



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-5401

**Type:** Misc - Professional Services Agreements

**In control:** City Council A Session

**On agenda:** 11/12/2015

**Title:** An Ordinance authorizing a contract with the Department of State Health Services to allow the Office of the City Clerk continued on-line access to Birth Records for the term of September 1, 2015 through August 31, 2017. [Leticia M. Vacek, City Clerk]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Contract, 2. Draft Data Use Agreement, 3. Ordinance 2015-11-12-0949

Date	Ver.	Action By	Action	Result
11/12/2015	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Office of the City Clerk

**DEPARTMENT HEAD:** Leticia M. Vacek, City Clerk

**COUNCIL DISTRICTS IMPACTED:** City Wide

### SUBJECT:

Contract with the Department of State Health Services, Vital Statistics Unit for on-line access to Birth Records

### SUMMARY:

The Ordinance authorizes the execution of a contract with the Texas Department of State Health Services (DSHS) to provide continued access to the Office of the City Clerk (OCC) to their on-line database of birth records for a term of September 1, 2015 through August 31, 2017.

### BACKGROUND INFORMATION:

The Vital Records Division was transferred to the OCC on October 1, 2012. The OCC currently issues certified copies of Texas and Bexar County birth certificates to qualified applicants. In 1997, the city first contracted with DSHS for on-line access to the State Database. The access provides the OCC the ability to print Texas

Abstract birth certificates for anyone born in the State of Texas dating back to 1926.

The city pays the State a fee of \$1.83 for every birth certificate printed from the State Database. The proposed contract maintains the existing \$1.83 fee for the period of September 1, 2015 through August 31, 2017.

Our current contract with DSHS expired on August 31, 2015 and was adopted by Ordinance 2013-10-03-0686 and the contract prior to that was adopted by Ordinance's 2013-04-11-0261 and 2010-09-30-0851.

A new Data Use Agreement (DUA) will be attached as an exhibit to the underlying contract as it relates to data security. The DUA is a new requirement in light of protecting confidential information as required by 45 Code of Federal Regulations § 164.504(e)(3)(i)(B) and the Texas Health and Safety Code § 533.009. Per proposed contract 537-16-0026-00001, the DUA must be executed by COSA before January 16, 2016.

#### **ISSUE:**

The OCC received the proposed contract on October 7, 2015 and will operate on a month to month contract basis. With this contract in place, the OCC can continue to provide a birth record to qualified applicants that were born in Texas from 1926 to the present.

#### **ALTERNATIVES:**

No alternatives are available since DSHS is the only entity with said database.

#### **FISCAL IMPACT:**

The OCC will continue generating revenue for the sale of birth records printed from the State Database. For FY 2015, revenue generated through August 2015 is \$278,001.00 of which \$22,119.00 was paid to the State.

For FY 2014, revenue generated is \$184,299.00 of which \$14,664.00 was paid to the State.

For FY 2013, revenue generated is \$259,233.00 of which \$20,627.00 was paid to the State.

#### **RECOMMENDATION:**

The City Clerk recommends approval of the contract with the Texas Department of State Health Services.