

1 [Contract]

2
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY HEALTH
4 NETWORK, TO ENTER INTO A PARTICIPATING PROVIDER AGREEMENT WITH THE
5 DELTA DENTAL PLAN OF CALIFORNIA TO PROVIDE DENTAL TREATMENT
6 SERVICES TO CLIENTS ENROLLED IN THE DELTA DENTAL HEALTHY FAMILIES
7 INSURANCE PROGRAM, WHICH INCLUDES A BINDING ARBITRATION CLAUSE AND
8 WHICH DOES NOT INCLUDE PATENT INFRINGEMENT INDEMNIFICATION AND
9 FALSE CLAIMS CLAUSES; PROVIDING FOR RATIFICATION OF ACTION
10 PREVIOUSLY TAKEN.

11 WHEREAS, The Delta Dental Plan of California is licensed as a specialized healthcare
12 service plan by the Department of Corporations of the State of California; and,

13 WHEREAS, The Delta Dental Plan of California desires to contract with the City and
14 County of San Francisco through the Community Health Network to provide dental care to
15 clients enrolled in the Delta Dental Healthy Families insurance program; and

16 WHEREAS, The Delta Dental Plan of California agrees to pay the Community Health
17 Network directly for covered dental services on a capitated basis in an estimated amount of
18 \$100,000 per year; and,

19 WHEREAS, The Delta Dental Plan of California has requested the Department of Public
20 Health, Community Health Network, to enter into an Agreement (the "Agreement"), in
21 substantially the form as the agreement copy on file with the Clerk of the Board of Supervisors
22 in File No. 992037; and,

23 WHEREAS, The Agreement contains a certain provision described below, which
24 requires the approval of the Board of Supervisors; and,

25 WHEREAS, The Agreement does not contain certain provisions described below, which
are required under the Administrative Code unless waived by the Board of Supervisors; now,
therefore, be it

1 RESOLVED, That the Department of Public Health is hereby authorized to enter into the
2 Agreement on behalf of the City; and, be it

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

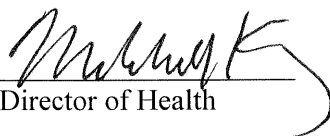
6 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
7 contained in Sections 6.21 and 21.19 of the Administrative Code that the Agreement include an
8 indemnification by the Delta Dental Plan of California of the City for the infringement of patent
9 rights; and, be it

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

14 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
15 Health to enter into similar agreements with the Delta Dental Plan of California if the contract is
16 renewed; and, be it

17 FURTHER RESOLVED, That although the City has incurred no legal obligation, the
18 Board of Supervisors does hereby ratify the action previously taken.

19 RECOMMENDED:

20 
21 Director of Health

22 APPROVED:

23 
24 Health Commission

25 Department of Public Health



City and County of San Francisco

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

Tails

Resolution

File Number: 992037

Date Passed:

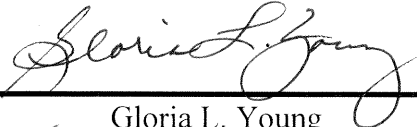
Resolution authorizing the Department of Public Health, Community Health Network, to enter into a participating provider agreement with the Delta Dental Plan of California to provide dental treatment services to clients enrolled in the Delta Dental Healthy Families insurance program, which includes a binding arbitration clause and which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken.

December 20, 1999 Board of Supervisors — ADOPTED

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

File No. 992037

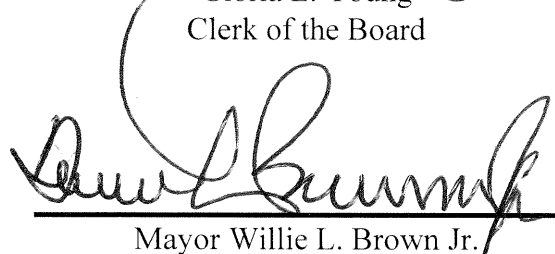
I hereby certify that the foregoing Resolution was ADOPTED on December 20, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

DEC 30 1999

Date Approved



Mayor Willie L. Brown Jr.