



COMMISSIONERS COURT
COMMUNICATION

COURT ORDER NUMBER _____
PAGE 1 OF 3
DATE: 12/17/2024

**SUBJECT: ECLINICALWORKS, LLC - CLOUD AND DATABASE ACCESS AND
POPULATION HEALTH MANAGEMENT TOOL - PUBLIC HEALTH**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court approve renewal of eClinicalWorks, LLC as sole source, for the purchase of eClinicalWorks Cloud and Database Access and Population Health Management Tool, for Public Health.

BACKGROUND

On January 9, 2024, the Commissioners Court, through Court Order #142427, approved eClinicalWorks, LLC as sole source for eClinicalWorks Cloud and Database Access and Population Health Management Tool.

eClinicalWorks, LLC provided the Purchasing Agent documentation to substantiate the fact that their sole source status has not changed and they continue to be the sole provider of eClinicalWorks cloud and database access. Additionally, the Population Health Management tool being utilized by Public Health is exclusive to eClinicalWorks, LLC.

Public Health utilizes the eClinicalWorks cloud-based electronic health records system for population health management and storage of protected health information for patient services provided by Public Health.

Under the County Purchasing Act, exemptions to the competitive bidding requirements are allowed for certain types of purchases. The statutes require that the Purchasing Agent advise the Commissioners Court of the existence of only one (1) source, with such notice to be entered into the minutes of the Court.

Accordingly, the above item has been determined to be sole source under the County Purchasing Act 262.024(a) (7) as follows:

- “(7) an item can be obtained from only one (1) source, including:
(A) items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies”.

FISCAL IMPACT

Expenses for last year were approximately \$60,201.49. Funding is available in account T0400-2025 Public Health/5100016000 Public Health/578025 Software Maintenance and Licenses.

SUBMITTED BY	Purchasing	PREPARED BY:	Wanyu Chen
		APPROVED BY:	Christopher Lax, CPSM, CPSD, CPCP

eClinicalWorks

VIA EMAIL

September 27, 2024

Tarrant County, Texas
100 E. Weatherford, Suite 303
Fort Worth, TX 76102
Attn: Richard DeRoche, Manager
Kehinde Olugbile, Senior Buyer

Re: Reseller Access Information

To Whom It May Concern,

This letter will serve as confirmation that resellers:

- 1) Do not have access to the data center, and
- 2) Do not have access to Customer's server.

eClinicalWorks restricts resellers from having access to the SaaS. No resellers are hosted on the eClinicalWorks cloud, nor do they have access to any clients hosted on the cloud. Even in cases when the reseller has contracted with a cloud-hosted customer, and been involved in the training and implementation process, at no point would the reseller have access to the eClinicalWorks cloud. Any required database access would be handled by eClinicalWorks.

Additionally, the Population Health Adapter feature offered by eClinicalWorks and currently utilized by Client is unavailable via Resellers and exclusive to eClinicalWorks.

Under your existing contract, you cannot purchase licenses from a Certified eClinicalWorks Reseller. Should you decide to cancel with eCW and go direct to a Reseller, eCWs consent would be required

Please contact your eClinicalWorks representative if you have any further questions or concerns.

Sincerely,

Whitney Horrell
Sr. Legal Counsel



TAKINGS IMPACT ASSESSMENT CHECKLIST

Complete this form for any county action that involves the adoption of a regulation, policy, guideline, court resolution, or order.

Project/Regulation Name: eClinicalWorks, LLC - Cloud and Database Access and Population Health Management Tool - Public Health

County Department: PURCHASING

Contact Person: Melissa Lee, C.P.M., A.P.P.

Phone Number for Contact Person: (817) 884-3245

Type of TIA Performed: SHORT TIA or FULL TIA. Circle one after answering the questions in Sections II and III below.

I. Stated Purpose

Attach to this checklist an explanation of the purpose of the regulation, policy, guideline, court resolution, or order.

Note: The remainder of this Takings Impact Assessment Checklist should be completed in consultation with the Criminal District Attorney's Office.

II. Potential Effect on Private Real Property

1. Does the county action require a physical invasion, occupation, or dedication of real property?

Yes _____ No √

2. Does the county action limit or restrict a real property right, even partially, or temporarily?

Yes _____ No √

If you answered yes to either question, go to Section III. If you answered no to both, STOP HERE and circle SHORT TIA at the top of the form.
