

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

June 25, 2024

FROM

GEORGINA YOSHIOKA, Director, Department of Behavioral Health

SUBJECT

Non-financial Affiliation Agreement with Kaiser Foundation Hospitals, Southern California Permanente Medical Group for Clinical and Instructional Training

RECOMMENDATION(S)

Approve non-financial **Affiliation Agreement No. 24-555** with Kaiser Foundation Hospitals, Southern California Permanente Medical Group, including a nonstandard term, to provide them clinical and instructional training to psychiatry residents and/or fellows, for the period of July 1, 2024 through June 30, 2029.

(Presenter: Georgina Yoshioka, Director, 252-5142)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Create, Maintain and Grow Jobs and Economic Value in the County.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

This item does not impact Discretionary General Funding (Net County Cost) as the Affiliation Agreement is non-financial in nature.

BACKGROUND INFORMATION

Department of Behavioral Health (DBH) is responsible for providing mental health and/or substance use disorder (SUD) services to San Bernardino County (County) residents who are experiencing severe mental illness and/or SUD. As the Mental Health Plan for the County, DBH is required to maintain a qualified network of psychiatric care providers to ensure timely access to mental health services.

DBH has experienced the effects of the nationwide shortage of psychiatrists and qualified individuals who provide services in the County's public mental health workforce. Since 2008, the DBH's Workforce Education and Training component of the Mental Health Services Act (MHSA) Three-Year Program and Expenditure Plan has included increasing the number of psychiatrists in the public mental health field as a goal.

To address this shortage, DBH proposed an Affiliation Agreement with Kaiser Permanente, Southern California Permanente Medical Group, (Kaiser Permanente) to allow psychiatry residents and/or fellows (Residents) to do rotations at DBH-operated mental health facilities with the objective of recruiting these Residents into DBH's system of care, while offering a beneficial educational opportunity for the Residents due to the volume and variety of patients at DBH.

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DBH has been providing clinical and instructional training to Kaiser Permanente Residents through a non-financial affiliate agreement since 2016. This Affiliation Agreement has proven to be successful, allowing Residents from Kaiser Permanente to gain a richness of diversity in training settings and see a broad cross-section of child, adolescent, adult, and older adult DBH clients from many different ethnic, cultural, and socio-economic backgrounds. Kaiser Permanente Residents provided services to 331 unduplicated clients during 2022-23 and an estimated 331 unduplicated clients during 2023-24.

The Affiliation Agreement with Kaiser Permanente includes terms that differ from the standard County contracts. The non-standard term is:

The County is required to indemnify Kaiser Permanente against any demands, debts, liens, claims, loss, damage, liability, costs, expenses, judgments, or obligations, actions or causes of action for or in connection with injury or damage including, but not limited to, death to any person or damage to property resulting from negligence or intentional misconduct in the performance of or failure to perform obligations hereunder by DBH, its officers, partners, employees, agents, or residents who are assigned to and rotating through DBH's facilities.

- The County standard contract does not include any indemnification or defense by the County of a contractor.
- Potential Impact: By agreeing to indemnify Kaiser Permanente, the County could be contractually waiving the protection of sovereign immunity. Claims that may otherwise be barred against the County, time limited, or expense limited could be brought against Kaiser Permanente without such limitations and the County could be responsible to defend and reimburse Kaiser Permanente for costs, expenses, and damages, which could exceed the total Agreement amount.

Approval of this Affiliation Agreement will allow DBH to continue its partnership with Kaiser Permanente to provide clinical and instructional training to Residents, for the period of July 1, 2024 through June 30, 2029.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Behavioral Health Contracts (Lisa Rivas-Ordaz, Contracts Supervisor, 386-8264) on March 4, 2024; County Counsel (Dawn Martin, Deputy County Counsel, 387-5455) on May 29, 2024; Risk Management (Gregory Ustaszewski, Staff Analyst II, 386-9008) on May 30, 2024; Finance (Paul Garcia, Administrative Analyst, 386-8392) on June 3, 2024; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on June 6, 2024.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: June 25, 2024



cc: DBH - Barajas w/agree
Contractor - c/o DBH w/agree
File - w/agree
CCM 07/9/2024