A Tradition of Stewardship
A Commitment to Service

Agenda Date: 12/15/2020
Agenda Placement: 6E

NAPA COUNTY BOARD OF SUPERVISORS
Board Agenda Letter

TO:	Board of Supervisors
FROM:	Shelli Brobst for Jennifer Yasumoto - Director Health & Human Services Administration
REPORT BY:	JoAnn Melgar, Staff Services Analyst II - 707-253-4722
SUBJECT:	Amendment No. 10 to Agreement with Cerner Corporation

RECOMMENDATION

Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 10 to Agreement No. 170225B with Cerner Corporation effective June 1, 2020 with no change to the term, incorporating the Cerner Communications Amendment and Cerner Amendment No. 2 terminating Mertech Licenses, for a refund of $1,359 to the County for the provision of Behavioral Health Information System Software License and services and Billing System for Mental Health and Alcohol and Drug Services.

EXECUTIVE SUMMARY

The purpose of today's recommended action is to amend the current Agreement with Cerner Corporation to:

1. Incorporate the Cerner Communications Amendment as required by 45 C.F.R. Section 170.403 and known as the “Communications of the 21st Century Cures Act”; and
2. Incorporate Cerner Amendment No. 2 to terminate Mertech Licenses purchased in Sales Order dated May 13, 2015 (Amendment No. 5) and Sales Order dated January 31, 2017 (Amendment No. 6) for a refund of $1,359, which shall be applied to our fees.

Cerner Corporation is not a local vendor.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? Yes

Is it currently budgeted?	Yes
Where is it budgeted?	Health & Human Services Mental Health Services Act
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	No
Future fiscal impact:	This Agreement contains a provision for automatic annual renewal. Appropriations have been included in the approved Fiscal Year 2020-2021 budget and future fiscal years will be budgeted accordingly.
Consequences if not approved:	This Amendment will add language regarding 'Protected Communications' as required by the Communications of the 21st Century Cures Act and to update Agreement with language to provide the County a refund for Mertech licenses that are no longer needed in the Remote Hosted Option environment.
County Strategic Plan pillar addressed:	Effective and Open Government
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On July 25, 2006, the Board approved an agreement with Anasazi Software, Inc., for the purchase of a new California-compliant web-based Medicare/Medi-Cal billing system for the Mental Health and Alcohol and Drug Services programs. The multi-year Agreement provided for installation assistance, training, software maintenance and support services. The annual maintenance component of the Agreement required the vendor to make all improvements necessary to keep the system current with state and federal requirements. In November 2012, Cerner Corporation acquired Anasazi Software, Inc. and on February 26, 2013, the Board approved the Director of Health and Human Services to give written consent to the assignment of that agreement to Cerner Corporation (Cerner). Cerner Community Behavioral Health software is the Electronic Health Record (EHR) and Billing System for Mental Health and Alcohol and Drug Services.

The EHR maintains client clinical records and includes demographics, documents, notes, treatment plans, diagnosis, medication prescribing history and also uses this data for billing to Medi-Cal/Medicare and required State Reporting.

The purpose of today's recommended action is to amend the current Agreement with Cerner to incorporate the Cerner Communications Amendment as required by 45 C.F.R. Section 170.403 known as the “Communications of the 21st Century Cures Act” (21st Century Cures Act). The 21st Century Cures Act, signed into law on December 13, 2016, updates certification requirements for health IT developers (Cerner is an IT developer) and establishes new provisions to ensure that providers using certified health IT have the ability to communicate about health IT usability, user experience, interoperability, and security including (with limitations) screenshots and video, which are critical forms of visual communication for such issues.

In addition, this Amendment will incorporate Cerner Amendment No. 2 pertaining to termination of Mertech licenses, which were added in Cerner Sales Order dated May 13, 2015 (Amendment No. 5 to this Agreement) and Cerner Sales Order dated January 31, 2017 (Amendment No. 6 to this Agreement) for a total reimbursement of $1,359, which shall be applied to fees. Since the move to a hosted environment, the County no longer needs to pay for Mertech licenses, which were required when the County hosted the database on premises.

Cerner is not a local vendor.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Ben Guerrieri