

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

January 28, 2025

FROM

JOSHUA DUGAS, Director, Department of Public Health

SUBJECT

Contract with PointCare LLC for Virtual Medi-Cal Enrollment Services for the Department of Public Health

RECOMMENDATION(S)

1. Approve **Contract No. 25-65** with PointCare LLC, including non-standard terms, to provide Medi-Cal virtual enrollment services and coverage management for a total amount of \$43,560, for the period of March 1, 2025, through February 28, 2026.
2. Authorize the Chair of the Board of Supervisors, Chief Executive Officer, or Director of the Department of Public Health to execute and submit any subsequent non-substantive amendments on behalf of the County, subject to review by County Counsel.
3. Direct the Director of the Department of Public Health to transmit all non-substantive amendments to this contract to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Joshua Dugas, Director, 387-9146)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The contract cost of \$43,560 is funded by Medi-Cal and direct patient payments. Adequate appropriation and revenue have been included in the Department of Public Health's (DPH) 2024-25 budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

The California Medical Assistance Program (Medi-Cal) is California's implementation of the federal Medicaid program serving low-income individuals, including families, seniors, persons with disabilities, children in foster care, and pregnant women. DPH is a Medi-Cal health care provider within the County, providing Primary Care, reproductive health services, pediatrics, immunizations, and many specialty health services to low-income residents through the department's Federally Qualified Health Centers (FQHCs) and community clinics in the region.

Approximately 40 percent of the patients served at DPH FQHCs and clinics are uninsured. Through the use of PointCare LLC (PointCare), DPH seeks to provide patients with additional Medi-Cal resources to apply for and maintain Medi-Cal coverage. This will expand the

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January 28, 2025**

healthcare resources available to patients as well as allow DPH to obtain reimbursement for services provided.

PointCare specializes in providing liaison support and proactive Medi-Cal/Medicaid coverage management to over 1.3 million members across the United States. PointCare offers patient application support through the use of the Vance Enrollment Companion (Vance), a digital online platform that is accessed from any computer or wireless device. Vance guides patients through the Medi-Cal application process and submits information electronically to the PointCare call center team. The dedicated call center team then acts as a liaison and works directly with County eligibility staff to complete the enrollment process on behalf of the patient.

Upon approval, PointCare services will be promoted at all DPH's FQHCs, mobile medical units, community clinics, and at various community events through marketing materials which contain a QR code. The QR code is scanned by a patient's wireless device to activate Vance, and the Medi-Cal application can be completed while a patient waits to be seen for their appointment.

The contract with PointCare is its standard commercial contract with terms that differ from the standard County terms as follows:

1. PointCare provides the product "AS IS" and disclaims all warranties of any kind.
 - There is no warranty requirement in the contract with PointCare. The standard contract requires its vendors and service providers to fully warrant the products and services they provide to the County.
 - Potential Impact: The County's use of the product is solely at its own risk.
2. The County is required to indemnify PointCare against third party claims of intentional or negligent acts or omissions by the County.
 - The County standard contract does not include any indemnification or defense by the County of a Contractor.
 - Potential Impact: By agreeing to indemnify PointCare, the County could be contractually waiving the protection of sovereign immunity. Claims that may otherwise be barred against the County, time limited, or expense limited could be brought against PointCare without such limitations and the County would be responsible to defend and reimburse PointCare for costs, expenses, and damages, which could exceed the total contract amount.
3. Limitations of liability to the County equal to the fees paid under the contract for the preceding twelve months.
 - The County standard contract does not include a limitation of liability.
 - Potential Impact: PointCare caps its liability to the County for all claims arising under the contract to fees paid over a twelve-month period. Claims could exceed the liability cap and the contract amount, leaving the County financially liable for the excess.

DPH recommends approval of the contract with Point Care, including the non-standard terms, for a one-year term of March 1, 2025 through February 2026 to further streamline the Medi-Cal application process through virtual enrollment services, which will expand access to healthcare resources to patients and increase reimbursements to DPH for services provided.

PROCUREMENT

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January 28, 2025**

Purchasing supports this noncompetitive selection of PointCare, due to the specialized nature of their services and proprietary use of their enrollment companion system Vance to provide virtual Medi-Cal application support and proactive coverage management.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on January 8, 2025; Finance (Iliana Rodriguez, Administrative Analyst, 387-4205) on January 8, 2025; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on January 10, 2025.

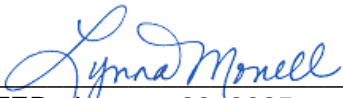
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: January 28, 2025



cc: PH - Ramos w/agree
 Contractor - c/o PH w/agree
 File - w/agree
CCM 01/29/2025