

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

August 20, 2019

FROM

TRUDY RAYMUNDO, Director, Department of Public Health

SUBJECT

Revenue Memorandum of Understanding and Business Associate Agreement with Molina Healthcare of California Partner Plan, Inc.

RECOMMENDATION(S)

1. Approve a revenue Memorandum of Understanding **Contract No. 19-595** with Molina Healthcare of California Partner Plan, Inc. for Medi-Cal services, in the amount of \$150,000, for the contract period of September 1, 2019 through August 31, 2022, with two automatic one-year renewals, for a full term of five years through August 31, 2024.
2. Approve and execute a Business Associate **Contract No. 19-596** required by Molina Healthcare of California, Partner Plan, Inc. for the Department of Public Health to engage in agreements which may use or disclose protected health information.

(Presenter: Trudy Raymundo, Director, 387-9146)

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.

FINANCIAL IMPACT

This Memorandum of Understanding (MOU) does not impact discretionary General Funding (Net County Cost). Services are reimbursable by Molina Healthcare of California Partner Plan, Inc. (Molina) and are estimated to generate \$50,000 annually in revenue to the Department of Public Health (DPH). Adequate appropriation and revenue have been included in the 2019-20 budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

Title XIX of the Social Security Act sets forth the requirements for the State of California's Medi-Cal program and as such, the agreement between the State of California and the federal government must be administered in conformity with the specific requirements of Title XIX and regulations outlined in the Code of Federal Regulations. Under Section 1932(a)(1)(A) of the Social Security Act, the State can amend its Medi-Cal state plan to require certain categories of beneficiaries to enroll in managed care entities. The State plan implemented a mandatory enrollment for San Bernardino County under a Two-Plan Model (TPM). Under this TPM, selected Medi-Cal beneficiaries in the County choose between a locally developed comprehensive managed care plan (Local Initiative Plan) and a non-governmental operated health maintenance organization (Mainstream Plan) for services.

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Molina was selected by the State as the Mainstream Plan, and Inland Empire Health Plan was selected as the Local Initiative Plan for San Bernardino and Riverside County beneficiaries. State-mandated MOUs are required with both plans to delineate responsibilities, standards, and reimbursement to DPH for selected services that they will continue to provide.

Approval of Recommendation No. 1 will allow DPH to enter into an updated MOU with Molina for Medi-Cal services and continue the partnership between DPH and Molina to provide health care services for the community's Medi-Cal population, for the period of September 1, 2019 through August 31, 2022, with two automatic one-year renewals, for a maximum term of five years. The MOU may be terminated by either party without cause, by giving at least 60 days written notice. This MOU updates contract language, delineates responsibilities of both DPH and Molina, including disease reporting requirements, service delivery arrangements, and method of reimbursement.

Approval of Recommendation No. 2 will allow DPH to enter into a Business Associate Agreement (BAA) necessary for agreements with Molina. The BAA, in conjunction with the Health Insurance Portability and Accountability Act (HIPAA), sets forth the terms and conditions pursuant to which protected health information (in any format) is used between DPH, known as the Business Associate, and Molina, known as the Covered Entity, and with third parties during the term of any agreements.

PROCUREMENT

Not Applicable.

REVIEW BY OTHERS

This item has been reviewed by Human Services Contracts (Jennifer Mulhall-Daudel, Contracts Manager, 388-0241) on August 2, 2019; County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on August 6, 2019; Finance (Christopher Lange, Administrative Analyst, 386-8393) on August 5, 2019; and County Finance and Administration (Tanya Bratton, Deputy Executive Officer, 388-0332) on August 5, 2019.

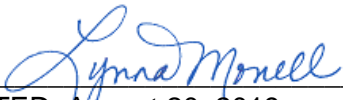
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Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Josie Gonzales Seconded: Dawn Rowe
Ayes: Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales
Absent: Robert A. Lovingood

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: August 20, 2019



cc: PH- Ordaz w/agree
 Contractor c/o PH w/agree
 File- w/agree
vh 08/23/2019