

62821

DATE: April 23, 2018

TO: Board of Acquisition and Contract

FROM: Sherlita Amler, M.D.
Commissioner of Health

RE: Authorization to enter into a contract amendment with the New York State Department of Health for the Consumer Assistance for the New York State Health Benefit Exchange: In Person Assistors and Navigators Grant Program to extend the contract period and to increase the not-to-exceed amount, pursuant to an approved budget, as follows:

<u>Original Contract</u>	<u>Amended Contract</u>
Grant Period: 8/1/13 - 9/30/18	Contract Period: 8/1/13 - 4/30/19
Amount Not-To-Exceed: \$2,254,103	Amount Not-To-Exceed: \$2,508,598

On August 29, 2013, Your Honorable Board approved a Resolution (the "August 29, 2013 Resolution") authorizing the County of Westchester, acting by and through its Department of Health (the "WCDH"), to enter into contract with the New York State Department of Health (the "NYSDOH") to accept funding for the Consumer Assistance for the New York State Health Benefit Exchange: In Person Assistors and Navigators Grant Program, pursuant to an approved budget, for the contract period 08/01/13 – 9/30/18, in the amount not-to-exceed \$2,254,103. This contract has been executed.

The WCDH has since received further notification from the NYSDOH that a contract amendment will be sent to extend the contract period and increase the funding amount. The request to enter into a contract amendment is required to extend the contract period from 9/30/18 to 4/30/19 and to increase the funding amount by \$254,495 to the new not-to-exceed amount of \$2,508,598 pursuant to an approved budget.

As part of the federal Affordable Care Act ("ACA"), the Governor of New York created the New York State Health Benefit Exchange ("Exchange"), which is a one-stop marketplace where individuals and small businesses ("potential applicants") can explore and compare private and public health insurance options, health plans, out of pocket costs, and eligibility for advance premium tax credits and cost sharing assistance. As required by the ACA, the Exchange is required to establish and operate the IPA/Navigators Program.

The IPA/Navigators Program will promote the public health and general welfare of County residents by providing in-person application assistance to all potential applicants who apply for health insurance through the Exchange.

The amendment will also require the County to indemnify the New York State Department of Health as follows:

"The Contractor shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the Contractor or its subcontractors pursuant to this Master Contract. The Contractor shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages and cost of every nature arising out of the provision of services pursuant to the Master Contract."

The goal of the IPA/Navigators Program is to reduce barriers in accessing and applying for health insurance by providing in-person, culturally competent and linguistically appropriate application assistance to all potential applicants in convenient community-based locations where this targeted population may congregate during days, evenings and weekends.

The Program's objectives will be accomplished by offering information in a fair and impartial matter on the types of health insurance programs available through the Exchange, providing application assistance for private and public health insurance programs and advance premium tax credits and cost-sharing reductions and referring consumers to other organizations for help with grievances, complaints or questions regarding health coverage or a determination related to coverage.

I certify that my department, a.) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b.) has reviewed the Grant Terms, c.) is aware of and understands all of the Grant Terms, and d.) can and will comply with all of the Grant Terms.

All other terms and conditions of the original contract shall remain the same.

Approval of the attached resolution is respectfully requested.

/md
Attachment

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF HEALTH, be it hereby

RESOLVED, that the County of Westchester, acting by and through its Department of Health, is authorized to enter into a contract amendment with the New York State Department of Health for the Consumer Assistance for the New York State Health Benefit Exchange: In Person Assistors and Navigators Grant Program in order to extend the contract period and increase the not-to-exceed amount by \$254,495, pursuant to an approved budget as follows;

<u>Original Contract</u>	<u>Amended Contract</u>
Grant Period: 8/1/13 - 9/30/18	Contract Period: 8/1/13 - 4/30/19
Amount Not-To-Exceed: \$2,254,103	Amount Not-To-Exceed: \$2,508,598;

and, be it further

RESOLVED, that all other terms and conditions of the original contract shall remain the same; and, be it further

RESOLVED, that the contract amendment will also require the County of Westchester to indemnify the New York State Department of Health as follows:

“That the Contractor shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the Contractor or its subcontractors pursuant to this Master Contract. The Contractor shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages and cost of every nature arising out of the provision of services pursuant to the Master Contract”; and, be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

Department of Health
 County of Westchester
 10 County Center Road, 2nd Floor
 White Plains, New York 10607
 April 23, 2018

Original Agreement	\$2,254,103
First Amendment	\$
This Amendment	\$ 254,495

TOTAL \$2,508,598

Agreement #

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
		263	27	517T	9854	T517
	263	27	517T	9853	T517	\$190,871

Budget Funding Year(s) (must match resolution)	2018-2019	Start Date	10/1/18	End Date	4/30/19
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Funding Source	Tax Dollars	
	State Aid	25% (NYSDOH) – \$63,624
\$254,495	Federal Aid	75% (pass thru NYSDOH) - \$190,871
(must match resolution)	Other	