

Preserving COVID-19 Testing Capacity for Los Angeles County Residents and Providing COVID-19 Testing for County Essential Workers

On March 4, 2020, the Board of Supervisors of the County of Los Angeles (County) declared a Local and Public Health Emergency following the introduction of Coronavirus Disease 2019 (COVID-19) cases in Los Angeles County. On July 17, 2020, the California Department of Managed Health Care (DMHC) issued an emergency regulation requiring that health plans provide coverage for COVID-19 testing for both symptomatic and asymptomatic “essential workers.”

Essential workers include County employees who continue to be on the frontlines inspecting workplace outbreaks, seeing patients in our clinics, serving residents experiencing homelessness, providing meals at food distributions, and more. Currently, County essential workers are able to access testing through their County-sponsored health plans, but despite increasing their capacity, the health plans have struggled to consistently provide these services within the required 48-hour DMHC timeframe.

MOTION

MITCHELL	_____
KUEHL	_____
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This has resulted in County-employed essential workers accessing County testing resources intended to serve residents. This is concerning in the face of increasing public demand for testing at County COVID-19 community testing sites, especially for marginalized populations that do not have health coverage and rely solely on County community testing sites. In the current COVID-19 surge, the County has seen a rapid ramp up in testing demand at County testing sites. Last week, 85% of County testing capacity was used – up from 50% two months ago. This leaves only 15% unused testing capacity which is dangerously low and must be addressed to ensure residents receive the services they need.

Employers, including the County of Los Angeles, have a responsibility to ensure access to COVID-19 testing for their employees who are essential workers. The overwhelming majority of the County's workforce are essential workers - spread out over 4,752 square miles - all of whom need access to testing to protect themselves and the public they serve. Yet, it is important that the County fulfill this occupational obligation as an employer in a separate manner - one that does not detract from its more general role in servicing the public health needs of all County residents, particularly the most vulnerable.

With the current record surge in COVID-19 cases, there is an urgent need for the County as an employer of essential workers to respond. Efforts to relieve our community testing sites while safeguarding the health of essential workers are critical. There is an opportunity to enter into an agreement to retain experienced contracted staff to operate COVID-19 testing centers specifically for County-employed essential workers. This comes about through a partnership with the four County-sponsored health

plans. Working with the plans, the County facilitated “in-network” status for these testing centers and negotiated one all-inclusive cost to be paid by all County-sponsored plans. The agreement will be at no cost to the County – and, instead, will afford an opportunity for the County to save funding by reducing use of County-sponsored COVID-19 community testing sites by County-employed essential workers. Such actions will preserve funding for testing capacity at the community testing sites for residents, while ensuring that County-employed essential workers have access to readily accessible and expeditious testing necessary to continue to safely provide critical County services.

I, **THEREFORE MOVE** that the Board of Supervisors:

1. Instruct Director of Personnel, to establish a no-cost contract with Fulgent Diagnostics, LLC (Fulgent) to operate COVID-19 testing centers designated by the County for self-administered test centers. The contract must provide for:
 - A. Establishing a County-specific website to allow County employees to certify as essential workers, make an appointment at one of the testing centers, and provide insurance information from a County-sponsored health plan for billing purposes, as well as an administrative portal for County use.
 - B. Operating testing centers at County designated facilities.
 - C. Staffing each center with at least two (2) qualified staff to support testing, including distribution of test kits, answering essential worker questions, accepting specimens and conveying them to the contractor’s labs for testing each evening.

- D. Filing claims for reimbursement, not to exceed the negotiated price of \$100 per test for all testing, diagnostic and follow-up services, with each essential worker's County-sponsored health plan within 30 days of the test result.
 - E. A dashboard for the County that will show the percentage of County-employed essential workers that test positive, for County departments to remove and isolate such essential workers from County service until safe to return to work.
2. Authorize Director of Personnel, or designee, to amend the Fulgent contract to (i) adapt to developments in COVID-19 testing and prevention during the COVID-19 pandemic, for operational efficiencies and clarifications, and update the personnel administering the agreement, and (ii) make other changes pursuant to the authority granted in the contract to the Board of Supervisors, including exercising term extension options and adding or updating County required provisions, with all such modifications resulting in no changes to the current negotiated insurance reimbursement under the agreement.
 3. Delegate authority to the Director of Personnel to amend, if necessary, additional substantially similar contracts with other qualified vendors for operation of self-administered test centers, with 10-day prior notification to the Board.
 4. Instruct Director of Personnel, in collaboration with all departments, to develop and execute a strategic communication plan to inform County-employed essential workers of their ability to receive a COVID-19 test, to be paid for by their health plan, even if they are asymptomatic or have not had a documented contact with a confirmed case.

5. Instruct Director of Personnel, in collaboration with the Director of the Department of Health Services and the Director of Public Health, to create a toolkit for employers pursuing testing access for their employees.
6. Instruct Director of Personnel to report back to the Board on all these matters in 15 days.

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