



Agenda Date: 5/2/2006  
Agenda Placement: 6D

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Shelli Brobst for Randy Snowden - Director  
Health & Human Services  
**REPORT BY:** Shelli Brobst, Contracts Analyst, 253-4720  
**SUBJECT:** Amendment No. 1 to Agreement No. 4074 with Martin Forst, Ph.D.

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### **RECOMMENDATION**

Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4074 with Martin Forst, Ph.D., incorporating agency-wide changes to the General Terms and Conditions and revising the Scope of Work to include performance measurements for evaluation services related to the tobacco control program at no additional cost to the County.

### **EXECUTIVE SUMMARY**

The contractor conducts a state-required evaluation of the effectiveness of HHSA's tobacco control activities undertaken with youth, adults, merchants, community-based organizations, and policy makers. The requested amendment incorporates Agency-wide changes to the General Terms and Conditions and revises the Scope of Work to include specific performance measures.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

Guidelines issued by the California Department of Health Services (CDHS) in connection with its distribution of Proposition 99 Tobacco Control funding require Napa County, as the local lead tobacco control agency, to provide tobacco control activities. The County's Tobacco Control Plan is developed in consultation with the local Tobacco Advisory Board and must be approved by CDHS. The contractor develops tools to evaluate tobacco control activities as described in the Comprehensive Work Plan. The contractor also conducts data analysis and produces evaluation reports for each objective which requires an evaluation component. Further, the contractor provides the Agency with program recommendations based on the data analysis.

The requested amendment incorporates Agency-wide changes to the General Terms and Conditions (Section 2 of the Professional Services Agreement) which contain the County's requirements pertaining to all contractors (insurance, compliance, HIPAA, etc.). The Board approved General Terms and Conditions Version 7 at the December 6, 2005 meeting. The requested amendment also revises the Scope of Work to include specific performance measures at no additional cost to the County.

Dr. Forst is not a health care provider for purposes of HIPAA. This position was taken because there is no use or disclosure of protected health information by or to the vendor under this agreement. Thus, there is no need for a Business Associate Agreement with this provider.

#### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Lorenzo Zialcita