



Board Agenda Item 58

DATE: December 3, 2024

TO: Board of Supervisors

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

SUBJECT: Retroactive Agreement for Temporary Reciprocal Health Officer Coverage

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a retroactive Agreement with the County of Kings, for temporary reciprocal Health Officer coverage, effective December 1, 2024, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions (\$0).

Approval of the recommended action will provide the Counties of Fresno and Kings with reciprocal Health Officer coverage if either county's Health Officer is temporarily unavailable to carry out the duties as required by law. This item is countywide.

ALTERNATIVE ACTION(S):

In the event that the recommended agreement with the County of Kings is not approved, both Fresno and Kings County would need to seek another alternative to fulfill the duties of the Health Officer and Deputy Health Officer should either become temporarily unavailable.

RETROACTIVE AGREEMENT:

The recommended agreement was received from County of Kings on October 15, 2024 and is retroactive to December 1, 2024. It was originally scheduled to come before your Board on November 5, 2024; however, the time needed to correct the execution date inserted by County of Kings delayed meeting the appropriate agenda item processing timelines.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The recommended agreement does not provide any compensation between the County of Fresno and County of Kings.

DISCUSSION:

Each county in California has an appointed County Health Officer pursuant to Government Code, section 101000 to carry out duties prescribed in Health and Safety Code, section 101025 et seq., as well as other applicable statutes. From time to time, a Health Officer may be temporarily absent from the county and/or unavailable to carry out the duties as required by law.

This recommended agreement will allow Fresno and Kings counties to provide reciprocal coverage, advise staff, and issue Health Officer orders when either county's Health Officer is temporarily unavailable.

Implementing a Health Officer coverage agreement, such as the recommended agreement, is an accepted practice and commonplace among California counties including Alpine, Calaveras, Humboldt, Lake, Marin, Mono, Napa, Sonoma, Tuolumne, and Yuba. Since 2015, the Counties of Fresno and Merced have been engaged in a similar agreement. More recently on August 6, 2024, your Board approved a similar agreement with County of Madera. Having more than one similar agreement in place with neighboring counties will provide the County with adequate options to ensure temporary Health Officer coverage is available when needed.

Under the terms of the recommended agreement, reciprocal Health Officer coverage will be provided at no cost to the requesting county and the providing county's Health Officer shall receive no additional remuneration for provision of temporary Health Officer coverage. In addition, the recommended agreement provides each county the discretion to refuse to provide coverage without penalty or liability. It is anticipated that neither county will require more than a minimal amount of coverage from the other county's Health Officer, as the circumstances the Health Officers are truly unavailable are infrequent.

Upon approval by your Board, the recommended agreement will be effective upon execution for a base term of three years and may be extended for two optional one-year periods upon written approval of both parties no later than thirty days to the first day of the next one-year extension upon the same terms and conditions unless written notice of nonrenewal is given by either county.

Either party may terminate the recommended agreement without cause upon giving a thirty-day notice of the intent to terminate. The recommended agreement contains mutual indemnification and given the nature of this agreement, the Department considers the agreement to be in the County's best interest and Risk Management has approved.

REFERENCE MATERIAL:

BAI #52, August 6, 2024

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with County of Kings

CAO ANALYST:

Ron Alexander