

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

June 25, 2024

FROM

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

SUBJECT

Participation Agreement with the Association of American Medical Colleges for the Visiting Student Learning Opportunities Program

RECOMMENDATION(S)

Approve Participation **Agreement No. 24-497** with the Association of American Medical Colleges, including non-standard terms, for participation in and use of the Visiting Student Learning Opportunities Program by the Graduate Medical Education Department, in an amount not to exceed \$12,500, for the period of 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 the cost of \$12,500 is funded by State Medi-Cal, Federal Medicare, private insurances, and other departmental revenue. Funding sources may change in the future pending legislative activity related to repeal and/or replacement of the Affordable Care Act. Adequate appropriation and revenue have been included in the Arrowhead Regional Medical Center (ARMC) 2024-25 recommended budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

Approval of the Participation Agreement (Agreement) will allow ARMC to participate in the Visiting Student Learning Opportunities Program (VSLO) coordinated by the Association of American Medical Colleges (AAMC). The AAMC operates the American Medical College Application Service and Electronic Residency Application Services, which facilitates students applying to medical schools and residency programs. The VSLO will allow ARMC to broaden the pool of medical school students who can complete clinical rotations at ARMC, and therefore, increase the hospital's residency recruitment. ARMC will be a participant in the AAMC VSLO database allowing medical students to apply for clinical rotations.

ARMC has agreements with several medical schools to allow their students to complete clinical rotations at the hospital. VSLO is an online program that enables students beyond those contracted medical schools to pursue short-term learning opportunities with ARMC. The program allows ARMC to ensure diverse groups of applicants are invited to interview for the residency opportunities at the hospital in service to the residents of the county.

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The Agreement is AAMC's standard commercial contract, which includes terms that differ from the standard County contract and omits certain County standard contract terms. While the parties negotiated certain contract terms to County standard, AAMC would not agree to all County standard terms. The non-standard and missing terms include the following:

1. All disputes arising under the Agreement must be settled by binding arbitration.
 - The County standard contract does not require arbitration.
 - Potential Impact: Binding arbitration decisions are not appealable. In addition, disputes that might otherwise be settled in small claims court would incur arbitration costs that could exceed the costs of a small claims action, and the Agreement amount.
2. The Agreement does not require AAMC 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 County's Risk Management Department and as set forth in County policy and in the County standard contract.
 - Potential Impact: The County has no assurance that AAMC will be financially responsible for claims that may arise under the Agreement, which could result in expenses to the County that exceed the total Agreement amount.
3. AAMC aggregate maximum liability to the County is limited to the fees actually paid by the County under the Agreement in the 12-month period immediately preceding the claim, excluding in its indemnification obligations and claims arising from AAMC's reckless misconduct, gross negligence, willful misconduct, and fraud.
 - The County standard contract does not include a limitation of liability.
 - Potential Impact: Claims could exceed the liability cap and the Agreement amount, leaving the County financially liable for the excess.

ARMC recommends approval of the Agreement with AAMC, including non-standards, to allow ARMC to expand the recruitment of medical students to complete their clinical rotations at ARMC, as well as apply for ARMC's residency programs.

PROCUREMENT

Purchasing supports this non-competitive procurement based on functional specifications. VSLO is the only internet-based service that will allow ARMC to accept medical students who are interested in ARMC clinical rotations as well as apply for ARMC's resident program. AAMC provides technical support for the software.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Bonnie Uphold, Supervising Deputy County Counsel, 387-5455) on May 7, 2024; Purchasing (Veronica Pedace, Buyer III, 387-2464) on May 8, 2024; Risk Management (Loretta Acuña, Staff Analyst II, 386-9039) on May 8, 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: 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: ARMC - Goldfrach w/agree
Contractor - c/o ARMC w/agree
File - w/agree
CCM 06/25/2024