



## Legislation Details (With Text)

**File #:** 19-1716      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 11/8/2019      **In control:** Board of Supervisors

**On agenda:** 3/17/2020      **Final action:** 3/17/2020

**Title:** Health and Human Services Agency recommending the Board:  
 1) Approve and authorize the Chair to sign Amendment 3 of Agreement for Services 447-S1711 (FENIX 844) with Netsmart Technologies, adding a training component to the original agreement that was for the provision of the Netsmart Avatar electronic health record and billing system; increasing the total amount of the Agreement by \$7,000, for a new total not to exceed amount of \$924,500; with no change to the term of the Agreement; and  
 2) Authorize the Purchasing Agent, or their designee to execute further documents relating to Agreement for Services 447-S1711 (FENIX 844), including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

**FUNDING:** Federal and State Funding: 50% Medi-Cal, 24% Mental Health Realignment, and 26% Mental Health Services Act.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved CRS, 844 A3, 2. B - Netsmart, 844 A3, 3. C - Netsmart 844, A1, A2 + Approved CRSs, 4. D - Resolution 142-2001, 5. Executed Amendment III of Agreement for Services 447-S1711

Date	Ver.	Action By	Action	Result
3/17/2020	1	Board of Supervisors	Approved	Pass

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**DISCUSSION / BACKGROUND:**

In 2005, the Board approved a Mental Health Agreement to contract with the California Regional Mental Health Systems Coalition Joint Powers Authority (JPA) to develop an integrated information systems infrastructure. The JPA members researched available software systems suitable for Mental Health records and billing that satisfied the requirements of the California Medi-Cal system. As a

result, the JPA selected and implemented the Avatar system, a product of the Netsmart Technologies Corporation, to achieve this goal and meet the State requirements.

Despite the quality and success of the product, the Application Service Provider (ASP) billing configuration proved to be problematic and the JPA system was dissolved by June 30, 2013. HHSA desired to continue using Avatar due to the financial and staff time investment in developing and using the software, the multitude of records contained in the software platform, and to ensure continuity of record keeping for those clients whose records already reside in the system.

Netsmart has proven to be a consistent partner, providing support and customizing as requested. Electronic billing processes result in Medi-Cal funding to support Behavioral Health services.

Amendment 1 (A1), signed within the authority of the Purchasing Agent, was necessary to execute a Mutual Non-Disclosure Agreement regarding access to Avatar hosting files.

Amendment 2 (A2) was necessary to add three new software subscriptions. (File ID: 19-0384, Item No. 11)

Amendment 3 (A3) adds a training service titled Enterprise Training for a twelve month period, beginning with the execution of Amendment 3, at a cost of \$7,000.

In addition, the original Agreement included a Master Agreement Expenditures (MAE) chart identifying software, support, and travel expenditures. When Amendment 2 was processed, the MAE chart was not updated. The Board item also incorrectly reflected a maximum obligation of \$951,262 (File ID: 19-0384, Item# 11) because the annual software subscription reflected two years instead of one.

At this time, Amendment 3 updates the MAE chart, adding the \$7,000 for the Enterprise Training, and reduces the annual software subscription by the erroneous one extra year for \$31,848 to result in a maximum obligation of \$924,500.

In accordance with Resolution 142-2001, software (proprietary) is exempt from competitive bidding.

**ALTERNATIVES:**

Disapproval of Amendment 3 to Agreement for Services 447-S1711 (FENIX #844) will disallow the training component, reduce HHSA's ability to provide appropriate and cost effective training to Mental Health staff, and will impact HHSA's ability to provide an effective continuum of care.

**PRIOR BOARD ACTION:**

- 1) 04/18/17, 17-0321, Approved Agreement for Services 447-S1711 (FENIX #844)
- 2) 05/21/19, 19-0384, HHSA Netsmart Agreement 844 Amendment 2

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

Approved by County Counsel, Information Technologies, and Risk Management.

**CAO RECOMMENDATION:**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT:**

There is no use of General Fund for this Agreement. The increase of \$7,000 will be paid from Medi-Cal, Mental Health Realignment, and Mental Health Services Act. Sufficient appropriations were included in the fiscal year 2019-20 budget, and will be included in future budgets for the term of the Agreement.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk of the Board to obtain signature of Chair on two (2) originals of Amendment 3 to Agreement for Services 844; and
- 2) Clerk of the Board to return one (1) fully executed Amendment 3 to the HHSA Contracts Unit at 3057 Briw Road, Suite B.

**STRATEGIC PLAN COMPONENT:**

Health and Human Services Agency Strategic Plan Objective 4.1.7: Identify cost effective emerging technologies to improve service delivery and drive efficiency for HHSA employees.

**CONTACT**

Don Semon, Director