

November 29, 2017

Hope Clinic
c/o Sheri Rettew, Executive Director
203 North Street
Bayboro, NC 28515

VIA UPS OVERNIGHT

RE: New Beginnings Program
Our File No. 61700.01

Dear Ladies and Gentlemen:

This firm serves as legal counsel to Pamlico County (“the County”), and in turn this letter is being delivered at the direction of the Pamlico County Board of Commissioners, regarding the status of the New Beginnings program (“the Program”) operated by Hope Clinic (“the Clinic”). Pamlico County was recently made aware that the Clinic had commenced treating patients in the Program. Pamlico County communicated its concerns regarding liability to the County and Pamlico County Health Department and the provision of insurance coverage in favor of Pamlico County for any negligence or other claims associated with the treatment of patients in the Program.

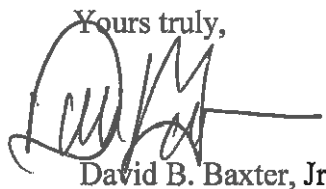
This office prepared a lease containing insurance requirements and indemnification provisions with which I understand the Clinic was in agreement. However, the County is gravely concerned that the Program’s insurance covering medical negligence would not cover indemnification of the County in a medical malpractice action if the County and/or the Health Department were made a party. Of a greater concern is the fact that the Clinic has commenced the treatment of Program patients before the resolution of all outstanding liability issues, including providing proof of all insurance coverages under the proposed lease.

At this juncture, the County requires that the Clinic provide evidence of insurance coverage in favor of the County for any claims which may be associated with the treatment of patients in the Program in addition to what have been previously provided. Evidence of this coverage ***must*** be provided no later than 5:00 p.m. on January 31, 2018. In the event evidence of such insurance coverage is not provided, the County shall require the relocation of the Program from property owned by the County. In short, the County will assume no risk that taxpayer funds will be jeopardized should the County be named as a defendant in a claim arising from the Program.

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We trust the County's position in this matter is clear; however, if you have any questions whatsoever, please contact County Manager Tim Buck at 252-745-3133.

Thank you for your attention to this matter.

Yours truly,

David B. Baxter, Jr.

DBB/tlz

Cc: Mr. Tim Buck, Pamlico County Manager (via email only)
Mr. Paul Delamar, III, Chairman, Pamlico Board of Commissioners (via email only)
Mr. Jimmie B. Hicks, Jr., Pamlico County Attorney (via email only)