

SAN JUAN COUNTY PUBLIC HOSPITAL DISTRICT NO. 1

RESOLUTION 17-461

A RESOLUTION OF SAN JUAN COUNTY PUBLIC HOSPITAL DISTRICT NO. 1 TO DRAFT A CONTRACT WITH MOUNT BAKER PLANNED PARENTHOOD FOR SEXUAL HEALTH AND REPRODUCTIVE HEALTH SERVICES.

WHEREAS, San Juan County Public Hospital District #1 (the "District") and PeaceHealth entered into a Subsidy Agreement for a Combined Clinic and Hospital Facility, dated May 6, 2009, which agreement was amended by a First Amendment to the Subsidy Agreement for a Combined Clinic and Hospital Facility effective October 14, 2010, and a Second Amendment to the Subsidy Agreement for a Combined Clinic and Hospital Facility effective March 28, 2012, and a Third Amendment to the Subsidy Agreement for a Combined Clinic and Hospital Facility effective November 29, 2016 (the "Third Amendment" and, together with the First Amendment and the Second Amendment, the "Agreement");

WHEREAS, Section 1.2.4 Right of First Refusal to Provide Additional Healthcare Services, of the Agreement states: "In the event the District shall decide to purchase health care services within the District, other than emergency medical response services, PeaceHealth shall have, and the District hereby grants, a right of first refusal to provide those services at the prices and on terms equal to or better than those offered to the District by any third party. This right of first refusal shall include, but not be limited to: home health, hospice, physician services, nursing services, physical therapy, occupational therapy, oncology services, dietary and the direct or indirect provision of ancillary services such as imaging or laboratory...";

WHEREAS, Section 1.2.5 Non-Compete for Subsidized Services, of the Agreement states: "The District shall not compete with PeaceHealth in the provision of those healthcare services that are provided in the combined clinic/hospital facility and for which the District has contracted in this Subsidy Agreement...";

WHEREAS, Section 2.2.2 Right to Recommend Future Services, of the Agreement states: "...The District shall have the right to provide input on an annual basis concerning the services and procedures provided through the combined clinic/hospital facility, as long as the services and procedures are within the scope, licensure, policies and mission of PeaceHealth...";

WHEREAS, during the first quarter of 2016 (prior to the Third Amendment clarification of Section 2.2.2 which added the language stating the District can only request services and procedures that are within the scope, licensure, policies and mission of PeaceHealth) the District provided input to PeaceHealth regarding nine items. Eight of the nine items on which the District provided input fell within the scope, licensure, policies and mission of PeaceHealth and are being addressed. The ninth item, "Comprehensive Reproductive Health Services", is outside the scope of PeaceHealth and can only be addressed by the District;

WHEREAS, the Third Amendment added a new section number 2.1.2.7, which effective with the calendar year beginning January 1, 2017, reduces the amount of the annual subsidy payable by the District to PeaceHealth by fifty thousand dollars (\$50,000); provided, however, that ninety (90) days prior to the end of calendar year 2019, and ninety (90) days prior to the end of the fifth calendar year thereafter throughout the duration of the agreement, the parties are required to review whether the "District Share" should be adjusted up or down for succeeding calendar years in order to provide adequate but not excess funds needed by the District to purchase "Additional Services";

WHEREAS, Initiative 120, the Reproductive Privacy Act, was passed by the people of Washington and overwhelmingly supported by the people of San Juan County in November 1991. It was codified in the Revised Code of Washington as Section 9.02. Section 9.02.110, provides that it is the policy of the State of Washington that:

1. Every individual has the fundamental right to choose or refuse birth control;
2. Every woman has the fundamental right to choose or refuse to have an abortion, except as specifically limited by this act;
3. Except as specifically permitted by this act, the state shall not deny or interfere with a woman's fundamental right to choose or refuse to have an abortion; and
4. The state shall not discriminate against the exercise of these rights in the regulation or provision of benefits, facilities, services, or information;

WHEREAS, The San Juan County Board of Health adopted a Patient Bill of Rights, on October 22, 2014, which includes the following:

"Patients shall expect their physician to provide all necessary care that is medically recognized as standard of care and is in compliance with all applicable laws. This includes contraception counseling, termination of pregnancy options, initiation of appropriate treatment and referral in cases of threatened abortion with communication with the receiving hospital and/or physician receiving that patient...";

WHEREAS, The San Juan Island Community Foundation assembled a Community Needs Task Force in 2015 to follow up on the work of the 2009 Critical Needs Task Force and to engage local community leaders and stakeholders to identify the most current and pressing community needs. The Community Needs Task Force issued a report in August 2015 that identified local support for Mount Baker Planned Parenthood as one of four priority health care needs.

WHEREAS, Mount Baker Planned Parenthood provides a broad range of sexual health and reproductive health services;

NOW THEREFORE BE IT RESOLVED BY THE HOSPITAL DISTRICT COMMISSIONERS OF THE SAN JUAN COUNTY PUBLIC HOSPITAL DISTRICT NO. 1 THAT:

San Juan County Public Hospital District #1 authorizes Commissioners Monica Harrington and Barbara Sharp to draft a contract between the Public Hospital District and Mount Baker Planned

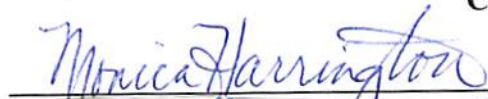
Parenthood for the provision of sexual health and reproductive health services for San Juan Island, including but not limited to: contraception, long-acting reversible contraception, health screenings, reproductive health counseling, sexually transmitted disease testing, treatment and counseling, sterilization procedures and counseling, and pregnancy-related health services.

RESOLUTION 17-460

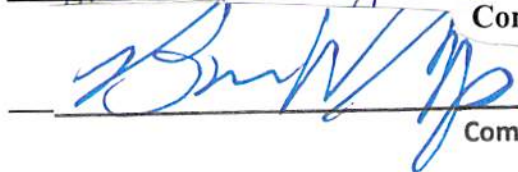
ADOPTED and APPROVED this 22nd day of February 2017.



Commissioner



Commissioner



Commissioner

Commissioner

Commissioner