



Monterey County

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Board Report

Legistar File Number: A 18-459

December 11, 2018

Introduced: 11/20/2018

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Approve and authorize the Director of Health or Assistant Director of Health to sign a two (2) year eSolutions Services Agreement (January 15, 2019 to January 14, 2021) with eSolutions, Inc. to provide services as a Medicare claims Clearinghouse in the amount of \$1,440 for January 15, 2019 to January 14, 2020 and \$1,140 for January 15, 2020 to January 14, 2021, for a total contract amount not to exceed \$2,580; and
- b. Accept the non-standard Agreement and risk terms regarding limitations of liability, mutual indemnification, and no insurance liability provisions, as recommended by the Director of Health; and
- c. Authorize the Director of Health or Assistant Director of Health to sign up to three (3) future amendments that do not exceed ten percent (10%) (\$258) 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 sign a two (2) year eSolutions Services Agreement (January 15, 2019 to January 14, 2021) with eSolutions, Inc. to provide services as a Medicare claims Clearinghouse in the amount of \$1,440 for January 15, 2019 to January 14, 2020 and \$1,140 for January 15, 2020 to January 14, 2021, for a total contract amount not to exceed \$2,580; and
- b. Accept the non-standard Agreement and risk terms regarding limitations of liability, mutual indemnification, and no insurance liability provisions, as recommended by the Director of Health; and
- c. Authorize the Director of Health or Assistant Director of Health to sign up to three (3) future amendments that do not exceed ten percent (10%) (\$258) of the original Agreement amount and do not significantly alter the scope of services.

SUMMARY/DISCUSSION:

In May of 2018, the County of Monterey, Health Department- Behavioral Health Bureau ("MCBH") received a notification from the Electronic Data Interchange Support Services that modem technology would no longer be supported effective October 1, 2018 for the direct submittal of Medicare claims to Noridian Healthcare Systems. All providers are required as part of this change to utilize a Network Service Vendor ("NSV") authorized to be a clearinghouse to submit Medicare claims for review and receive a response for Medicare claims approved and rejected. eSolutions, Inc. ("eSolutions") is an NSV authorized vendor that will enable MCBH to continue the Medicare claims process.

The Contractor has provided proof of Commercial General Liability and Automobile Liability and additional insured and primary and non-contributory endorsements, Workers' Compensation, and Errors and Omissions. However, Risk Management has reviewed and cannot approve the eSolutions' non-standard risk provisions. In order to maintain the continuity of Medicare claims

submittals with a NSV, it is the recommendation of the Director of Health that this Agreement be accepted despite the non-standard provisions that consist of limitations of liability, mutual indemnification and no insurance provisions. The eSolutions account setup and use does not involve downloading software to any County computer.

While this work is not directly in support of a Monterey County Health Department ("MCHD") 2018-2022 strategic initiatives, it is in support of one or more of the ten essential public health services, specifically: 6) enforce laws and regulations that protect health and ensure safety.

OTHER AGENCY INVOLVEMENT:

Information Technology, Office of County Counsel-Risk Management and the Auditor-Controller have reviewed and approved the Agreement as to technology form, legal form, and fiscal provisions, respectively. Risk Management has reviewed and cannot approve the non-standard risk provisions.

FINANCING:

This Agreement is funded by Federal Funding Participation (FFP) and Realignment funds. The funds (\$1,440) for this Agreement are included in the Health Department's Behavioral Health Bureau (HEA012, Unit 8410) FY 2018-19 Adopted Budget. The funds for this Agreement for FY 2019-20 and for FY 2020-21, respectively will be included in the Health Department's Behavioral Health Bureau (HEA012, Unit 8410) FY 2019-20 and FY 2020-21 Requested Budgets.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

☐ Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

☒ Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

☐ Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

☐ Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

☐ Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Alica Hendricks, Management Analyst III, 1295

Approved by: Elsa M. Jimenez, Director of Health, 4526

Attachment:

Agreement is on file with the Clerk of the Board