**AGENDA ITEM:** Amendment of Professional Services Agreement between Thomas E. Bittker, M.D., and Sierra County for behavioral health services.

**SUPPORTIVE DOCUMENTS ATTACHED:** ☒ Memo ☐ Resolution ☒ Agreement ☐ Other

**BACKGROUND INFORMATION:** Please see attached Memo

**FUNDING SOURCE:** 0515670

**GENERAL FUND IMPACT:** No General Fund Impact

**OTHER FUND:** 5671, 5680

**AMOUNT:** $89,100.00 Annually

<table>
<thead>
<tr>
<th>ARE ADDITIONAL PERSONNEL REQUIRED?</th>
<th>IS THIS ITEM ALLOCATED IN THE BUDGET?</th>
<th>IS A BUDGET TRANSFER REQUIRED?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Yes, -- --</td>
<td>☒ Yes</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>☒ No</td>
<td></td>
<td>☐ No</td>
</tr>
</tbody>
</table>

**BOARD ACTION:**

- ☐ Approved
- ☐ Approved as amended
- ☐ Adopted
- ☐ Adopted as amended
- ☐ Denied
- ☐ Other
- ☐ No Action Taken

- ☐ Set public hearing
  - For: _______________________
- ☐ Direction to: ______________
- ☐ Referred to: _______________
- ☐ Continued to: ______________
- ☐ Authorization given to: ____________

- Resolution 2018- ____________
- Agreement 2018- ____________

**Vote:**

- Ayes: _______________________
- Noes: _______________________
- Abstain: _____________________
- Absent: _____________________

- ☐ By Consensus

**COMMENTS:**

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
Memorandum

To: Sierra County Board of Supervisors
From: Lea Salas, Administrative Director of Behavioral Health
Reference: Agenda Item
Date of memo: July 30, 2018
Date of Board Meeting: August 7, 2018

Requested Action: Amendment to Professional Services Agreement between Thomas E. Bittker, M.D., and Sierra County for behavioral health services.

Mandated by:

<table>
<thead>
<tr>
<th>Funding</th>
<th>Budgeted?</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Revenue</td>
<td>$89,100.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenses</td>
<td>$89,100.00</td>
<td></td>
<td></td>
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<tr>
<td>Difference</td>
<td>0</td>
<td></td>
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<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Mental Health, Mental Health Services Act, Substance Use Disorder Services</td>
<td>$89,100.00</td>
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Background Information: After contract review from CSAC EIA insurance provider, to avoid confusion in language, it was recommended that the insurance be changed to reflect that Sierra County shall cover Professional Liability Malpractice Insurance for contractor for all services provided under this contract. This amendment changes the insurance requirements for this provider.

Potential Issues to consider: None

Alternatives or Impacts of disapproval: Disapproving this agreement could cause behavioral health needs on the east side of the county to be delayed until a new contract is established. Sierra County would fail to meet the requirements established by the Mental Health Plan.
AMENDMENT
To
AGREEMENT FOR
PROFESSIONAL SERVICES

The following is an amendment to that certain Agreement No. 2018-076 (“Agreement”) with an effective date of July 1, 2018, by and between the County of Sierra, a political subdivision of the State of California (“the COUNTY”) and Thomas E, Bittker, MD, Ltd (“the CONTRACTOR”).

1. Attachment C of the Agreement, Additional Provisions is amended to read:

   COUNTY shall carry Professional Liability Malpractice Insurance with limits of $1,000,000 per occurrence including coverage for CONTRACTOR that provides tail coverage for all services provided under this contract.

   The contracting parties shall be subject to the examination and audit of the Auditor General for a period of three years after final payment under contract (Government Code, Section 10532). The County shall also be subject to the examination and audit of the Auditor General for a period of three years after final payment under contract (Government Code, Section 10532).

   CONTRACTOR shall provide prescription pads that meet California State requirements.

   CONTRACTOR shall deliver services that are safe, culturally competent, culturally responsive, linguistically appropriate, timely, efficient, effective and equitable. CONTRACTOR shall follow Culturally and Linguistically Appropriate Services (CLAS standards).

2. Attachment D, General Provisions, D.5.1 Insurance, Is amended to read:

   D.5.1 Prior to rendering services provided by the terms and conditions of this Agreement, CONTRACTOR shall acquire and maintain during the term of this Agreement insurance coverage through and with an insurer acceptable to COUNTY.

   No D.5.1.1 Comprehensive general liability insurance including comprehensive public liability insurance with minimum coverage of One Million Dollars ($1,000,000) per occurrence and with not less than One Million Dollars ($1,000,000) aggregate; CONTRACTOR shall insure both COUNTY and CONTRACTOR against any liability arising under or related to this Agreement.

   No D.5.1.2 During the term of this Agreement, CONTRACTOR shall maintain in full force and effect a policy of professional errors and omissions insurance with policy limits of not less than One Million Dollars ($1,000,000) per incident and One Million Dollars ($1,000,000) annual aggregate, with deductible or self-insured portion not to exceed Two Thousand Five Hundred Dollars ($2,500).
Yes D.5.1.3 Comprehensive automobile liability insurance with minimum coverage of One Hundred Thousand/Three Hundred Thousand Dollars ($100,000/$300,000) per occurrence.

No D.5.1.4 Workers' Compensation Insurance coverage for all CONTRACTOR employees and other persons for whom CONTRACTOR is responsible to provide such insurance coverage, as provided by Division 4 and 4.5 of the Labor Code.

3. All other terms and conditions of the Agreement are to remain the same.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date set forth above.

COUNTY OF SIERRA

SCOTT A. SCHLEFSTEIN
Chairman, Board of Supervisors

ATTEST:

HEATHER FOSTER
Clerk of the Board

“CONTRACTOR”

Thomas E. Bittker, MD

APPROVED AS TO FORM:

DAVID PRENTICE
County Counsel