



Travis County Commissioners Court Agenda Request

Meeting Date: November 26, 2013

Prepared By/Phone Number: Danny Hobby, 854-4416

Elected/Appointed Official/Dept. Head: Danny Hobby

Commissioners Court Sponsor: County Judge Samuel T. Biscoe

AGENDA LANGUAGE:

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN AMENDMENT TO AGREEMENT FOR TRANSPORT HELICOPTER SERVICES AMONG TRAVIS COUNTY, ST. DAVID'S MEDICAL CENTER AND PEDIATRIX MEDICAL SERVICES, INC. D/B/A MAGELLA MEDICAL ASSOCIATES.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

Travis County, St. David's Medical Center, and Pediatrix Medical Services, Inc. entered into an "Agreement For Transport Helicopter Services Among Travis County, St. David's Medical Center and Pediatrix Medical Services, Inc." ("Agreement") which continues in full force, and automatically renews each year for a one year term.

The parties in the Agreement desire to amend the Agreement to further comply with changes in the Health Insurance Portability and Accountability Act ("HIPAA") regulations applicable to the parties. See attached Amendment.

STAFF RECOMMENDATIONS:

Emergency Services and STAR Flight recommend approval of this request.

ISSUES AND OPPORTUNITIES:

The Amendment allows all the parties to comply with changes in HIPAA regulations and continue to provide mutually collaborative medical services to critical care patients in our region.

FISCAL IMPACT AND SOURCE OF FUNDING:

There is no fiscal impact with this request.

REQUIRED AUTHORIZATIONS:

Barbara Wilson, County Attorney's Office

William Derryberry, PBO

Kapp Schwebke, Auditor's Office

Mike Long, Purchasing Office

Toby Fariss, Emergency Services

EMERGENCY SERVICES

DANNY HOBBY, COUNTY EXECUTIVE
P. O. Box 1748
AUSTIN, TEXAS 78767
(512) 854-4416, FAX (512) 854-4786



*Emergency Management
Pete Baldwin, Emergency
Mgmt. Coordinator*


*Fire Marshal
Hershel Lee*

*Chief Medical Examiner
Dr. David Dolinak*

*STAR Flight
Casey Ping, Program
Director*

MEMORANDUM

To: Travis County Commissioners Court

From: Danny Hobby, County Executive, Emergency Services 

Date: November 18, 2013

Subject: Amendment to Critical Care Agreement with St. David's Medical Center and Pediatrix Medical Services, Inc.

Travis County, St. David's Medical Center, and Pediatrix Medical Services, Inc. entered into an "Agreement For Transport Helicopter Services Among Travis County, St. David's Medical Center and Pediatrix Medical Services, Inc." ("Agreement") which continues in full force, and automatically renews each year for a one year term.

Under the Agreement the parties mutually collaborate to provide appropriately staffed **STAR Flight** transport helicopter services involving the transport of neonatal and maternal patients from hospitals located in Central Texas respectively to the Neonatal Intensive Care unit or the Labor and Delivery unit at St. David's Medical Center when needed to improve clinical care of these patients.

The parties in the Agreement desire to amend the Agreement to further comply with changes in the Health Insurance Portability and Accountability Act ("HIPAA") regulations applicable to the parties. See attached Amendment.

Please let me know if you need additional information.

AMENDMENT TO
AGREEMENT FOR TRANSPORT HELICOPTER SERVICES
AMONG TRAVIS COUNTY, ST. DAVID'S MEDICAL CENTER AND
PEDIATRIX MEDICAL SERVICES, INC. d/b/a MAGELLA MEDICAL ASSOCIATES

This AMENDMENT TO AGREEMENT FOR TRANSPORT HELICOPTER SERVICES AMONG TRAVIS COUNTY, ST. DAVID'S MEDICAL CENTER AND PEDIATRIX MEDICAL SERVICES, INC. d/b/a MAGELLA MEDICAL ASSOCIATES ("Amendment") is entered by

St. David's Healthcare Partnership, L.P., LLP d/b/a St. David's Medical Center ("SDMC") and

Pediatrix Medical Services, Inc., a non-profit corporation, incorporated in Texas and certified by the Texas Medical Board pursuant to Section 162.001 (b) of the Texas Medical Practice Act, ("Pediatrix");

TRAVIS COUNTY ("County")

RECITALS

SDMC, County and Pediatrix entered into an "Agreement For Transport Helicopter Services Among Travis County, St. David's Medical Center, and Pediatrix Medical Services, Inc.," ("Agreement") which is continuing in full force, and automatically renewing each year for a one (1) year term.

Under the Agreement, SDMC, County and Pediatrix mutually collaborate to provide appropriately staffed *STAR Flight* transport helicopter services (as further defined in the Agreement) involving the transport of neonatal and maternal patients from hospitals located in Central Texas respectively to the Neonatal Intensive Care unit or the Labor and Delivery unit at St David's Medical Center when needed to improve clinical care of these patients.

SDMC, County and Pediatrix desire to amend the Agreement to further comply with the changes in the regulations applicable to the parties.

AMENDMENT

1. Article IX. [HIPAA], Section a. Article IX HIPAA, Section a. of the Agreement is deleted in its entirety and replaced with the following Article IX HIPAA; HITECH; and Similar Texas State Confidentiality Requirements, Section a.:

"IX. HIPAA; HITECH; AND SIMILAR TEXAS STATE CONFIDENTIALITY REQUIREMENTS.

- a. During the performance of this Agreement each party may learn or receive from another party, or create or receive on behalf of

another party, patient healthcare, billing, or other confidential patient information ("Patient Information"). Patient Information, as that term is used in this Agreement, includes all "Individually Identifiable Health Information" ("IIHI") and/or "Protected Health Information" ("PHI") (as those terms are defined by the *Health Insurance Portability and Accountability Act of 1996* ("HIPAA"), as amended. The parties agree to comply with: (1) HIPAA; (2) *the Health Information Technology for Economic and Clinical Health Act of 2009* (the "HITECH Act"), and all current and future regulations promulgated under HIPAA and the HITECH Act that govern or pertain to the confidentiality, privacy, and security of health information including electronic information and transaction code sets, as amended from time to time. In addition, the parties agree to comply with similar Texas State laws, rules, and regulations pertaining to the confidentiality of patient information, including without limitation, the "*Texas Medical Records Privacy Act*" (codified at Texas Health & Safety Code Section 181) and the "*Texas Identity Theft Enforcement & Protection Act*" (codified at Texas Business & Commerce Code, Section 521), as amended from time to time (collectively, the "Confidentiality Requirements"). This provision shall survive the termination of this Agreement.

2. **No other Addenda, Modifications or Changes.** All other provisions of the Agreement not specifically amended by this Amendment remain in full force. Any other action to amend the Agreement must be in the form of a written document signed by the parties.
3. **Effective Date.** This Amendment is effective July 1, 2013.
4. **Authorized Representatives.** Authorized representatives of the parties have executed this First Amendment on the date adjacent to their names.

[SIGNATURES CONTINUED ON NEXT PAGE]

"TRAVIS COUNTY"

TRAVIS COUNTY,
a political subdivision of the State of Texas

By: _____
Samuel T. Biscoe, County Judge

Date: _____

"PEDIATRIX"

PEDIATRIX MEDICAL SERVICES, INC.

By: _____
James Swift, M.D.
President

Date: 10/23/2014

"SDMC"

ST. DAVID'S HEALTHCARE PARTNERSHIP, L.P.,LLP

d/b/a ST. DAVID'S MEDICAL CENTER

By: _____
Don Wilkerson
CEO, St. David's Medical Center

Date: 9-24-13