



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Health
Department No.: 041
For Agenda Of: September 14, 2021
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Van Do-Reynoso, MPH, PhD, Director
Director(s) Public Health Department
Contact Info: Dana Gamble 681-5171
Interim Deputy Director, Primary Care & Family Health Division
SUBJECT: Abbott and Dexcom Diabetes Software Management Applications

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors consider the following recommendations:

- a) Approve, ratify, and authorize the Director of Public Health, or designee, to accept the Terms of Use with Abbott and Dexcom Applications for implementation of a program application for the management of Diabetic Patients within the Endocrinology and Primary Care Departments of the Public Health Department's Health Care Centers; and
- b) Approve and authorize the Public Health Department Director, or designee, to approve additional "no cost" data use agreements for diabetic supply management software with the California Department of Public Health for the years 2021 through 2026 for long-term COVID-19 response upon review and approval by the County Counsel's Office, Risk Management, and the Auditor-Controller's Office; and
- c) Determine that the above actions are not a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because the actions are organizational or administrative activities of the government that will not result in direct or indirect physical changes in the environment.

Summary Text:

This item is on the agenda to allow the Public Health Department (PHD) to accept the Terms of Service with Abbott and Dexcom, vendors that provide applications that allows for the secure upload of data from Diabetic equipment into one application for provider review and analysis. This application would allow for one central location to upload data and allows patients to upload their data for review by clinical teams prior to the patient's visit.

Background:

The Abbott and Dexcom applications provide software to help import, manage, and store diabetes device data. They provide software and data hosting services for free to end users and clinicians.

The Abbott and Dexcom application allows for the upload of all Abbott and Dexcom, Diabetic devices. Providers can upload data from patient's devices during office visits or invite patients to upload from home.

Performance Measure:

No performance measures are present for PHD's Clinical teams, other than compliant usage of the application to the terms and services of the Abbott and Dexcom County privacy policy.

Contract Renewals and Performance Outcomes:

N/A

Fiscal and Facilities Impacts:

Budgeted: N/A

Fiscal Analysis:

Abbott and Dexcom offers this application at no cost for patients and providers. There are no fiscal impacts to consider. There is minimal impact on our Electronic Medical Records support team for the installation and maintenance.

Key Contract Risks:

Abbott and Dexcom requires patients to have an account for use. The patient is given to the choice to allow their data to be used by their health care provider, or their de-identified data for research. The option to share, lies with the patient and not the clinical team.

Abbott and Dexcom complies with all HIPAA privacy, security, and breach notification regulations. All data is stored in Abbott and Dexcom's HIPAA-compliant cloud, so data can be accessed from anywhere, anytime, securely. Abbott and Dexcom protects data in transit and at rest using industry-standard encryption and redundant, dedicated, HIPAA-compliant servers.

According to the Primary Care and Family Health compliance officer's perspective, there was nothing to indicate the county would be taking additional risk beyond what is normally associated with protected health information by agreeing to Abbott and Dexcom's Terms and Conditions.

Risks associated with these applications are limitations of liability related to potential unauthorized access of data and indemnification. These risks will be mitigated through PHD policy. PHD currently uses a similar application, Tidepool, to Dexcom and Abbot that allows PHD to review diabetic equipment uploads. PHD has a usage policy and patient agreements for mitigating risk related to Tidepool and we will also create a usage policy for Abbot and Dexcom. The patient agreement allows

for PHD or the patient to terminate use at any point, reducing risk if any inappropriate usage or unauthorized access occurs.

Risk is also mitigated for PHD based on the limited users who will be accessing these applications. Only our Endocrinology teams need access to these applications and data, and training for a reduced user group is more streamlined.

Staffing Impacts:

Legal Positions:
0

FTEs:
0

Special Instructions:

N/A

Attachments:

- A. Abbott Diabetes Software Management Application Terms and Conditions
- B. Dexcom Diabetes Software Management Application Terms and Conditions

Authored by:

Laura Lui, Electronic Health Record Manager