



Board Agenda Item 27

DATE: April 14, 2020

TO: Board of Supervisors

SUBMITTED BY: David Pomaville, Director, Department of Public Health

SUBJECT: Agreement with Valley Children's Hospital

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute an Agreement with Valley Children's Hospital for designated Department of Public Health employees to access Valley Children's Hospital's Electronic Medical Records, effective April 14, 2020 through June 30, 2022 followed with unlimited one-year auto-renewals unless terminated by either party (\$0).**
- 2. Approve and authorize the Director of the Department of Public Health, or designee, and the Department employees identified as having a need to remotely access Valley Children's Hospital's Electronic Medical Records, to execute the CareLink Agreement for Access to Protected Health Information.**

Approval of the recommended actions will continue to authorize Department of Public Health's identified staff access to Valley Children's Hospital's (VCH) Electronic Medical Records through a web-based portal at no cost to the County. Electronic access to VCH clients' medical records will benefit multiple programs throughout the Department. The second recommended action will authorize the Director of the Department of Public Health and identified specific employees to enter into CareLink Agreement for Access to Protected Health Information (Remote Access Agreement) with VCH for access to the Electronic Medical Records (EMRs). There is no money associated with the recommended agreement. This item is countrywide.

ALTERNATIVE ACTION(S):

If your Board does not approve the recommended actions, the Department would revert to requesting medical record documentation via US Mail and/or fax; which often results in multiple and/or follow-up phone calls to request additional information and delays delivery of services.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. VCH will allow access to the EMRs to an unlimited number of identified Department staff at no cost to the County upon execution of the Remote Access Agreement. The system is accessed remotely through the internet and does not require any County staff time to coordinate or maintain the secure internet connection.

DISCUSSION:

On June 18, 2019, the Board approved Agreement No. 19-0249 with Valley Children's Hospital allowing access to EMRs through June 30, 2020 with unlimited one-year renewals unless terminated by either party. The fully executed agreement also established VCH as the sole authority to grant or provide access of their

EMRs to non-VCH employees. The EMRs are the only documentation needed to support Department processes related but not limited to, medical eligibility, health assessments, disease and outbreak investigation, treatment, surveillance and epidemiological studies.

On February 03, 2020, the Department received a notification that VCH will be replacing their existing EMR system with a new EMR platform, CareLink. All VCH's medical records including lab results, diagnostic test results, hospitalization records, procedural information, discharge instructions, progress notes, medications, allergies, medical history and more, will be migrated into the new CareLink. VCH will be launching the new EMR system on April 25, 2020.

The recommended agreement deviates from the County's standard contract language by including a two-year term with unlimited one year auto renewal, mutual hold harmless, insurance and termination language, and non-standard Health Insurance Portability and Accountability Act (HIPAA) language that represents both the County and VCH as covered entities.

The Department is requesting the recommended agreement continue to be executed as "evergreen" or unlimited one-year renewals unless terminated by either party. Direct access to VCH's EMRs has been an invaluable tool for the Department's programs. Continued remote access to EMRs will provide the accurate, uninterrupted and complete medical information necessary to perform the required functions for the Department's programs in a safe HIPAA compliant, efficient and timely manner.

REFERENCE MATERIAL:

BAI #49, June 18, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Valley Children's Hospital

CAO ANALYST:

Raul Guerra