



# Board Agenda Item 66

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DATE: June 20, 2023

TO: Board of Supervisors

SUBMITTED BY: David Luchini, RN, PHN, Director, Department of Public Health

SUBJECT: Termination of Agreement No. 13-214 with the Internal Revenue Service

RECOMMENDED ACTION:

**Authorize the Director of the Department of Public Health, or designee, to provide sixty (60) days written notice to the Internal Revenue Service of its intent to terminate Agreement No. 13-214, pursuant to the Duration of the Agreement provision of the Agreement.**

There is no additional Net County Cost associated with the recommended action. Approval of the recommended action will allow the County to formally terminate evergreen Agreement No. 13-214 with the Internal Revenue Service (IRS), a Memorandum of Understanding (MOU) which allows the County to transfer prophylactic medications and medical supplies made available from the Centers for Disease Control and Prevention's (CDC) Strategic National Stockpile (SNS), through the California Department of Public Health (CDPH) to IRS campus sites located in Fresno. The MOU enabled those campus sites to operate as Closed Points of Dispensing in the event of a bioterrorist event. Approval will also authorize the Director of the Department, or designee, to provide a 60-day written notice to the IRS of its intent to terminate the agreement. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended action, the agreement with the IRS would remain in effect and would continue to consume a minimal amount of departmental staff time.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action.

DISCUSSION:

On April 23, 2013, your Board approved Agreement No. 13-214 with the IRS, a no cost evergreen MOU designed to provide the three IRS Fresno Campus sites with prophylactic medications and medical supplies made available from the CDC's SNS in the event of a catastrophic biological incident or other public health emergency requiring mass dispensing of medications and/or medical supplies. Upon receipt, the IRS would use the medical prophylaxis for internal distribution to an estimated 8,100 employees and contractors and their 32,400 family members in a Closed Point of Dispensing (CPOD). A Point of Dispensing (POD) site is a location used to dispense medication on a large scale to members of the public who may have been affected by a bioterrorist event, such as release of anthrax, or other health threat that requires rapid distribution of medication or vaccine. A CPOD is a dispensing site that has partnered with the Department of Public Health (Department) that limits its distribution to a specific organization's population, such as IRS employees and their families, where that organization also takes responsibility for distribution of medication

to its population.

In July 2022, Department staff contacted the IRS concerning a need to update the MOU and estimated numbers of affected staff and family members following the closure of the IRS' Butler Avenue processing center in November 2021. In October 2022, the Department was informed via email that the IRS no longer supports its CPOD initiative. Department staff have attempted to contact IRS staff numerous times since receiving this information, but have been unsuccessful in obtaining a formal letter from the IRS requesting termination of the MOU.

Pursuant to the terms of the MOU, the MOU "remains in effect indefinitely unless so modified, changed, amended or terminated in writing by either party with 60 days notice". Your Board's approval of the recommended action would initiate a 60-day written notice to the IRS of the County's intent to terminate Agreement No. 13-214 in accordance with the termination provision of the Agreement.

REFERENCE MATERIAL:

BAI#47, April 23, 2013

CAO ANALYST:

Ron Alexander