



# 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 21-355                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Name:</b>         | UpToDate Inc. Agreement     |
| <b>Type:</b>         | BoS Agreement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Status:</b>       | Health Department - Consent |
| <b>File created:</b> | 6/10/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>In control:</b>   | Board of Supervisors        |
| <b>On agenda:</b>    | 6/22/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Final action:</b> |                             |
| <b>Title:</b>        | <p>a. Approve and authorize the Director of Health or Assistant Director of Health to sign a three (3) year Subscription Agreement (August 1, 2021 to July 31, 2024) with UpToDate, Inc. to provide an UpToDate Anywhere Electronic Clinical Resource Subscription in the amount of \$10,450 for August 1, 2021 to July 31, 2022, \$11,077 for August 1, 2022 to July 31, 2023, and \$11,741 for August 1, 2023 to July 31, 2024, for a total contract amount not to exceed \$33,268; and</p> <p>b. Accept the non-standard Agreement, limited warranty, limitation of liability, and risk terms regarding indemnification and insurance provisions in the Agreement; and</p> <p>c. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$3,327) of the original Agreement amount and do not significantly alter the scope of services.</p> |                      |                             |

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Board Report, 2. Agreement, 3. Completed Board Order Item No. 40

| Date      | Ver. | Action By            | Action | Result |
|-----------|------|----------------------|--------|--------|
| 6/22/2021 | 1    | Board of Supervisors |        |        |

- a. Approve and authorize the Director of Health or Assistant Director of Health to sign a three (3) year Subscription Agreement (August 1, 2021 to July 31, 2024) with UpToDate, Inc. to provide an UpToDate Anywhere Electronic Clinical Resource Subscription in the amount of \$10,450 for August 1, 2021 to July 31, 2022, \$11,077 for August 1, 2022 to July 31, 2023, and \$11,741 for August 1, 2023 to July 31, 2024, for a total contract amount not to exceed \$33,268; and
- b. Accept the non-standard Agreement, limited warranty, limitation of liability, and risk terms regarding indemnification and insurance provisions in the Agreement; and
- c. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$3,327) 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 three (3) year Subscription Agreement (August 1, 2021 to July 31, 2024) with UpToDate, Inc. to provide an UpToDate Anywhere Electronic Clinical Resource Subscription in the amount of \$10,450 for August 1, 2021 to July 31, 2022, \$11,077 for August 1, 2022 to July 31, 2023, and \$11,741 for August 1, 2023 to July 31, 2024, for a total contract amount not to exceed \$33,268; and
- b. Accept the non-standard Agreement, limited warranty, limitation of liability, and risk terms regarding indemnification and insurance provisions in the Agreement; and
- c. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$3,327) of the original Agreement amount and do not significantly alter the scope of services.

#### SUMMARY/DISCUSSION:

The Behavioral Health Bureau (“BHB”) has a current Subscription Agreement with UpToDate, Inc, that expires July 31, 2021. UpToDate Anywhere is a leading web-based clinical research tool to obtain answers to clinical questions, including the latest evidence and clinical expertise and provides specific, practical recommendations for diagnosis and treatment at the point of care. The UpToDate Anywhere license allows authorized users access from any internet-enabled device including desktop computers, laptops, and mobile devices.

Approval of the recommended action will assure BHB psychiatrists and mid-level staff continued access to this valuable clinical resource.

The UpToDate account setup and use does not involve downloading software to any County computer, laptop or mobile device. The Contractor has provided proof of Commercial General Liability, Automobile Liability, Professional Liability, and Workers’ Compensation; however, cannot provide the County’s required additional insured and primary and non-contributory endorsements. The Health Department recommends the modification to the insurance requirements as this is an Internet-based subscription service that will not require on-site training or assistance.

This work supports the Monterey County Health Department 2018-2022 Strategic Plan Initiative: 3. Ensure access to culturally and linguistically appropriate, customer-friendly, quality health services and supports three of the ten essential public health services, specifically: 2. Diagnose and investigate health problems and health hazards in the community; 3. Inform, educate, and empower people about health issues; and 8. Assure competent public and personal health care workforce.

#### OTHER AGENCY INVOLVEMENT:

County Counsel and the Auditor-Controller have reviewed and approved the Agreement.

#### FINANCING:

This Agreement is funded by Federal Funding Participation (FFP), Realignment, and Mental Health Services Act (MHSA) funds. The total cost of this is for this Agreement is \$33,268. The FY 2021-22 Recommended Budget includes \$10,450 in the Health Department’s Behavioral Health Bureau (HEA012, Unit 8410). The funds for this Agreement for FY 2022-23 (\$11,077) and for FY 2023-24 (\$11,741) will be included in the Health Department’s Behavioral Health Bureau (HEA012, Unit 8410) FY 2022-23 and FY 2023-24 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, 796-1295

Approved by:

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

Elsa Mendoza Jimenez, Director of Health, 755-4526

Attachment:  
Agreement