



OFFICE OF THE COUNTY ATTORNEY

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MEMORANDUM

DATE: September 17, 2019
TO: Mark A. Jones, Assistant Chief of EMS, Public Safety Department
THROUGH: Mitchell O. Palmer, County Attorney Approved by *M. Palmer 9/17/2019*
FROM: Anne M. Morris, Assistant County Attorney Approved by *A. Morris*
RE: **COPCN Renewal and Agreement with West Coast Southern Medical, Inc.; Request for Legal Services No. 2019-0450**

This memorandum is in response to the above referenced Request for Legal Services in which you asked this office to review (1) a draft agreement between West Coast Southern Medical, Inc. ("West Coast") and Manatee County ("Agreement"); (2) Exhibit C of the Agreement, a draft Business Associate Agreement ("BAA"); and (3) proposed Resolution R-19-125 for the issuance of a Certificate of Public Convenience and Necessity ("COPCN") to West Coast. Attached to this memorandum is the revised Agreement, BAA and Resolution R-19-125. These documents are in legally sufficient form to place on a future Board agenda.

In addition to the aforementioned documents, I have also drafted a proposed form BAA for future use. As the provider of Manatee County's Emergency Services, BAAs are required in any instance in which the County hires a third-party vendor to perform activities, functions or services that involve access to, use or the creation of protected health information. Since BAAs are executed multiple times on an as-needed basis, I have also drafted Resolution R-19-138, delegating to the Director of the Public Safety Department the limited authority to execute this form BAA without Board approval. Under this Resolution it will be the duty of the Department Director to provide an annual list to the Board documenting each time this form BAA has been executed.

* Board Certified in Construction Law

** Board Certified in City, County, & Local Government Law

This completes my response to your Request for Legal Services. If you have any further questions, please do not hesitate to contact me.

Copies to: Cheri Coryea, County Administrator
John Osborne, Deputy County Administrator
Karen Stewart, Deputy County Administrator
Jacob Sauer, Director, Public Safety Department