



# Monterey County

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## Board Report

Legistar File Number: A 16-150

June 14, 2016

**Introduced:** 5/23/2016

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Agreement

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with Foley & Lardner LLP for Independent Consulting and Legal Services, for the term of May 1, 2016 through June 30, 2018, for a total Agreement amount not to exceed \$300,000; and
- b. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future one year amendments that do not exceed (10%) (\$30,000) of the original Agreement amount and do not significantly alter the scope of services.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with Foley & Lardner LLP for Independent Consulting and Legal Services, for the term of May 1, 2016 through June 30, 2018, for a total Agreement amount not to exceed \$300,000; and
- b. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future one year amendments that do not exceed (10%) (\$30,000) of the original Agreement amount and do not significantly alter the scope of services.

### SUMMARY/DISCUSSION:

Foley & Lardner LLP specializes in healthcare law, and has for years provided advice and counsel, in consultation with the Office of the County Counsel, on a variety of healthcare-related issues to Monterey County via the long-standing relationship with Natividad Medical Center. The firm's expertise in public healthcare law, in areas such as Medi-Cal funding, is of significant importance to the Health Department.

The Monterey County Health Department recommends using Foley & Lardner's consulting expertise to access legal advice with respect to healthcare matters, including Medicaid financing for safety net providers, healthcare transactions, provider agreements, and technology, privacy, and security matters.

This Agreement contains the County's standard 30-day "no cause" provision (Section 7.01), a "good cause" provision effective immediately (Section 7.02), and a defunding provision (Section 7.03).

This work supports the following Monterey County Health Department 2011-2015 strategic plan initiative: 1) Empower the community to improve health through programs, policies, and activities. It also supports one of the ten essential public health services, specifically: 6)

Enforce laws and regulations that protect health and ensure safety.

OTHER AGENCY INVOLVEMENT:

County Counsel and Auditor-Controller have reviewed and approved this Agreement as to legal form and fiscal provisions, respectively. A copy of this Agreement is on file with Clerk of the Board.

FINANCING:

This Agreement is funded by 2011 Realignment revenues (100%). The funds for this Agreement (\$300,000) are included in the Health Department's Behavioral Health (HEA012, Unit 8410) Fiscal Year 2016-17 Recommended Budget. Any unused contract authority will be fully budgeted in FY 2017-18 for the term of the Agreement.

Prepared By: Alica Hendricks, Management Analyst III, 1295

Approved By: Elsa Jimenez, Interim Director of Health, 4526

Attachments:

Agreement is on file with Clerk of the Board