



# AGENDA REPORT

**TO: HENRY L. GARDNER  
CITY ADMINISTRATOR**

**FROM: Teresa Deloach Reed**

**SUBJECT: Extension of Fire Department  
Medical Director Contract**

**DATE: September 2, 2014**

City Administrator  
Approval

Date

9/4/14

**COUNCIL DISTRICT: City-Wide**

## **RECOMMENDATION**

Staff recommends Council approval of a resolution 1) waiving the competitive RPF/Q process, and 2) authorizing the City Administrator or his designee to extend the existing contract with Dr. Hern to provide the services of Medical Director for the Oakland Fire Department for an additional one (1) year, beginning October 1, 2014 through September 30, 2015, in an amount not to exceed \$65,233 over the one year extension period.

## **EXECUTIVE SUMMARY**

The medical director fulfills the Medical Priority Dispatch System (MPDS) requirement at Fire Department Communications (FDC) which allows the Fire Department to triage calls by severity. This ability identifies approximately 15,000 low-acuity Emergency Medical Service (EMS) calls annually that do not require a Fire Department response.

The medical director meets the Drug Enforcement Agency (DEA) physician requirement for oversight of the Fire Department's controlled substance program (narcotics) concerning the issuing and restocking paramedic drug inventories.

The medical director also serves as a subject matter expert and resource for the Department in post exposure incident follow-up where firefighters and paramedics have been exposed to infectious diseases, while providing clinical care during EMS responses. This assures firefighters receive the most accurate and timely information to determine post exposure actions. It also assures the City is in compliance with all Occupational Safety and Health Administration (OSHA) mandates.

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The Fire Department's Medical Services Division has recently undergone a staffing shortage that resulted in a significant impact on historical clinical knowledge related to medical oversight of firefighter / paramedics and Emergency Medical Technicians (EMTs). Extending the current medical director's contract for an additional year will provide continuance of historical clinical knowledge for the Fire Department while an RFP/Q is developed.

Additionally, the Department utilizes the services of the medical director to provide on-going, continuing education to paramedics and firefighters so that the most up to date training on patient care can be provided. The medical director has routinely served as the lead during clinical call reviews to investigate potential clinical issues resulting from EMS service requests.

### **OUTCOME**

Extending the existing contract with the current medical director will allow the FDC to continue to use the MPDS to triage EMS calls by severity level and triage approximately 15,000 low severity medical responses annually which do not require a Fire Department response. It will also continue oversight of the Department's controlled substance program, and provide clinical education to the Department's firefighters and paramedics.

By serving as the medical authority in call reviews, the medical director assures that appropriate levels of remediation occur when issues arise after Department paramedics have provided clinical care on an EMS response. The medical director works closely with the staff of the Medical Services Division to develop and provide timely instruction on the advances in emergency medicine that occur on a continual basis.

### **BACKGROUND/LEGISLATIVE HISTORY**

On June 1, 2000 the Fire Department began providing Advanced Life Support (ALS) services to the City's residents and visitors. The City also entered into an agreement to provide emergency physician services via medical director for the ALS program. The current medical director was selected through the City's formal RFP process, and has served in this capacity since October 1, 2011; and has met the needs of the Department, including the requirement for a physician to authorize the ordering and resupply of controlled substances (narcotics) used by Department paramedics in treating patients.

### **ANALYSIS**

#### *RFP/RFQ Waiver Justification*

Dr. Hern has provided the services of medical director for the Oakland Fire Department since 2011. During this time he has been instrumental in maintaining the Department's Accredited Center of Excellence (ACE) status with MPDS. He is an active participant in the Department's Dispatch Steering Committee that is required to maintain ACE accreditation with MPDS.

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This allows the Department to triage out approximately 15,000 low-acuity EMS calls annually that do not require a Fire Department response. The current medical director fulfills all additional requirements to maintain the FDC's ACE accreditation.

Dr. Hern has provided exceptional clinical oversight of the Department's paramedics by serving as the lead during call reviews for those EMS requests where questions or issues arise. The EMS Coordinator responsible for clinical Quality Improvement recently left the City. This has had an impact on historical clinical knowledge. The current medical director will compensate for the historical knowledge impact with the recent staffing changes at the Medical Services Division while an RFP/Q is developed over the next year.

A physician is also required for an ALS provider to obtain controlled substances (narcotics) to be administered by Department paramedics in certain instances during EMS calls. The medical director fulfills this requirement.

He actively serves as a clinical instructor for the Department, taking the latest findings in emergency medicine and successfully translating it to a field setting that can be applied by the Department's paramedics. He provides this training on a regular monthly basis to the Department.

Section 2.04.051 B of the Oakland Municipal Code (OMC) permits the City Council to waive the competitive Request for Qualification/Request for Proposal competitive selection process requirement of Section 2.04.051 A of the OMC if it finds that it is in the best interest of the City to do so. Based on the information provided above, staff believes it is in the best interest of the City to extend the existing contract with Dr. Hern, who has provided the services as Medical Director for the City of Oakland since 2011 based on his knowledge, experience, and performance during the term of his existing contract, as well as the Division's lack of personnel who carry the historical knowledge needed to maximize the effective performance.

### **COORDINATION**

The City Attorney's Office, Budget Office, and Office of Contracts and Compliance were consulted in the preparation of this report.

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**COST SUMMARY/IMPLICATIONS**

CONTRACT AMOUNT:

Medical Director	FY 2014-15	FY 2015-16	FY 2016-17
Medical Director Services	\$65,233	\$65,233	\$65,233

SOURCE OF FUNDING:

Funding of \$65,233 is available in the Department's 2014-2015 budget appropriation and will be drawn from 2250.20912.53719.0000000.

**SUSTAINABLE OPPORTUNITIES**

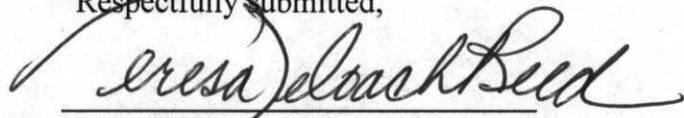
**Economic:** Providing the services of a Medical Director will help to ensure firefighters and paramedics are properly trained to carry out their duties efficiently, providing for an opportunity to reduce potential costs to the City as a result of negligence law suits.

**Environmental:** There are no environmental opportunities.

**Social Equity:** By providing this service to the City, the Fire Department continues to ensure the safety of Oakland residents.

For questions concerning this report, please contact Fire Division Manager Stewart McGehee at 238- 3736.

Respectfully submitted,

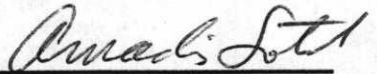


Teresa DeLoach Reed  
Fire Chief

Prepared by:

Mr. Stewart McGehee  
Fire Division Manager  
Medical Services Division

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 City Attorney

 FILED  
 OFFICE OF THE CITY CLERK  
 OAKLAND

**OAKLAND CITY COUNCIL**

2014 SEP -4 PM 2: 32

**RESOLUTION No. \_\_\_\_\_ C.M.S.**

**RESOLUTION: 1) WAIVING THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS (RFP/Q) PROCESS, AND 2) 1) AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO EXTEND THE EXISTING CONTRACT WITH DR. HERN TO PROVIDE THE SERVICES OF MEDICAL DIRECTOR FOR THE OAKLAND FIRE DEPARTMENT FOR AN ADDITIONAL ONE (1) YEAR, BEGINNING OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015, IN AN AMOUNT NOT TO EXCEED SIXTY FIVE THOUSAND TWO HUNDRED AND THIRTY-THREE DOLLARS (\$65,233)**

**WHEREAS**, on June 1, 2000, the Fire Department began providing Advanced Life Support (ALS) services to the City's residents and visitors; and

**WHEREAS**, the current Medical Director (Dr. Hern) was selected through the City's formal RFP process and has served in this capacity since October 1, 2011, meeting the needs of the of the Department, including the requirement for a physician to authorize the ordering and resupply of controlled substances (narcotics) used by Department paramedics in treating patients; and

**WHEREAS**, Dr. Hern has provided exceptional clinical oversight of the Department's paramedics by serving as the lead during call reviews for those EMS requests where questions or issues arise. He has the historical knowledge of the Department related to system issues that require clinical training as well as individual paramedics who require performance improvement plans; and

**WHEREAS**, the Medical Director works closely with the staff of the Medical Services Division to develop and provide timely instruction on the advances in emergency medicine that occur on a continual basis; and

**WHEREAS**, by serving as the medical authority in call reviews, the medical director assures that appropriate levels of remediation occur when issues arise after Department paramedics have provided clinical care on an EMS response.; and

**WHEREAS**, section 2.04.051 B of the Oakland Municipal Code ("OMC") permits the City Council to waive the competitive Request for Qualification/Request for Proposal competitive selection process requirement of Section 2.04.051 A of the OMC if it finds that it is in the best interest of the City to do so; and

**WHEREAS**, staff believes it is in the best interest of the City to extend the existing contract with Dr. Hern because the Fire Department's Medical Services Division has recently undergone a staffing shortage that resulted in a significant impact on historical clinical knowledge related to medical oversight of firefighter/paramedics and Emergency Medical Technicians (EMTs);

**WHEARAS**, during his time as the Medical Director, Dr. Hern has been instrumental in maintaining the Department’s Accredited Center of Excellence (ACE) status, which is required by Medical Priority Dispatch Services (MPDS); and

**WHEREAS**, Dr. Hern has provided the services as Medical Director for the City of Oakland since 2011 and extending the current medical director’s contract for an additional year will provide continuance of critical historical clinical knowledge possessed by Dr. Hern in service of the Fire Department while the City conducts a new RFP/Q; now, therefore be it

**RESOLVED**, That the City Council finds it is in the best interest of the City to waive the RFP/RFQ requirements as permitted section 2.04.051 B of the Oakland Municipal Code and so waives such requirements; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator or his designee to extend the existing Medical Director contract with Dr. Hearn for one year beginning October 1, 2014 through September 30, 2015 in an amount not to exceed \$65,233; and be it

**FURTHER RESOLVED:** That funding of \$65,233 is available in the Department’s 2014-2015 budget appropriation and will be drawn from 2250.20912.53719.0000000.PS19; and be it

**FURTHER RESOLVED:** That the City Administrator or his designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this agreement; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve said agreement as to form and legality and copies of said agreement shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

BROOKS, GALLO, KALB, KAPLAN, MCELHANEY, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the  
Council of the City of Oakland, California