

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

**June 11, 2024**

**FROM**

**ANDREW GOLDFRACH, ARMC Chief Executive Officer, Arrowhead Regional Medical Center**

**SUBJECT**

Non-Financial Affiliation Agreement, including non-standard terms, with DLondon Neurocare Corp. dba Fullerton Neurology and Headache Center for Specialized Clinical Experience in Headaches

**RECOMMENDATION(S)**

Approve Non-Financial Affiliation **Agreement No. 24-469** with DLondon Neurocare Corp. dba Fullerton Neurology and Headache Center to allow Arrowhead Regional Medical Center neurology resident physicians to obtain specialized clinical experience in headaches, from July 1, 2024 through June 30, 2029.

(Presenter: Andrew Goldfrach, ARMC Chief Executive Officer, 580-6150)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

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

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost) as this Affiliation Agreement (Agreement) with DLondon Neurocare dba Fullerton Neurology and Headache Center (Fullerton Neurology) is non-financial in nature.

**BACKGROUND INFORMATION**

This Agreement will allow Arrowhead Regional Medical Center's (ARMC) neurology resident physicians to obtain specialized training in headaches at Fullerton Neurology.

Resident physicians typically acquire specialty clinical knowledge at other medical facilities. These medical facilities offer the opportunity for resident physicians to gain experience caring for patients and performing procedures in specialties that ARMC may not offer or have too few patients to provide appropriate experience.

ARMC operates several accredited residency programs. Each program has specific requirements as to the numbers and types of patients to which a resident physician must provide care. To meet these requirements, with respect to volume and type, it is necessary to provide educational opportunities at other facilities to supplement those available at ARMC.

The Agreement contains the following non-standard County contract terms:

**Non-Financial Affiliation Agreement, including non-standard terms,  
with DLondon Neurocare Corp. dba Fullerton Neurology and Headache  
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June 11, 2024**

1. The County is required to indemnify Fullerton Neurology for any claims caused by the negligence or willful misconduct of ARMC and for the professional negligence of the residents that participate in rotations at Fullerton Neurology.
  - The County's standard contract does not contractually require the County to indemnify the contractor.
  - Potential Impact: By agreeing to indemnify Fullerton Neurology, 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 Fullerton Neurology without such limitations and the County would be responsible to defend and reimburse Fullerton Neurology for costs, expenses, and damages.
2. Fullerton Neurology limits its indemnity obligations to claims caused by the negligence or willful misconduct of Fullerton Neurology, its officers, employees, subcontractors, and volunteers.
  - The County standard contract general indemnity provision requires the contractor to indemnify, defend, and hold County harmless from third party claims arising out of the acts, errors or omissions of any person.
  - Potential Impact: Fullerton Neurology's indemnity obligation is more limited compared to the standard County general indemnity obligation. In the event a claim arises that falls outside the scope of Fullerton Neurology's limited indemnity obligation, the County could be financially responsible for the defense of the claim and any resulting judgment/settlement.
3. Fullerton Neurology is not required to comply with all of the County's standard insurance requirements, including the provisions relating to severability of interest, additional insured, acceptability of insurance, insurance review, and failure to procure coverage.
  - The County standard contract requires contractors to carry appropriate insurance at limits and under conditions determined by the County's Risk Management Department.
  - Potential Impact: Without all of the standard provisions addressed above, the County has no reassurance that Fullerton Neurology will maintain adequate and sufficient insurance to provide coverage to the County in the event of a claim. Insufficient coverage could leave the County financially liable for the claims.

The Agreement with Fullerton Neurology provides for the safety, health and social service needs of County residents by ensuring that ARMC resident physicians receive specialty clinical training and experience, resulting in the delivery of specialized medical care to ARMC patients.

ARMC recommends approval of this Affiliation Agreement, including non-standard terms, with Fullerton Neurology to enable ARMC neurology resident physicians to obtain specialized clinical experience in headaches.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Charles Phan, Supervising Deputy County Counsel, 387-5455) on May 3, 2024; Risk Management (Loretta Acuna, 386-9039) on May 7,

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2024; ARMC Finance (Chen Wu, Finance and Budget Officer, 580-3165) on May 17, 2024;  
Finance (Jenny Yang, Administrative Analyst, 387-4884) on May 21, 2024; and County Finance  
and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on May 21, 2024.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: June 11, 2024



cc: ARMC - Goldfrach w/agree  
Contractor - c/o ARMC w/agree  
File - w/agree  
CCM 06/26/2024