



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

**File #:** 19-351      **Version:** 1      **Name:**  
**Type:** Informational Report      **Status:** Passed  
**File created:** 3/5/2019      **In control:** DHHS: Behavioral Health  
**On agenda:** 4/2/2019      **Final action:** 4/2/2019  
**Title:** Fifth 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. Fifth Amendment to the License and Service Agreement with Netsmart Technologies, Inc..pdf, 3. Fourth Amendment to the License and Service Agreement with Netsmart Technologies, Inc., 4. Third Amendment to the License and Service Agreement with Netsmart Technologies, Inc., 5. Second Amendment to the License and Service Agreement with Netsmart Technologies, Inc., 6. First Amendment to the License and Service Agreement with Netsmart Technologies, Inc., 7. Netsmart Customer License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015, 8. Netsmart Humboldt County COI

Date	Ver.	Action By	Action	Result
4/2/2019	1	Board of Supervisors	approved	Pass

**To:** Board of Supervisors

**From:** DHHS: Mental Health

**Agenda Section:** Consent

### SUBJECT:

Fifth 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:

1. Approve, and authorize the Chair of the Board to execute, the attached fifth 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
2. Direct the Clerk of the Board to return two fully executed original copies of the attached fifth 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, third and fourth amendments to the license and service agreement, which extended the term thereof, expanded the scope of services provided thereunder, adjusted the rates of compensation set forth therein and added a provision regarding counterpart execution thereto, on June 28, 2016 (Item C-14), July 18, 2017 (Item C-9), June 26, 2018 (Item C-18) and Nov. 13, 2018 (Item C-10). The attached fifth amendment to the license and service agreement with Netsmart Technologies, Inc. will extend the term thereof to June 30, 2020, further expand the scope of services provided thereunder and adjust the rates of compensation set forth therein.

Accordingly, DHHS - Mental Health recommends that the Board approve, and authorize the Chair of the Board to execute, the attached fifth 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 fifth amendment to the license and service agreement with Netsmart Technologies, Inc. will adjust the rates of compensation set forth therein to include additional recurring and one-time charges and subscription fees totaling \$108,075.94 for the additional licenses and services that will be provided thereunder.

Expenditure appropriations related to the attached fifth amendment to the license and service agreement with Netsmart Technologies, Inc. will be included in the proposed Fiscal Year (FY) 2019-20 budget for DHHS -Mental Health Administration budget unit 1170-424. Funding for the attached fifth 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 fifth amendment to the license and service agreement with Netsmart Technologies, Inc. will not impact the Humboldt County General Fund.

### STRATEGIC FRAMEWORK:

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 fifth 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 since it would result in DHHS - Mental Health being out of compliance with applicable local, state and federal laws, regulations and mandates.

ATTACHMENTS:

1. Fifth Amendment to the License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015
2. Fourth Amendment to the License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015
3. Third Amendment to the License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015
4. Second Amendment to the License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015
5. First Amendment to the License and Service Agreement with Netsmart Technologies, Inc. dated May 12, 2015
6. Netsmart Customer 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, C-10

Meeting of: 12/13/2006, 6/7/2007, 4/11/2011, 5/12/2015, 6/28/2016, 7/18/2017, 11/13/2018

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