



Office of the City Manager

CONSENT CALENDAR
December 13, 2022

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: David Sprague, Interim Fire Chief
 Subject: Contract: Berkeley Fire Medical Director

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract and any amendments, with Herbert Gene Hern, MD to serve as the Berkeley Fire Medical Director for five years from July 1, 2022 until June 30, 2027 in the amount not to exceed \$400,000.

FISCAL IMPACTS OF RECOMMENDATION

Year one of the contract shall not exceed \$112,000, each subsequent year will shall not exceed \$72,000. The contract will be paid from Measure GG.

CURRENT SITUATION AND ITS EFFECTS

As the Medical Director for the fire department since 2016, Dr. Herbert E. Hern oversaw the implementation of the department's narcotic program. As such, he has deep and specialized knowledge of the program. Over the last six plus years Dr. Hern has directed the execution of the department's Quality Assurance/Quality Improvement (QA/QI) plan, and supervised its annual revision for submission to regulators. This has provided him a unique understanding of the QA/QI program.

The department is on the threshold of implementing the largest transformation of its Emergency Medical Services (EMS) delivery model in four decades. A key to the successful implementation this new delivery model is having a Medical Director with his specific, unique, and direct knowledge of the Berkeley Fire Department's current narcotic and QA/QI programs. This knowledge provides some stability to the Department as it adapts to a new model, as it will be important to know why current systems were created, how to adapt them to current needs while still maintaining compliance with local, state and federal regulators.

The payment in year one of this agreement includes an additional \$40,000 than the subsequent four years to cover work that has been performed from July through December of 2022.

BACKGROUND

In order for the fire department to provide Advance Life Support (ALS) paramedic services it is required to have a Medical Director. The Medical Director fills several critical functions which include the purchase of medications (including controlled substances), evaluation of novel medical equipment, Quality Assurance / Quality Improvement program oversight, and liaison with receiving hospitals.

Under the Medical Director's Drug Enforcement Agency (DEA) license, the Medical Director is the DEA Registrant for the fire department. As the DEA registrant, the Medical Director authorizes the fire department to purchase and administer medications. Of particular importance, as the DEA registrant, the Medical Director provides oversight of the controlled substance program (Narcotic Program). This oversight includes the approval of the tracking system, reverse distribution (destruction of expired or half used medication), and purchasing.

Serving as the head of the QA / QI program, the Medical Director ensures the fire department is meeting regulator (Alameda County Emergency Medical Services Agency / California Emergency Medical Services Authority) requirements to monitor the care provided by department paramedics by overseeing the creation and maintenance of the QA / QI Plan.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There is no environmental effect as a result of this Resolution.

RATIONALE FOR RECOMMENDATION

Dr. Hern has been the medical director for the Department since 2016. As such, he has deep and specialized knowledge of the program. The department is on the threshold of implementing the largest transformation of its Emergency Medical Services (EMS) delivery model in four decades. A key to the successful implementation of a new delivery model is having a Medical Director that with his specific, unique, and direct knowledge of our current narcotic and QA/QI programs.

ALTERNATIVE ACTIONS CONSIDERED

Conduct a full competitive solicitation.

CONTACT PERSON

David Sprague, Interim Fire Chief

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT: HERBERT GENE HERN, MD FOR BERKELEY FIRE MEDICAL
DIRECTOR

WHEREAS, as the Medical Director for the fire department since 2016, Dr. Herbert E. Hern oversaw the implementation of the departments narcotic program. As such, he has deep and specialized knowledge of the program, and

WHEREAS, the department is on the threshold of implementing the largest transformation of its Emergency Medical Services (EMS) delivery model in four decades, and

WHEREAS, a key to the successful implementation of a new delivery model is having a Medical Director that with his specific, unique, and direct knowledge of our current narcotic and QA/QI programs, and

WHEREAS, in order for the fire department to provide Advance Life Support (ALS) paramedic services it is required to have a Medical Director.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments, with Herbert Gene Hern, MD to serve as the Berkeley Fire Medical Director for five years from July 1, 2022 until June 30, 2027 in the amount not to exceed \$400,000.

