

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

February 9, 2021

**FROM**

**CORWIN PORTER, Director, Department of Public Health**

**SUBJECT**

Consideration of Memorandum of Understanding with Inland Empire Health Plan to Assist with COVID-19 Vaccinations and Establish a Medical Point of Dispensing Site

**RECOMMENDATION(S)**

1. Consider in concept a ~~Approve~~ Memorandum of Understanding with Inland Empire Health Plan (IEHP) to accept appropriate IEHP staff to provide mass prophylaxis and care, specifically for the administration of COVID-19 vaccines, which could include subject to the County's indemnity of IEHP and its employees, at the IEHP facility located in Rancho Cucamonga effective upon execution for a period of six months.
2. Authorize the Chief Executive Officer, upon consultation with County Counsel, to execute a Memorandum of Understanding upon the approval and execution by IEHP and present the Memorandum of Understanding to the Board of Supervisors for ratification at the next available meeting.

(Presenter: Corwin Porter, Director, 387-9146)

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

**Provide for the Safety, Health and Social Service Needs of County Residents.  
Pursue County Goals and Objectives by Working with Other Agencies.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). No additional cost will be incurred by the County to extend medical malpractice coverage for this initiative.

**BACKGROUND INFORMATION**

In order to control and suppress severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) and the coronavirus disease (COVID-19), the San Bernardino County Department of Public Health (DPH) is collaborating with Inland Empire Health Plan (IEHP) whereby IEHP would will provide its qualified employees to assist with the administration of the COVID-19 vaccinations at no cost to the County, but only if the County would will provide medical malpractice insurance to cover the IEHP employees' activities at the medical point of dispensing site. This proposal is a non-standard contract provision pursuant to County Policy 11-07, which can be approved by the Board of Supervisors (Board). Similar provisions in other medical service contracts between the County and contractors have has been approved by the Board. This proposal request has been reviewed by Risk Management. A separate facility use agreement would will be entered into with IEHP in order that its Rancho Cucamonga facility located at 10861 6<sup>th</sup> Street, Rancho Cucamonga, CA 91730 may be used as a medical point of dispensing site.

The authority delegated to the CEO includes the following specific scope: (1) recommended a proposed Memorandum of Understanding (MOU) must establishes guidelines and protocols and requirements for IEHP staff to administer the COVID-19 vaccinations under the direction and

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programs of DPH; (2) The DPH Preparedness and Response Program should be involved in order to will work with IEHP to safely, quickly, and effectively administer the COVID-19 vaccines, following the Center for Disease Control and California Department of Public Health's recommended guidelines and directives; (3) the MOU can provide that IEHP will provide qualified staff and employees who are at a minimum Licensed Vocational Nurses, but may be a medical professional with more medical qualifications, to assist in administering the COVID-19 vaccines and IEHP will provide certifications to the County for such employees; (4) the MOU can provide that the County will indemnify IEHP, its governing Board, officers, employees, volunteers, etc., from and against any and all liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages arising out of the performance of this MOU and further indemnify, defend, and hold harmless the IEHP for any and all sums which the IEHP is by law held liable to pay for damages arising out of any demand for money or services by any patient, or anyone claiming damages on account of bodily injury or mental injury to or death of any patient caused by or alleged to have been caused by error, omission, or negligence, active or passive, in professional services rendered or that should have been rendered by IEHP and its employees; (5) the MOU can provide for usual provisions such as found in County Policy 11-07.

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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. Cases internationally, within the US and within California (as evidenced by the Governor's Proclamation) continue to rise.

On March 4, 2020, Governor Newsom issued a Proclamation of 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. 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 will appear within the county. On March 10, 2020 (Item No. 75), the Board of Supervisors 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.

#### **PROCUREMENT**

Not applicable.

#### **REVIEW BY OTHERS**

This item has been reviewed by Human Services Contracts (Jennifer Mulhall-Daudel, Contracts Manager, 388-0241) on February 5, 2021; County Counsel (Adam Ebright, Deputy County Counsel, and Penny Alexander-Kelley, Chief Assistant County Counsel, 387-5455) on February 5, 2021; Risk Management (LeAnna Williams, Director; 386-8623) on February 5, 2021; Finance (John Hallen, Administrative Analyst III, 388-0208) on February 5, 2021; and County Finance and Administration (Tanya Bratton, Deputy Executive Officer, 388-0332) on February 5, 2021.