



San Bernardino County

Legislation Text

File #: 4508, Agenda Item #: 13

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

July 13, 2021

FROM

WILLIAM L. GILBERT, Director, Arrowhead Regional Medical Center

SUBJECT

Affiliation Agreement with Chapman University

RECOMMENDATION(S)

Approve non-financial Affiliation Agreement with Chapman University to permit Chapman University Pharmacy Students to obtain clinical experience at Arrowhead Regional Medical Center, for the term July 13, 2021 through July 12, 2026.

(Presenter: William L. Gilbert, Director, 580-6150)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Implement the Countywide Vision.

Create, Maintain, and Grow Jobs and Economic Value in the Community.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of the Resident Affiliation Agreement will not result in the use of Discretionary General Funding (Net County Cost). This agreement is non-financial in nature.

BACKGROUND INFORMATION

This affiliation agreement will allow Arrowhead Regional Medical Center (ARMC) to receive students enrolled in Chapman University's Doctor of Pharmacy program to obtain clinical training and practice experience necessary for students to obtain their degree and license. The partnership with Chapman University for training of their pharmacy students enable ARMC to recruit graduates of the program for future employment by exposing them to our facility during clinical training. A key component of ARMC's mission is to provide education to students in a variety of disciplines. ARMC has a number of agreements with universities and colleges, junior colleges, and technical and trade schools to provide on-site clinical training for students. This clinical training is necessary for students to obtain their degrees, licenses, and/or certifications.

The volume and patient mix at ARMC provides a comprehensive educational opportunity to students from Chapman University. This Agreement ensures that the students receive specialty clinical training and experience, and gain vital skills that are needed in developing a competent workforce. The affiliation with Chapman University provides for the safety, health, and social service needs of County residents by ensuring the delivery of specialized medical care to ARMC patients, as well as increasing the future pool of healthcare

specialists.

The Agreement has been negotiated by the parties to include the following non-standard County terms:

Indemnification

The County is required to indemnify and hold harmless Chapman University from claims of personal injury, death, and property damage due to the negligence or willful misconduct of the County, its agents, or employees.

- The County standard contract does not impose a contractual indemnification obligation on the County.
- Potential Impact: By agreeing to indemnify Chapman University, 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 Chapman University without such limitations and the County would be responsible to defend and reimburse Chapman University for costs, expenses, and damages, which could exceed the total contract amount. It should be noted that Chapman University is similarly obligated to defend, indemnify, and hold harmless the County.

Venue

The exclusive venue of any dispute arising out of the Agreement is the Riverside County Superior Court.

- The County standard contract provides that the exclusive venue for any dispute is the San Bernardino County Superior Court, San Bernardino District.
- Potential Impact: By agreeing to venue in Riverside Superior Court rather than San Bernardino Superior Court, the County may incur expenses and fees in a court action that might not have been incurred had the venue been in San Bernardino Superior Court. County policy 11-05 permits County contracts to contain a venue provision in another California County.

Waiver of Subrogation

The Agreement does not require Chapman University or its insurers to waive the right of subrogation.

- The County standard contract requires vendors to agree to a waiver of subrogation.
- Potential Impact: Without a waiver of subrogation, Chapman University's insurer may be able to bring suit against the County, which could result in expenses to the County that would not have been necessary had Chapman University agreed to the waiver.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Charles Phan, Deputy County Counsel, 387- 5455) on June 15, 2021; ARMC Finance (Chen Wu, Finance and Budget Officer, 580- 6150) on June 22, 2021; Finance (Amanda Trussell, Administrative Analyst, 387-4773) on June 28, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on June 28, 2021.