

CO-APPLICANT AGREEMENT
Between
SAN BERNARDINO COUNTY BOARD OF SUPERVISORS
and
SAN BERNARDINO COUNTY HEALTH CENTER GOVERNING BOARD
for
FEDERALLY QUALIFIED HEALTH CENTERS

WHEREAS, Section 330 of the Public Health Services Act (42 U.S.C. § 254b) requires Federally Qualified Health Centers to establish a governing board composed of individuals of whom a majority are being served by the Federally Qualified Health Centers and who, as a group, represent the individuals being served by the Federally Qualified Health Centers; and

WHEREAS, the purpose of the San Bernardino County Health Center Governing Board is to act in conjunction with the County of San Bernardino Board of Supervisors, pursuant to 42 U.S.C. §1395x(aa)(3) and/or 42 U.S.C. §1396(e)(2)(B); and

WHEREAS, the San Bernardino County Board of Supervisors and the San Bernardino County Health Center Governing Board desire to enter into a Co-applicant Agreement in order to comply with the requirements of the Public Health Services Act and the grant funding requirements established thereto;

NOW THEREFORE, San Bernardino County Board of Supervisors and San Bernardino County Health Center Governing Board mutually agree to the following terms and conditions:

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ATTACHMENT – Resolution

ATTACHMENT – Bylaws

I. DEFINITIONS

- A. San Bernardino County – The largest county in the state and contiguous United States, covering over 20,000 square miles. There are 24 cities and towns in the county and multiple unincorporated communities.
- B. Department of Public Health (DPH) - The Department of Public Health works to prevent epidemics and the spread of disease, protect against environmental hazards, prevent injuries, promote and encourage healthy behaviors, respond to disasters and assist communities in recovery, and assure the quality and accessibility of health services throughout the county. To achieve this goal, the department places a high value on strong working alliances with local community groups representing a variety of populations who live in all areas of the county.
- C. Federally Qualified Health Center (FQHC) – Health care clinics operated by San Bernardino County DPH which are designated as FQHCs pursuant to 42 U.S.C. §1395x(aa)(3) and/or 42 U.S.C. §1396(e)(2)(B). The FQHCs receive a reimbursement designation from the Bureau of Primary Health Care and the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services. This designation is significant for several health programs funded under the Health Center Consolidation Act (Section 330 of the Public Health Service Act).
- D. San Bernardino County Board of Supervisors (Board of Supervisors) – The Board of Supervisors establishes local advisory and regulatory boards, commissions and committees for the purpose of assisting in the effectiveness of county government and services.
- E. San Bernardino County Health Center Governing Board (Governing Board) – Acts in conjunction with the Board of Supervisors as the governing board of the FQHCs pursuant to 42 U.S.C. §254b.

II. GOVERNING BOARD RESPONSIBILITIES

- A. The Governing Board shall approve the selection and dismissal of the Chief Executive Officer for the FQHC's in accordance with Article IX – Selection and Dismissal of the Chief Executive Officer of the CHCGB Bylaws.
- B. Members are referred for appointment by the Governing Board Council Development Committee, to be appointed by the Board of Supervisors. Following appointment members are ratified by the entire Governing Board.
- C. The Governing Board shall meet a minimum of monthly. The schedule of meetings and locations shall be set at the first meeting of the calendar.
- D. Approve policies identifying the services to be delivered at the FQHC locations and the hours which services are to be provided.
- E. Approve, within appropriations available for such purpose, the budget for the County FQHC's operations, and forward the budget to the Board of Supervisors for acceptance. Any changes made by the Board of Supervisors will be returned to the Governing Board for final approval. Such budget shall be initially prepared by the Chief Executive Officer or designee.
- F. Develop financial priorities and strategies for major resource utilization, subject to approval by the Board of Supervisors.
- G. Evaluate, at least annually, the effectiveness of the County FQHCs. Such evaluations shall include but not be limited to, utilization patterns, productivity, strategic planning, patient satisfaction, and achievement of program objectives.
- H. Review all audit results.
- I. Develop and approve a strategic plan and conduct long-term planning.

- J. Approve all grant applications and submit to the Board of Supervisors for acceptance and submission.
- K. Approve and implement a procedure for hearing and resolving patient grievances.
- L. Approve quality of care audit procedures.
- M. Assure the FQHC's are operating in compliance with Federal, State and local laws and regulations.
- N. Periodically report to the Board of Supervisors regarding the County FQHCs' utilization, productivity, patient satisfaction and achievement of project objectives.
- O. Approve such other policies as are necessary and proper for the efficient and effective operation of the health centers.
- P. Evaluate annually the performance of the Governing Board Chief Executive Officer.
- Q. All other responsibilities indicated in the Resolutions and the Governing Board Bylaws, attached hereto and incorporated fully herein.

III. BOARD OF SUPERVISORS RESPONSIBILITIES

- A. The Board of Supervisors shall maintain the authority to set general policy of fiscal and personnel matters at the San Bernardino County FQHCs, including those matters in County Code, policies related to fiscal management practices, charging and rate setting, labor relations and conditions of employment. The Governing Board may not adopt any policy or practice, or take any action, which is inconsistent with the County Code or which alters the scope of any policy set by the Board of Supervisors on fiscal and personnel issues. (Policy Information Notice 98-23)
- B. The Board of Supervisors shall fulfill all other responsibilities as indicated in the current Governing Board Resolution and Governing Board Bylaws approved by the Board of Supervisors.

IV. FISCAL PROVISIONS

This is a non-financial agreement.

V. TERM

This CO-APPLICANT AGREEMENT is effective January 13, 2026, and shall continue from year to year, unless otherwise terminated earlier in accordance with provisions of Section VI of this CO-APPLICANT AGREEMENT.

VI. EARLY TERMINATION

This CO-APPLICANT AGREEMENT may be terminated without cause should the Health Centers designated as FQHCs lose such designation or such funding be eliminated. This CO-APPLICANT AGREEMENT may also be terminated without cause upon thirty (30) days written notice by the Board of Supervisors.

VII. GENERAL PROVISIONS

- A. No waiver of any of the provisions of the CO-APPLICANT AGREEMENT shall be effective unless it is made in a writing which refers to provisions so waived and which is executed by the Parties. No course of dealing and no delay or failure of a Party in exercising any right under any CO-APPLICANT AGREEMENT shall affect any other or future exercise of that right or any exercise of any other right. A Party shall not be precluded from exercising a right by its having partially

exercised that right or its having previously abandoned or discontinued steps to enforce that right.

- B. Any alterations, variations, modifications, or waivers of provisions of the COAPPLICANT AGREEMENT, unless specifically allowed in the CO-APPLICANT AGREEMENT, shall be valid only when they have been reduced to writing, duly signed and approved by the Authorized Representatives of both parties as an amendment to this CO-APPLICANT AGREEMENT. No oral understanding or agreement not incorporated herein shall be binding on any of the Parties hereto.
- C. The Board of Supervisors and Governing Board shall observe all federal, state and county requirements, and applicable law concerning the confidentiality of health records.

VIII.

CONCLUSION

- A. This CO-APPLICANT AGREEMENT, consisting of six (6) pages and Attachments, is the full and complete document describing responsibilities to be rendered by the Board of Supervisors to the Governing Board including all covenants, conditions and benefits.
- B. The signatures of the Parties affixed to this COAPPLICANT AGREEMENT affirm that they are duly authorized to commit and bind their respective departments to the terms and conditions set forth in this document.
- C. This Agreement may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one and the same Agreement. The parties shall be entitled to sign and transmit an electronic signature of this Agreement (whether by facsimile, PDF or other mail transmission), which signature shall be binding on the party whose name is contained therein. Each party providing an electronic signature agrees to promptly execute and deliver to the other party an original signed Agreement upon request.

SAN BERNARDINO COUNTY BOARD OF
SUPERVISORS

►
Dawn Rowe, Chair, Board of Supervisors

Dated: _____

SIGNED AND CERTIFIED THAT A COPY OF THIS
DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD

Lynna Monell
Clerk of the Board of Supervisors
of the San Bernardino County

By _____
Deputy

SAN BERNARDINO COUNTY HEALTH CENTER
GOVERNING BOARD

By ►
(Authorized signature)
Jobi Wood
Name _____
(Print or type name of person signing contract)

Title _____ Vice-Chairperson, Community Health Center
Governing Board
(Print or Type)

Dated: _____
Address _____ On file
