

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

**November 19, 2024**

**FROM**

**JOSHUA DUGAS, Director, Department of Public Health**

**SUBJECT**

Contract with Faculty Physicians and Surgeons of LLUSM dba Loma Linda University Faculty Medical Group for Physician Services

**RECOMMENDATION(S)**

Approve **Contract No. 24-1129** with Faculty Physicians and Surgeons of LLUSM dba Loma Linda University Faculty Medical Group, including non-standard terms, to provide physician services for the California Children's Services program, in the amount not-to-exceed \$671,448, for the period of July 1, 2024 through June 30, 2027.  
(Presenter: Joshua Dugas, Director, 387-9146)

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

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**  
**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

This item does not require additional Discretionary General Funding (Net County Cost). The total Contract cost for the physician services will not exceed \$671,448, and is funded by Medi-Cal, 1991 Realignment funding, and currently budgeted Discretionary General Funding. Adequate appropriation and revenue have been included in the Department of Public Health's (DPH) 2024-25 recommended budget and will be included in future recommended budgets.

**BACKGROUND INFORMATION**

DPH provides services under the California Children's Services (CCS) program, which is administered as a partnership between county health departments and the California Department of Health Care Services (DHCS). The CCS program includes diagnostic and treatment care, medical case management, and physical and occupational therapy for children under the age of 21 who have a CCS qualifying disability. CCS qualifying disabilities include cystic fibrosis, hemophilia, cerebral palsy, heart disease, and cancer, among others.

DPH has contracted with Faculty Physicians and Surgeons of LLUSM dba Loma Linda University Faculty Medical Group (LLUSM) for over 20 years for the provision of the CCS program. As required under the CCS program, service and care providers must have collaborative conferences to develop a comprehensive and coordinated treatment plan that is based on an individual's diagnosis and needs. As part of these conferences, a Conference Physician, which is included in the recommended contract, must be part of the conference team.

**Contract with Faculty Physicians and Surgeons of LLUSM dba Loma  
Linda University Faculty Medical Group for Physician Services  
November 19, 2024**

Historically, LLUSM physicians were reimbursed at the established Medi-Cal rate, which no longer covers the actual costs incurred by LLUSM for providing these specialized services. In an effort to continue the collaboration and provide the required collaborative conferences to CCS patients, the recommended Contract includes an increased reimbursement rate, plus mileage, for a total not-to-exceed \$671,448 for the retroactive three-year period of July 1, 2024 through June 30, 2027. Approximately 1,332 CCS patients annually are provided collaborative conferences, which are based on medical need and CCS regulation, which determines if and how often these conferences are required.

The County standard agreement was negotiated with LLUSM to include the following non-standard terms:

1. The County is required to indemnify LLUSM.
  - The County standard contract does not include any indemnification or defense by the County of a contractor.
  - Potential Impact: By agreeing to indemnify LLUSM, 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 LLUSM without such limitations and the County could be responsible to defend and reimburse LLUSM for costs, expenses, and damages, which could exceed the total Contract amount.
2. The Contract does not include certain standard County insurance requirements, including that the County be named as an additional insured.
  - 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 being named as an additional insured, the County may be prohibited from submitting a legitimate claim against LLUSM policies, which could result in expenses that exceed the total Contract amount.

DPH recommends the approval of the Contract, including the non-standard terms, as the collaboration with LLUSM will continue to provide for the health and management of CCS qualifying children in San Bernardino County.

DPH began negotiations with LLUSM in June 2024 and reached a tentative agreement in August. However, upon further legal review by LLUSM, they proposed additional changes to the indemnification and insurance terms, which were reviewed and approved by Risk Management on October 9, 2024. A signed copy of the contract was received from LLUSM on October 30, 2024. This item is being presented at this time as this is the first date available for presentation following the required preparations of the contract by all parties involved as well as the required operational, fiscal, and legal reviews. Approval at this time will not impact DPH's services or activities.

**PROCUREMENT**

The Purchasing Department supports this non-competitive procurement based on LLUSM's specialized credentials. LLUSM has a longstanding history of providing extensive expertise in pediatric healthcare, consistently delivering high-quality services and meeting the stringent requirements of both county health departments and the DHCS. LLUSM is well established with

**Contract with Faculty Physicians and Surgeons of LLUSM dba Loma  
Linda University Faculty Medical Group for Physician Services  
November 19, 2024**

the CCS patient population, understanding the distinctive and complex conditions of the children in the program. LLUSM is uniquely suited to provide the comprehensive treatment plans and conferences mandated by regulation.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on October 24, 2024; Risk Management (Gregory Ustaszewski, 386-9008) on October 9, 2024; Purchasing (Jessica Barajas, 387-2065) on August 29, 2024; Finance (Iliana Rodriguez, Administrative Analyst, 387-4205) on August 23, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on August 23, 2024.

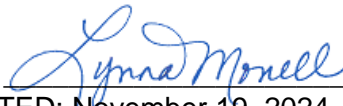
**Contract with Faculty Physicians and Surgeons of LLUSM dba Loma  
Linda University Faculty Medical Group for Physician Services  
November 19, 2024**

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: November 19, 2024



cc: Public Health - Saucedo w/agree  
Contractor - c/o Public Health w/agree  
File - w/agree  
MBA 11/26/2024