

**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 with Platinum Dermatology Partners, LLC d/b/a Western Dermatology, LLC for Specialized Clinical Training

RECOMMENDATION(S)

Approve Non-Financial Affiliation **Agreement No. 24-468**, including non-standard terms, with Platinum Dermatology Partners, LLC d/b/a Western Dermatology, LLC to allow Arrowhead Regional Medical Center Emergency Medicine Resident Physicians to obtain specialized clinical training in Dermatology for the period of July 1, 2024 to 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 Western Dermatology Platinum Dermatology Partners, LLC d/b/a Western Dermatology, LLC (Western Dermatology) is non-financial in nature.

BACKGROUND INFORMATION

This Agreement will allow Arrowhead Regional Medical Center's (ARMC) emergency medicine resident physicians to obtain specialized clinical training in dermatology at Western Dermatology.

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. It allows ARMC to continue to provide a well-rounded education opportunity to ARMC's emergency medicine resident physicians and to ensure that those physicians obtain the training they need to complete their residency program in accordance with the requirements of the program's accreditation agency.

Upon completion of the training, resident physicians use this clinical knowledge to provide quality specialized patient care at ARMC. The Agreement with Western Dermatology will provide for the health and social services needs of County residents by allowing ARMC

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emergency resident physicians to obtain specialty clinical experience in dermatology, which will result in more specialized quality patient care at ARMC.

ARMC operates several accredited medical residency and fellowship programs. Each program has specific requirements as to the numbers and types of patients to which a resident or fellow 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 was negotiated by the parties and include the following non-standard County contract terms:

1. The County agrees to indemnify Western Dermatology from any claims caused by the professional negligence of ARMC's residents that occur in the course and scope of their rotation at Western Dermatology, except where the act or omission of the resident was undertaken at the direction or supervision of Western Dermatology.
 - The County standard contract does not include any indemnification or defense by the County of a contractor.
 - Potential Impact: By agreeing to indemnify Western Dermatology, 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 Western Dermatology without such limitations and the County could be responsible to defend and reimburse Western Dermatology for costs, expenses, and damages.
2. Western Dermatology limits its indemnity obligation to claims caused by their negligence or willful misconduct.
 - 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: Western Dermatology'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 the limited indemnity obligation, the County could be financially responsible for the defense of the claim and any resulting judgment/settlement.
3. The Agreement does not require Western Dermatology to meet all of the standard County insurance requirements.
 - 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 Western Dermatology 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.

ARMC recommends approval of this Agreement with Western Dermatology, including non-standard terms, as it provides for the safety, health and social service needs of County

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residents by ensuring that ARMC resident physicians receive specialty clinical training and experience, resulting in the delivery of specialized medical care to patients at ARMC.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Charles Phan, Supervising Deputy County Counsel, 387-5455) on April 2, 2024; Risk Management (Loretta Acuña, Staff Analyst II, 386-9039) on April 24, 2024; ARMC Finance (Chen Wu, Finance and Budget Officer, 580-3165) on May 16, 2024; Finance (Jenny Yang, Administrative Analyst, 387-4884) on May 20, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on May 21, 2024.

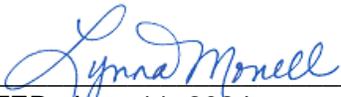
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Record of Action of the Board of Supervisors
San Bernardino County

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