

12792

TO: The Board of Acquisition and Contract

FROM: Cheryl Archbald, MD MPH
Acting Commissioner of Health

DATE: July 12, 2010

RE: Authority – pursuant to Part A of the federal Ryan White HIV/AIDS Treatment Extension Act – to amend a contract and a resolution to increase the not-to-exceed contract amounts for three agencies for the budget period 8/1/10 – 2/28/11

Contract Period:	8/1/10 – 2/28/11
Amount:	\$198,096

On July 10, 1991, the Board of Legislators authorized the County of Westchester, acting by and through its Department of Health, to participate in the Ryan White CARE Act of 1990 on an ongoing basis by entering into intergovernmental agreements with the City of New York and the Counties of Rockland and Putnam.

For purposes of Title I (now “Part A”) of the CARE Act, the federal Health Services & Resources Administration had determined that the City of New York and the Counties of Westchester, Rockland and Putnam together (the “Tri-County region”) comprised an eligible metropolitan area and, therefore, qualify for financial support from the program. Since 1991, the City of New York and the Westchester County Department of Health have entered into contract under the CARE Act – and subsequently under the present-day reauthorized Ryan White HIV/AIDS Treatment Extension Act of 2009 – to fund HIV-related outpatient health and support services for residents in the Tri-County region through 2/28/14 (the “Agreement”) as authorized on November 26, 2008. The Agreement covers six (6) budget periods each at a not-to-exceed amount of \$6,500,000 for a total not-to-exceed contract amount of \$39,000,000.

On January 21, 2010, a resolution (the “January 21st Resolution”) was approved to accept funding from the City of New York for an amount not-to-exceed \$6,500,000 for the budget period 3/1/10 – 2/28/11, and to enter into contracts for direct service provision for the same period.

On April 22, 2010, a resolution was approved to amend the January 21st Resolution to increase the not-to-exceed contract amounts of several agencies in order to provide cost-of-living-adjustments and additional medical case management and transportation services, as well as to enter into a new contract for food services.

On June 3, 2010, a resolution was again approved to amend the January 21st Resolution to increase the not-to-exceed contract amounts of two agencies to provide enhanced early intervention and mental health services.

The annual Ryan White federal grant is divided by the legislation into “base” funding, supporting services for the general population with HIV/AIDS, and “Minority AIDS Initiative” (MAI) funding specifically targeted to communities of color. Three agencies have been providing MAI-funded early intervention services for the past several years. Their current MAI contracts expire on July 31, 2010. The newly reauthorized legislation is realigning the base and MAI fiscal years from March through February. For the past three years the MAI budget period has been August-July; effective March 1, 2011, all Ryan White MAI contracts will be back on the 12-month March-February cycle.

Until then, in order to provide continuous early intervention services, the Department of Health now requests that the not-to-exceed contract amounts for these three MAI providers (each of which was authorized previously this year also to provide medical case management services) be increased by \$66,032 each for the seven-month term August 1, 2010 – February 28, 2011; 1) Greyston Health Services, Inc., from \$154,500 to \$220,532; 2) St. John’s Riverside Hospital, from \$179,325 to \$245,357; and 3) The Mount Vernon Hospital, from \$154,500 to \$220,532. **Only the St. John’s Riverside Hospital contract has been executed. Therefore this resolution is seeking authority to amend the St. John’s contract, as well as requesting authority to amend the January 21st Resolution regarding the increases for the other two agencies whose contracts have not yet been executed.**

These agency contracts are exempt from Section 3(a)(viii) of the Procurement Policy relating to “contracts for medical or health-related services,” and Section 3(a)(xiv) relating to procurement “for the purpose of entering into a contract or contracts with not-for-profit organizations for the purposes of providing aid, care and support to persons in need of public assistance.”

Public Purpose: The value and importance of the goals and objectives of the services to be provided are in the best interest of the County as these services benefit the public health of the citizens of Westchester. The goals of the Ryan White-funded services are 1) to promote the health of uninsured and underinsured Tri-County residents living with HIV/AIDS thereby minimizing avoidable opportunistic illnesses and costly hospitalizations, and 2) to stem the further spread of the HIV epidemic across the region. The goals will be met through the following three objectives: a) identifying those already infected with HIV through outreach and counseling and testing; b) linking them to primary care and pharmaceuticals to suppress HIV viral load and boost immune function; and c) providing supportive services to help patients maintain medical appointments and treatment regimens. These goals and objectives will continue to be measured via an ongoing quality management initiative that is jointly funded, implemented and monitored by the NYC, NYS and Westchester County Departments of Health.

Approval of the attached resolution is respectfully requested.

Enc.

RESOLUTION

Upon a communication from the Acting Commissioner of Health, be it hereby

RESOLVED, 1) that the Resolution approved on January 21, 2010 (the "January 21st Resolution"), as amended, be hereby further amended in order to increase the not-to-exceed contract amounts, each by \$66,032, for Greyston Health Services, Inc., from \$154,500 to \$220,532, and for The Mount Vernon Hospital, from \$154,500 to \$220,532; and 2) that the County of Westchester is authorized to amend an existing executed contract with St. John's Riverside Hospital in order to increase the not-to-exceed amount by \$66,032, from \$179,325 to \$245,357; with all contract amount increases totaling an aggregate amount not-to-exceed \$198,096, each pursuant to approved budgets, for the 7-month term 8/1/10 through 2/28/11 for the provision of early intervention services; and be it further

RESOLVED, that all other terms and conditions of the January 21st Resolution, as amended, and the original St. John's Riverside Hospital contract shall remain unchanged; 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.

Original Resolution	\$4,334,411
Second Resolution	253,848
Third Resolution	45,094
This Resolution	<u>198,096</u>
Total	\$4,831,449

County of Westchester
July 12, 2010

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
263	27	027K	4380	T027	\$198,096

Budget Funding Year(s) 2010-2011 Start Date 8/1/10 End Date 2/28/11

Funding Source Tax Dollars _____
State Aid _____
\$198,096 Federal Aid 100% pass-through
Other _____