

1 [Mental Health Services Agreement]

2 RETROACTIVELY FROM MAY 1, 1998,  
3 / AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO ENTER INTO AN  
4 AGREEMENT WITH THE CALIFORNIA PACIFIC MEDICAL GROUP, INC., DBA BROWN  
5 & TOLAND MEDICAL GROUP, WHICH INCLUDES INDEMNIFICATION AND BINDING  
6 ARBITRATION CLAUSES AND DOES NOT INCLUDE PATENT INFRINGEMENT  
7 INDEMNIFICATION AND FALSE CLAIMS CLAUSES.

8 WHEREAS, The California Pacific Medical Group ("GROUP") operates, or will during  
9 the term of this Agreement operate, a health care service plan licensed pursuant to the Knox-  
10 Keene Act ; and,

11 WHEREAS, The San Francisco Department of Public Health, Comprehensive Child  
12 Crisis Services (the "Provider") is a licensed provider of Mental Health services, including child  
13 crisis services; and,

14 WHEREAS, The GROUP and the Provider desire to enter into an Agreement pursuant  
15 to which the Provider will provide Mental Health Services, including child crisis services, to  
16 members of the GROUP; and,

17 WHEREAS, A copy of the Agreement is on file with the Clerk of the Board of  
18 Supervisors in File No. 990080 ; and,

19 WHEREAS, The Agreement contains certain provisions described below which require  
20 the approval of the Board of Supervisors; and,

21 WHEREAS, The Agreement does not contain certain provisions described below, which  
22 are required under the Administrative Code unless waived by the Board of Supervisors; and,

23 WHEREAS, The Board of Supervisors desires to authorize the Department of Public  
24 Health, on behalf of the City to enter into the Agreement for this and any future years; now,  
25 therefore, be it

RESOLVED, That the Department of Public Health is hereby <sup>retroactively</sup> authorized to enter into  
the Agreement on behalf of the City; and, be it <sub>from May 1, 1998,</sub>

FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision  
in the Agreement pursuant to which the City indemnifies the GROUP ; and, be it

/11/99  
grh

/11/99  
grh

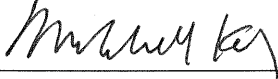
1 FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision  
2 in the Agreement pursuant to which the City agrees to submit all claims arising out of the  
3 Agreement to binding arbitration; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement  
5 contained in Sections 6.21 and 21.19 of the Administrative Code that the Agreement include an  
6 indemnification by the GROUP for the infringement of patent rights; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement  
8 contained in Section 6.57 (c) of the Administrative Code that the Agreement include a paragraph  
9 reciting the false claim provisions contained in Section 6.57 (a) of the Administrative Code; and,  
10 be it

11 FURTHER RESOLVED, That the Director of Health and/or the Health Commission can  
12 make amendments to this Agreement.

13 RECOMMENDED:

14   
15 Mitchell H. Katz, M.D.  
16 Director of Health

17 APPROVED:

18   
19 Health Commission

20  
21  
22 Department of Public Health  
23  
24  
25



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

### Resolution

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**File Number:** 990080

**Date Passed:**

Resolution retroactively authorizing from May 1, 1998, the Department of Public Health to enter into an agreement with the California Pacific Medical Group, Inc., dba Brown & Toland Medical Group, which includes indemnification and binding arbitration clauses and does not include patent infringement indemnification and false claims clauses.

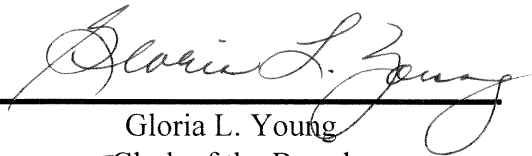
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February 22, 1999 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 990080

I hereby certify that the foregoing Resolution was ADOPTED on February 22, 1999 by the Board of Supervisors of the City and County of San Francisco.

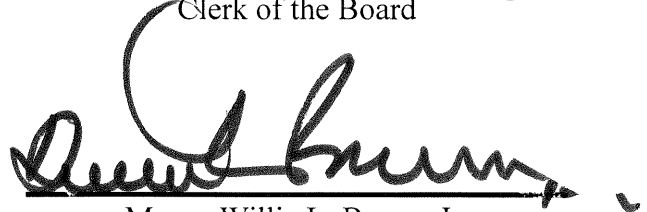


Gloria L. Young  
Clerk of the Board

MAR - 5 1999

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Date Approved



Mayor Willie L. Brown Jr.

File No. 990080 continued...