

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

**THIRD AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE
PROVISION OF PEDIATRIC CLINICAL AND NURSING SERVICES AT THE EL
PASO COUNTY JUVENILE PROBATION DEPARTMENT**

On the 12th day of January 1998, El Paso County, on behalf of the El Paso County Juvenile Probation Department, hereinafter referred to as the "County" and the Texas Tech University Health Sciences Center at El Paso, State of Texas, hereinafter referred to as "Contractor" entered into a contract for professional services (attached hereto and made a part hereof for all purposes).

The parties now mutually desire to amend the Original Agreement, the First Amended Agreement and the Second Amended Agreement for good and valuable consideration specified herein. All sections of the Original Agreement, the First Amended Agreement and the Second Amended Agreement not specifically amended herein shall remain in full force and effect.

It is mutually understood and agreed by and between the undersigned contracting parties to amend that previously executed agreement as follows:

Article I, Paragraph 2 is changed effective November 1, 2009 to read:

TTUHSC's physician shall conduct clinics at the County on three (3) mutually agreed upon days during each week. Each clinic will meet for four (4) hours on the designated days. The LVN's shall be available from 8:00 a.m.-5:00 p.m., on Monday through Friday with additional coverage after hours and weekends to be mutually agreed upon, except on those days designated as holidays by the State of Texas.

Article II, Paragraph 2.01 is changed effective November 1, 2009 to read:

The LVN's shall conduct daily sick call on Monday through Friday with additional coverage after hours and weekends to be mutually agreed upon for Detention and Challenge programs, as well as schedule follow up visits with the physician.

Article II is changed to add Paragraphs 2.14 and 2.15 effective November 1, 2009 to read:

Paragraph 2.14 The Contractor's LVNs shall collect DNA samples from those juveniles placed on probation for any offense specified by Section 54.0409, Texas Family Code, in a manner approved by the Texas Department of Public Safety.

Paragraph 2.15 When a juvenile is released from the Juvenile Justice Center, the Contractor's LVNs shall prepare a summary of any medical care rendered to the juvenile while confined, either in Detention or Challenge, and shall also prepare information concerning any medicine or other medical treatment the juvenile is taking and any future appointments with medical providers for the juvenile. The medical summary and medicine and appointment information shall be given to the parent or other responsible person taking custody of the juvenile.

Article IV, Paragraph 1 is changed effective November 1, 2009 to read:

For satisfactory services provided under the terms of this agreement, the County shall pay to TTUHSC an annual total of no more than two hundred and fifty-three thousand, six hundred ninety-nine dollars and two cents (\$253,699.02). The County shall pay to TTUHSC monthly installments of sixteen thousand, two hundred one dollars and six cents (\$16,201.06) until the third LVN is hired. Once the third LVN is in place and for satisfactory services provided under the terms of this agreement, the County shall pay to TTUHSC monthly installments of twenty-one thousand, one hundred forty-one dollars and fifty-nine cents (\$21,141.59). The monthly payment shall be prorated in the event the third LVN is employed at JPD for any period less than one month.

All other terms and conditions that are not hereby amended are to remain in full force and effect.

IN WITNESS WHEREOF, the parties execute this Amendment to Agreement on the _____ day of _____, 2009.

Texas Tech University Health Science Center

El Paso County

By: _____
Elmo M. Calvin, Interim President

By: _____
Anthony Cobos, County Judge

Date: _____

Date: _____

APPROVED AS TO FORM:

ATTEST:

By: _____
Associate General Counsel
Texas Tech University Health Care Center

By: _____
County Clerk

Date: _____

Date: _____

APPROVED AS TO CONTENT:

Roger Martinez
Chief Juvenile Probation Officer

Date: _____

APPROVED AS TO FORM:

Assistant County Attorney

Date: _____

EL PASO COUNTY LEGAL REVIEW FORM

KK-09-305

Contract Description: JPD/Third Amendment to Interlocal Agreement
For the provision of Pediatric Clinical and Nursing Services

COUNTY ATTORNEY ACTION**

****Requested Amendments/Clarifications:** Please list any questions or comments you have regarding the terms of the contract, as well as any specific provisions to which you object, or which you want to have changed.

 X Approved as to Form as Submitted
 Approved as to Form with Amendments/Modifications/Reservations Noted Below*
 Not Approved

- *1) This document has been given legal review by the El Paso County Attorney's Office on behalf of the County of El Paso, its officers, and employees. Said legal review should not be relied upon by any person or entity other than the County of El Paso, its officers, and employees.

KITTY SCHILD
Assistant County Attorney
Date: 11/02/09