



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

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**File created:** 11/2/2018      **In control:** DHHS: Behavioral Health  
**On agenda:** 11/13/2018      **Final action:** 11/13/2018  
**Title:** Fourth Amendment to the License and Service Agreement with Netsmart Technologies, Inc. Regarding the Use and Operation of the Avatar Electronic Health Record Software System and the Provision of Related Training, Support and Project Management Services

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Fourth Amendment to the License and Service Agreement with Netsmart Technologies inc.pdf, 3. Third Amendment to the License and Service Agreement with Netsmart Technologies, inc.pdf, 4. Second Amendment to the License and Service Agreement with Netsmart Technologies, inc.pdf, 5. First Amendment to the License and Service Agreement with Netsmart Technologies, inc.pdf, 6. License and Service Agreement with Netsmart Technologies, inc.pdf, 7. Humboldt County COI.PDF

Date	Ver.	Action By	Action	Result
11/13/2018	1	Board of Supervisors	approved	Pass

**To:** Board of Supervisors

**From:** DHHS: Mental Health

**SUBJECT:**

Fourth Amendment to the License and Service Agreement with Netsmart Technologies, Inc. Regarding the Use and Operation of the Avatar Electronic Health Record Software System and the Provision of Related Training, Support and Project Management Services

**RECOMMENDATION(S):**

That the Board of Supervisors approve, and authorize the Chair of the Board to execute, the attached fourth amendment to the license and service agreement with Netsmart Technologies, Inc. regarding the use and operation of the Avatar electronic health record software system and the provision of related training, support and project management services; and direct the Clerk of the Board to return two (2) fully executed original copies of the attached fourth amendment to the Department of Health and Human Services - Contract Unit for further processing.

**SOURCE OF FUNDING:**

Mental Health Fund

**DISCUSSION:**

As of January 2014, federal health reform mandates that all medical providers, organizations and governmental agencies, including, without limitation, the Humboldt County Department of Health and Human Services - Mental Health ("DHHS - Mental Health"), utilize a secure electronic health record system to transmit and receive confidential medical and mental health records.

On May 12, 2015 (Item C-8), the Humboldt County Board of Supervisors approved the current license and service agreement with Netsmart Technologies, Inc. regarding the use and operation of the Avatar electronic health record software system and the provision of related training, support and project management services. The Board subsequently approved the first, second and third amendments to the license and service agreement, which extended the term thereof, expanded the scope of services provided

thereunder and adjusted the rates of compensation set forth therein, on June 28, 2016 (Item C-14), July 18, 2017 (Item C-9) and June 26, 2018 (Item C-18). The attached fourth amendment to the license and service agreement with Netsmart Technologies, Inc. will further expand the scope of services provided thereunder, adjust the rates of compensation set forth therein and allow for counterpart execution thereof.

Accordingly, DHHS - Mental Health recommends that the Board approve, and authorize the Chair of the Board to execute, the attached fourth amendment to the license and service agreement with Netsmart Technologies, Inc. regarding the use and operation of the Avatar electronic health record software system and the provision of related training, support and project management services.

**FINANCIAL IMPACT:**

The attached fourth amendment to the license and service agreement with Netsmart Technologies, Inc. will adjust the rates of compensation set forth therein to include recurring charges and subscription fees totaling Fourteen Thousand Sixteen Dollars (\$14,016.00), and a one-time charge of Twenty Thousand Dollars (\$20,000.00), for the additional licenses and services that will be provided thereunder.

Expenditure appropriations related to the attached fourth amendment to the license and service agreement with Netsmart Technologies, Inc. have been included in the approved fiscal year 2018-2019 budget for DHHS -Mental Health Administration budget unit 1170-424. Funding for the attached fourth amendment to the license and service agreement with Netsmart Technologies, Inc. is available from Mental Health Services Act, Medi-Cal federal financial participation and state realignment revenues received by DHHS - Mental Health. As a result, approval of the attached fourth Amendment to the license and service agreement with Netsmart Technologies, Inc. will not impact the Humboldt County General Fund.

The recommended actions support the Board of Supervisors' strategic framework by providing for and maintaining technological infrastructure and creating opportunities for improved safety and health.

**OTHER AGENCY INVOLVEMENT:**

None.

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

The Board could choose not to approve the attached fourth amendment to the license and service agreement with Netsmart Technologies, Inc. regarding the use and operation of the Avatar electronic health record software system and the provision of related training, support and project management services. However, this alternative is not recommended because it would result in DHHS - Mental Health being out of compliance with applicable local, state and federal laws, regulations and mandates.

**ATTACHMENTS:**

1. Fourth Amendment to the License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015
2. Third Amendment to the License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015
3. Second Amendment to the License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015
4. First Amendment to the License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015
5. License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: G-2, C-17, C-10, C-8, C-14, C-9

Meeting of: 12/13/2006, 06/07/2007, 04/11/2011, 05/12/2015, 06/28/2016, 07/18/2017