

State of Nevada
Department of Administration

Purchasing Division

515 E. Musser Street, Suite 300
Carson City, NV 89701



Brian Sandoval
Governor

Patrick Cates
Director

Jeffrey Haag
Administrator

Purchasing Use Only:	
Approval#:	161109

SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

ALL FIELDS ARE REQUIRED – INCOMPLETE REQUESTS WILL BE RETURNED TO THE AGENCY

1a	Agency Contact Information - Note: Approved copy will be sent to only the contact(s) listed below:		
	State Agency:	Nevada Department of Veterans Services	
	Contact Name and Title	Phone Number	Email Address
	Joseph Theile, MA II	775-825-9752	theilej@veterans.nv.gov
	Amy Garland, CFO	775-825-9750	garlanda@veterans.nv.gov

Vendor Information:	
Identify Vendor:	T27004653
Contact Name:	Craig M Jorgenson, M.D.
Address:	2269 Candlestick Ave., Henderson, NV 89052
Telephone Number:	702-361-2273
Email Address:	

Type of Waiver Requested – Check the appropriate type:	
1c	Sole or Single Source:
	Professional Service Exemption: <input checked="" type="checkbox"/>

Contract Information:			
1d	Is this a new Contract?	Yes	<input checked="" type="checkbox"/> No
	Amendment:	#	
	CETS:	#(Present contract #13958)	

Term:			
1e	One (1) Time Purchase:		
	Contract:	Start Date: 01/01/2017	End Date: 12/31/2020

Funding:		
1f	State Appropriated:	
	Federal Funds:	65%
	Grant Funds:	
	Other (Explain):	35% Private/County

1g	Total Estimated Value of this Service Contract, Amendment or Purchase:
	\$105,000

Provide a description of work/services to be performed or commodity/good to be purchased:

The Medical Director provides services and care to the residents and staff to the Nevada State Veterans Home in Boulder City, NV to include: Direct and coordinate medical care in the facility; Participate in review and recommendations of new policies and procedures and in review and revision of existing P&P's related to resident care to ensure adequate comprehensive services; Review pertinent incident/event reports and recommend corrective or preventive actions and identify hazards to health and safety; Recommend in-service training programs for staff as necessary to promote high quality of care; Make rounds on each of the three neighborhoods at least once a month with Director of Nursing Services and/or Neighborhood Manager, observing resident care and making recommendations for optimal operation of the facility. Intervene with attending physician when concerns are raised about his/her resident's care; Assist to arrange for continuous physician coverage to handle medical emergencies when the attending or covering physicians are not available; Intercede with staff physicians when requested by Medical Staff Coordinator to urge compliance with rules, regulations, policies and procedures of NSVH, federal government, and State of Nevada; Participate in/Chair Medical Advisory Committee and Quality Assurance Committee; Monitor physician performance related to privileges granted; Perform pre-employment physicals for new staff members and monitor employee health status; Review and analyze Quality Indicators for potential areas of concern; Perform random or planned drug regimen review to ensure that drugs are appropriately prescribed and necessary; Provide medical expertise for facility when necessary to respond to regulatory agency survey concerns; Assist in developing and strengthening community relations; and Participate in interactive ongoing regulatory awareness training with physicians on the medical staff.

What are the unique features/qualifications required for this service or good that are not available from any other vendor:

Dr. Jorgenson has substantial experience in long term care, dealing with geriatric patients, and expertise with the complex needs and care required in the treatment of the veteran population. Dr. Jorgenson has served as the NSVH Medical Director since October, 2004, replacing the original Medical Director who had given 30-days notice. The continuation of Dr. Jorgenson as Medical Director will provide for the continuation of quality of care over time for the NSVH residents. It will ensure there is no disruption in the process by which the veteran resident and his/her physician-led care team are cooperatively involved in ongoing health care management toward the shared goal of high quality, cost-effective medical care. This continuity of care is also imperative in the day to day operations with NDVH staff. Dr. Jorgenson has a matchless understanding of the operations and processes of the NSVH and of staff backgrounds and capabilities that has been developed over time. No other vendor can provide this continuity of care.

Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:

The NSVH in Boulder City is currently the only State of Nevada owned and operated skilled nursing facility; is not comparable to any other State facility; and has special needs and requirements that do not always align with the State procurement process and therefore necessitate distinctive consideration. Dr. Jorgenson has served as the NSVH Medical Director since October, 2004. The Medical Director for NSVH is a CMS required professional position uniquely involved and intertwined in the day to day treatment of the veteran residents and the development of staff. The only times a medical director is replaced in the skilled nursing facility industry is by termination, resignation or retirement. Medical Director Jorgenson has becomes intimately involved with the veteran residents and their day-to-day care.

5	Were alternative services or commodities evaluated? Check One.	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
	a. <i>If yes, what were they and why were they unacceptable? Please be specific with regard to</i>		

<i>features, characteristics, requirements, capabilities and compatibility.</i>	
b. <i>If not, why were alternatives not evaluated?</i>	
<i>Only two doctors responded to the solicitation. The Home decided to continue with the current Medical Director due to his experience with the Homes' resident population; experience as a Medical Director; knowledge of VA and CMS regulatory compliance; and his advanced knowledge of the special care and needs with respect to veterans.</i>	

6	Has the agency purchased this service or commodity in the past? Check One. Note: If your previous purchase(s) was made via solicitation waiver(s), a copy or copies of ALL previous waivers MUST accompany this request.			Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
	a. <i>If yes, starting with the most recent contract and working backward, for the entire relationship with this vendor, or any other vendor for this service or commodity, please provide the following information:</i>						
	<i>Term Start and End Dates</i>		<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement (RFP, RFQ, Waiver #)</i>		
	<i>02/12/13</i>	<i>12/31/16</i>	<i>\$105,000.00</i>	<i>Medical Services to Veteran residents in the NSVH. (Medical Director) Vendor has performed adequately.</i>	<i>Solicitation</i>		
	<i>01/01/09</i>	<i>02/13/13</i>	<i>\$100,000.00</i>	<i>Medical Services to Veteran residents in the NSVH. (Medical Director)</i>	<i>Solicitation</i>		
<i>10/01/04</i>	<i>2008</i>	<i>\$70,000.00</i>	<i>Information incomplete as was entered through old Purchasing System and created by initial CETS conversion process.</i>	<i>Agency completed Unknown due to amt</i>			
		<i>\$</i>					
		<i>\$</i>					

7	What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?
	<i>The potential impact is substantial. Continuity of care is a bedrock principle of the patient-doctor relationship and is considered to be a fundamental attribute of high-quality medical care. Mounting evidence suggests that continuity of care for patients with chronic conditions prevents hospitalizations, reduces health care costs, and may prolong life in some populations. The Nevada state Veterans Home is the only veterans home in the State of Nevada and Dr. Jorgenson's knowledge of federal VA criteria is unique.</i>
	<i>Because patients are most likely to have longitudinal relationships with their pediatricians, family physicians, and internists, taken together, these primary care doctors are integral to translating continuity into meaningful care coordination. The Medical Director has developed a continuity of care with the residents and staff spanning 12 years.</i>
	<i>The loss of Dr. Jorgenson and replacement of this Medical Director would mean significant adjustment by residents and staff to a potential new Director, and could result in a decrease in resident medical care during a transition. Loss of 5 star rating; risk to the health and well-being of</i>

the residents.

Guarantees loss of continuity of care.

Approval of this waiver request would directly align with Governor Sandoval's Nevada's Strategic Planning Framework 2016-2020 in the following areas:

4. HEALTH SERVICES

4.1 Promote health and wellness across all age groups.

4.2 Improve the quality and accessibility of primary medical services.

5. HUMAN SERVICES

5.3 Be the most veteran-friendly state in the nation.

8. STATE SUPPORT SERVICES

8.2 Improve the efficiency of operations and service delivery.

8.2.3 Streamline procurement of goods and services to increase buying power, save time, and reduce costs.

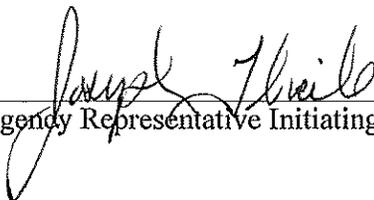
8 **What efforts were made or conducted to substantiate there is no competition for the service or good and to ensure the price for this purchase is fair and reasonable?**

As of September 20, 2016, indeed.com lists the average salary for Medical Director for a long term care skilled nursing facility in Nevada at \$68,000 a year or \$272,000 for a four year contract. As an average that figure could be a little lower or a little higher and does not take into account the special skills and work associated with treatment related to the unique needs of the veteran population. Dr. Jorgenson continues to charge the same hourly rate and the projected cost of a four year contract is \$105,000. This is not an average but is based on hard numbers tracked over the length of the contract. At less than half the price of the average Medical Director salary, continuing the services of Dr. Jorgenson would guarantee the continuity of care that is imperative to the treatment of the residents and successful operation of the NSVH.

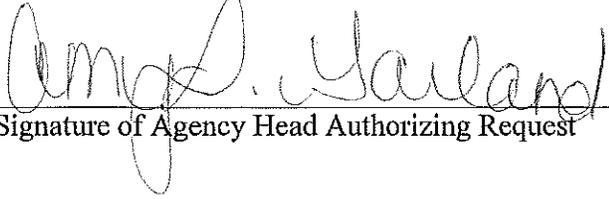
Dr. Jorgenson has accepted the same monthly rate for his entire tenure, and has not felt that an increase is warranted. His dedication, commitment and experience far exceed NSVH priced Medical Director services at the beginning of the contract, and is confident the current rate is in the best interest of the State and the services received are a value to the rate charged.

9	Will this purchase obligate the State to this vendor for future purchases? Check One.	Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
	a. <i>If yes, please provide details regarding future obligations or needs.</i>				
<i>Our intent is to maintain the continuity of care provided by Medical Director Jorgenson. The health, well-being and care we provide to our veteran residents are our top priority. We are seeking a four-year contract to assure these critical services continue uninterrupted. We respectfully urge this waiver be granted as it is in the best interest of our veteran residents who deserve nothing less than the best care available. We are available to answer any questions and/or further clarify any area that is required. Thank you.</i>					

By signing below, I know and understand the contents of this Solicitation Waiver Request and Justification and attest that all statements are true and correct.


Agency Representative Initiating Request

Joseph Theile 10-11-2016
Print Name of Agency Representative Initiating Request Date


Signature of Agency Head Authorizing Request

Amy Garland, Executive Officer 10-11-2016
Print Name of Agency Head Authorizing Request Date

PLEASE NOTE: In an effort to avoid possible conflict with any equipment, system or process already installed or in place by the State of Nevada or to assist in our due diligence, State Purchasing may solicit a review of your request from another agency or entity. The signature below indicates another agency or entity has reviewed the information you provided. **This signature does not exempt your agency from any other processes that may be required.**

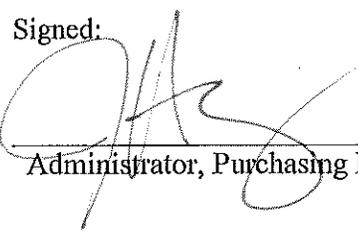
Name of agency or entity who provided information or review:

Representative Providing Review

Print Name of Representative Providing Review Date

Please consider this memo as my approval of your request. This exemption is granted pursuant to NAC 333.150(2)(a)(b)(c), NRS 333.400. This exemption may be rescinded in the event reliable information becomes available upon which the Purchasing Administrator determines that the service or good sought may in fact be contracted for in a more effective manner. Pursuant to NRS 284.173(6), contracts for services do not become effective without the prior approval of the State Board of Examiners (BOE).

If you have any questions or concerns please contact the Purchasing Division at 775-684-0170.

Signed: 

Administrator, Purchasing Division or Designee Date 11-30-2016