

**SUMMARY OF REQUEST**

**DATE:** March 29, 2023


**FACILITY:** Broward Health Medical Center (“BHMC”) and Broward Health Imperial Point (“BHIP”)

**PROGRAM/PRODUCT LINE:** Vascular, Thoracic, and cardiovascular surgery call coverage.

**REQUEST:** Approval to enter into Emergency Department concurrent call coverage agreements for vascular, thoracic, and cardiovascular surgery services at the 77<sup>th</sup>, 84<sup>th</sup>, and above the 90th percentiles at BHMC and BHIP.

**PURPOSE:** To continue to provide required call coverage for vascular , thoracic, and cardiovascular services.

**CAPITAL REQUIRED:** Not Applicable


**FINAL FMV REPORT RECEIVED<sup>1</sup>:** Date of Final FMV Report: February 7, 2023  
Name of the person attesting that Final FMV Report has been received and that final FMV Report percentile is identical to FMV percentile stated in this report.  
Name: Heather Havericak  
Signature:  Heather Miller havericak (Mar 3, 2023 16:24 EST)

**FISCAL IMPACT:** An independent third-party appraiser has determined: (1) the arrangement to be commercially reasonable, and (2) the total maximum compensation is within Fair Market Value (FMV).

**BUDGET STATUS:** Budgeted

**PRACTITIONER CV<sup>2</sup>:** None

**LEGAL REVIEW:** The contracts are subject to General Counsel’s review and approval as to legal form and conditioned on no material changes in the approved business terms.

**APPROVED:**  Shane Strum 03/17/2023 14:25 EDT DATE: \_\_\_\_\_  
Shane Strum, President/CEO

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<sup>1</sup> This applies to physician/physician group contracts

<sup>2</sup> This applies to physician contracts

**M E M O R A N D U M**

**TO:** Board of Commissioners

**FROM:** Shane Strum, President/Chief Executive Officer

**DATE:** March 29, 2023

**SUBJECT:** Approval to enter into Emergency Department concurrent call coverage agreements for vascular, thoracic, and cardiovascular surgery services at the 77<sup>th</sup>, 84<sup>th</sup>, and above the 90<sup>th</sup> percentile at BHMC, and BHIP.

**BACKGROUND**

The District is requesting approval to enter into contractual agreements above the 75th percentile for vascular, thoracic, and cardiovascular surgery concurrent call coverage in the Emergency Departments at BHMC and BHIP. All regions have documented and objectively determined there is a legitimate business purpose for qualified physicians to provide vascular, thoracic, and cardiovascular surgery concurrent call coverage services.

**PRACTITIONER C.V.<sup>3</sup>**

None

**ACTION/PROJECT DESCRIPTION**

Broward Health is requesting that the Board of Commissioners of the North Broward Hospital District authorize the District to enter concurrent call coverage contracts above the 75th percentile. Specifically, the rates will be as follows: (i) vascular and thoracic surgery concurrent call coverage at BHMC and BHIP at the 77<sup>th</sup> percentile; (ii) vascular, thoracic, and cardiovascular surgery concurrent call coverage at BHMC at the 84<sup>th</sup> percentile; and (iii) vascular and thoracic surgery concurrent call coverage at BHMC at above the 90th percentile. A valuation report was completed by an independent third-party appraisal company which determined that the proposed arrangements are commercially reasonable, and the compensation is within fair market value.

**FINAL FMV REPORT<sup>4</sup>**

**Date of Final FMV Report:** February 7, 2023

**FINANCIAL/BUDGETARY IMPACT**

The proposed compensation for the call coverage arrangements are budgeted for fiscal year 2023.

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<sup>3</sup> This applies to physician contracts

<sup>4</sup> This applies to physician/physician group contracts

### JUSTIFICATION

The District has documented and objectively determined that there is a legitimate business purpose to continue to provide compensation for vascular, thoracic, and cardiovascular surgery call coverage services at BHMC, and BHIP. Hospitals are required under the Emergency Medical Treatment and Active Labor Act of 1986 (“EMTALA”) to provide evaluation of management of patients presenting to its Emergency Department. In accordance with EMTALA, BHMC and BHIP have a documented need to contract with the physicians and physician groups to provide unrestricted call coverage for patients presenting to the hospitals’ Emergency Departments. Because of physician shortages, it has become essential for concurrent and non-concurrent call coverage to be provided to fulfill the need for ongoing patient care in these areas.

### STAFF RECOMMENDATION

**Therefore, it is requested that the Board of Commissioners of the North Broward Hospital District authorize the District to enter into Emergency Department concurrent call coverage contracts at the 77<sup>th</sup>-percentile for vascular and thoracic surgery concurrent coverage at Broward Health Medical Center and Broward Health Imperial Point, at the 84<sup>th</sup>-percentile for vascular, thoracic, and cardiovascular surgery concurrent call coverage at Broward Health Medical Center, and at above the 90<sup>th</sup>-percentile for vascular and thoracic surgery concurrent call coverage at Broward Health Medical Center.**