



# County of Monterey

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

## Legislation Details (With Board Report)

<b>File #:</b>	A 20-463	<b>Name:</b>	LexisNexis Agreement
<b>Type:</b>	BoS Agreement	<b>Status:</b>	Passed - Health Department
<b>File created:</b>	11/3/2020	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	11/17/2020	<b>Final action:</b>	11/17/2020
<b>Title:</b>	a. Approve and authorize the Director of Health or Assistant Director of Health to sign an Agreement with LexisNexis Risk Solutions Bureau LLC and LexisNexis Risk Solutions FL Inc. ("LexisNexis") incorporating by reference the terms set forth in the Master Service Agreement No. 5-17-70-12 between RELX Inc. and the State of California, Department of General Services to give the Monterey County Public Guardian Office access to the Accurant public-records database for term January 1, 2021 through December 31, 2021, for a contract amount not to exceed a total of \$2,760; and b. Approve recommendation of Director of Health to accept non-standard risk terms (disclaimer of warranties, limitation of liability, indemnification).		

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Board Report, 2. Agreement, 3. Item No. 21 Completed Board Order

Date	Ver.	Action By	Action	Result
11/17/2020	1	Board of Supervisors		

a. Approve and authorize the Director of Health or Assistant Director of Health to sign an Agreement with LexisNexis Risk Solutions Bureau LLC and LexisNexis Risk Solutions FL Inc. ("LexisNexis") incorporating by reference the terms set forth in the Master Service Agreement No. 5-17-70-12 between RELX Inc. and the State of California, Department of General Services to give the Monterey County Public Guardian Office access to the Accurant public-records database for term January 1, 2021 through December 31, 2021, for a contract amount not to exceed a total of \$2,760; and  
b. Approve recommendation of Director of Health to accept non-standard risk terms (disclaimer of warranties, limitation of liability, indemnification).

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Approve and authorize the Director of Health or Assistant Director of Health to sign an Agreement with LexisNexis Risk Solutions Bureau LLC and LexisNexis Risk Solutions FL Inc. ("LexisNexis") incorporating by reference the terms set forth in the Master Service Agreement No. 5-17-70-12 between RELX Inc. and the State of California, Department of General Services to give the Monterey County Public Guardian Office access to the Accurant public-records database for term January 1, 2021 through December 31, 2021, for a contract amount not to exceed a total of \$2,760; and  
b. Approve recommendation of Director of Health to accept non-standard risk terms (disclaimer of warranties, limitation of liability, indemnification).

### SUMMARY/DISCUSSION:

The Monterey County Health Department's Public Guardian/Administrator/Conservator's Bureau (Public Guardian) is mandated by law to take property and probate the estates of county residents who have passed away. Public Guardian is also the court appointed Probate Conservator for individuals who are unable to manage personal or financial affairs or resist fraud or undue influence, when there is no family or a qualified

third party to act pursuant to Probate Code. The Public Guardian also serves as Public Representative Payee pursuant to Board Resolution 81-43 for residents deemed incapable of managing their own entitlement benefits.

By law, the Public Guardian must give notice to all family members to the second degree for all persons that it seeks to file a conservatorship. The Public Administrator also has a legal duty to notify all heirs at law in all probate actions filed to administer a decedent's estate. The Public Guardian's office has had difficulty locating persons entitled to legal notice in some cases which has resulted in some cases being delayed and repeated court appearances necessary by County Counsel. Some of these additional appearances could have been avoided had the Public Guardian's office had a more sophisticated database to research current address and contact information for family members of clients. Additionally, the Public Guardian's office does not have an efficient tool for searching for contact information for relatives, resulting in time spent on google searching for information and making a lot of fruitless phone calls and emails to possible relatives. All this time could be saved by having a more robust and accurate search tool.

The Public Guardian and administrator also has a duty to make a diligent search for and protect real and personal property of conservatees and decedents whose estates are under the control of the Public Guardian's Office, and locating out of county properties can be very difficult without a robust research tool to identify real and personal property.

To assist with these mandates, the Public Guardian's office is seeking to extend for an additional year an agreement with LexisNexis that will continue to provide access to their electronic information database services with proprietary public record databases throughout the United States which will allow the Public Guardian to locate relatives, heirs, properties and assets of Public Guardian clients and related individuals who are entitled to receive notice of legal actions filed by the Public Guardian's office. The Public Guardian intends to utilize one license (for an annual cost of \$1380), but requests approval for of funds to cover up to two licenses in the event that there is a business need to have two licenses or order specialized reports.

On December 12, 2017, LexisNexis entered into a three-year Master Service Agreement with the State of California's Department of General Services. On September 22, 2020, the Master Services Agreement was Amended and the term extended to December 31, 2021. The Public Guardian's office will use this Agreement as the base for the Schedule A Agreement, which incorporates the Master Service Agreement in its totality.

While 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, specifically: 1. Monitor health status to identify and solve community health problems; 6. Enforce Laws and Regulations that Protect Health and Ensure Safety; and 7. Link people to needed personal health services and assure the provision of health care when otherwise unavailable.

#### OTHER AGENCY INVOLVEMENT:

The Office of County Counsel and the Auditor-Controller have reviewed and approved this Agreement as to legal form and fiscal provisions respectively.

#### FINANCING:

There are sufficient appropriations in the Health Department FY 2020-21 Adopted Budget for Public Guardian (HEA008-8118). Funds for this Agreement for FY 2021-22 will be included in Public Guardian's (HEA008-8118) Requested Budget.

#### 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: Frances Stevens, Management Analyst II, 755-4532

Approved by:

Date: \_\_\_\_\_

Elsa Jimenez, Director of Health, 755-4526

Attachments:

LexisNexis Agreement is on file with the Clerk of the Board