



Board Agenda Item 65

DATE: June 20, 2023

TO: Board of Supervisors

SUBMITTED BY: David Luchini, RN, PHN, Director of Public Health

SUBJECT: Valley Children's Hospital Designation as a Level II Pediatric Trauma Center

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute an Agreement with Valley Children's Hospital, for designation as a Level II Pediatric Trauma Center, effective July 1, 2023 through June 30, 2026, with an unlimited number of automatic one-year extensions (\$0)

There is no additional Net County Cost associated with the recommended action. Approval of the recommended action will continue designation of Valley Children's Hospital (VCH) as a Level II Pediatric Trauma Center (Level II). The recommended agreement is required by the California Code of Regulations for designated trauma centers and outlines the responsibilities of both the County and VCH. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. Should your Board not approve the recommended action, VCH would lose its designation as a Level II Pediatric Trauma Center, losing their ability to treat pediatric trauma patients. All pediatric trauma patients would then be diverted to Community Regional Medical Center, as the Level I Trauma Center.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. There are no costs associated with the recommended agreement.

DISCUSSION:

The Department of Public Health is the designated Local Emergency Medical Services (EMS) Agency for Fresno, Kings, Madera, and Tulare counties, pursuant to Health and Safety Code, section 1797.200. The Local EMS Agency is responsible for planning, implementation, and evaluation of the emergency medical services system, which includes the designation of trauma centers.

The recommended action will approve an agreement with VCH to continue its designation as a Level II Pediatric Trauma Center. VCH is the only children's trauma center between the San Francisco Bay Area and Los Angeles. VCH has been designated Level II since 2016, with the last designation being approved by your Board on June 12, 2018, which is set to expire June 30, 2023. Two other trauma centers have been previously approved in the four-county EMS region, which include Community Regional Medical Center (CRMC) as a Level I Trauma Center and Kaweah Delta Medical Center as a Level III Trauma Center.

As a Level II, VCH is authorized by the EMS agency to receive critically injured pediatric patients transported directly from the field by ambulance or helicopter. The Level II designation requires VCH to maintain a preparedness level to receive and respond to trauma that is significantly higher than non-trauma hospitals. As a designated trauma center, the State regulations set a minimum requirement of hospital services that must be immediately available, which include surgical and anesthesiology services and response performance to critical trauma in the emergency department. A significant amount of training and education is also required for hospital staff.

The recommended agreement will be effective July 1, 2023 through June 30, 2026, and will automatically extend for an unlimited number of one year extension periods upon the same terms and conditions, unless a 30-day advanced written notice of non-renewal is given by either of the parties. The proposed agreement may be terminated without cause by either party upon the giving of a 30-day advance written notice of an intention to terminate or the County may immediately terminate the agreement due to breach of contract. Considering VCH has continued to maintain all requirements as a Level II Trauma Center since 2016, the Department has determined that an evergreen agreement is appropriate and in accordance with agreements held with other established trauma centers in the Central Valley (Agreement with Community Regional Medical Center, #A-15-030).

The recommended agreement utilizes non-standard language, has a mutual hold harmless clause, and limitation of liability in effect regardless of whether or not insurance policies are deemed to apply to potential losses. The County's Risk Management does not agree with including the non-standard language, but the Department believes that the risks associated with the recommended agreement is minimal. The non-standard language in the recommended agreement is consistent with past and current Trauma Center agreements, including those with VCH and CRMC agreements.

The recommended agreement also deviates from the Example Service Agreement insurance language for cyber liability and the "County's Entitlement to Greater Coverage" clause. Counsel has approved the deviation in language for cyber liability, which was changed at the purview of VCH. Risk has recommended leaving in the "County's Entitlement to Greater Coverage" clause, but VCH disagrees with including that clause. The Department believes that the risk is minimal on this agreement, and the benefits of having a designated pediatric trauma center outweighs any potential risk.

REFERENCE MATERIAL:

BAI #46, June 12, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Valley Children's Hospital

CAO ANALYST:

Ronald Alexander