



Board Agenda Item 44

DATE: April 23, 2024
TO: Board of Supervisors
SUBMITTED BY: David Luchini, RN, PHN, Director, Department of Public Health
SUBJECT: Agreement with California Department of Public Health

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a Participation Agreement with the California Department of Public Health for access to the California Integrated Vital Records System effective upon execution by the California Department of Public Health for a term of five years (\$0); and**
- 2. Authorize the Director of the Department of Public Health, or designee, to execute Amendments to the Agreement with California Department of Public Health, subject to approval by County Counsel as to legal form, for the Integrated Vital Records System related to new standards and requirements imposed by the California Department of Public Health.**

Approval of the first recommended action would allow the Department of Public Health (Department) to continue to have access to the California Department of Public Health's (CDPH) Integrated Vital Records System (Cal-IVRS), a single platform of birth, death, and fetal death registration systems and databases. Access to the system would allow the County to continue to meet its obligations regarding vital records including birth and death certificates. The second recommended action would authorize the Director of the Department, or designee, to execute Amendments, pending County Counsel's review and approval, related only to new Federal and State standards and requirements. The authorization will allow Amendments to be made at the Director level instead of returning to the Board each time. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. Should your Board not approve the recommended actions, the Department would not have permission to collect, create, access, use, and Cal-IVRS data. The data is necessary due to the Department's obligations regarding birth, death, and fetal death records for the County.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended actions.

DISCUSSION:

Pursuant to California Health and Safety Code, sections 102100-103925, the State Registrar is charged with the duties of registering, maintaining, and indexing all of California's birth, death, and fetal death records. The recommended Cal-IVRS Participation Agreement governs access to birth, death, and fetal death vital records registration systems. Upon your Board's approval of the recommended agreement, the County will continue to protect the privacy and provide for the security in compliance with all applicable State and

Federal laws concerning the Cal-IVRS data. In addition, permission will be granted to the Department to collect, create, access, use, and Cal-IVRS data.

Approval of the second recommended action will allow the Department, or designee, to execute future amendments, upon review and approval by County Counsel, related only to new Federal and State standards and requirements imposed by regulations and other applicable law. All other modifications to the recommended agreement would be brought to your Board for consideration.

The recommended agreement requires one-way indemnification in favor of the State. In addition, the County agrees to be available, at the County's expense, for any action against CDPH involving the County. CDPH may cancel immediately for cause or at its discretion give the County 30 days to rectify the incident. CDPH or County may terminate the recommended agreement without cause with 30 days advance notice. Due to CDPH's preferred term, this contract is for five years instead of the County's standard three-year base term with two optional one-year extensions.

REFERENCE MATERIAL:

BAI #34, August 21, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with CDPH

CAO ANALYST:

Ron Alexander