

**AMENDMENT NO. 1**

**TO THE**

**340B PHARMACY SERVICES AGREEMENT**

This Amendment No. 1 (“Amendment”) is entered into on January 1, 2020 by and between Santa Barbara County Health Care, (hereinafter “Covered Entity”), and Rite Aid Hdqtrs. Corp. (hereinafter “Pharmacy”).

*WHEREAS*, Covered Entity and Pharmacy are parties to that certain 340B Pharmacy Services Agreement effective January 1, 2020 (“Agreement”); and

*WHEREAS*, Covered Entity and Pharmacy wish to amend the Agreement.

*NOW THEREFORE*, for and in consideration of the mutual promises and covenants set forth herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Covered Entity and Pharmacy hereby agree to amend the Agreement as follows:

1. **Section 6 Governing Law is deleted in its entirety.**
2. Add the following language to the end of **Section 13.1 Confidentiality**: The prohibitions described in Section 13.1 do not apply to any disclosure Covered Entity is required to make under the Ralph M. Brown Act, the California Public Records Act, or any other relevant law.
3. Add new **Section 13.2.5** which shall include the following language: The prohibitions described in Section 13.2 do not apply to any disclosure Covered Entity is required to make under the Ralph M. Brown Act, the California Public Records Act, or any other relevant law.
4. **Counterparts.** This Amendment No. 1 may be executed in several counterparts, all of which taken together shall constitute a single agreement between the parties.
5. **Ratifications.** The terms and provisions set forth in this Amendment No. 1 shall modify and supersede all inconsistent terms and provisions set forth in the Agreement. The terms and provisions of the Agreement, except as expressly modified and superseded by this Amendment No. 1, are ratified and confirmed and shall continue in full force and effect, and shall continue to be legal, valid, binding and enforceable obligations of the parties.

*(Signatures on following pages.)*

Amendment No. 1 ("Amendment) by and between Santa Barbara County Health Care, (hereinafter "Covered Entity"), and Rite Aid Hdqtrs. Corp. (hereinafter "Pharmacy").

IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 to be effective January 1, 2020.

**ATTEST:**

Mona Miyasato  
County Executive Officer  
Clerk of the Board

**COUNTY OF SANTA BARBARA:**

Gregg Hart

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chair, Board of Supervisors

Date: \_\_\_\_\_

**RECOMMENDED FOR APPROVAL:**

Van Do-Reynoso, MPH, PhD  
Public Health Director

**APPROVED AS TO ACCOUNTING FORM:**

Betsy M. Schaffer, CPA  
Auditor-Controller

By: \_\_\_\_\_  
Department Head

By: \_\_\_\_\_  
Deputy

**APPROVED AS TO FORM:**

Michael C. Ghizzoni  
County Counsel


**APPROVED AS TO FORM:**

Risk Management

By: \_\_\_\_\_  
Deputy County Counsel

By: \_\_\_\_\_  
Risk Management

Pharmacy: Rite Aid Hdqtrs. Corp.

By:  \_\_\_\_\_

Name: Alison Farrell

Title: VP, Managed Care

Date: 12/17/19