

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

August 6, 2024

FROM

JAMES LOCURTO, Director, Transitional Assistance Department

SUBJECT

Non-Financial Data Privacy and Security Agreement with the State of California Department of Health Care Services

RECOMMENDATION(S)

1. Approve non-financial Data Privacy and Security **Agreement No. 24-751** with the State of California Department of Health Care Services ensuring the privacy and security of Personally Identifiable Information is protected and maintained at the County level, for the period of September 1, 2024 through September 1, 2028.
2. Authorize the Chair of the Board of Supervisors, the Chief Executive Officer, or the Assistant Executive Officer for Human Services to execute any non-substantive amendments to the non-financial Data Privacy and Security Agreement with the State of California Department of Health Care Services pertaining to the privacy and security of Personally Identifiable Information, on behalf of the County, subject to review by County Counsel.
3. Direct the Assistant Executive Officer for Human Services to transmit all future amendments to the non-financial Data Privacy and Security Agreement to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: James LoCurto, Director, 388-0245)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

FINANCIAL IMPACT

Approval of this item does not impact Discretionary General Funding (Net County Cost) as the recommended Data Privacy and Security Agreement (PSA) is non-financial.

BACKGROUND INFORMATION

Under the terms of the recommended PSA, Human Services (HS) staff will be allowed to continue accessing the Medi-Cal Personally Identifiable Information (PII) contained in the Medi-Cal Eligibility Data System California Statewide Automated Welfare System, the Income and Eligibility Verification System, and in data received from the Social Security Administration and other sources. The purpose of this PSA is to ensure counties comply with the requirements to maintain the privacy and security of PII that the County accesses through the State of California Department of Health Care Services (DHCS).

The DHCS PSA is specific to the Medi-Cal program and ensures that the County and HS staff who access, use, or disclose customer PII will comply with the privacy and security requirements, and restrict access to data containing PII to only authorized employees who

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require the information to perform their official duties in public social services programs. The data contains PII that can be used alone, or in conjunction with any other reasonably available information, to identify a specific individual including, but not limited to, name, social security number, driver's license number, identification number, date of birth, place of birth, and/or mother's maiden name. The PII may be electronic, paper, verbal, or recorded.

This item also requests authorization for the Chair of the Board of Supervisors, the Chief Executive Officer, or the Assistant Executive Officer for Human Services to execute any amendments to the non-financial PSA on behalf of the County, subject to review by County Counsel. The request for approval of delegation of authority is due to DHCS short turnaround time for receipt of fully executed agreements and amendments.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by Human Services Contracts (Patty Steven, Contracts Manager, 388-0241) on June 26, 2024; County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on July 5, 2024; Finance (John Hallen, Administrative Analyst, 388-0208) on July 22, 2024; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on July 22, 2024.

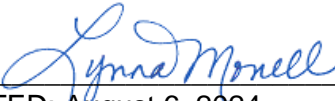
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: August 6, 2024



cc: TAD - Martinez w/agree for sign
Contractor - c/o TAD w/agree
File - w/agree
CCM 08/13/2024