

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

December 17, 2019

FROM

WILLIAM L. GILBERT, Director, Arrowhead Regional Medical Center

SUBJECT

Approve Master Service Agreement and Addenda with DrFirst.com, Inc. to electronically prescribe medications and controlled substances

RECOMMENDATION

Approve the DrFirst.com, Inc. Master Service **Agreement No. 19-841** and Addenda in a total amount not to exceed \$520,910 to electronically prescribe medications and controlled substances for the contract period of December 17, 2019 through December 16, 2022.

(Presenter: William L. Gilbert, Director, 580-6150)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

FINANCIAL IMPACT

Approval of the agreements with DrFirst.com, Inc. (DrFirst) will not result in the use of Discretionary General Funding (Net County Cost) as the associated cost of \$520,910 for the Master Service Agreement and Addenda are funded by State Medi-Cal, Federal Medicare, private insurances, and other departmental revenue. Sufficient appropriation and revenue are included in the Arrowhead Regional Medical Center (ARMC) 2019-20 budget and will be included in future recommended budgets.

The estimated cost of the software is as follows:

Software License	Estimated Cost
RCOPIA	\$125,555.00
EPCS Gold	\$20,520.00
RCOPIA Ambulatory	\$21,375.00
SMARTSTRINGS	\$6,000.00 (with possible 3% increase each year)
Annual Cost	\$173,450.00
Total 3 Year Cost	\$520,910.00 (includes increase for SMARTSTRINGS)

BACKGROUND INFORMATION

The recommendation to approve the Master Service Agreement (MSA) and Addenda with DrFirst will enable Arrowhead Regional Medical Center (ARMC) to electronically sign and send prescriptions for general medications and medications classified as controlled substances to

**Approve Master Service Agreement and Addenda with DrFirst.com, Inc.
to electronically prescribe medications and controlled substances
December 17, 2019**

pharmacies. Beginning January 2020, Walmart and Sam's Club will only accept e-prescriptions for opioids; therefore to comply with this new requirement ARMC will purchase this software. In the past 12 months, ARMC patients have had 22,930 prescriptions filled at Walmart pharmacies.

Utilization of e-prescribing is an important element in improving the quality of patient care. E-prescribing allows prescribers to perform web-based medication reconciliation and to electronically send an accurate and understandable prescription directly to a pharmacy from the point-of-care. In the case of controlled substances, specifically, e-prescribing helps to prevent the manipulation of opioid prescriptions.

The DrFirst MSA and Addenda are its standard commercial terms, which contains terms that differ from the standard County contract. The non-standard terms include the following:

1. Limitations of liability to the County of a maximum of \$180,000 excluding DrFirst's gross negligence or willful misconduct.
 - The County standard contract does not include a limitation of liability.
2. The County may not terminate the contract for convenience.
 - The County standard contract gives the County the right to terminate the Contract, for any reason, with a thirty (30) day written notice of termination without any obligation other than to pay amounts for services rendered and expenses reasonably incurred prior to the effective date of termination.

Potential impacts of these non-standard provisions include:

1. DrFirst caps its liability to the County at a maximum of \$180,000 for all claims arising under the contract except for DrFirst's gross negligence or willful misconduct. Claims could exceed the liability cap and the contract amount leaving the County financially liable for the excess. In addition, the County's liability under the contract is not similarly limited.

ARMC recommends approval of the contract with DrFirst, including the non-standard terms, as the DrFirst Agreement will provide for the safety and health of County residents by streamlining and safeguarding the prescription transmittal process.

PROCUREMENT

This is a sole-source procurement based on an existing agreement between Meditech, ARMC's electronic healthcare records provider, and DrFirst. Meditech integrates DrFirst Rcopia Engine Services with software that is included in Meditech. Furthermore, Meditech has a strategic alliance to integrate DrFirst's medication history and e-prescribing technologies. Purchasing supports the non-competitive justification for this software.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Bonnie Uphold, County Counsel, 387-5455) on November 25, 2019; Purchasing Department (Michelle Churchill, Supervising Buyer, 387-2070) on November 26, 2019. Finance (Amanda Trussell, Principal Administrative Analyst, 387-4773) on December 5, 2019; and County Finance and Administration (Katrina Turturro, Deputy Executive Officer, 387-5423) on December 5, 2019.

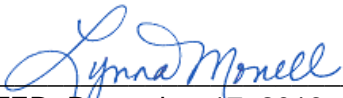
**Approve Master Service Agreement and Addenda with DrFirst.com, Inc.
to electronically prescribe medications and controlled substances
December 17, 2019**

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

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 17, 2019



cc: ARMC- Gilbert w/agree
Contractor- C/O ARMC w/agree
File- w/agree
la 12/20/2019