



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

|                      |  |                      |                                    |
|----------------------|--|----------------------|------------------------------------|
| <b>File #:</b>       | A 21-313   | <b>Name:</b>         | Kuong Ngann DO Third Amendment     |
| <b>Type:</b>         | BoS Agreement  | <b>Status:</b>       | Natividad Medical Center - Consent |
| <b>File created:</b> | 6/4/2021   | <b>In control:</b>   | Board of Supervisors               |
| <b>On agenda:</b>    | 6/22/2021  | <b>Final action:</b> |                                    |
| <b>Title:</b>        | a. Authorize the Chief Executive Officer for Natividad or his designee to execute the Third Amendment to the Professional and Call Coverage Services Agreement (A-14150) with Kuong Ngann, D.O. to provide general and acute care surgical services at Natividad, extending the agreement term by twenty-four months (July 1, 2021 to June 30, 2023) for a revised full agreement term of November 1, 2018 to June 30, 2023, and adding \$600,000 for a revised not to exceed amount of \$1,500,000 in the aggregate; and<br>b. Authorize the Chief Executive Officer or his designee to sign up to three (3) future amendments to this agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$50,000) of the original contract amount. |                      |                                    |

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Board Report.pdf, 2. Kuong Ngann Third Amendment.pdf, 3. Kuong Ngnann DO Second Amendment 063021.pdf, 4. Kuong Ngnann DO First Amendment 063021.pdf, 5. Kuong Ngann DO Agreement 12312020.pdf, 6. Completed Board Order Item No. 35

| Date      | Ver. | Action By            | Action | Result |
|-----------|------|----------------------|--------|--------|
| 6/22/2021 | 1    | Board of Supervisors |        |        |

a. Authorize the Chief Executive Officer for Natividad or his designee to execute the Third Amendment to the Professional and Call Coverage Services Agreement (A-14150) with Kuong Ngann, D.O. to provide general and acute care surgical services at Natividad, extending the agreement term by twenty-four months (July 1, 2021 to June 30, 2023) for a revised full agreement term of November 1, 2018 to June 30, 2023, and adding \$600,000 for a revised not to exceed amount of \$1,500,000 in the aggregate; and  
b. Authorize the Chief Executive Officer or his designee to sign up to three (3) future amendments to this agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$50,000) of the original contract amount.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Authorize the Chief Executive Officer for Natividad or his designee to execute the Third Amendment to the Professional and Call Coverage Services Agreement (A-14150) with Kuong Ngann, D.O. to provide general and acute care surgical services at Natividad, extending the agreement term by twenty-four months (July 1, 2021 to June 30, 2023) for a revised full agreement term of November 1, 2018 to June 30, 2023, and adding \$600,000 for a revised not to exceed amount of \$1,500,000 in the aggregate; and  
b. Authorize the Chief Executive Officer or his designee to sign up to three (3) future amendments to this agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$50,000) of the original contract amount.

### SUMMARY/DISCUSSION:

Natividad received its designation as the Level II Trauma Center for Monterey County in January 2015. The

American College of Surgeons requires acute critical care surgeons to be available in-house with a 15 minute response time for Level II Trauma Centers. In order to provide 24/7 care, it is necessary to maintain a core team of quality surgeons made up of employed and independent contract physicians to provide daily call coverage in the Emergency Department and follow-up care to patients in the Intensive Care Unit.

Natividad would like to amend the agreement with Dr. Ngann, a board certified fellowship trained trauma surgeon, so that he can continue to provide general and critical care surgical services as part of the comprehensive trauma services required for a Level II Trauma Center. Dr. Ngann will participate in the on-call panel and will be paid a daily rate for the coverage services, which may increase due to availability and the need for coverage, but the rate of pay for services remains the same. NMC has obtained an independent opinion of fair market value supporting the payment terms of this Agreement.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this Agreement as to legal form. Auditor-Controller has reviewed and approved this Agreement as to fiscal provisions. The Agreement has also been reviewed and approved by Natividad's Finance Committee and Board of Trustees on June 11, 2021.

FINANCING:

The cost of this amendment is \$600,000. The total not to exceed amount of this Agreement is \$1,500,000. The actual cost is contingent upon Dr. Ngann's participation in the call panel which may fluctuate based on her availability. Natividad has agreements with multiple providers to ensure sufficient coverage of the trauma services where the total expenditure will not exceed \$1,300,000 annually which is included in Fiscal Year 2021/2022 recommended budget. The remaining balance will be budgeted in subsequent fiscal years. There is no impact to the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The services rendered in this agreement is required for a Level II Trauma Center and provides 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: Charles R. Harris, M.D., Chief Executive Officer, 783.2553

Attachments:

Third Amendment  
Second Amendment  
First Amendment  
Agreement