



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #:	A 17-092	Name:	ESO Agreement
Type:	BoS Agreement	Status:	Passed
File created:	3/24/2017	In control:	Board of Supervisors
On agenda:	4/18/2017	Final action:	4/18/2017
Title:	<p>a. Approve and authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Agency Director to execute a three (3) year Agreement with ESO Solutions, Inc. for the provision of a Unified Electronic Patient Care Reporting (ePCR) Solution for all county first responders, ambulance transport, hospitals, and communication agencies, retroactive to March 31, 2017 through March 30, 2020 for an amount not to exceed \$450,000.00; and</p> <p>b. Accept the non-standard risk terms regarding limitations on liability and indemnification, as recommended by the Director of Health; and</p> <p>c. Authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Agency Director, to sign up to three (3) future amendments to this Agreement where each amendment does not exceed ten percent (10%) (\$45,000) of the original Agreement and does not significantly change the scope.</p>		
Sponsors:	Ray Bullick		
Indexes:			
Code sections:			
Attachments:	1. Board Report, 2. ESO Agreement.pdf, 3. Completed Board Order		

Date	Ver.	Action By	Action	Result
4/18/2017	1	Board of Supervisors	approved	

- a. Approve and authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Agency Director to execute a three (3) year Agreement with ESO Solutions, Inc. for the provision of a Unified Electronic Patient Care Reporting (ePCR) Solution for all county first responders, ambulance transport, hospitals, and communication agencies, retroactive to March 31, 2017 through March 30, 2020 for an amount not to exceed \$450,000.00; and
- b. Accept the non-standard risk terms regarding limitations on liability and indemnification, as recommended by the Director of Health; and
- c. Authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Agency Director, to sign up to three (3) future amendments to this Agreement where each amendment does not exceed ten percent (10%) (\$45,000) of the original Agreement and does not significantly change the scope.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Agency Director to execute a three (3) year Agreement with ESO Solutions, Inc. for the provision of a Unified Electronic Patient Care Reporting (ePCR) Solution for all county first responders, transport, hospitals, and communication agencies, effective March 31, 2017 through March 30, 2020 for an amount not to exceed \$450,000.00; and
- b. Accept the non-standard risk terms regarding limitations on liability and indemnification, as recommended by the Director of Health; and
- c. Authorize the Director of Health, the Assistant Director or Health, or the Emergency Medical Services Agency Director, to sign up to three (3) future amendments to this Agreement where each amendment does not

exceed ten percent (10%) (\$45,000) of the original Agreement and does not significantly change the scope.

SUMMARY:

The Health Department seeks authorization to execute an Electronic Patient Care Reporting (ePCR) Solution Agreement for the provision of a unified Electronic Patient Care Reporting (ePCR) solution for all county first responders, transport, hospitals, communication, and other agencies within Monterey County.

DISCUSSION:

On September 30, 2015, the Governor approved Assembly Bill 1129. This bill revised California Health and Safety Code, Section 1797.227, which sets standards for documentation of EMS patient encounters and participation in a local EMS data system. The new state law now requires local emergency medical care providers to submit electronic data following the National EMS Information System (NEMSIS) or national standard. California's standard follows that national standard for tracking and reporting data. Currently, the various EMS providers in Monterey County use several different ePCR systems which do not meaningfully integrate with each other. Some providers still use handwritten PCRs. This makes the collection and analysis of system-wide data very difficult. In many cases, it is impossible. A single integrated ePCR will help the EMS System to provide better patient care, which is the primary aim of all quality improvement efforts.

Given that the implementation of a single integrated ePCR system county-wide is important for the Monterey County EMS system and to ensure compliance with the requirement of the new state law, the EMS Agency proposes to use CSA-74 monies to pay for the initial and continuing costs of ESO software, licensing, and database integration with communication centers, hospital systems, and health information exchange for those organizations that become part of the EMS Agency-provided ePCR data system at least until March 30, 2020, based on the needs of the EMS system and available CSA-74 funding.

ESO Solutions, Inc. was selected as the ePCR vendor for Monterey County Emergency Medical Services as a result of a formal Request For Proposal (RFP #10588) process conducted in late 2016. The Health Department seeks approval of non-standard provisions in the Electronic Patient Care Reporting (ePCR) Solution Agreement with ESO Solutions, Inc. The ePCR Agreement limits both parties' liability to damages resulting from a party's sole negligence or willful misconduct and limits the amount to the aggregate amount that contractor has collected from County, thus limit the County's legal remedies and the County's right to recover certain damages.

This work is not directly in support of a Health Department strategic initiative, it is in support of one or more of the ten essential public health services established by the California Department of Health, specifically: Enforce laws and regulations that protect health and ensure safety and evaluate effectiveness, accessibility, and quality of personal and population-based health services.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed the proposed Unified Electronic Patient Care Reporting (ePCR) Solution Agreement as to form and legality. Risk Management does not approve due to the modified liability and indemnification provisions

FINANCING:

There are no General Fund Impacts resulting from this Board action. The cost of the services to be provided under the proposed Agreement would be covered by the CSA-74 special tax (Fund 092). The funds for this Agreement for FY 2017-18, FY 2018-19, and FY 2019-20 will be included in the Health Department's Emergency Medical Services Bureau (HEA006, Unit 8109) respective FY 2017-18, FY 2018-19, FY 2019-20 Recommended Budgets.

EMS is funded by the CSA-74 special tax (Fund 092), which generates approximately \$1.8 million in funds each year, and the Uncompensated Medical Care fund (Fund 016), which generates approximately \$875,000 in funds each year. These are very consistent revenue source streams that can sustain the cost of the services to be provided under this agreement for the projected period.

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: Teresa Rios, Management Analyst III, 7082

Approved by: Elsa Jimenez, Director of Health, 4526

Attachments

Unified Electronic Patient Care Reporting (ePCR) Solution Agreement is on file with the Clerk of the Board