



Monterey County

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Board Report

Legistar File Number: A 17-354

August 29, 2017

Introduced: 8/17/2017

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with DrFirst.com Inc.(DrFirst) for Software Licensing and Consulting Services at NMC, in the amount of \$249,000, with a retroactive starting July 1, 2017 through June 30, 2020; and
- b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard warranties and disclaimers, limitation of liability and mutual indemnification provisions with the Agreement; and
- c. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the Agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (\$24,900) of the original Agreement cost per each amendment.

RECOMMENDATION:

It is recommended the Board of Supervisors:

- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with DrFirst.com Inc.(DrFirst) for Software Licensing and Consulting Services at NMC, in the amount of \$249,000, with a retroactive starting July 1, 2017 through June 30, 2020; and
- b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard warranties and disclaimers, limitation of liability and mutual indemnification provisions with the Agreement; and
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SUMMARY/DISCUSSION:

Health organizations have implemented Electronic Health Records (EHR) to comply with Meaningful Use requirements dictated by the Centers of Medicare and Medicaid Service (CMS). DrFirst is a software suite that provides an electronic prescribing (e-prescribing) system, which allows physicians to electronically transmit prescriptions to pharmacies. This process has decreased prescribing and medication errors and has resulted in fewer call-backs from pharmacies to physicians for clarification. Electronically sending and receiving prescriptions has streamlined the clinical practice workflow, and patient satisfaction and compliance have increased. Additionally, connecting physician and pharmacy systems has

reduced paperwork and the associated mistakes that may occur from reliance on handwritten prescriptions. This change has produced time and cost savings for all parties involved.

NMC has contracted with DrFirst and has been e-prescribing since 2011. Up until recently, only medications that were not considered 'controlled substances' could be electronically prescribed. The electronic prescribing of controlled substance (EPCS) is now approved in California. NMC is now adding the DrFirst EPCS functionality to the existing e-prescribing functionality. This will allow clinicians to electronically prescribe all allowed medications including controlled substances for a patient.

DrFirst is the only vendor able to provide NMC with this type of technology primarily due to integration with our Electronic Health Record vendor, MEDITECH.

NMC's previous Agreement with DrFirst which was effective on May 31, 2011 had been amended several times throughout the years and the terms and scope were outdated. NMC determined it would be clearer and advantageous to create a new Agreement with DrFirst with updated terms and conditions for the current e-prescribing interface and the addition of the EPCS functionality. Negotiation of the terms and conditions of the agreement and of the included business associate agreement have taken over six months to complete. The previous agreement expired on June 30, 2017 but the parties were still negotiating terms and did not reach agreement until early August. This new agreement is, therefore, requested with a retroactive start date of July 1, 2017 because DrFirst allowed NMC continued use of the software product after expiration and during negotiations.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this Agreement as to legal form, and reviewed but declined to approve as to risk provisions. The Auditor-Controller has reviewed and approved as to payment provisions. The Agreement was reviewed by NMC's Finance Committee on February 23, 2017, and Board of Trustees on March 3, 2017.

FINANCING:

The total cost for this Agreement is not to exceed \$249,000, of which \$83,000 was included in the Fiscal Year 2017-18 Adopted Budget. Funding for future years of the Agreement will be included in those budgets, as appropriate. There is no impact to the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This agreement facilitates the electronic prescription process while integrating with the Electronic Health Record. This improves efficiency and accuracy with regards to patient care which equates to improved healthcare and equitable health opportunities at NMC.

- Economic Development
- Administration
- Health and Human Services
- Infrastructure

__ Public Safety

Prepared by: Karen Medalen, IT Project Manager, 783-2811

Approved by: Gary R. Gray, DO, Chief Executive Officer, 783-2504

Attachments:

DrFirst.com Inc. Agreement

Attachments are on file with the Clerk of the Board