

**FIRST AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF LAKE AND
BENNET OMALU PATHOLOGY FOR PATHOLOGY SERVICES**

This amendment to Agreement is made this 28th day
of January, 2020 by and between the County of Lake
(hereinafter referred to as "COUNTY") and Bennet Omalu
Pathology, (hereinafter referred to as "CONTRACTOR").

RECITALS

WHEREAS, COUNTY and CONTRACTOR entered into an
Agreement for pathology services on December 19, 2017; and

WHEREAS, it is necessary to amend said contract to
increase portions of the compensation paid to the
CONTRACTOR for such services.

NOW, THEREFORE, the parties hereto agree as follows:

All fees referenced in the Bennet Omalu Pathology Five Year
Cost Plan and Fee Schedule 2020-2025 shall be adopted as of
January 1st, 2020.

Except as specifically modified herein, all other
fees, terms and provisions of the December 19, 2017
Agreement shall remain in full force and effect.

Executed at Lake County, California, on the day and
year first written above.

COUNTY OF LAKE

Moke Simon
Moke Simon, Chairman,
Board of Supervisors

ATTEST: Carol J. Huchingson
Clerk of the Board
of Supervisors

By: [Signature]

CONTRACTOR

Bennet Omalu
Bennet Omalu, President
Bennet Omalu Pathology

APPROVED AS TO FORM:
Anita Grant
County Counsel

By: [Signature]



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ATTEST: Carol J. Huchingson
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of Supervisors

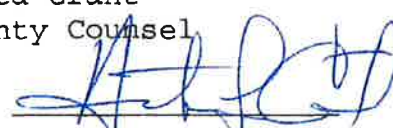
By: _____

CONTRACTOR



Bennet Omalu, President
Bennet Omalu Pathology

APPROVED AS TO FORM:
Anita Grant
County Counsel

By: 



Bennet Omalu

P A T H O L O G Y

FIVE-YEAR COST PLAN AND FEE SCHEDULE 2020 - 2025 COUNTY OF LAKE, CALIFORNIA

bennetomalu@bennetomalu.com

**3031 West March Lane
Suite 323
Stockton, CA 95219**

**Office Phone Number: 209-636-2822
Cell Phone Number: 916-513-5253**

COST PLAN AND FEE SCHEDULE NARRATIVE¹

This fee schedule is in part based upon and derived from the 2017 fee schedule between the County of ~~Mendocino~~ ^{Lake} and Regional Pathology and Autopsy Services, Inc for the provision of pathology services. It is the current fee schedule between Bennet Omalu Pathology and the County of ~~Mendocino~~ ^{Lake}. The expected start date for this fee schedule is January 1, 2020.

A. Free Services and Waived Fees:

Bennet Omalu Pathology will not charge for the following services as a good will offer and gesture by Bennet Omalu Pathology to reaffirm that we are partners in service. We shall charge for only direct autopsy related services with no billing for administrative services.

- | | |
|---|--|
| 1. Transportation to and from County of Lake: | No Charges |
| 2. Training and continuing medical education: | No Charges [Maximum of 4 sessions per year] ² |
| 3. County administrative and committee meetings | No Charges [Maximum of 6 meetings per year] ³ |
| 4. Transcription services: | No Charges |
| 5. Doctor trip fee: | No Charges |
| 6. Weekly operational supplies: | No Charges |
| 7. Autopsy technician service for tissue grossing | No Charges |

B. Direct Autopsy Services:

Bennet Omalu Pathology will not charge the County of Lake different and higher autopsy fees for different types of full autopsies including homicide and infant autopsies. Bennet Omalu Pathology believes that all autopsies are autopsies and we do not differentiate types of autopsies based on the type of case or age of the deceased. All full autopsies shall be billed at the same cost. This will save the county over \$500.00 per homicide and infant autopsies.

- | | |
|--|--|
| 1. Full Autopsy | \$1,800.00 per case |
| 2. Partial or Targeted Autopsy | \$1,500.00 per case |
| 3. External Autopsy | \$1,000.00 per case |
| 4. Medical Records Review | \$ 500.00 per case |
| 5. Microscopic Examination | \$ 300.00 per case |
| 6. Autopsy Tissue Histology [Hematoxylin and Eosin] | \$ 150.00 per case |
| 7. Autopsy Technician Fee | \$ 350.00 per case |
| 8. Specimen handling, processing, storage and transportation | \$ 50.00 per case |
| 9. Autopsy Tissue Immunohistochemistry [All Types] | \$ 109.00 per slide |
| 10. Specialized Autopsy Tissue Histochemistry [All Types] | \$ 109.00 per slide |
| 11. Review of prior or archival cases and autopsies | \$ 500.00 per hour
[maximum of \$3,000.00 per case] |
| 12. Scene visits and scene investigations | \$ 500.00 per hour |

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² If greater than 4 sessions in one year, Bennet Omalu Pathology shall bill \$500.00 per hour

³ If greater than 6 meetings in one year, Bennet Omalu Pathology shall bill \$500.00 per hour

C. Forensic Neuropathology Services

The College of American Pathologists, National Association of Medical Examiners and American Association of Neuropathologists currently require the whole brain to be fixed in formalin for at least two weeks and comprehensively examined with specified protocols. Brain tissue is processed differently from other tissues in the human body, and only specialized tissue laboratories perform such analysis. In addition to specialized histochemical stains, we also perform specialized immunohistochemical stains that will provide answers to medico-legal questions in homicide cases, child abuse cases and elder abuse cases. The standards of practice as set by these governing agencies and associations state that the brain shall be examined in cases involving Seizure Disorder, Sudden Death in Epilepsy, Excited Delirium, Child Abuse, Elder Abuse, Physical Homicidal Assaults, Sudden Death in an Infant or Child, Intra-Operative Deaths etc. This rate is a highly discounted rate. Bennet Omalu Pathology charges a fee of \$7,500 to \$15,000 for forensic neuropathology examination of cases sent to us from universities, coroners and medical examiners from across the United States. We are reducing this rate by 60-80% for Lake County because of the contractual relationship we share.

1. Whole brain examination with or without spinal cord, pituitary gland and dura mater
\$2300.00 per case
2. Brain tissue histology
\$ 350.00 per case
3. Brain immunohistochemistry [All types]
\$ 109.00 per slide
4. Specialized brain histochemistry [All types]
\$ 109.00 per slide

D. Specialized Tissue and Body Fluid Testing and Laboratory Analysis

Each test including mutational analysis, biochemical analysis, microbiological analysis and toxicologic analysis shall be billed directly for only the laboratory fee charged by the laboratories without any additional fee or cost from Bennet Omalu Pathology

1. The County shall be billed only the total laboratory fee with attached invoice from the laboratory or receipt of payment to the laboratory, without any additional fee from Bennet Omalu Pathology.
2. The per unit cost of these tests are not available and cannot be determined. There are many laboratories across the United States that we use for our services, and there are tens of thousands of unique tests and algorithms than can be performed. It is not reasonably feasible to list all these possible tests performed by different laboratories across the United States. Most of the tests cost from several tens of dollars to several hundreds of dollars. Very fee tests may cost one thousand or more, but no test has ever cost more than \$2500. The most expensive types of tests are rarely, if ever performed, may be once in five to ten years. For example, a comprehensive test panel for elements and metals and a full genome analysis will each cost about \$2000 to \$2500.

E. Specialized Tissue Reagents and Chemicals

These are all types of specialized tissue reagents and chemicals that are not used routinely for example Osmium Tetroxide and Potassium Dichromate. These types of chemicals are rarely used and may never be used or used once or twice in 5-10 years.

1. The County shall be billed the total purchase price with attached invoice or receipt of purchase.

F. Autopsy Supplies

These are all types of supplies for performing autopsies, handling and processing tissue and body fluid samples for example specimen tubes and DNA cards.

1. Bennet Omalu Pathology will bill the county the total purchase price with attached invoice or receipt of purchase.

G. Expert Witness, Consultations and Testimonies

- | | |
|--|-------------------|
| 1. Testimony [preliminary hearing, grand jury and trial] | \$500.00 per hour |
| 2. Pre-trial office or telephone conferences and consultations | \$500.00 per hour |
| 3. Trial preparation and research | \$500.00 per hour |
| 4. Composition of all types of reports | \$500.00 per hour |
| 5. Waiting time in court | \$250.00 per hour |

H. SUBMISSION OF INVOICES

Invoices will be submitted by Bennet Omalu Pathology to the designated personnel at the Sheriff-Coroner's Office or District Attorney's Office, by e-mail, on bi-weekly basis, by the 15th of every month, and by the 30th of every month [by the 28th for the month of February] for autopsies that have been performed and other services that have been provided. Payments are expected within 30 days of receipt of all invoices.