

STATE OF HAWAII
NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103F, HRS

15 APR 16 P1 55

ADMINISTRATION
STATE OF HAWAII
PROCUREMENT OFFICE

To: Chief Procurement Officer

From: Department of Public Safety/Health Care Division
Department/Division/Branch or Office

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

1. Title and description of health and human service(s): Temporary Locum Tenens for Orthopedic Services	
2. Provider Name and Address:	<p>Jackson and Coker, 3000 Old Alabama Road, Suite 119-608, Alpharetta, GA 30022.</p> <p>Global Medical Staffing, Inc., 3995 S 700 E, Suite 100, Salt Lake City, UT 84107.</p> <p>Supplemental Physicians, 1500 Kearns Blvd. Suite C103, Park City, UT 84060</p>
3. Total Contract Funds: Contract Funds per Year (if applicable):	<p>\$80,000</p>
4. Reference number of Previous Request for this Service (if applicable):	
5. Term of Contract:	<p>Start: upon approval</p> <p>End: 12/31/15</p>

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6. Describe how procurement by competitive means is either not practicable or not advantageous to the State:
A recent (11/2014) Court Decision of the Slingluff versus SOH case, indicated that MDs working in their capacity for the State would not be entitled to Qualified Immunity and can be personally held liable for damages. Thus State employed MDs named in a malpractice cases against the State would not be able to "get off the case" due to their State employment.

Due to the possibility of "personal liability" many of the MDs employed by the Department have elected to resign from State employment and "sign on" with a Locums vendor, work as a Locum and later rejoin the State once the State obtains malpractice insurance or Legislation to correct this issue.

The Department has on staff an 89 day hire Orthopedist, who likewise will resign and then work through the Locums Tenen vendor and return to State employment once the State obtains malpractice insurance. As time is of the essence, many of his present patients require recheck appts as soon as possible.

The current Locums Tenen contract which was competitively procured under RFP PSD 112-HCD-14-B provides for the utilization of Psychiatrists and Primary Care Physicians as the present contract allows for it.

This request is to hire Orthopedists using the existing Locum Tenens vendor contract. The current contracts will be reprocured in Fiscal Year 2016, with services to begin 1/1/16. The new procurement will include medical subspecialties services such as Orthopedics, Cardiology, etc.

7. Describe the reason for the selection of the provider including a description of how the procedure ensured the maximum fair and open competition practicable:

The current Locums provider's contract will be used until 12/31/15.

8. Describe the state agency's internal controls and approval requirements for the exempted procurement:

The Department will be using the existing contract terms and the Health Care Division will following Divisional guidelines.

9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Wesley Mun, Corrections Health Care Administrator

10. Direct questions to (name & position):

Marc Yamamoto *MSY 4/9/15*

Phone number:

587-1215

e-mail address:

marc.s.yamamoto@hawaii.gov

I certify that the information provided above is to the best of my knowledge true and correct.



Department Head Signature

4/10/15

Date

Nolan Espinda

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NOTICE

The chief procurement officer is considering this request for exemption and, if there is good cause, the state intends to exempt the purchase as described in the request. Any inquiries regarding the purchase shall be directed to the contact person noted in item 10 of the request. Any concerns regarding the exemption shall be in writing and received by the chief procurement officer within seven days of the date the notice was first posted. Concerns shall be mailed to: Chief Procurement Officer, State Procurement Office, 1151 Punchbowl St., #230A, Honolulu, HI 96813.

Chief Procurement Officer's Comments:

This approval is for the procurement process only. Service providers are required to be compliant with applicable laws and provide proof of compliance, if applicable. This award is required to be posted on the Awards Reporting System.

If there are any questions, please contact Corinne Higa at 587-4706, or corinne.y.higa@hawaii.gov.

APPROVED DISAPPROVED NO ACTION



Chief Procurement Officer Signature

5/1/15

Date

Please ensure adherence to applicable administrative requirements.

Orthopedists Hourly Rate Comparison
hourly rate

Global Medical Staffing	\$240	lowest contracted vendor rate.
Supplemental Physicians	\$285	
Jackson and Coker	\$253	
Delta Locum Tenens *	\$275	
Vista Staffing Solutions *	\$206	

*** presently not contracted vendor**