



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 14, 2017

Subject: Payment for services provided by Xingbo Sun, M.D.

RECOMMENDATION(S):

Approve and authorize the Auditor-Controller, or his designee, to pay \$2,445 to Xingbo Sun, M.D., an individual, for the provision of podiatry services, including, consultation, clinic coverage, training, and medical/surgical procedures at Contra Costa Regional Medical Center (CCRMC) and Health Centers for the period from September 1, 2017 through September 30, 2017.

FISCAL IMPACT:

Funded 100% by Hospital Enterprise Fund I.

BACKGROUND:

On October 18, 2016, the Board of Supervisors approved Contract #76-561 (as amended by Amendment Agreement #76-561-1) with Xingbo Sun, M.D., for the provision of podiatry services, including consultation, clinic coverage, training, and medical/surgical procedures for the period from October 1, 2016 through September 30, 2017.

At the time of negotiations, the payment limit was based on target levels of utilization. However, the utilization during the term of the agreement was higher than originally

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/14/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Candace Andersen, District II
Supervisor
Karen Mitchoff, District IV
Supervisor

ABSENT: Diane Burgis, District III
Supervisor
Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: November 14, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Samir Shah, M.D.,
925-370-5525

anticipated.

The provider is entitled to payment for the reasonable value of its services under the equitable relief theory of quantum meruit. That theory provides that where a contractor has been asked to provide services without a

BACKGROUND: (CONT'D)

valid contract, and the contractor does so to the benefit of the County, the Contractor is entitled to recover the reasonable value of those services. Xingbo Sun, M.D., provided podiatry services at CCRMC and Health Centers that exceeded the contract payment limit at the request of the Department. The Department is requesting that the Contractor be paid the amount owing of \$2,445.

CONSEQUENCE OF NEGATIVE ACTION:

If this board order is not approved, the contractor will not be paid for podiatry services provided in good faith.