

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Behavioral Health and Recovery Services BOARD AGENDA # *B-3

Urgent

Routine

AGENDA DATE December 16, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of Amendment with Rogers Drug Stores Pharmacy, Inc. for pharmacy services - Behavioral Health and Recovery Services

STAFF RECOMMENDATIONS:

1. Approve the amendment to the agreement with Rogers Drug Stores Pharmacy, Inc.
2. Authorize the Behavioral Health Director, or her designee, to sign the amendment.

FISCAL IMPACT:

Funding in the amount of \$75,000 for the amendment to the agreement with Rogers Drug Stores Pharmacy, Inc. for pharmacy services was included in the Behavioral Health and Recovery Services approved budget for the Fiscal Year 2008-2009. There is no impact to the County General Fund.

BOARD ACTION AS FOLLOWS:

No. 2008-840

On motion of Supervisor Monteith, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, and Vice Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: District Two vacant

Abstaining: Supervisor: None

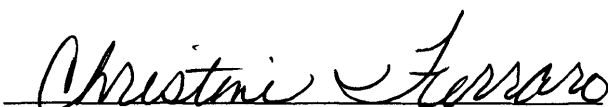
1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

Behavioral Health and Recovery Services previously contracted with Valley Pharmacy for outpatient pharmacy services. In May of 2008, Valley Pharmacy moved their business operations to Lodi, California. Since that time Valley Pharmacy has been providing partial pharmacy services by delivery, but has not provided walk-in services. In order to meet the needs of our clients, Behavioral Health and Recovery Services contracted with Rogers Drug Stores Pharmacy, Inc. for the pharmacy services not provided by Valley Pharmacy.

Having secured an urgently needed, short-term contract with Rogers Drug Stores Pharmacy, Inc., Behavioral Health and Recovery Services proceeded to issue a Request For Proposal for outpatient pharmacy services (RFP 08-63-SAS) on October 13, 2008. Two pharmacies attended the mandatory Pre-Bid Conference on October 28, 2008. On November 13, 2008 at 2:30pm, the Request For Proposal process was officially closed. No responses were received.

The Department has a current contract with Rogers Drug Stores Pharmacy, Inc. to provide pharmacy services, through December 31, 2008. Rogers Drug Stores Pharmacy, Inc has agreed to an amendment to the current contract to extend it's outpatient pharmacy services at the same rate until June 30, 2009, which coincides with the end of the current fiscal year. The Department is now requesting approval of the contract extension in the amount of \$75,000.

POLICY ISSUE:

Approval of this agenda item supports the Board of Supervisors' priorities of *A healthy community, A safe community, and the Efficient delivery of public services.*

STAFFING IMPACT:

There is no staffing impact associated with the approval of this agenda item.

**SECOND AMENDMENT TO INDEPENDENT
CONTRACTOR SERVICES AGREEMENT**

This Second Amendment is made and entered into on December 17, 2008, in the City of Modesto, State of California, by and between the County of Stanislaus ("County"), and Rogers Drug Stores Pharmacy, Inc., a California Professional Corporation ("Contractor").

WHEREAS, Contractor provides outpatient pharmacy services to treat the psychiatric illnesses of its uninsured outpatient clients throughout Stanislaus County; and

WHEREAS, Contractor provides pharmacy-consulting and delivery services to County.

WHEREAS, County has requested and Contractor has agreed to extend the existing Agreement through June 30, 2009 to ensure outpatient pharmacy services to clients of Stanislaus County Behavioral Health and Recovery Services.

NOW, THEREFORE, effective January 1, 2009, in consideration of the mutual promises, covenants, terms and conditions hereinafter contained, the parties hereby agree that the Agreement entered into on July 1, 2008 and amended on August 1, 2008 is hereby amended again to add 14.5 to Exhibit A, Section A, Scope of Work, Item 14, to delete Exhibit A, Section B Compensation and replace in its entirety, and to extend the term of the Agreement Exhibit A, Section E. The changes are incorporated into the Agreement as follows:

I. **A. Scope of Work**

14. Pharmacy consulting services to COUNTY, including telephone consultation as requested.

14.5 CONTRACTOR shall provide a yearly training for medical doctors and registered nurses on the subjects of storage, handling and dispensing samples at clinic sites.

B. **Compensation**

1. COUNTY shall pay CONTRACTOR for prescriptions provided to uninsured clients during the term of the Agreement at the Average Wholesale Price (AWP) minus seventeen percent (17%), plus an \$8.00 dispensing fee per uninsured prescription.

2. CONTRACTOR shall submit to COUNTY a monthly-itemized invoice to COUNTY for prescriptions provided to COUNTY's uninsured clients. The invoice shall include any attachments necessary that provide the following: Client Name, Medication Name, Quantity Dispensed, County Cost, Prescription Number, and prescribing physician. Total payments made for services under this agreement shall not exceed \$75,000.

3. CONTRACTOR shall reconcile monthly and submit to COUNTY information on prescriptions filled during the month.

III. **E. Term**

These services shall be performed from time to time as requested by COUNTY for the period commencing January 1, 2009 and continuing

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through June 30, 2009

- IV. All other terms and conditions of said Agreement shall remain in full force and effect.

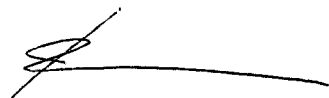
In witness whereof, the parties have executed this Amendment on the day and year as written above.

**COUNTY OF STANISLAUS
BEHAVIORAL HEALTH AND
RECOVERY SERVICES**

ROGERS DRUG STORES PHARMACY, INC.

By: 
Denise C. Hunt, RN, MFT
Behavioral Health Director

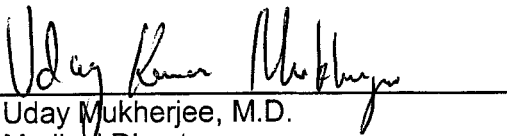
"County"

By: 
B. Ben Prasad
Owner/President/Pharmacist

"Contractor"

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:
John P. Doering, County Counsel

By: 
Uday Mukherjee, M.D.
Medical Director

By: 
Vicki Fern de Castro
Deputy County Counsel

BOS Action Item: 2008-840, December 16, 2008