



# Board Agenda Item 30

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DATE: September 21, 2021

TO: Board of Supervisors

SUBMITTED BY: Dawan Utecht, Director, Department of Behavioral Health

SUBJECT: Retroactive Participation Agreement with California Mental Health Services Authority for the Electronic Health Record Program

**RECOMMENDED ACTION(S):**

- 1. Approve and authorize the Chairman to execute a retroactive Participation Agreement with the California Mental Health Services Authority (No. 599-EHR-2021-FC) for the electronic health record program, effective July 1, 2021 through June 30, 2022, total not to exceed \$150,000; and**
- 2. Approve and authorize the Department of Behavioral Health Director, or designee, to be the signatory and act as the Fresno County representative on behalf of the Board of Supervisors on associated California Mental Health Services Authority Electronic Health Record Program related reports and forms, without modifying the maximum compensation.**

Approval of the recommended actions will assign funding to the California Mental Health Services Authority (CalMHSA) for FY 2021-22 to act as a fiscal intermediary and provide management and oversight of the Request for Proposal (RFP) process of the multi-county electronic health record (EHR) Program. CalMHSA will deliver a California-centric enterprise solution for an EHR that is grounded on clinical best practices, state objectives, and operational needs of the county-based behavioral health system. Approval of the recommended actions will allow the Department of Behavioral Health Director to sign related reports and forms, without modifying the maximum compensation, and act as a representative of the County. The services are funded with Behavioral Health Internal Services Department Administration, with no increase in Net County Cost. This item is countywide.

**ALTERNATIVE ACTION(S):**

Should your Board not approve the recommended actions, the EHR Program will not be provided to the County. The County would proceed with its own RFP process for an EHR, but it may not be a system that would be integrated across the state and could cost the County more than one that would leverage the resources of multiple counties. A new EHR is needed to meet the planned changes to EHR practices and new billing and revenue processes. If the recommended actions are not approved, the Department will return to the Board for all necessary reports and forms. This may cause a delay in providing and delivering much needed services.

**RETROACTIVE AGREEMENT:**

The recommended agreement was received on July 16, 2021 and is retroactive to July 1, 2021. The delay in bringing the agreement before your Board on an earlier date was due to the Department's extended review and to ensure this would be the most cost-effective way of seeking a new EHR.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Services are fully funded with Behavioral Health ISD Administration funds. As a county that is large due to population size, the County's share of the cost will not exceed \$150,000. The participating counties are paying their agreed upon share of cost directly to CalMHSA. Sufficient appropriations and estimated revenues are included in the Department's Org 5630 FY 2021-22 Adopted Budget.

DISCUSSION:

On September 14, 2010, the Board executed Joint Powers Agreement (JPA) No. 10-489 with California counties to implement statewide projects through CalMHSA, pursuant to Welfare and Institutions Code, section 5897. The JPA allowed CalMHSA to increase cost efficiency for suicide prevention, student mental health initiatives, reduce stigma and discrimination related to mental illness, and administrative services for California counties. The County can choose to participate in CalMHSA activities, such as the EHR Program.

The recommended agreement will grant CalMHSA authority to develop and manage an RFP for EHR services on behalf of the County. The recommended agreement states the County's desire to participate in the EHR Program. The program will be designed for clinical best practices, to meet state objectives, and the operational needs of county-based behavioral health systems and will act as a catalyst for better use of data to drive performance outcomes.

The recommended agreement varies from standard County template as it was drafted by CalMHSA, is utilized by CalMHSA to execute Participation Agreements with different Counties and is consistent statewide. Risk Management recommended the inclusion of standard insurance requirements and indemnity language. However, these were not incorporated as CalMHSA will include these provisions in the RFP process for the program. The Department believes that the benefits of the recommended agreement outweigh any potential risks and recommends approval of the agreement.

The recommended agreement is a one-year contract with the option for early termination in which either party may withdraw from the program upon a 30-day written notice or extend as deemed appropriate with prior written notice and the availability of funds. Upon cancellation, termination or other conclusions of this contract, any County funds remaining undisbursed after CalMHSA satisfies all obligations arising from the administration of the program shall be returned to the County.

REFERENCE MATERIAL:

BAI #39, September 14, 2010

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with CalMHSA

CAO ANALYST:

Sonia M. De La Rosa