

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

September 10, 2024

FROM

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

SUBJECT

Non-Financial Affiliation Agreement with The Regents of the University of California on behalf of the University of California, Riverside, School of Medicine for Clinical Training

RECOMMENDATION(S)

Approve non-financial **Affiliation Agreement No. 24-840**, including non-standard terms, with The Regents of the University of California on behalf of the University of California, Riverside, School of Medicine, for medical students to obtain clinical training at the Arrowhead Regional Medical Center, for the period of September 10, 2024 through September 9, 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 The Regents of the University of California on behalf of the University of California, Riverside, School of Medicine (UCR) is non-financial in nature.

BACKGROUND INFORMATION

The approval of this Agreement will allow medical students from UCR to obtain clinical training and participate in medical rotations at Arrowhead Regional Medical Center (ARMC). ARMC has ten core medical residency programs who recruit from local medical schools, including UCR.

The Agreement was negotiated by the parties, omits standard County contract terms, and includes non-standard contract terms as follows:

1. The Agreement does not require UCR to meet the County's insurance standards as required pursuant to County Policies, 11-05, 11-07 and 11-07SP.
 - County policy requires contractors to carry appropriate insurance at limits and under conditions determined by the Risk Management Department and as set forth in County policy and in the County standard contract.
 - Potential Impact: The County has no assurance that UCR will be financially responsible for claims that may arise under the Agreement, which could result in expenses to the County.

**Non-Financial Affiliation Agreement with The Regents of the University of California on behalf of the University of California, Riverside, School of Medicine for Clinical Training
September 10, 2024**

2. The County may terminate the Agreement with 90 days written notice, but if a student is already scheduled to train at ARMC at the time of termination, then the student will be permitted to complete the previously scheduled training upon the approval of the ARMC Chief Executive Officer and during such period, the parties' obligations under the Agreement shall continue as to such student only.
 - The County standard contract gives the County the right to terminate the contract, for any reason, with a 30-day written notice of termination without any further obligation other than those incurred prior to the effective date of termination.
 - Potential Impact: The County will need to be mindful of the extended notice period in the event of a termination.

3. UCR limits its indemnity obligations to claims arising out of the performance of the Agreement, but only in proportion to and to the extent such claim is caused by or result from the negligent or intentional acts or omissions of UCR, its officers, employees, agents, or students.
 - The County standard contract general indemnity provision requires the contractor to indemnify, defend, and hold the County harmless from third party claims arising out of the acts, errors or omissions of any person.
 - Potential Impact: UCR'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 UCR's limited indemnity obligation, the County could be financially responsible for the defense of the claim and any resulting judgment/settlement.

4. The County is required to indemnify UCR for claims arising out of the performance of the Agreement, but only in proportion to and to the extent such claim is caused by or result from the negligent or intentional acts or omissions of the County, its officers, employees, agents, or ARMC Medical Staff.
 - The County's standard contract does not provide for the indemnification of the contractor for any reason.
 - Potential Impact: To the extent a claim arises that falls under the scope of the County's contractual indemnity obligation to UCR, the County would be required to retain attorneys, at the County's cost, to defend UCR and pay any resulting settlement/judgment.

ARMC recommends the approval of the Agreement, including the non-standard terms, as it provides for the safety, health and social service needs of county residents by allowing ARMC to provide clinical and hospital administration training, and research experience to these students. These students, in turn, will assist in the administration and delivery of care to ARMC patients, as well as increase the future pool of resident physicians to treat patients within the county.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Charles Phan, Supervising Deputy County Counsel, 387-5455) on August 6, 2024; Risk Management (Gregory Ustaszewski, Staff Analyst II, 386-9008) on August 7, 2024; ARMC Finance (Chen Wu, Finance and Budget Officer, 580-

**Non-Financial Affiliation Agreement with The Regents of the University of California on behalf of the University of California, Riverside, School of Medicine for Clinical Training
September 10, 2024**

3165) on August 16, 2024; Finance (Jenny Yang, Administrative Analyst, 387-4884) on August 20, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on August 21, 2024.

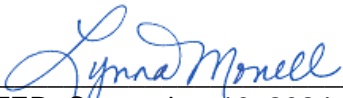
**Non-Financial Affiliation Agreement with The Regents of the University
of California on behalf of the University of California, Riverside, School
of Medicine for Clinical Training
September 10, 2024**

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: September 10, 2024



cc: ARMC - Goldfrach w/agree
 Contractor - c/o ARMC w/agree
 File - w/agree
CCM 09/12/2024