September 27, 2011

Board of Supervisors
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

PROPOSED AGREEMENT FOR PROFESSIONAL SERVICES WITH
GEOFFREY M. MILLER, M.D., APC, AN INDEPENDENT CONTRACTOR
Fiscal Impact: $170,000 (FY 2011-2012 $63,750);
KMC Enterprise Fund; Budgeted; Discretionary

Kern Medical Center (KMC) requests your Board approve an Agreement for Professional Services with Geoffrey M. Miller, M.D., APC, for the provision of as-needed orthopedic surgery services to patients at KMC.

Dr. Miller is board certified by the American Board of Orthopedic Surgery and is licensed in the state of California as a physician and surgeon. Dr. Miller has provided as-needed orthopedic surgery services to KMC patients since 2003. Dr. Miller will continue to provide orthopedic clinic coverage and weekday night and weekend call coverage on an as-needed basis under the proposed Agreement.

The key provisions of the proposed Agreement include the following:

- The Agreement is for a term of two years from October 1, 2011 through September 30, 2013.
- Dr. Miller will be compensated for clinic coverage at the rate of $750 per half day or $1500 for a full day.
- Dr. Miller will be compensated for weekday night call coverage (Monday through Thursday) at a rate of $500 per day.
- Dr. Miller will be compensated for weekend call coverage (Friday at 5:00 p.m. through Monday at 7:00 a.m.) at a rate of $2,500 per weekend.
- Dr. Miller will bill the County for County responsible and uninsured surgery patients on a fee for service basis at Medi-Cal rates.
- Dr. Miller may bill and collect professional fees for all non-surgical and surgical services provided with the exception of County responsible and uninsured patients.
- The maximum payable will not exceed $85,000 per year, with the total compensation not to exceed $170,000 over the two-year term of the Agreement.

Either party may terminate the Agreement, without cause, upon 30 days’ prior written notice to the other party. Additionally, the County has the right to terminate the Agreement immediately for cause after giving written notice to Dr. Miller in the event the County determines that Dr. Miller does not have the proper credentials, experience or skills to perform the required services under this Agreement; or in the event that continuation by Dr.
Board of Supervisors
Re: Geoffrey M. Miller M.D.
September 27, 2011
Page 2

Miller in the providing of services may result in civil, criminal, or monetary penalties against County or KMC, the breach of any federal or state law or regulatory rule or regulation or condition of accreditation or certification, the loss or threatened loss of County’s ability to participate in any federal or state health care program, including Medicare or Medi-Cal; or commission of a material act of dishonesty, fraud, embezzlement, misappropriation or financial dishonesty by Dr. Miller against County or KMC.

The Agreement has been reviewed and approved as to form by the Office of County Counsel. The County Administrative Office concurs with the recommendation.

Therefore, IT IS RECOMMENDED that your Board approve the Agreement for Professional Services with Geoffrey M. Miller, M.D., APC, for orthopedic surgery services in the Department of Surgery from October 1, 2011 through September 30, 2013, in an amount not to exceed $170,000, and authorize the Chairman to sign.

Sincerely,

Paul J. Hensler, FACHE
Chief Executive Officer

PJH:lo:mm:Img

cc: Elsa Martinez, Deputy CAO