



Board Report

File #: A 22-628, **Version:** 1

- a. Authorize the Chief Information Officer or his designee to execute Amendment No. 1 to the non-standard agreement with DocuSign to increase the total envelope allowance under the master agreement along with a Health Insurance Portability and Accountability Act (HIPPA) Business Addendum, increasing the contract by \$22,768 for a total not to exceed \$364,318; and
- b. Authorize the Chief Information Officer to execute service order forms and such documents as are necessary to implement the amendment; and
- c. Accept non-standard contract provisions as recommended by the Chief Information Officer; and
- d. Authorize the Chief Information Officer to sign up to three (3) amendments or renewals of one (1) year each, of the agreement, provided additional costs do not exceed ten percent (10%) of the cost of the prior year subject to County Counsel review and provided the terms of the agreement remain substantially the same.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Chief Information Officer or his designee to execute Amendment No. 1 to the non-standard agreement with DocuSign to increase the total envelope allowance under the master agreement along with a Health Insurance Portability and Accountability Act (HIPPA) Business Addendum, increasing the contract by \$22,768 for a total not to exceed \$364,318; and
- b. Authorize the Chief Information Officer to execute service order forms and such documents as are necessary to implement the amendment; and
- c. Accept non-standard contract provisions as recommended by the Chief Information Officer; and
- d. Authorize the Chief Information Officer to sign up to three (3) amendments or renewals of one (1) year each, of the agreement, provided additional costs do not exceed ten percent (10%) of the cost of the prior year subject to County Counsel review and provided the terms of the agreement remain substantially the same.

SUMMARY:

The Information Technology Department manages the County's DocuSign electronic workflow and signature automation business operations. The proposed Amendment increases the total envelope allowance under the master agreement by 10,000 to meet the needs of the County and includes a Health Insurance Portability and Accountability Act (HIPPA) Business Addendum ensuring the County follows federal law to protect sensitive patient health information.

DISCUSSION:

On March 24, 2020, the Board approved and adopted the Monterey County Policy on Electronic Signatures, citing DocuSign as one of the County's E-Signature Solution Providers.

The Health Department is seeking to use DocuSign to gather signatures on patient and other medical forms. This move will enable the Health Department to streamline their workflows and improve electronic record keeping. Pre-requisite to the use of DocuSign for patient forms and medical records, a Business Associate Agreement (BAA) between the County and DocuSign is required to confirm DocuSign's obligations to ensure that the County of Monterey's Health Department remains in compliance with the requirements of Health Insurance Portability and Accountability Act (HIPAA). This agreement is being added to the current DocuSign agreement as an addendum.

DocuSign's electronic signature technology is in use in all County departments to speed up processing with County departments and with County vendors. Usage analysis shows that DocuSign use has grown exponentially and that the County will exceed its current allowance of 50,000 envelopes by the end of January 2023 by about 5,000 envelopes. In addition, DocuSign use for patient and medical forms is expected to increase usage by about 1,000 envelopes per month for the rest of the current term. Thus, an allowance of an additional 10,000 envelopes is needed to ensure continuing operations and to avoid wasteful overage fees.

OTHER AGENCY INVOLVEMENT:

County Counsel approves as to form and makes note of the following provisions: non-standard payment terms, non-standard termination provisions; absence of indemnity and insurance provisions.

FINANCING:

The funds are included in the FY22-23 Adopted Budget for the Information Technology Department, ITD 1930, Appropriations Unit INF002. Fund requirements for future years will be included in all future year budget submittals.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The implementation of electronic signatures and automated workflow procedures has streamlined County document processes. The approval of the HIPPA Business Addendum will prepare the Health Department for expanding electronic signatures to patients, and ensures the County follows federal law.

☐ Economic Development
☒ Administration
☐ Health & Human Services
☐ Infrastructure
☐ Public Safety

Prepared by: Sandra Shaffer, Management Analyst III, 759-6957

Approved by:

Date: _____
Eric A. Chatham, Chief Information Officer, 759-6920

Attachments:
DocuSign Master Agreement
DocuSign HIPPA Business Addendum
DocuSign Order Form