



Monterey County

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: 21-247

March 23, 2021

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Authorize the County Administrative Officer to execute for and on behalf of the County of Monterey a Memorandum of Understanding with the State of California regarding the allocation of vaccines for COVID-19.

RECOMMENDATION:

It is recommended that the Board of Supervisors authorize the County Administrative Officer to execute for and on behalf of the County of Monterey a Memorandum of Understanding with the State of California regarding the allocation of vaccines for COVID-19.

SUMMARY/DISCUSSION:

The State of California has contracted with Blue Shield California to provide third-party administrator (“TPA”) services for the provision of COVID-19 vaccines to the various providers in the State. The general intent is for the TPA to provide coordinated vaccine allocation and distribution to the various entities authorized to administer the vaccines; essentially creating a state-wide provider network. The State initially required both public and private providers of vaccines to sign an agreement with Blue Shield (the “TPA Agreement”) in order to receive vaccine allocations. The State’s counties objected to the requirement to sign the TPA Agreement on a variety of bases, including that the requirement violated the State Constitution.

In response to the counties’ concerns, the State no longer requires counties to sign the TPA Agreement, but is requiring the counties to sign a memorandum of understanding (“MOU”) with the State in order to receive vaccine allocations. Monterey County has received a cover letter from the State requesting that the County sign the MOU, a copy of which is enclosed as Exhibit A. The current version of the MOU is enclosed as Exhibit B. A “frequently asked questions” sheet, prepared on behalf of the county counsels throughout the State, is enclosed as Exhibit C. The MOU and the TPA Agreement set up a bifurcated system whereby the counties will have the MOU, by which they will receive allocations from the TPA, and all other vaccine providers (in Monterey County, entities like Salinas Valley Memorial, CHOMP, Mee Memorial, pharmacies and federally qualified health clinics) will receive their vaccines from the TPA through the TPA Agreement.

In general, the MOU provides that the County will receive periodic allocations as determined by the TPA, which can then be redistributed to the County’s constituent entities that will provide the vaccines: Natividad, Health Department clinics, and the Public Health Bureau. The County will be limited in its receipt of vaccines to those allocated by the TPA, and will not be able to receive reallocations from other providers. Similarly, the County may not reallocate any of its vaccines to other entities. The State does not guarantee either a minimum or maximum amount of vaccine to be allocated. It should

be noted that the MOU refers to “patients” of the County, but that term is not used in the traditional sense; a person does not need to be an existing patient of Natividad or the Health Clinics to receive the vaccine.

The State has indicated that counties must sign the MOU no later than the end of March 2021, although it is unclear what the consequences would be if the MOU is not executed. In order to avoid any reduction or elimination of vaccines allocated to the County, it is recommended that Board authorize the CAO to execute the MOU, including any last minutes modifications as may be negotiated between the counties and the State, prior to the end of the month.

OTHER AGENCY INVOLVEMENT:

Natividad and the Health Department concur in the recommendation.

FINANCING:

There is no fiscal impact to the General Fund with the approval of the MOU.

CEQA:

This action is not a project pursuant to the California Environmental Quality Act.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This proposed program correlates to the Strategic Initiatives adopted by the Board of Supervisors by working towards the goals of improving health and quality of life outcomes to individuals and families, and to address the immediate threat to the public peace, health and safety.

Check the related Board of Supervisors Strategic Initiatives:

Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability, and transparency.

Health & Human Services:

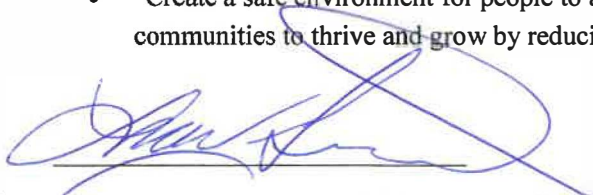
- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.



Dated: March 16, 2021

Approved by: Leslie J. Girard, County Counsel

Prepared by: Leslie J. Girard, County Counsel

Attachments: Ex. A - Cover letter
Ex. B - draft MOU
Ex. C - FAQs