name:</b>	Kyle Graham MD First Amendment
<b>Type:</b>	BoS Agreement	<b>Status:</b>	Passed
<b>File created:</b>	3/4/2022	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	3/22/2022	<b>Final action:</b>	3/22/2022

**Title:** a. Authorize the Interim Chief Executive Officer for Natividad or his designee to execute the First Amendment to Professional Services Agreement with Kyle A. Graham, M.D. to provide obstetrics and gynecological services, extending the term by twenty-four (24) months (April 1, 2022 to March 31, 2024) for a revised full agreement term of April 1, 2020 to March 31, 2024, and adding \$100,000, for a revised total not to exceed amount of \$200,000 in the aggregate; and  
 b. Authorize the Interim Chief Executive Officer for Natividad or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$10,000) of the original contract amount and do not significantly change the scope of work.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Kyle Graham First Amendment.pdf, 3. Kyle A. Graham MD Agreement 033122.pdf, 4. Completed Board Order Item No. 30

Date	Ver.	Action By	Action	Result
3/22/2022	1	Board of Supervisors	approved	Pass

a. Authorize the Interim Chief Executive Officer for Natividad or his designee to execute the First Amendment to Professional Services Agreement with Kyle A. Graham, M.D. to provide obstetrics and gynecological services, extending the term by twenty-four (24) months (April 1, 2022 to March 31, 2024) for a revised full agreement term of April 1, 2020 to March 31, 2024, and adding \$100,000, for a revised total not to exceed amount of \$200,000 in the aggregate; and  
 b. Authorize the Interim Chief Executive Officer for Natividad or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$10,000) of the original contract amount and do not significantly change the scope of work.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

a. Authorize the Interim Chief Executive Officer for Natividad or his designee to execute the First Amendment to Professional Services Agreement with Kyle A. Graham, M.D. to provide obstetrics and gynecological services, extending the term by twenty-four (24) months (April 1, 2022 to March 31, 2024) for a revised full agreement term of April 1, 2020 to March 31, 2024, and adding \$100,000, for a revised total not to exceed amount of \$200,000 in the aggregate; and  
 b. Authorize the Interim Chief Executive Officer for Natividad or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$10,000) of the original contract amount and do not significantly change the scope of work.

**SUMMARY/DISCUSSION:**

In order to meet the scheduling needs of Natividad’s busy labor and delivery unit with around 200 deliveries per month, it requires team of OBGYN physicians including employee physicians and community contract physicians. Natividad has an agreement with Dr. Graham to provide obstetrics and gynecological services from

time to time as needed and during periods when employed/contracted physicians are not available (e.g., vacation; illness; continuing medical education; etc.). Natividad would like to amend the agreement so that Dr. Graham to provide the same services without interruption. Natividad has obtained an independent opinion of fair market value supporting the payment terms.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this Amendment as to legal form. Auditor-Controller has reviewed and approved this Amendment as to fiscal provisions. The Amendment has also been reviewed and approved by Natividad's Finance Committee and Board of Trustees

FINANCING:

The cost of this amendment is \$100,000. The total not to exceed amount of this agreement is \$200,000. The actual cost is dependent upon Dr. Grahams's level of participation in the call panel which may fluctuate based on his availability and need for coverage. \$50,000 is included in the Fiscal Year 2021/22 Adopted Budget. The remaining amount will be budgeted for subsequent fiscal years. There is no impact to the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The services rendered in this agreement provide Natividad with the additional support it needs in order to provide reliable and high quality patient care which improves the health and quality of life for patients and their families.

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

Prepared by: Jeanne-Ann Balza, Director of Physician Services, 783.2506

Approved by: Dr. Charles R. Harris, Interim Chief Executive Officer, 783.2553

Attachments:

First Amendment  
Agreement

Attachments on File at the Clerk of the Board