



LEROY D. BACA, SHERIFF

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



September 30, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL TO EXTEND AGREEMENT NO. 73962 FOR INMATE RENAL
DIALYSIS TREATMENT SERVICES WITH GAMBRO HEALTHCARE
(ALL DISTRICTS) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve and instruct the Chair to extend the term of the Agreement for a period of six (6) months on a month-to-month basis effective November 1 2003, for an amount not to exceed \$350,000.
2. Authorize the Sheriff, if it is in the best interest of the County, to exercise all extensions to the Agreement.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

The purpose of these actions is to extend Board Agreement No. 73962 to allow Gambro Healthcare, the current Contractor, to provide continuous out-patient End Stage Renal Dialysis (ESRD) Treatment Services to inmates who are in Sheriff's custody while the Sheriff's Department completes its solicitation process for a new out-patient ESRD treatment agreement.

A Tradition of Service

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Under both State and Federal law, the Sheriff's Department has a legal obligation to provide reasonable health care to its inmate population. On a weekly basis, up to 20 inmates may require ESRD services at least three (3) times per week. Most of the inmates requiring ESRD treatment for chronic conditions are ineligible for medical reimbursement.

ESRD treatment services for Sheriff's Department inmates have been done on an out-patient basis since 1985. In addition to costs for the treatments, the Sheriff has had to cover costs for transportation to and from the treatment facility and for inmate security while being transported during treatments.

In an effort to provide services more efficiently and cost effectively, in 2001, the Department explored the possibility of establishing an on-site ESRD treatment center at the Men's Central Jail. However, the Department determined that with construction costs required to establish a treatment center to accommodate dialysis equipment and water treatment requirements, licensing requirements that fully comply with Federal and State regulations, and the need to contract with an outside firm to provide the treatments, that an on-site treatment center was not cost effective, compared to the current out-patient treatments, even with its security and transportation costs.

The Department then explored the possibility of establishing a home dialysis treatment process at the Men's Central Jail. Home dialysis would not require extensive remodeling of the facility, licensing is not required, stringent Federal and State regulations and requirements governing home dialysis are virtually non-existent, and the use of portable dialysis machines with self-contained water treatment process would not cost as much as operating an on-site dialysis treatment center.

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Since the County did not have the staffing and equipment necessary to provide home dialysis treatments, the Department determined that a contract with an outside firm would be necessary.

A solicitation for home dialysis treatment services was initiated in May 2002. Under this proposed plan, the County would provide all laboratory services, medications, as well as medical and non-medical supplies. The Contractor would provide the necessary staffing, the dialysis machines, and all equipment and supplies directly related to the operation of the dialysis machines. The Department's evaluation of the three qualified proposals determined that the overall costs for the proposed home dialysis services were higher than the costs of continuing outpatient ESRD services. As a result, the Request for Proposal (RFP) solicitation for home dialysis services was canceled, and the Department initiated another solicitation for a new outpatient ESRD treatment services agreement. This solicitation process is in the final stages, but at this time, cannot be completed before the current Agreement with Gambro expires on October 31, 2003.

Therefore, in order to ensure that dialysis services to inmates are uninterrupted and to ensure that there is no lapse in the current agreement with Gambro, the Department is requesting an extension of the current Agreement, which will be terminated when the new agreement is approved by your Board. The Department anticipates that a new agreement will be in place by December 2003.

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Implementation of Strategic Plan Goals

The proposed recommendation supports the County's Strategic Plan for Service Excellence and Fiscal Responsibility. Under this Agreement, the Contractor, who specializes in dialysis treatment services, provides out-patient dialysis services for inmates, including all laboratory work, on designated days and at set times, making it more cost effective and manageable for the Department.

FISCAL IMPACT/FINANCING

Funding for this Amendment has been allocated in the Department's Fiscal Year 2003-2004 operating budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Currently, under Agreement No. 73962, Gambro is providing out-patient ESRD treatment services to inmates in Sheriff's custody. The former provider, which was acquired by Gambro in 1999, had been providing ESRD services to the Sheriff's Department since 1985.

The Contractor is in compliance with all Board, Chief Administrative Office, and County Counsel requirements, including Safely Surrendered Baby Law.

County Counsel has reviewed and approved the amendment as to form.

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CONTRACTING PROCESS

The Sheriff's Department released a Request for Proposal in October 2002 for out-patient ESRD services. Five proposers responded to the RFP. Currently, the Department is in the final phases of the solicitation process, which would replace this Agreement with Gambro Healthcare. The process is expected to be completed on or about December 2003.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Your Board's approval to extend Agreement No. 73962 will ensure uninterrupted ESRD treatment services for inmates with chronic renal failure who are in Sheriff's custody and will ensure that the Sheriff's Department complies with its legally mandated responsibilities.

CONCLUSION

Upon the Board's approval, the Sheriff's Department needs to obtain two individually certified copies of the adopted Board letter and one signed original amendment.

The Sheriff's Department's contact for the requested Board action is Joe Cruz, Contracts Manager, at (323) 526-5223.

Respectfully submitted,

A handwritten signature in black ink that reads "Leroy D. Baca". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

LEROY D. BACA
SHERIFF

**COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT**

**AMENDMENT NO. 4 TO AGREEMENT NUMBER 73962 FOR
OUT-PATIENT END STAGE RENAL DIALYSIS (ESRD) SERVICES
WITH GAMBRO HEALTHCARE, INC.**

This Amendment Number 4 ("Amendment") is entered into by and between the County of Los Angeles Sheriff's Department (hereinafter "COUNTY") and Gambro Healthcare, Inc., a California Corporation (hereinafter "CONTRACTOR") effective as of November 1, 2003, based on the following recitals:

- A. WHEREAS, on November 1, 2001 the COUNTY and CONTRACTOR entered into COUNTY Agreement Number 73962 (hereinafter "Agreement") to provide out-patient end stage renal dialysis (ESRD) treatment services for inmate patients; and
- B. WHEREAS, the Los Angeles County Sheriff's Department (hereinafter "SHERIFF") is mandated to provide reasonable health care to inmates housed in SHERIFF's facilities; and
- C. WHEREAS, ESRD treatments to inmates with chronic renal failure falls under "reasonable health care; and
- D. WHEREAS, this Agreement currently expires on October 31, 2003; and
- E. WHEREAS, COUNTY and CONTRACTOR desire to extend the term of this Agreement to avoid interruption of services.

NOW THEREFORE, in consideration of the foregoing recitals, all of which are incorporated as part of this Agreement, COUNTY and CONTRACTOR hereby further agree as follows:

- 1. This Agreement shall be extended for a period of six (6) months on a month-to-month basis effective as of November 1, 2003. The Sheriff shall have the authority to exercise the month-to-month extension options.
- 2. The maximum amount payable for the services provided through this Agreement extension shall not exceed Three Hundred Fifty Thousand Dollars (\$350,000).
- 3. Add the following provisions to the Agreement:

SAFELY SURRENDERED BABY LAW

The CONTRACTOR shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The fact sheet is set forth in Exhibit E of this Agreement and is also available on the internet at www.babysafela.org for printing purposes.

CONTRACTOR'S ACKNOWLEDGMENT OF COUNTY'S COMMITMENT TO THE SAFELY SURRENDERED BABY LAW

The CONTRACTOR acknowledges that the COUNTY places a high priority on the implementation of the Safely Surrendered Baby Law. The CONTRACTOR understands that it is the COUNTY's policy to encourage all County Contractors to voluntarily post the COUNTY's "Safely Surrendered Baby Law" poster in a prominent position at the CONTRACTOR's place of business. The CONTRACTOR will also encourage its subcontractors, if any, to post this poster in a prominent position in the Subcontractor's place of business. The COUNTY's Department of Children and Family Services will supply the CONTRACTOR with the poster to be used.

Except as expressly provided in this Amendment, all other provisions and conditions of this Agreement shall remain the same and in full force and effect.

CONTRACTOR represents and warrants that the person executing this Amendment for CONTRACTOR is an authorized agent who has actual authority to bind CONTRACTOR to each and every item, condition, and obligation of the AGREEMENT and that all requirements of CONTRACTOR have been fulfilled to provide such actual authority.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
AMENDMENT NO. 4 TO AGREEMENT NUMBER 73962 FOR
OUT-PATIENT END STAGE RENAL DIALYSIS SERVICES

IN WITNESS WHEREOF, the parties hereto have caused this Amendment
Number 4 to the Agreement to be executed by their duly authorized officers.

COUNTY OF LOS ANGELES

By: _____
Chair, Board of Supervisors

ATTEST:
VIOLET VARONA-LUKENS
Executive Officer/Clerk
Board of Supervisors

By: _____
Deputy

CONTRACTOR
GAMBRO HEALTHCARE
a California Corporation

By: Sharon D. Lee

Name: Sharon D. Lee

V.P. Managed Care

APPROVED AS TO FORM
LLOYD W. PELLMAN
County Counsel

By: Gary Gross
Gary Gross 9/10/03
Senior Deputy County Counsel

EHIBIT E

SAFELY SURRENDERED BABY LAW

No shame.

No blame.

No names.

Newborns can be safely given up
at any Los Angeles County
hospital emergency room or fire station.



In Los Angeles County:

1-877-BABY SAFE

1-877-222-9723

www.babysafela.org



State of California
Gray Davis, Governor

Health and Human Services Agency
Grantland Johnson, Secretary

Department of Social Services
Rita Saenz, Director



Los Angeles County Board of Supervisors

Gloria Molina, Supervisor, First District

Yvonne Brathwaite Burke, Supervisor, Second District

Zev Yaroslavsky, Supervisor, Third District

Don Knabe, Supervisor, Fourth District

Michael D. Antonovich, Supervisor, Fifth District

This initiative is also supported by First 5 LA and INFO LINE of Los Angeles.

What is the Safely Surrendered Baby Law?

California's Safely Surrendered Baby Law allows parents to give up their baby confidentially. As long as the baby has not been abused or neglected, parents may give up their newborn without fear of arrest or prosecution.

How does it work?

A distressed parent who is unable or unwilling to care for a baby can legally, confidentially and safely give up a baby within three days of birth. The baby must be handed to an employee at a Los Angeles County emergency room or fire station. As long as the child shows no signs of abuse or neglect, no name or other information is required. In case the parent changes his or her mind at a later date and wants the baby back, workers will use bracelets to help connect them to each other. One bracelet will be placed on the baby, and a matching bracelet will be given to the parent.

What if a parent wants the baby back?

Parents who change their minds can begin the process of reclaiming their newborns within 14 days. These parents should call the Los Angeles County Department of Children and Family Services at 1-800-540-4000.

Can only a parent bring in the baby?

In most cases, a parent will bring in the baby. The law allows other people to bring in the baby if they have legal custody.

Does the parent have to call before bringing in the baby?

No. A parent can bring in a baby anytime, 24 hours a day, 7 days a week so long as the parent gives the baby to someone who works at the hospital or fire station.

Does a parent have to tell anything to the people taking the baby?

No. However, hospital personnel will ask the parent to fill out a questionnaire designed to gather important medical history information, which is very useful in caring for the child. Although encouraged, filling out the questionnaire is not required.

What happens to the baby?

The baby will be examined and given medical treatment, if needed. Then the baby will be placed in a pre-adoptive home.

What happens to the parent?

Once the parent(s) has safely turned over the baby, they are free to go.

Why is California doing this?

The purpose of the Safely Surrendered Baby Law is to protect babies from being abandoned by their parents and potentially being hurt or killed. You may have heard tragic stories of babies left in dumpsters or public bathrooms. The parents who committed these acts may have been under severe emotional distress. The mothers may have hidden their pregnancies, fearful of what would happen if their families found out. Because they were afraid and had nowhere to turn for help, they abandoned their infants. Abandoning a baby puts the child in extreme danger. It is also illegal. Too often, it results in the baby's death. Because of the Safely Surrendered Baby Law, this tragedy doesn't ever have to happen in California again.

A baby's story

At 8:30 a.m. on Thursday, July 25, 2002, a healthy newborn baby was brought to St. Bernardine Medical Center in San Bernardino under the provisions of the California Safely Surrendered Baby Law. As the law states, the baby's mother did not have to identify herself. When the baby was brought to the emergency room, he was examined by a pediatrician, who determined that the baby was healthy and doing fine. He was placed with a loving family while the adoption process was started.

Every baby deserves a chance for a healthy life. If someone you know is considering abandoning a newborn, let her know there are other options.

It is best that women seek help to receive proper medical care and counseling while they are pregnant. But at the same time, we want to assure parents who choose not to keep their baby that they will not go to jail if they deliver their babies to safe hands in any Los Angeles County hospital ER or fire station.

Sin pena. Sin culpa. Sin peligro.

**Los recién nacidos pueden ser entregados
en forma segura en la sala de emergencia de
cualquier hospital o en un cuartel de bomberos
del Condado de Los Angeles.**



En el Condado de Los Angeles:

1-877-BABY SAFE

1-877-222-9723

www.babysafela.org



Estado de California
Gray Davis, Gobernador

Agencia de Salud y Servicios Humanos
(Health and Human Services Agency)
Grantland Johnson, Secretario

Departamento de Servicios Sociales
(Department of Social Services)
Alta Saenz, Directora



Consejo de Supervisores del Condado de Los Angeles

Gloria Molina, Supervisora, Primer Distrito

Yvonne Brathwaite Burke, Supervisora, Segundo Distrito

Zev Yaroslavsky, Supervisor, Tercer Distrito

Don Knabe, Supervisor, Cuarto Distrito

Michael D. Antonovich, Supervisor, Quinto Distrito

Esta Iniciativa también está apoyada por First 5 LA y INFO LINE de Los Angeles.

¿Qué es la Ley de Entrega de Bebés Sin Peligro?

La Ley de Entrega de Bebés Sin Peligro de California permite a los padres entregar a su recién nacido confidencialmente. Siempre que el bebé no haya sufrido abuso ni negligencia, padres pueden entregar a su recién nacido sin temor a ser arrestados o procesados.

¿Cómo funciona?

El padre/madre con dificultades que no pueda o no quiera cuidar de su recién nacido puede entregarlo en forma legal, confidencial y segura, dentro de los tres días del nacimiento. El bebé debe ser entregado a un empleado de una sala de emergencias o de un cuartel de bomberos del Condado de Los Angeles. Siempre que el bebé no presente signos de abuso o negligencia, no será necesario suministrar nombres ni información alguna. Si el padre/madre cambia de opinión posteriormente y desea recuperar a su bebé, los trabajadores utilizarán brazaletes para poder vincularlos. El bebé llevará un brazaletes y el padre/madre recibirá un brazaletes igual.

¿Qué pasa si el padre/madre desea recuperar a su bebé?

Los padres que cambien de opinión pueden empezar el proceso de redamar a su recién nacido dentro de los 14 días. Estos padres deberán llamar al Departamento de Servicios para Niños y Familias (Department of Children and Family Services) del Condado de Los Angeles, al 1-800-540-4000.

¿Sólo los padres podrán llevar al recién nacido?

En la mayoría de los casos, los padres son los que llevan al bebé. La ley permite que otras personas lleven al bebé si tienen la custodia legal del menor.

¿Los padres deben llamar antes de llevar al bebé?

No. El padre/madre puede llevar a su bebé en cualquier momento, las 24 horas del día, los 7 días de la semana, mientras que entregue a su bebé a un empleado del hospital o de un cuartel de bomberos.

¿Es necesario que el padre/madre diga algo a las personas que reciben al bebé?

No. Sin embargo, el personal del hospital le pedirá que llene un cuestionario con la finalidad de recabar antecedentes médicos importantes, que resultan de gran utilidad para los cuidados que recibirá el bebé. Es recomendado llenar este cuestionario, pero no es obligatorio hacerlo.

¿Qué ocurrirá con el bebé?

El bebé será examinado y, de ser necesario, recibirá tratamiento médico. Luego el bebé se entregará a un hogar preadoptivo.

¿Qué pasará con el padre/madre?

Una vez que los padres hayan entregado a su bebé en forma segura, serán libres de irse.

¿Por qué California hace esto?

La finalidad de la Ley de Entrega de Bebés Sin Peligro es proteger a los bebés del abandono por parte de sus padres y de la posibilidad de que mueran o sufran daños. Usted probablemente haya escuchado historias trágicas sobre bebés abandonados en basureros o en baños públicos. Es posible que los padres que cometieron estos actos hayan estado atravesando dificultades emocionales graves. Las madres pueden haber ocultado su embarazo, por temor a lo que pasaría si sus familias se enteraran. Abandonaron a sus recién nacidos porque tenían miedo y no tenían adonde recurrir para obtener ayuda. El abandono de un recién nacido lo pone en una situación de peligro extremo. Además es ilegal. Muy a menudo el abandono provoca la muerte del bebé. Ahora, gracias a la Ley de Entrega de Bebés Sin Peligro, esta tragedia ya no debe suceder nunca más en California.

Historia de un bebé

A las 8:30 a.m. del jueves 25 de julio de 2002, se entregó un bebé recién nacido saludable en el St. Bernardine Medical Center en San Bernardino, en virtud de las disposiciones de la Ley de Entrega de Bebés Sin Peligro. Como lo establece la ley, la madre del bebé no se tuvo que identificar. Cuando el bebé llegó a la sala de emergencias, un pediatra lo revisó y determinó que el bebé estaba saludable y no tenía problemas. El bebé fue ubicado con una buena familia, mientras se iniciaban los trámites de adopción.

Cada recién nacido merece una oportunidad de tener una vida saludable. Si alguien que usted conoce está pensando en abandonar a un recién nacido, infórmele qué otras opciones tiene.

Es mejor que las mujeres busquen ayuda para recibir atención médica y asesoramiento adecuado durante el embarazo. Pero al mismo tiempo, queremos asegurarles a los padres que optan por no quedarse con su bebé que no irán a la cárcel si dejan a sus bebés en buenas manos en cualquier sala de emergencia de un hospital o en un cuartel de bomberos del Condado de Los Angeles.