



El Dorado County Emergency Services Authority

Board of Directors Special Meeting

Monday, March 10, 2014, **2:30 p.m.**

Diamond Springs Fire Station #49 – Conference Room

AGENDA

Item	Presenter
1. Call to Order/Roll Call/Introductions	Roberts
2. Approval of Agenda	Roberts
3. Public Comments - Public comments will be received on each agenda item as it is called. The public may address matters not on the agenda at this time. Individual comments will be limited to three (3) minutes. The Board reserves the right to waive said rules by a majority vote.	
4. Closed Session - Pursuant to Government Code Section 54956.9 (b) Conference with Legal Counsel - Significant Exposure to Litigation: One case - Marshall Medical Center Claim.	Roberts
5. Old Business 5.1 EMSA/JPA Correspondences Regarding PHI	Hackett
6. Fiscal Items 6.1 Approve FY 13/14 Budget Amendment for \$52K Unpaid OPEB Liability to El Dorado County Fire per Audit Finding for FY 12/13 6.2 Approve FY 14/15 Preliminary Budget	Hackett
7. Director Items	Roberts
8. Adjournment	Roberts

Next meeting: 9:30 a.m. on Wednesday – **March 26, 2014**

COUNTY OF EL DORADO

HEALTH & HUMAN SERVICES

Don Ashton, M.P.A.
Director

Public Health Division
Chris Weston
Program Manager II

931 Spring Street
Placerville, CA 95667
530-621-6100 Phone / 530-295-2501 Fax

1360 Johnson Boulevard, Suite 103
South Lake Tahoe, CA 96150
530-573-3155 Phone / 530-541-8409



BOARD OF SUPERVISORS

RON "MIK" MIKULACO
District I
RAY NUTTING
District II
BRIAN K. VEERKAMP
District III
RON BRIGGS
District IV
NORMA SANTIAGO
District V

February 28, 2014

Marty Hackett, Executive Director
El Dorado County Emergency Services Authority
480 Locust Road
Diamond Springs, CA 95619

RE: PHI Breach

Dear Marty,

Thank you for your response letter dated February 26, 2014. On reviewing your letter, it became apparent that many of the questions asked were unanswered. Your letter was very specific in identifying your assessment of the potential breach and provided your contractors advice, but failed to provide answers to the specific information I was requesting to determine, from the County's perspective, if a potential breach occurred. To ensure I am provided the opportunity to review all of the circumstances surrounding this event, I am again requesting the following information be provided to the County within five (5) business days from the date of this letter.

What instigated the breach? How was the security of the information compromised?
 What caused the disruption of security integrity?
 How long did it last from start to finish? Provide security logs noting discovery to resolution.
 Who accessed the information and how often for each occurrence? Provide security logs.
 Was this incident system/network wide?
 How many clients were involved? Provide the identification of each individual whose unsecured protected health information has been, or is reasonably believed to have been accessed.
 What specifically was done to resolve the situation?
 What is the security protocol that is used for remote access?
 How often has this type of access occurred in the last 30 days? Provide security monitoring records for the last 60 days.
 What steps have been taken to ensure the breach will not happen again? Provide a summary of corrective action taken by Forte Holdings.

In addition to providing a response to the above questions, please provide a copy of the contract for services with Forte Holdings for the iPCR product and all Forte Holdings HIPAA Policies and procedures.

Vision Statement:
Transforming Lives and Improving Futures

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I anticipate your response within five (5) business days from the date of this letter. Your assistance in providing the requested answers/documentation in a timely manner is greatly appreciated.

Should you have any questions or concerns regarding this request, I can be reached at (530) 621-6505.

Sincerely,



Richard Todd, Administrator
El Dorado County EMS Agency
2900 Fair Lane Court
Placerville, CA 95667

Cc: Don Ashton, Director, Health and Human Services Agency
Chris Weston, Program Manager II
Kay Ann Markham, Deputy County Counsel
Sherri Adams, Principal Risk Management Analyst/Safety Officer



El Dorado County Emergency Services Authority

480 Locust Road
Diamond Springs, CA 95619
Tel (530) 642-0622 Fax (530) 642-0628
www.edcipa.org

March 5, 2014

Richard Todd
EMS Administrator
County of El Dorado
2900 Fair Lane Court
Placerville, CA 95667

Dear Mr. Todd,

I am writing in response to your reply letter dated February 28, 2014. I numbered the questions in your letter and forwarded them to Mr. Schwartz, CEO for Forte Holdings Inc. and asked that he respond to them. I received a response letter from him on Wednesday, March 5, 2014. I have attached his response letter to my e-mail correspondence with you along with copies of our iPCR contract and HIPAA business associate agreements.

You will see in Mr. Schwartz letter that they are unaware of any HIPAA related breach and he confirmed this through a 3rd party HIPAA compliancy company they contracted with to conduct such assessments. At the request of the 3rd party HIPAA compliancy company Forte Holdings Inc. ran a routine risk-analysis test to see if there were any signs of login from outside our agency and they found there has been no outside login.

The JPA concurs with Mr. Schwartz that a breach of the iPCR system did not occur. The questions you have were answered by Mr. Schwartz in his letter.

Sincerely,

A handwritten signature in black ink that reads "Martin Hackett".

Martin Hackett
Executive Director
Enclosures: 4

cc: Don Ashton, Director, Health and Human Services Agency
Chris Weston, Program Manager II
Kay Ann Markham, Deputy County Counsel
Sherri Adams, Principal Risk Management Analyst/Safety Officer



5137 Golden Foothill Pkwy, Suite 110
El Dorado Hills, CA 95762
800.456.2622
www.forteholdings.com

March 5th, 2014

Marty Hackett, Executive Director
El Dorado County Emergency Services Authority
480 Locust Road
Diamond Springs, CA 95619

Dear Mr. Hackett,

I have received your letter dated 3/4/2014 regarding questions your office has been asked from Mr. Rich Todd with the EMS Agency. As mentioned on our phone call last week, Forte did not report any HIPAA related breach as we are unaware of any HIPAA related breach. As you can imagine, this makes the below questions somewhat difficult to answer in a normal way since based on the information I have, the questions are invalid. However, keeping the same order of the questions, here are the answers to the questions that assumed there was a HIPAA related issue:

- 1) Forte is unaware of any breach and is unaware of any compromised information.
- 2) Forte is unaware of any breach and is unaware of any compromised information.
- 3) Forte is unaware of any breach hence there is not "start" "finish" "discovery" or "resolution".
- 4) Forte is unaware of any breach thereby there is not any log of such breach.
- 5) Forte is unaware of any breach so there is no way to comment on an "incident".
- 6) Forte is unaware of any breach so we are unaware of any of your clients being involved.
- 7) Forte is unaware of any breach so we are unaware of any situation requiring resolution.
- 8) I believe this is a question that may not pertain to Forte at all. If it is your understanding that it does, please provide further explanation about what is being asked and I will endeavor to answer.
- 9) Forte is unaware of any breach so there is no negative access to compare this against.
- 10) Forte is unaware of any breach so there is no corrective action that could be taken.

As you are aware we take HIPAA compliance seriously. This is why we contracted with a 3rd party company to review the application and work with us to achieve the certification that we did. In your letter you mentioned a "software error that affected authorized Normal User system access". In order to

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Class 30: Wages/Benefits	JPA FY 13/14 Admin	El Dorado County Fire	Diamond Springs Fire	Georgetown Fire	Cameron Park Fire	El Dorado Hills Fire	TOTAL
3000 Reg. Employees	129,000.00	\$4,000,000.00	\$1,000,000.00	\$986,880.34	\$939,195.00	\$1,000,000.00	8,055,075.34
3001 Extra Help	0.00						
3002 Overtime	12,000.00						12,000.00
3004 Other Comp	1,566.00						1,566.00
3020 Retirement	0.00						
3021 Social Security	8,900.00						8,900.00
3022 Medicare	1,865.77						1,865.77
3040 Health Ins.	86,000.00						86,000.00
3041 Fed. Unempl.	0.00						
3042 Disability Ins.	0.00						
3043 Deferred Comp.	0.00						
3044 Vision Insurance	0.00						
3046 Retiree Health	407552+51000						458,552.00
3060 Workers' Comp	2,250.00						2,250.00
3080 Life/Flexible Benefits	0.00						
CLASS 30: TOTALS	\$241,581.77	\$4,000,000.00	\$1,000,000.00	\$986,880.34	\$939,195.00	\$1,000,000.00	\$8,626,209.11

Amended Request - 3-5-14

FY 12/13 unpaid OPEB liability to EDCF-Audit

Class 40: Serv/Supplies	JPA Admin	El Dorado County Fire	Diamond Springs Fire	Georgetown Fire	Cameron Park Fire	El Dorado Hills Fire	TOTAL
4020 Clothing	0.00						
4021 Fire Turnouts	0.00	\$10,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	26,000.00
4022 Uniforms	0.00						
4040 Communications	\$1,034,250.00						1,034,250.00
4060 Inservice Food	100.00						100.00
4080 Household Exp.	200.00	\$4,000.00	\$1,600.00	\$1,600.00	\$1,600.00	\$1,600.00	10,600.00
4085 Refuse Disposal	0.00						
4087 Extermination	0.00						
4100 Insurance	\$30,000.00						30,000.00
4140 Maint: Equip.	20,000.00						20,000.00
4141 Maint: Office Equip	0.00						
4142 Maint: Radio	4,000.00						4,000.00
4145 Maint: Equip. Prts	0.00						
4160 Vehicle Maint	100,000.00						100,000.00
4162 Veh Maint:Sup	15,000.00						15,000.00
4164 Veh Maint: Tires	20,000.00						20,000.00
4165 Veh Maint: Oils	3,000.00						3,000.00
4180 Maint: Bldg/Imp	1,000.00						1,000.00
4182 Structures Maint	0.00						
4200 Medical Supplies	440,000.00						440,000.00
4220 Memberships	0.00						
4260 Office Expense	5,000.00	\$3,750.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	14,750.00
4261 Postage	150.00						150.00
4263 Subscriptions	0.00						
4266 Printing	150.00						150.00
4300 Professional Serv	20,000.00						20,000.00
4304 Admin Fees	160,000.00						160,000.00
4324 Medical	0.00						
4400 Publicat/Legal	500.00						500.00
4420 Rent/Lease/Equip	3,000.00						3,000.00
4440 Rent/Lease/Bldg	13,200.00						13,200.00
4460 Equip: Sm Tool	0.00						
4461 Equipment: Minor	5,000.00	\$2,500.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	11,500.00
4462 Equip: Computers	3,500.00						3,500.00
4500 Special Dept Exp	5,000.00						5,000.00
4502 Educ Materials	1,000.00						1,000.00
4503 Staff Development	0.00						
4540 Staff Development	0.00	\$9,000.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	23,400.00
4600 Transport/Travel	0.00	\$1,250.00	\$500.00	\$500.00	\$500.00	\$500.00	3,250.00
4602 Mile Emp Prv Auto	700.00						700.00
4606 Fuel Purchases	182,000.00						182,000.00
4620 Utilities	2,500.00	\$19,500.00	\$7,800.00	\$7,800.00	\$7,800.00	\$7,800.00	
CLASS 40: SUBTOTALS	\$2,069,250.00	\$50,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$2,199,250.00

Class 60: Fixed Assets	JPA Admin	El Dorado County Fire	Diamond Springs Fire	Georgetown Fire	Cameron Park Fire	El Dorado Hills Fire	TOTAL
6040 Fixed Assets	\$260,000.00						\$260,000.00
Class 60 Total	\$260,000.00						\$260,000.00

Budget Totals	JPA Admin	El Dorado County Fire	Diamond Springs Fire	Georgetown Fire	Cameron Park Fire	El Dorado Hills Fire	TOTAL
Class 30: Wages/Benefits	\$241,581.77	\$4,000,000.00	\$1,000,000.00	\$986,880.34	\$939,195.00	\$1,000,000.00	\$8,626,209.11
Class 40: Serv/Supplies	\$2,069,250.00	\$50,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$2,199,250.00
Class 60: Fixed Assets	\$260,000.00						\$260,000.00
Class 70: Resid.Eqty.Trsf.	\$0.00						\$0.00
	\$2,570,831.77	\$4,050,000.00	\$1,020,000.00	\$1,006,880.34	\$959,195.00	\$1,020,000.00	\$11,085,459.11

FY13-14 Budget							\$11,085,459.11
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JPA PRELIMINARY BUDGET - Fiscal Year 2014/2015 - DRAFT 1						
Class 30: Wages/Benefits	JPA FY 14/15 Admin	El Dorado County Fire	Diamond Springs Fire	Georgetown Fire	Cameron Park Fire	El Dorado Hills Fire
3000 Reg. Employees	130,000.00	4,000,000.00	1,000,000.00	986,880.34	962,675.00	1,000,000.00
3001 Extra Help	-	-	-	-	-	-
3002 Overtime	12,000.00	-	-	-	-	-
3004 Other Comp	1,566.00	-	-	-	-	-
3020 Retirement	-	-	-	-	-	-
3021 Social Security	9,000.00	-	-	-	-	-
3022 Medicare	2,000.00	-	-	-	-	-
3040 Health Ins.	-	-	-	-	-	-
3041 Fed. Unempl.	-	-	-	-	-	-
3042 Disability Ins.	-	-	-	-	-	-
3043 Deferred Comp.	-	-	-	-	-	-
3044 Vision Insurance	-	-	-	-	-	-
3046 Retiree Health	407,552.00	-	-	-	-	-
3060 Workers' Comp	1,400.00	-	-	-	-	-
3080 Life/Flexible Benefits	-	-	-	-	-	-
CLASS 30: TOTALS	\$563,518.00	\$4,000,000.00	\$1,000,000.00	\$986,880.34	\$962,675.00	\$1,000,000.00
Class 40: Serv/Supplies	JPA Admin	El Dorado County Fire	Diamond Springs Fire	Georgetown Fire	Cameron Park Fire	El Dorado Hills Fire
4020 Clothing	-	-	-	-	-	-
4021 Fire Turnouts	-	10,000.00	4,000.00	4,000.00	4,000.00	4,000.00
4022 Uniforms	-	-	-	-	-	-
4040 Communications	1,000,000.00	-	-	-	-	-
4060 Inservice Food	-	-	-	-	-	-
4080 Household Exp.	100.00	4,000.00	1,600.00	1,600.00	1,600.00	1,600.00
4085 Refuse Disposal	-	-	-	-	-	-
4087 Extermination	-	-	-	-	-	-
4100 Insurance	30,000.00	-	-	-	-	-
4140 Maint: Equip.	20,000.00	-	-	-	-	-
4141 Maint: Office Equip	-	-	-	-	-	-
4142 Maint: Radio	10,000.00	-	-	-	-	-
4145 Maint: Equip. Prts	-	-	-	-	-	-
4160 Vehicle Maint	100,000.00	-	-	-	-	-
4162 Veh Maint:Sup	15,000.00	-	-	-	-	-
4164 Veh Maint: Tires	20,000.00	-	-	-	-	-
4165 Veh Maint: Oils	3,000.00	-	-	-	-	-
4180 Maint: Bldg/Imp	600.00	-	-	-	-	-
4182 Structures Maint	-	-	-	-	-	-
4197 Maint. Bldg Supplies	200.00	-	-	-	-	-
4200 Medical Supplies	440,000.00	-	-	-	-	-
4220 Memberships	-	-	-	-	-	-
4240 Misc. Expense	-	-	-	-	-	-
4260 Office Expense	4,000.00	3,750.00	1,500.00	1,500.00	1,500.00	1,500.00
4261 Postage	900.00	-	-	-	-	-
4263 Subscriptions	-	-	-	-	-	-
4266 Printing	150.00	-	-	-	-	-
4300 Professional Serv	20,000.00	-	-	-	-	-
4304 Admin Fees	130,000.00	-	-	-	-	-
4308 External Data Svcs	60.00	-	-	-	-	-
4324 Medical	-	-	-	-	-	-
4400 Publicat/Legal	400.00	-	-	-	-	-
4420 Rent/Lease/Equip	3,100.00	-	-	-	-	-
4440 Rent/Lease/Bldg	13,200.00	-	-	-	-	-
4460 Equip: Sm Tool	-	-	-	-	-	-
4461 Equipment: Minor	5,000.00	2,500.00	1,000.00	1,000.00	1,000.00	1,000.00
4462 Equip: Computers	3,500.00	-	-	-	-	-
4500 Special Dept Exp	5,000.00	-	-	-	-	-
4502 Educ Materials	-	-	-	-	-	-
4503 Staff Development(1099)	-	-	-	-	-	-
4540 Staff Development	32,000.00	9,000.00	3,600.00	3,600.00	3,600.00	3,600.00
4600 Transport/Travel	-	1,250.00	500.00	500.00	500.00	500.00
4602 Mile Emp Prv Auto	400.00	-	-	-	-	-
4606 Fuel Purchases	182,000.00	-	-	-	-	-
4620 Utilities	2,500.00	19,500.00	7,800.00	7,800.00	7,800.00	7,800.00
CLASS 40: SUBTOTALS	\$2,041,110.00	\$50,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
Class 60: Fixed Assets	JPA Admin	El Dorado County Fire	Diamond Springs Fire	Georgetown Fire	Cameron Park Fire	El Dorado Hills Fire
6040 Fixed Assets	390,000.00	-	-	-	-	-
Class 60 Total	\$390,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Budget Totals	JPA Admin	El Dorado County Fire	Diamond Springs Fire	Georgetown Fire	Cameron Park Fire	El Dorado Hills Fire
Class 30: Wages/Benefits	\$563,518.00	\$4,000,000.00	1,000,000.00	986,880.34	962,675.00	1,000,000.00
Class 40: Serv/Supplies	2,041,110.00	50,000.00	20,000.00	20,000.00	20,000.00	20,000.00
Class 60: Fixed Assets	390,000.00	-	-	-	-	-
Class 70: Resid. Eqty. Trsf.	-	-	-	-	-	-
Totals	\$2,994,628.00	\$4,050,000.00	\$1,020,000.00	\$1,006,880.34	\$982,675.00	\$1,020,000.00

Gold items-JPA processed for cumulative expense item.