To: Board of Supervisors

From: DHHS: Behavioral Health

Agenda Section: Consent

Vote Requirement: Majority

SUBJECT:

Software License and Support Services Agreement in the Amount of $230,823.69 with Netsmart Technologies, Inc. Regarding the Use and Operation of the Avatar Electronic Health Record Software System and the Provision of Related Support and Maintenance Services

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached software license and support services agreement with Netsmart Technologies, Inc. regarding the use and operation of the Avatar Electronic Health Record Software System and the provision of related support and maintenance services, for the period of July 1, 2023 through December 31, 2024;
2. Authorize the Department of Health and Human Services – Behavioral Health Director, or a designee thereof, to execute any and all subsequent amendments to the attached software license and support services agreement with Netsmart Technologies, Inc. after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached software license and support services agreement with Netsmart Technologies, Inc. to the Department of Health and Human Services – Contract Unit for further processing.

STRATEGIC PLAN:

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Core Services/Other
Strategic Plan Category: 9999 - Core Services/Other

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 – Behavioral Health Branch ("DHHS – Behavioral Health"), utilize a secure electronic health record system to transmit and receive confidential medical and behavioral health records.

On May 12, 2015 (Item C-8), the Humboldt County Board of Supervisors approved the previous 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 attached software license and support services agreement with Netsmart Technologies, Inc. phases out the use of Avatar and adjust the rates of compensation accordingly, but will allow for the continued use and operation of the Avatar Electronic Health Record Software System, and the receipt of support and maintenance services related thereto, for the period of July 1, 2023 through December 31, 2024, at which point the use of Avatar Electronic Health Record Software System will end.

It should be noted that the attached software license and support services agreement with Netsmart Technologies, Inc. comes to the Board after the start date thereof due to difficulties negotiating a contract that phases out and then ends DHHS – Behavioral Health's relationship with Avatar.

Accordingly, DHHS – Behavioral Health recommends that the Board approve, and authorize the Chair of the Board to execute, the attached software license and support services agreement with Netsmart Technologies, Inc. regarding the use and operation of the Avatar Electronic Health Record Software System and the provision of related support and maintenance services for the period of July 1, 2023 through December 31, 2024.

It is also recommended that the Board authorize the DHHS – Behavioral Health Director, or a designee thereof, to execute any and all subsequent amendments to the attached software license and support services agreement with Netsmart Technologies, Inc., after review and approval by County Counsel, Risk Management and the County Administrative Office, in order to avoid any unnecessary delays, in the use, operation or maintenance of the Avatar Electronic Health Record Software System.

SOURCE OF FUNDING:
Behavioral Health Fund (1170 515000, 640000, 515001

FINANCIAL IMPACT:

Expenditures (Fund, Budget Unit)	**FY23-24**	**FY24-25**
Budgeted Expenses	177,164.04	53,659.65
Total Expenditures	177,164.04	53,659.65

**Projected amounts are estimates and are subject to change.*

Funding Sources (Fund, Budget Unit)	**FY23-24**	**FY24-25**
State/Federal Funds	177,164.04	53,659.65
Total Funding Sources	177,164.04	53,659.65

**Projected amounts are estimates and are subject to change.*

Narrative Explanation of Financial Impact:
Revenues and expenditures related to the Netsmart agreement have been included in approved fiscal year 2023-2024 and FY 2024-2025 DHHS-Behavioral Health Administration budget unit 1170424. Funding sources include Federal and State financial participation for Medi-Cal specialty mental health, and State Realignment.

STAFFING IMPACT:

Narrative Explanation of Staffing Impact:
There are no adverse staffing impacts anticipated as a result of this agreement.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the attached software license and support services agreement with Netsmart Technologies, Inc. regarding the use and operation of the Avatar Electronic Health Record Software System and the provision of related support and maintenance services. However, this alternative is not recommended since it would result in DHHS – Behavioral Health being out of compliance with applicable local, state and federal laws, regulations and standards.

ATTACHMENTS:

Software License and Support Services Agreement with Netsmart Technologies, Inc. Regarding the Use and Operation of the Avatar Electronic Health Record Software System and the Provision of Related Support and Maintenance Services.

PREVIOUS ACTION/REFERRAL:

Meeting of: 12/13/06, 06/07/07, 04/11/11, 05/12/15, 06/28/16, 07/18/17, 11/13/18, 04/02/19
File No.: 18-1458, 19-351