



**Health & Human Services
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: May 15, 2018

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Robert Hernandez		PHONE: 624-8000		

SUBJECT: Approve an agreement with NEC Networks LLC, dba CaptureRx

REQUEST(S):

That the Board of Supervisors:

1. Approve a 340B Third Party Administrator Pharmacy Services Agreement with NEC Networks LLC, dba CaptureRx (CaptureRx) retroactively from July 1, 2017 to June 30, 2020. This agreement is retroactive due to inadvertent delays in processing for approval. It was impracticable for the Board to take action prior to July 1, 2017 due to the time needed to process, prepare, and submit the agenda item ;
2. Find that the board had authority to enter into the proposed agreement as of July 1, 2017 and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorize the Chairman of the Board to sign three (3) copies of the agreement.

SUMMARY:

The County has an obligation under the Welfare and Institutions (W&I) Code Section 17000 to provide or arrange for medical care and pharmaceutical services via the 340B Drug Discount Program. The 340B Drug Discount Program is a federal program that allows participating drug manufacturers to provide discounted drug pricing to eligible healthcare organizations which serve the county's indigent and vulnerable population. Tulare County has a substantial number of individuals whose access to medical care is limited by the lack of transportation to medical

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services and/or the high cost of prescription medication. These limitations continue to be the primary causes for individuals not obtaining the necessary medical care.

Continuing the 340B Third Party Administrator Pharmacy Services are a vitally important part of medical treatment as they contribute to the cure and prevention of disease, the improvement and maintenance of personal health and help prevent the worsening of existing conditions. The result is improved personal health, less trips to a medical facility and the postponement of the need for long term medical care. The net effect is reduced overall costs.

Capture Rx has been providing third party pharmaceutical services to the County's indigent population through the federal 340B drug discount program. This agreement expired on June 30, 2017. Due to a miscommunication the agreement was not extended, yet clinic patients continued to make use of their services through the 340b drug discount program. The 340b discount program continued to benefit Tulare County residents by ensuring that discounted drug pricing was being made available. Tulare County did not incur costs during this expiration period. HHSa has implemented new protocols to prevent the need for future retroactive approval in the future.

HHSa is seeking board authorization to approve this retroactive agreement. Approval of the agreement with Capture Rx will ensure the continuation of the 340B program to eligible patients. This agreement will serve Tulare County's indigent clients and indirectly serve many of the over 8,000 clients who regularly seek services at the County's health care centers.

This agreement has been approved as to form by County Counsel. The following terms deviate from the standard County boiler plate: (1) The term of this agreement is multi-year; (2) Upon expiration of the initial three (3) year term, this Agreement shall be renewed automatically for one successive 3 year term unless terminated earlier; and (3) Governing law is in the State of Texas.

FISCAL IMPACT/FINANCING:

This agreement will have no fiscal impact on any HHSa programs, and continue to provide greater access, flexibility, convenience to the County's patients and the availability of discount drug pricing to County's indigent and vulnerable population. There is no County match requirement with this agreement and there is no additional net cost to the County general fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

This request furthers the Quality of Life Initiative which promotes public health and welfare. This agreement supports this initiative by continuing to provide access to specific contract pharmacies and ensures an improved quality of life for indigent 340B eligible clients who have no other means of securing the necessary pharmacy related services.

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ADMINISTRATIVE SIGN-OFF:



Karen M. Elliott

Director of Public Health

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) Agreement

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE AN) Resolution No. _____
AGREEMENT WITH NEC NETWORKS LLC,) Agreement No. _____
DBA CAPTURERX)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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2. Found that the board had authority to enter into the proposed agreement as of July 1, 2017 and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorized the Chairman of the Board to sign three (3) copies of the agreement.