



Revision to ASR and/or Attachments

Date: May 19, 2016
To: Clerk of the Board of Supervisors
CC: County Executive Office
From: Mark Refowitz, Agency Director, Health Care Agency
Re: ASR Control #: 16-000510, Meeting Date 5/24/16 Agenda Item No. # 59
Subject: Amendment for Electronic Health Record Systems

Mark Refowitz
E. Sa...
per M. Refowitz

Explanation: The Health Care Agency would like to revise and update Attachment B and D

- Revised Recommended Action(s)
- Make modifications to the:
 - Subject
 - Background Information
 - Summary
- Revised Attachments (attach copy of revised attachment(s))

Attachment B - Second Amendment to the Agreement for Behavioral Health Electronic Health Record System Services between County of Orange and Cerner Corporation

Revised pages 1 and 4

Attachment D - Redline Version to Attachment B

Revised page 402

APPROVED
MAY 19 2016
CLERK OF THE BOARD OF SUPERVISORS

1 SECOND AMENDMENT TO AGREEMENT FOR
 2 PROVISION OF BEHAVIORAL HEALTH
 3 ELECTRONIC HEALTH RECORD SYSTEM SERVICES
 4 BETWEEN
 5 COUNTY OF ORANGE
 6 AND
 7 CERNER CORPORATION
 8 SEPTEMBER 11, 2012 THROUGH JUNE 30, 2016
 9

10 THIS SECOND AMENDMENT TO AGREEMENT entered into this 25th day of May, 2016, which
 11 date is enumerated for purposes of reference only, is by and between the COUNTY OF ORANGE
 12 (COUNTY) and CERNER CORPORATION, a Delaware For-Profit Corporation (CONTRACTOR). The
 13 Original Agreement and this Second Amendment are and shall continue to be administered by the Director
 14 of the COUNTY’s Health Care Agency or his/her authorized designee (“ADMINISTRATOR”).
 15

16 **WITNESSETH:**

17 WHEREAS, on the 11th day of September, 2012, COUNTY and CONTRACTOR previously entered
 18 into that certain Agreement for the provision of Behavioral Health Electronic Health Records System
 19 Services for the period September 11, 2012 through June 30, 2016; and

20 WHEREAS, CONTRACTOR has successfully completed, and ADMINISTRATOR has accepted,
 21 Phase 1 of the Behavioral Health Electronic Health Records System; and

22 WHEREAS, ADMINISTRATOR desires to expand the capability of the Behavioral Health Electronic
 23 Health Records System and continue the rollout to COUNTY clinics; and

24 WHEREAS, CONTRACTOR desires to provide the services for Phase 2 for the period of July 1,
 25 2016 through June 30, 2017, and accept the additional funding of \$542,925, pursuant to the terms and
 26 conditions of the original Agreement;
 27

28 NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:
 29

- 30 1. Page 4, lines 3 through 8 of the Agreement is amended to read as follows:
 31 “**Term:** September 11, 2012 through June 30, 2017
 32 “Period One” means the period from September 11, 2012 through June 30, 2013
 33 “Period Two” means the period from July 1, 2013 through June 30, 2014
 34 “Period Three” means the period from July 1, 2014 through June 30, 2015
 35 “Period Four” means the period from July 1, 2015 through June 30, 2016
 36 “Period Five” means the period from July 1, 2016 through June 30, 2017”
 37 //

Item	Phase 2 System Application Software Licenses		Contractor Solution Code	Scope of Use Limit	License Software Costs	Monthly Support Fees
1	MPages Development Toolkit	MPages Development Toolkit/ PS-22700_02	PS-22700	188,000 Outpatient visits	\$148,798	\$2,480
2	MPages Development Toolkit	MPages Development Toolkit/PS-22700_02 Scope of Use Expansion	PS-22700	75,200	\$59,520	\$992
3	CareAware MultiMedia	CareAware MultiMedia- Digital Objects/MM-22260_04	MM-22260	500 Gigabytes	\$60,030	\$850
4	Foreign System Interface	Orders Incoming with Statuses	IF-29020	2775 FTE's	\$7,779	\$324
5	PowerChart	PowerChart Ambulatory	PV-20230	15 Providers	\$25,987	\$433

8. Attachment A.1 to the Agreement is amended to read as follows:

Payment Fiscal Year	Milestone #	Phase 2 EHR Scope of Work	Delivery Date: Weeks after contract execution	Planned Delivery Date	Amount for Payment Distribution	Payment %	Gross Payment \$ Due	Holdback %	Net Milestone Payment \$ after Holdback	Holdback \$	Phase 2 Contract Commitments	
2014-15		EHR Amendment Execution/ Asset Delivery	0	Jun 2015		23%	\$ 459,804		\$ 459,804	\$ -		
2014-15		Maintenance / Support / ASP 12month Prepay	0	Jun 2015		6%	\$ 110,952		\$ 110,952	\$ -		
		Payment Budget for 2014-15				29%	\$ 570,756		\$ 570,756	\$ -	\$ 576,429	
2015-16		Scope of Use Expansion HIM, Mpages	48	May 2016		10%	\$ 188,309		\$ 188,309			
2015-16		Support for Scope of Use Expansion - 13month	48	May 2016		2%	\$ 36,188		\$ 36,188			
2015-16		Maintenance / Support / ASP 12month Prepay	48	May 2016		6%	\$ 152,014		\$ 152,014			
2015-16	1	Design Review *	46	Apr 2016		11%	\$ 210,229	10%	\$ 189,206	\$ 21,023		
2015-16	2	Build validation *	48	May 2016		11%	\$ 210,229	10%	\$ 189,206	\$ 21,023		
2015-16	3	Integration Testing *	52	Jun 2016		9%	\$ 180,469	10%	\$ 162,422	\$ 21,023		
		Payment Budget for 2015-16				50%	\$ 977,437		\$ 917,344	\$ 60,093	\$ 993,437	
2016-17	4	Conversion and Go-Live *	60	Aug 2016		11%	\$ 210,229	10%	\$ 189,206	\$ 21,023		
2016-17	5	System Acceptance #1 *	64	Oct 2016					\$ 81,115	\$ -		
2016-17	6	Implementation and Conversion / Go-Live	100	Oct 2016		11%	\$ 210,229	10%	\$ 189,206	\$ 21,023		
2016-17	7	System Acceptance #2 - PM Uplift	108	Jun 2017					\$ 21,023			
		Payment Budget for 2016-17				21%	\$ 420,457		\$ 480,550	\$ 42,046	\$ 473,784	
		Total Payments for all years				100%	\$ 1,968,650		\$ 1,968,650		\$ 2,043,650	
		Total Holdbacks, payable at end of project, final acceptance, up to 90 days after final delivery								\$ 102,139		

* With the exception of Practice Management Uplift and Patient Accounting Optimization

In all other respects, the terms of the underlying Agreement, not specifically changed by this Amendment, shall remain in full force and are incorporated by reference herein.

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Payment Fiscal Year	Milestone #	Phase 2 EHR Scope of Work	Delivery Date: Weeks after contract execution	Planned Delivery Date	Amount for Payment Distribution	Payment %	Gross Payment \$ Due	Holdback %	Net Milestone Payment \$ after Holdback	Holdback \$	Phase 2 Contract Commitments
Total Cerner Contract Value for Phase 2					\$1,425,725						\$1,500,726
<i>(Excludes Travel Costs and M&S, Includes Taxes)</i>											
2014-15		EHR Amendment Execution/ Asset Delivery	0	Jun 2015		34%	\$ 484,268		\$ 484,268	\$ -	
2014-15		Maintenance / Support / ASP 12month Prepay	0	Jun 2015		8%	\$ 110,952		\$ 110,952	\$ -	
		Payment Budget for 2014-15				42%	\$ 595,220	10%	\$ 595,220	\$ -	\$ 601,128
2015-16	1	Design Review	8	Sep 2015		15%	\$ 207,626	10%	\$ 186,864	\$ 20,763	
2015-16	2	Build validation	16	Oct 2015		15%	\$ 207,626	10%	\$ 186,864	\$ 20,763	
2015-16	3	Integration Testing	24	Dec 2015		15%	\$ 207,626	10%	\$ 186,864	\$ 20,763	
2015-16	4	Conversion and Go-Live	32	Feb 2016		15%	\$ 207,626	10%	\$ 186,864	\$ 20,763	
2015-16	5	System Acceptance	46	Jun 2016		0%			\$ 83,051	\$ -	
		Payment Budget for 2015-16				58%	\$ 830,505	10%	\$ 830,505	\$ 83,051	\$ 894,598
Total Payments for both years						100%	\$ 1,425,725	10%	\$ 1,425,725		
Total Holdbacks, payable at end of project, final acceptance, up to 90 days after final delivery										\$ 83,051	

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2014-15		EHR Amendment Execution/ Asset Delivery	0	Jun 2015		23%	\$ 459,804		\$ 459,804	\$ -	
2014-15		Maintenance / Support / ASP 12month Prepay	0	Jun 2015		6%	\$ 110,952		\$ 110,952	\$ -	
		Payment Budget for 2014-15				29%	\$ 570,756		\$ 570,756	\$ -	\$ 576,429
2015-16		Scope of Use Expansion HIM, Mpages	48	May 2016		10%	\$ 188,309		\$ 188,309		
2015-16		Support for Scope of Use Expansion - 13month	48	May 2016		2%	\$ 36,188		\$ 36,188		
2015-16		Maintenance / Support / ASP 12month Prepay	48	May 2016		6%	\$ 152,014		\$ 152,014		
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		Payment Budget for 2015-16				50%	\$ 977,437		\$ 917,344	\$ 60,093	\$ 993,437
2016-17	4	Conversion and Go-Live *	60	Aug 2016		11%	\$ 210,229	10%	\$ 189,206	\$ 21,023	
2016-17	5	System Acceptance #1 *	64	Oct 2016					\$ 81,115	\$ -	
2016-17	6	Implementation and Conversion / Go-Live	100	Oct 2016		11%	\$ 210,229	10%	\$ 189,206	\$ 21,023	
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		Payment Budget for 2016-17				21%	\$ 420,457		\$ 480,550	\$ 42,046	\$ 473,784
Total Payments for all years						100%	\$ 1,968,650		\$ 1,968,650		\$ 2,043,650
Total Holdbacks, payable at end of project, final acceptance, up to 90 days after final delivery										\$ 102,139	

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