

57729

Date: June 23, 2017

To: The Honorable Board of Acquisition and Contract

From: Kathleen M. O'Connor
Commissioner of Parks, Recreation and Conservation

Re: **Authority to enter into an agreement with Dr. Preston Lurie to provide volunteer services as a Medical Director for the County's Emergency Medical Technicians that work at Playland Park and other County Park facilities, when necessary, in exchange for which the County will indemnify and hold harmless Dr. Lurie for a term commencing July 1, 2017 and terminating June 30, 2022.**

Authority is requested of this Board for the County of Westchester to enter into an agreement with Dr. Preston Lurie to provide volunteer services as a Medical Director for the County's Emergency Medical Technicians that work at Playland Park and other County Park facilities, when necessary, in exchange for which the County will indemnify and hold harmless Dr. Lurie for a term commencing July 1, 2017 and terminating June 30, 2022.

The policy for Basic Life Support First Response ("BLS-FR") agencies was developed by the New York State Department of Health, Bureau of Emergency Medical Services. All BLS-FR agencies that provide defibrillation and/or possess a New York State issued EMS Agency ID code number and also have Regional Emergency Medical Advisory Committee ("REMAC") issued authority to provide any adjunct level of BLS care such as Albuterol and Blood Glucometry, are required to have a physician medical director ("Medical Director") to oversee pre-hospital medical care. Playland EMS is a recognized BLS-FR (ID number 5998) Agency.

The Medical Director responsibilities include, but are not limited to, the following:

1. assuring that certified EMS personnel are oriented to the protocols promulgated by the State Emergency Medical Advisory Committee ("SEMACE") and REMAC for the area of operation of service;
2. interacting with REMAC in the development of protocols;
3. developing, reviewing and participating in the Quality Improvement program;
4. working with emergency personnel on issues and questions regarding patient care; and
5. participating in activities related to the provision of medical care provided by the emergency personnel. In addition, situations can arise where a physician's authorization is necessary to administer medical services, e.g. an EMT is not authorized to administer an Epi-Pen without a prescription, whereas the Medical Director can authorize such use if necessary.

If you recall, on December 18, 2014 your Honorable Board authorized a similar agreement with Dr. Robert Leviton. Dr. Leviton has advised the Parks Department that he is teaching and attending seminars which reduce his availability. As such, authorization is requested to enter into an agreement with Dr. Preston Lurie to also act as Medical Director for Playland Park and other County Park Facilities and fill in when Dr. Leviton is unavailable. This agreement, similar to the agreement with Dr. Leviton, will be on a voluntary basis without compensation. Dr. Lurie requests that the County indemnify him for his actions while volunteering as the Medical Director.

Based upon the foregoing, authorization is sought to enter into an agreement with Dr. Lurie, whereby Dr. Lurie will, on a volunteer basis, serve as Medical Director for the EMTs that work at Playland Park and other County Park facilities, when necessary, for a term commencing July 1, 2017 and terminating June 30, 2022, in exchange for which the County will indemnify and hold harmless Dr. Lurie for damages from injuries or death alleged to have been sustained by any person arising out of either any alleged act or omission by Dr. Lurie, or the EMTs acting under Dr. Lurie's medical direction, which occurred while acting within the scope of his public duties.

The public purpose of this agreement is to obtain a Medical Director for EMTs that work at Playland Park and other County Park facilities, as necessary, as required by the policies adopted by New York State Department of Health, Bureau of Emergency Medical Services. The agreement will be monitored by the Department of Parks, Recreation and Conservation staff.

This agreement is exempt from the County's Procurement Policy pursuant to Section 3(a)(viii) thereof.

Accordingly, I respectfully request that your Honorable Board approve the attached Resolution.

KMO/KP/TSA

RESOLUTION

Upon a communication from the Commissioner of the Department of Parks, Recreation and Conservation, be it hereby:

RESOLVED, that the County of Westchester is authorized to enter into an agreement with Dr. Preston Lurie whereby Dr. Lurie shall, on a volunteer basis, serve as Medical Director for the Emergency Medical Technicians (“EMTs”) that work at Playland Park and other County Park facilities, when necessary, for a term commencing July 1, 2017 and terminating June 30, 2022, in exchange for which the County will indemnify and hold harmless Dr. Lurie for damages from injuries or death alleged to have been sustained by any person arising out of either any alleged act or omission by Dr. Lurie, or the EMTs acting under Dr. Lurie’s medical direction, which occurred while acting within the scope of his public duties; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes hereof

Agreement # PRC-1139

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
n/a					n/a

Budget Funding Year(s) n/a Start Date 7-1-2017 End Date 6-30-2022

Funding Source	Tax Dollars	_____
	State Aid	_____
\$ <u>n/a</u>	Federal Aid	_____
(must match resolution)	Other	_____