



**STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION**

Purchasing Division

515 East Musser Street, Suite 300 | Carson City, Nevada 89701
Phone: 775-684-0170 | Fax: 775-684-0188

Purchasing Use Only:	
Approval#:	221001 (C)

SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

ALL FIELDS ARE REQUIRED - INCOMPLETE REQUESTS WILL BE RETURNED TO THE AGENCY

1a	Agency Contact Information - Note: Approved copy will be sent to <u>ONLY</u> the contact(s) listed below:		
	STATE AGENCY NAME REQUIRED:	Department of Health and Human Services Division of Public and Behavioral Health	
	Contact Name and Title	Phone Number	Email Address
	Joanne Malay, Deputy Administrator Clinical Services	(702) 486-8894	jmalay@health.nv.gov
	Erin Williams, DPBH OIT ITM III	(775) 684-4213	williams@health.nv.gov
	Sharon Knigge, DCFS	(775) 684-7958	Sharon.Knigge@dcfs.nv.gov
	Ronda Miller, MA III	(775) 684-5932	rondamiller@health.nv.gov

1b	Vendor Information:	
	Vendor Name:	Netsmart Technologies, Inc.
	Contact Name:	Jeff Matthews
	Complete Address: City, State, and Zip Code	11100 Nall Avenue Overland Park, KS 66211-1612
	Telephone Number:	913-242-6053
	Email Address:	jmatthews@ntst.com

1c	Type of Waiver Requested – Check the appropriate type:	
	Sole or Single Source:	X
	Professional Service Exemption:	

1d	Contract Information:			
	Is this a new Contract? Check One:	Yes:	X	No:
	If 'No' Enter Amendment Number:	#		
	Enter CETS Number:	#		

1e	Term:				
	One (1) Time Purchase? Check One:	Yes:	No:	X	
	Contract:	Start Date:	10/15/2022	End Date:	6/30/2026

Rec'd 09/30/22 /auto ✓

1f	Funding:	
	State Appropriated:	<i>General Funds BA3168, BA3143</i>
	Federal Funds:	<i>ARPA Grant BA3168, BA3143</i>
	Grant Funds:	
	Other:	

1g	Total Estimated Value of <u>this</u> Service Contract, Amendment or Purchase:
	<i>\$5,621,279.60</i>

2	<p>Provide a description of work/services to be performed or services with goods to be purchased:</p> <p><u><i>myAvatar NX Upgrade</i></u> <i>myAvatar is a Netsmart ONC-certified electronic health record (eHR) solution specifically designed for behavioral healthcare and addiction treatment in community-based, residential, and inpatient programs. It offers a robust set of features that support roles throughout the organization, from front desk staff and clinicians to billing administrators and executive management.</i></p> <p><i>The existing solution consists of multiple modules that work in unison to provide functionality that support staff in various disciplines. The clinical module allows staffers to document progress notes, treatment plans, psychiatric evaluations, and other assessments. The practice management and appointment scheduling modules cover areas such as billing for services, scheduling clients, researching financial eligibility and benefits, front desk check-in and check-out, admissions, discharges and a plethora of other options. Also, we recently incorporated the order entry module into myAvatar which allows clinicians to place pharmacy, lab, dietary and other orders. Staff can then review and manage drug interactions, allergies and patient-specific dosing via a clinical rules engine. On average, the 1,200 DPBH staff that use myAvatar see 16,500 outpatient and 2,500 inpatients annually.</i></p> <p><i>The current proprietary cloud hosting PaaS and associated myAvatar EHR applications and services are being provided by the existing vendor, Netsmart Technologies, Inc. The myAvatar Platform as a Service (PAAS) facilitates the delivery of consumer-driven behavioral health care providing access to existing myAvatar Electronic Health Record patients clinical and personal information. The Division's application is currently operating on an aging Netsmart platform which is soon to become obsolete.</i></p> <p><u><i>myAvatar EHR Identity and Access Management (NIAM)</i></u> <i>Multifactor Authentication to be integrated with myAvatar log on access. The model of NIAM to be used is the Federated Model, this model is utilizing our own identity provider = Azure Active Directory.</i></p> <p><u><i>myAvatar EHR Ongoing AMA CPT Codes Subscription</i></u> <i>The AMA Current Procedural Terminology (CPT) Code ensures clinically valid codes used in myAvatar are updated and maintained on a regular basis to accurately reflect current clinical practice in medicine. myAvatar uses the AMA CPT Codes which contain the five-digit code that indicates the type of service supplied to the client for health insurance companies. This ongoing service is required to ensure accurate coding for DPBH client services and claims billing.</i></p> <p><u><i>myAvatar EHR Ongoing Web Services and Scriptlink Services</i></u></p>
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myAvatar Web Services and myAvatar Scriptlink are integrated into myAvatar EHR and provides they myAvatar EHR Team with the functionality to enhance user workflows, apply business rules to application response messaging, and customize forms by location. These services allow DPBH to provide mandated federal reporting of patient care efficiently and accurately.

myAvatar EHR Ongoing Hosting/Maintenance/Support/Subscriptions

This investment is to continue ongoing Hosting, Maintenance, Support and Subscriptions for the myAvatar EHR system which supports behavioral health agency hospitals and service clients throughout ;the state of Nevada; including NNAMHS and SNAMHS; Rawson Neal Psychiatric Hospital, Stein Hospital, Lakes Crossing Center, Dini Townsend Hospital and Rural Clinic services. These facilities use myAvatar EHR to record patient personal and clinical information for our behavioral health clients whose data is stored in the Netsmart Platform as a Service (PaaS) which adheres to state and federally mandated data security requirements.

myAvatar EHR Add Users and Pharmacy Info System roles

myAvatar add 108 Users plus 30 with Pharmacy Info System roles, implementation and ongoing subscriptions, maintenance and hosting through 6/30/2026.

3	<p>What are the unique features/qualifications required for these services/services with goods that are not available from any other vendor?</p> <p><i>The current proprietary cloud hosting PaaS and associated myAvatar EHR applications and services are being provided by the existing vendor, Netsmart Technologies, Inc. The myAvatar Platform as a Service (PAAS) facilitates the delivery of consumer-driven behavioral health care providing access to existing myAvatar Electronic Health Record patients clinical and personal information. Developing a custom solution to replace the existing myAvatar PaaS would be cost prohibitive. DPBH will go to RFP in 2025 for the myAvatar EHR and all related applications and services provided by the current vendor.</i></p>
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4	<p>Explain why these services/services with goods cannot be competitively bid and why this purchase is economically only available from a single source:</p> <p><i>The current proprietary cloud hosting PaaS and associated myAvatar EHR applications and services are being provided by the existing vendor, Netsmart Technologies, Inc. The myAvatar PaaS and EHR must be upgraded to NX to continue to be compliant with state and federal security requirements as well as maintaining the most current version of Microsoft products on our PaaS when Windows 10 becomes obsolete. The current version of myAvatar EHR operates with the 32-bit version of Java. This dependency introduces high level of maintenance for Field and Technical Services and the myAvatar team. A large volume of helpdesk tickets are created in which the issue can be traced to the wrong version of Java running on end user PC's. This upgrade will nullify that issue and reduce this instance. In addition, myAvatar EHR requires specific web browsers. This requirement leads to increased helpdesk tickets when end users change their browsers to an unsupported version. myAvatar NX does not require a specific web browser. It is browser agnostic which will reduce the number of myAvatar helpdesk tickets.</i></p>
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5	Were alternative services or commodities evaluated?	Check One:	
		Yes	No
			X
	<p>a. <u>If yes</u>, what were they and why were they unacceptable? Please be specific about features, characteristics, requirements, capabilities and compatibility.</p>		
<p>b. <u>If not</u>, why were alternatives not evaluated?</p>			
<p><i>Netsmart myAvatar Platform as a Service is a proprietary system and the NX upgrade will ensure DPBH continues to meet federal and state requirements for security of our client data through June 30, 2026. DPBH will go to RFP on the myAvatar EHR and all related applications and services in 2025.</i></p>			

6	Has the agency purchased these services/services with goods in the past? Check One:			Yes	No	
	<p><i>NOTE: To avoid delays or your request being rejected, if your previous purchase(s) was made via solicitation waiver(s), a copy or copies of <u>ALL PREVIOUS WAIVERS MUST ACCOMPANY THIS REQUEST.</u></i></p>			X		
	<p>a. <u>If yes, starting with the most recent contract and working backward, for the entire relationship with this vendor, or any other vendor for these services/services with goods, the following information must be provided along with the CETS contract number(s) associated with each:</u></p>					
	Term		Value	Short Description	Provide Type of Procurement RFP#, RFQ#, Waiver #	CETS #
	Start Date	End Date				
7/1/2021	6/30/24	\$3,310,784.73	ongoing Hosting, Support & Maint, Subscriptions	MA 14802-2 We will terminate this MA as of 10/31/22 and move ongoing services to C 18112 as of 11/1/22- 6/30/2026.	Maint Agreement	
4/15/2020	6/30/23	\$100,699.00	myAvatar Webservices/S criptlink	C 17570 Move services to C 18112 begin 7/1/2023.	22830	
1/1/2022	12/31/22	\$29,421.00	myAvatar AMA CPT Code service	40DHHS-R316804 for Netsmart AMA CPT Q-25211 Move to C 18112 as of 1/1/23	EPro Req	

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7 What are the potential consequences to the State if the waiver request is denied and the services/services with goods is competitively bid?
DPBH would not be able to meet current federal and state security requirements due to the current PaaS becoming obsolete as well as Microsoft Windows 10 retirement in 2025. In addition, myAvatar EHR requires specific web browsers. This requirement leads to increased helpdesk tickets when end users change their browsers to an unsupported version. myAvatar NX does not require a specific web browser. It is browser agnostic which will reduce the number of myAvatar helpdesk tickets.

8 What efforts were made or conducted to substantiate there is no competition for the services/services with goods and to ensure the price for this purchase is fair and reasonable?
An alternate system to the existing EHR would require an RFP which DPBH is planning and will release in early 2025 to replace this system and all related applications, components and services.

		Yes	No
9	Will this purchase obligate the State to this vendor for future purchases? Check One: <u><i>NOTE: Before selecting your answer, please review information included on Page 2, Section 9 of the instructions.</i></u>	X	
	a. <i>If yes, please provide details regarding future obligations or needs.</i> <i>The myAvatar EHR and related applications and services will be ongoing through 6/30/2026. DPBH will go to RFP in 2025 to replace myAvatar EHR and all associated applications and services.</i>		

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By signing below, I know and understand the contents of this Solicitation Waiver Request and Justification and attest that all statements are true and correct. Signatures are required from the agency representatives indicated below. The same individual cannot provide approval signatures in both sections.

Ronda Miller

Signature of Agency Representative Initiating Request

Ronda Miller

Print Name of Agency Representative Initiating Request

9/29/22

Date

Kelli Quintero

Signature of Agency Head Authorizing Request

Kelli Quintero

Print Name of Agency Head Authorizing Request

9/22/2022

Date

FOR PURCHASING USE ONLY - PLEASE NOTE: In an effort to avoid possible conflict with any equipment, system or process already installed or in place by the State of Nevada or to assist in our due diligence, **State Purchasing** may solicit a review of your request from another agency or entity. The signature below indicates another agency or entity has reviewed the information you provided. **This signature does not exempt your agency from any other processes that may be required.**

Name of agency or entity who provided information or review:

Representative Providing Review

Print Name of Representative Providing Review

Date

Please consider this memo as my approval of your request. This exemption is granted pursuant to NAC 333.150 or NRS 333.400. This exemption may be rescinded in the event reliable information becomes available upon which the Purchasing Administrator determines that the service or good sought may in fact be contracted for in a more effective manner. Pursuant to NRS 333.700(7), contracts for services do not become effective without the prior approval of the State Board of Examiners (BOE).

If you have any questions or concerns, please contact Cindy Stoeffler at 775-684-0173 or email at cstoeffler@admin.nv.gov.

NOTE: If this box is checked, the agency must include the EITS TIN/CIN approval or approval update as an attachment in CETS.



Approved by:

Kevin D. Doty

Administrator, Purchasing Division or Designee

10/4/22

Date

Steve Sisolak
Governor



#221001 (2)

Laura E. Freed
Director

Matthew Tuma
Deputy Director

Timothy Galluzi
State CIO/Administrator

STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Enterprise IT Services Division
100 N. Stewart Street, Suite 100 | Carson City, Nevada 89701
Phone: (775) 684-5800 | www.it.nv.gov | Fax: (775) 687-9097

M E M O R A N D U M

TO: Debi Reynolds, Deputy Administrator, DPBH, DHHS
John Borrowman, Fiscal Supervisor, DPBH, DHHS
Erin Williams, OIT IT Manager III, DPBH, DHHS
Lorraine McMullen, IT Pro. III/OIT Project Manager, DPBH, DHHS

CC: Tim Galluzi, State Chief Information Officer/Administrator, EITS, DOA
Robert Dehnhardt, State Chief Information Security Officer, EITS, DOA
David Axtell, State Chief Enterprise Architect, EITS, DOA

FROM: Lisa Jean, TIN Administrator, EITS, DOA

SUBJECT: TIN Completion Memo – DPBH – TIN 373 – *myAvatar EHR PaaS NX Upgrade/NIAM MFA/Ongoing AMA CPT/Ongoing Web Services-Scriptlink/myAvatar EHR Ongoing Hosting, Maintenance, Support, Subscriptions/Add DCFS Users to DPBH myAvatar – Update A – BA 3168 and 3143*

DATE: August 17, 2022

We have completed our review for the Department of Health and Human Services (DHHS), Division of Public and Behavioral Health's (DPBH) – *myAvatar EHR PaaS NX Upgrade/NIAM MFA/Ongoing AMA CPT/Ongoing Web Services-Scriptlink/myAvatar EHR Ongoing Hosting, Maintenance, Support, Subscriptions/Add DCFS Users to DPBH myAvatar – TIN 373, Update A.*

The submitted TIN, for an estimated value of \$ 1,482,784.57 in the FY22/FY23 biennium, \$2,729,932.69 in the FY24/FY25 biennium, and \$1,408,562.34 in FY26 (a total increase of \$4,758,735.60) (70% General Fund, 30% Federal Grant - ARPA), is to support updates to myAvatar EHR services and costs.

The current version of myAvatar EHR is running on an aging Netsmart platform and operates with the 32-bit version of Java. This dependency requires a high level of maintenance and countless helpdesk work tickets, with the root cause often being an incompatible version of Java running on end users' PCs. This

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older version of myAvatar EHR is recommended to run on Windows 10, which will be retired on October 14, 2025.

The upgraded version of myAvatar NX is a cloud-based PaaS that is browser agnostic which will greatly reduce the number of Help Desk tickets.

The updated scope includes:

myAvatar NX Upgrade – a Netsmart ONC-certified electronic health record (eHR) solution specifically designed for behavioral healthcare and addiction treatment in community-based, residential, and inpatient programs. It offers robust features that support roles throughout the organization, from front desk staff to executive management.

myAvatar EHR identity and Access Management (NIAM) - Multifactor Authentication will be integrated with myAvatar logon access using a NIAM Federated Model with Azure Active Directory.

myAvatar EHR Ongoing AMA CPT Codes Subscription - The AMA Current Procedural Terminology (CPT) Code ensures that clinically valid codes are used in myAvatar that are updated and maintained on a regular basis to accurately reflect current clinical practice in medicine.

myAvatar EHR Ongoing Web Services and Scriptlink Services – These services provide the ability to enhance user workflows, apply business rules to application response messaging, to customize forms by location, and to provide mandated federal reporting on patient care.

myAvatar EHR Ongoing Hosting/Maintenance/Support/Subscriptions - These ongoing services and subscriptions for the myAvatar EHR system support behavioral health hospitals and services throughout the state of Nevada.

Additionally, DPBH myAvatar EHR will add 123 DCFS Users and 30 Pharmacy Info System roles and provide ongoing subscriptions, maintenance, and hosting through 6/30/2026.

The DPBH ISO will be asked to conduct pre- and post-implementation security reviews for the investment, as the agency considers the final implementation to have an ongoing moderate security risk.

If there are to be any changes to enterprise services or utilizations, including: network, firewall, server, Active Directory (AD) integration, telecom, etc., please notify EITS as soon as possible to avoid integration delays.

It is expected that this solution will continue to follow state security standards and policies.

A copy of this memo has been attached to the TIN.

If I can be of further assistance, please feel free to contact me.