

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

March 29, 2022

FROM

LEONARD X. HERNANDEZ, Chief Executive Officer, County Administrative Office

SUBJECT

Ratification Actions in Response to the Novel Coronavirus Pandemic

RECOMMENDATION(S)

Ratify the Chief Executive Officer's exercise of the authority granted by the Board of Supervisors on January 25, 2022 (Item No. 58), in approving the following actions in response to the worldwide health threat related to the Novel Coronavirus, or COVID-19:

1. Ratify Arrowhead Regional Medical Center's **Amendment No. 4** to the California Contracted Medical Staff Services **Agreement No. 20-1246** with the California Emergency Medical Services Authority for the provision of additional medical staffing resources in response to the COVID-19 pandemic, updating staff classifications and hourly rates, with no change to the aggregate not to exceed contract amount of \$5,000,000, and no change to the contract term of December 1, 2020 until the Governor declares an end to the State of Emergency declared on March 4, 2020, approved by the Chief Executive Officer on February 28, 2022.
(Presenter: Leonard X. Hernandez, Chief Executive Officer, 387-5417)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.
Focus on Recovery and Resiliency Following Major Emergency Responses such as the December 2, 2015 Terrorist Attack (SB Strong) and the Global COVID-19 Pandemic.**

FINANCIAL IMPACT

Approval of this recommendation will not result in the use of Discretionary General Funding (Net County Cost) as no additional funds are requested at this time. The Arrowhead Regional Medical Center (ARMC) contract with the California Emergency Medical Services Authority is funded by State Medi-Cal, Federal Medicare, private insurances, and other departmental revenues. Funding sources may change in the future pending any legislative activity related to the repeal and/or replacement of the Affordable Care Act. Approval of the necessary appropriation and revenue adjustments are not requested at this time but will be included in a future quarterly countywide budget report presented to the Board of Supervisors (Board) for approval, if necessary.

BACKGROUND INFORMATION

On March 1, 2022 (Item No. 33), the Board approved termination of the Emergency Proclamation resulting from COVID-19, which also ended the Chief Executive Officer's (CEO) authority to execute or approve the actions indicated above, as emergency conditions no longer

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exist. The recommended actions will ratify the authority exercised by the CEO prior to March 1, 2022.

The COVID-19 virus originated in late 2019 and began spreading, initially, within China and then to other countries. On January 30, 2020, the World Health Organization declared the outbreak to be a “public health emergency of international concern”. This was followed on January 31, 2020 by the United States Human Services Secretary declaring a public health emergency.

On March 4, 2020, the State of California declared a state of emergency as a result of the COVID-19 outbreak due to the rising number of confirmed cases and anticipated complications for those infected, including potential deaths. On March 10, 2020, the County Public Health Officer declared a local health emergency to help ensure county government and the public were prepared for the possibility that COVID-19 would appear within the county. On March 10, 2020 (Item No. 75), the Board of Supervisors (Board) proclaimed the existence of a local emergency within San Bernardino County resulting from COVID-19, which causes infectious disease resulting in symptoms of fever, coughing and shortness of breath with outcomes ranging from mild to severe illness and in some cases, death.

In order to promote a coordinated and efficient response to needs that may arise from the COVID-19 pandemic, on March 24, 2020 (Item No. 67), the Board authorized the CEO to execute or approve various actions related to purchases, contracts, donations, budget, including the approval of adoption of resolutions, through May 31, 2020, subject to ratification by the Board at the next available Board meeting. Due to the continued threat of COVID-19, on May 19, 2020 (Item No. 105) and later on June 23, 2020 (Item No. 124), July 28, 2020 (Item No. 72), August 25, 2020 (Item No. 71), September 29, 2020 (Item No. 79), October 27, 2020 (Item No. 96), November 17, 2020 (Item No. 99), December 15, 2020 (Item No. 80), January 26, 2021 (Item No. 67), February 9, 2021 (Item No. 75), March 9, 2021 (Item No. 53), April 6, 2021 (Item No. 51), May 18, 2021 (Item No. 101), June 22, 2021 (Item No. 119), July 27, 2021 (Item No. 62), August 24, 2021 (Item No. 62), September 21, 2021 (Item No. 51), October 26, 2021 (Item No. 84), November 16, 2021 (Item No. 72), December 14, 2021 (Item No. 72), and January 25, 2022 (Item No. 58), the Board extended this authority of the CEO through June 30, 2020, July 31, 2020, August 31, 2020, September 30, 2020, October 31, 2020, November 30, 2020, December 31, 2020, January 31, 2021, February 28, 2021, March 31, 2021, April 30, 2021, May 31, 2021, June 30, 2021, July 31, 2021, August 31, 2021, September 30, 2021, October 31, 2021, November 30, 2021, December 31, 2021, January 31, 2022, and March 31, 2022 respectively, subject to ratification by the Board at the next available Board meeting.

The recommended action will ratify Amendment No. 4 to the California Contracted Medical Staff Services Agreement No. 20-1246 with California Emergency Medical Services Authority, which provides ARMC with access to medical staffing resources, if needed, to continue to help mitigate personnel shortages as a result of the COVID-19 pandemic. The fourth amendment specifically replaces the staffing rate sheet in Attachment A to update staffing classifications and hourly rates. It is anticipated that State authorization of this agreement will sunset on June 30, 2022. ARMC is working to establish direct agreements with staffing agencies prior to June 30, 2022.

In response to the COVID-19 pandemic, the Governor issued a Proclamation of State of Emergency dated March 4, 2020, and Executive Order N-25 dated March 12, 2020. In accordance with the Emergency Declaration and Executive Order, the State established the California Health Corps to ensure adequate staff for treatment sites experiencing staffing

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impacts due to the pandemic. As a result, the Agreement with California Emergency Medical Services Authority allows ARMC to request staff from the State in various classifications.

On December 15, 2020 (Item No. 36), the Board ratified Agreement No. 20-1246 with California Emergency Medical Services Authority, which was effective upon signature by the CEO on December 1, 2020, for medical staffing resources to respond to the COVID-19 pandemic, remaining in effect until the Governor declares an end to the State of Emergency declared on March 4, 2020, in an amount not to exceed \$3,000,000.

On February 9, 2021 (Item No. 23), the Board ratified Amendment No. 1 to Agreement No. 20-1246 to provide an updated Exhibit A to the Contracted Medical Staff Services Agreement to include additional classifications and rate increases, with no change to the total contract amount or the contract term.

On December 7, 2021 (Item No. 20), the Board ratified Amendment No. 2 to Agreement No. 20-1246 to provide an updated Exhibit A to the Contracted Medical Staff Services Agreement to include rate increases, amend Section 4 of the Agreement to specify overtime and holiday pay requirements, to increase the contract amount by \$2,000,000, from \$3,000,000 to an aggregate not to exceed \$5,000,000, to cover pending invoices for services provided January 2021 through April 2021, and to provide ARMC with continued access to medical staffing resources, if needed.

On February 8, 2022 (Item No. 68), the Board ratified Amendment No. 3 to Agreement No. 20-1246, replacing Attachment A to update staffing classifications and hourly rates, with no change to the aggregate not to exceed contract amount of \$5,000,000, and no change to the contract term.

County Counsel has reviewed Amendment No. 4 to Agreement No. 20-1246 with the California Emergency Medical Services Authority and it was signed by the CEO on February 28, 2022.

PROCUREMENT

Procurement is not applicable to Agreement No. 20-1246 for the provision of additional medical staffing resources in response to the COVID-19 pandemic. These staffing resources are provided by the State through an agreement with the California Emergency Medical Services Authority.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, and Scott Runyan, Supervising Deputy County Counsel, 387-5455) on March 15, 2022; Finance (Chen Wu, Finance and Budget Officer, 580-3165; and Sofia Almeida, Administrative Analyst, 387-4378) on March 15, 2022; and County Finance and Administration (Matthew Erickson, County Chief Finance Officer, 387-5423) on March 15, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Dawn Rowe

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: March 29, 2022



cc: ARMC - w/agree for sign
File - w/agree
CCM 04/1/2022