



Board Agenda Item 31

DATE: January 27, 2026

TO: Board of Supervisors

SUBMITTED BY: Susan L. Holt, Director, Department of Behavioral Health

SUBJECT: Business Associate Agreement with Pacific Clinics

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a Business Associate Agreement with Pacific Clinics, to protect the privacy of health information and retain medical records, effective January 27, 2026, until terminated and all medical records are returned to the County or destroyed in accordance with Health Information Portability and Accountability Act rules (\$0).

There is no Net County Cost associated with the recommended action, which will allow Pacific Clinics to retain medical records for their expired Agreement Nos. A-25-288 and A-25-292 in accordance with Health Information Portability and Accountability Act (HIPAA) rules. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If your Board does not approve the recommended action, the Department would be out of compliance with Health Insurance Portability and Accountability Act (HIPAA) rules and California Department of Health Care Services (DHCS) requirements. The Department and Pacific Clinics will be required to utilize staff time and resources to prepare the return of a high volume of non-electronic medical records.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The recommended agreement does not provide any compensation between the County and Pacific Clinics.

DISCUSSION:

On December 11, 2018, the Board approved Agreement No. A-18-689 for the provision of Assertive Community Treatment mental health and community supports for youth ages 10-18 and their families. The agreement was amended once to increase the maximum compensation to help the provider reduce high staff turnover rates by increasing wages.

On June 18, 2019, the Board approved Master Agreement No. A-19-277 with California Psychological Institute, Central Star Behavioral Health, and Pacific Clinics for Child Welfare Mental Health (CWMH) Services for County persons served. The agreement was amended once to add Turning Point of Central California to the Agreement to address the increased number of referrals and increase the maximum by \$27,000,000 to a total of \$107,000,000.

On June 20, 2023, the Board approved Superseding Agreement No. A-23-280 for a Children/ Youth

Assertive Community Treatment Program and Superseding Master Agreement No. A-23-282 for Child Welfare Services to include new California Advancing and Innovating Medi-Cal (CalAIM) requirements set by the Department of Health Care Services including payment reform requirements. Superseding Agreement No. A-23-280 was amended once on February 20, 2024, to expand services by adding Intensive Case Management and Outpatient levels of care, allowing youth to transition to a lower level of care with minimal disruption to services.

On June 24, 2025, your Board approved Agreement Nos. A-25-288 and A-25-292 with Pacific Clinics for an extension period of three months, from July 1, 2025, to September 30, 2025. These extensions allowed for clinically appropriate warm hand-offs during the transition of services to the bidders selected during the 2025 RFP process.

Due to the termination of Agreement Nos. A-25-288 and A-25-292, the Department and Pacific Clinics must work together to return medical records to the Department. Per mutual agreement, it was found that the best course of action would be to enter into a Business Associate Agreement to allow retention of the medical records by Pacific Clinics. The Department and Pacific Clinics will avoid utilizing unnecessary staff time and resources to complete the medical records return process. While Pacific Clinics will remain the holder of the records, the County will remain the owner of the records.

The BAA mandates certain protections for the privacy and security of Protected Health Information (PHI) and prohibits the disclosure to or use of PHI by Pacific Clinics if such an agreement is not in place. The recommended agreement and its provisions are intended to protect the privacy of health information retained by Pacific Clinics in compliance with the HIPAA rules and DHCS requirements.

The Business Associate language is now a standard exhibit in the Department of Behavioral Health Agreements and aligns with standard procedure for the handling of medical records.

OTHER REVIEWING AGENCIES:

The Behavioral Health Board was notified of the recommended Amendment during the January 2026 meeting.

REFERENCE MATERIAL:

BAI #51, June 24, 2025
BAI #23, February 20, 2024
BAI #44, June 20, 2023
BAI #33, August 9, 2022
BAI #27, June 8, 2021
BAI #36, April 13, 2021
BAI #39, June 18, 2019
BAI #30, December 11, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Business Associate Agreement with Pacific Clinics

CAO ANALYST:

Ronald W. Alexander, Jr.