

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

January 27, 2026

**FROM**

**JAMES LOCURTO, Director, Transitional Assistance Department**

**SUBJECT**

Non-Financial Confidentiality and Data Use Agreement with Kaiser Foundation Health Plan, Inc.

**RECOMMENDATION(S)**

Approve non-financial Confidentiality and Data Use **Agreement No. 26-64**, including non-standard terms, with Kaiser Foundation Health Plan, Inc., to provide the Transitional Assistance Department with information regarding mutual customers to promote retention and successful renewals for Medi-Cal coverage, for the period of January 27, 2026 through January 31, 2027. (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.**

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

**FINANCIAL IMPACT**

This agreement is non-financial in nature; therefore, it does not impact Discretionary General Funding (Net County Cost).

**BACKGROUND INFORMATION**

The Transitional and Assistance Department (TAD) administers public assistance programs in San Bernardino County (County), including Medi-Cal, California's Medicaid program serving low-income and disabled individuals. Eligibility for Medi-Cal must be reevaluated on an annual basis. Failure to complete and return an annual renewal to TAD can result in loss of benefits for individuals and their families.

Kaiser Foundation Health Plan, Inc. (KP) is a nonprofit integrated managed care health plan that administers the provision of covered Medi-Cal services to eligible Medi-Cal beneficiaries residing in the County. KP was designed to integrate evidence-based health care and prepaid financing of coverage to coordinate care across all settings and care teams. KP focuses on technologies, processes, and care approaches that benefit patients, members, and communities.

Under the terms of the recommended Confidentiality and Data Use Agreement (Agreement), KP will provide TAD with a complete list of County KP Members (Members) twice a month. TAD will update contact and demographic information received from KP to ensure Medi-Cal beneficiaries receive accurate and timely information regarding their Medi-Cal eligibility.

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KP will conduct general outreach to Members to encourage the completion and return of their renewal packets or provide needed information to TAD, to the extent permitted by federal and state law under this agreement.

The Agreement contains non-standard terms that require approval by the Board of Supervisors per County Policy 11-05. The non-standard terms include the following:

1. The Agreement does not require KP to meet the County's insurance standards as required pursuant to County Policy 11-07.
  - The County Policy requires partner agencies to carry appropriate insurance at limits and under conditions determined by the County's Risk Management Department.
  - Potential Impact: The Agreement does not include County standard insurance requirements. The County has no assurance that KP will be financially responsible for claims that may arise under the agreement, which could result in cost to the County.
2. The County is required to indemnify KP from all claims, actions, losses, damages, and/or liability arising out of this Agreement, but only to the extent caused by the negligent acts, errors or omissions of 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 KP, 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 KP without such limitations and the County could be responsible for reimbursing KP for costs, expenses, and damages.

TAD recommends approval of the Agreement with KP, including the non-standard terms, to ensure that Members receive accurate and timely information regarding their eligibility and/or successful renewals for Medi-Cal coverage.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by Human Services (Lisa Rivas-Ordaz, Contracts Manager, 388-0222) on November 25, 2025; County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on November 25, 2025; Risk Management (Stephanie Mead, Staff Analyst II Trainee, 386-9044) on November 25, 2025; and County Finance and Administration (John Hallen, Principal Administrative Analyst, 388-0208) on January 7, 2026.

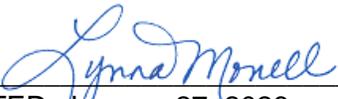
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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: January 27, 2026



cc: TAD - Ettari w/agree  
Contractor - c/o TAD w/agree  
File - w/agree  
CCM 01/30/2026