



Robert P. Astorino
County Executive

Department of Social Services

Grant E. Mitchell, MD
Acting Commissioner

13329

DATE: August 5, 2010

TO: Honorable Board of Acquisition and Contract

FROM: Grant E. Mitchell, MD, Acting Commissioner
Department of Social Services

SUBJECT: Authority to amend a resolution approved by your Honorable Board authorizing the County of Westchester to enter into contracts with the vendor agencies (attached as Schedule "A") for the provision of Consumer Directed Personal Assistance Program Services (CDPAP) under Title XIX of the Social Security Act and in accordance with Sections 365-f and 367-p(c) of the Social Services Law for the period from January 1, 2010 through December 31, 2010 in order to add the twenty-seven (27) Personal Care agencies, listed on 'Schedule B', attached hereto, that have contracts with the County for Title XIX services to the list of agencies already approved to provide CDPAP services at no additional cost to the County

On November 19, 2009, your Honorable Board approved a resolution authorizing the County of Westchester to enter into agreements with five (5) vendor agencies, listed on 'Schedule A' attached hereto for the administration of Consumer-Directed Personal Assistance Program Services (CDPAP) under Title XIX of the Social Security Act and in accordance with Sections 365-f and 367-p(c) of the Social Services Law for the period from January 1, 2010 through December 31, 2010 for an amount not to exceed \$15 million.

Authority is now requested to amend the resolution approved on November 19, 2009 in order to add the twenty-seven (27) personal care agencies indicated on 'Schedule B' attached hereto to the list of agencies already approved to provide CDPAP services at no additional cost to the County.

New York Social Services Law mandates that each local district ensure access to a CDPAP, allowing persons receiving personal care pursuant to this Title to hire and direct

their own caregivers. It is to be noted that the addition of these cases does not affect the aggregate number of Title XIX Personal Care cases or the appropriation because the CDPAP represents a choice in the provision of services for existing Personal Care recipients and does not add new cases to the total.

Providing our Personal Care agencies with the capacity to deliver CDPAP services will make the transition from one type of care to another less stressful for all of Westchester County's Medicaid recipients, specifically those who most benefit from CDPAP, the chronically ill and the disabled. Customers develop relationships with their aides and the agencies that provide these aides. When their medical needs change, they may be better served through CDPAP. However, they often lose their aides because the agency they are currently doing business with does not offer the CDPAP option. Providing more agencies with the CDPAP option can solve this problem.

These agreements are exempt from the Westchester County Procurement Policy pursuant to Section 3(a) (viii) therein which exempts contracts for medical or health-related services.

This contract serves a **public purpose** by enabling eligible participants to take an active, responsible role in planning their care, thus improving the quality of life for the chronically ill and the disabled of Westchester County.

The **goals and objectives** of CDPAP's are to allow individuals receiving home care under the Medical Assistance program greater flexibility and freedom of choice in obtaining such services.

These **goals and objectives are in the best interest of the County** as regards **public health** in that this program provides a means of alternative, self-directed care for chronically ill and/or physically disabled individuals of Westchester County.

Furthermore, **these goals and objectives are in the best interest of the County from a fiscal perspective** in that the individual consumer recruits, interviews, hires, trains, supervises, schedules, and, if need be, dismisses the Personal Assistant of his/her choice, thereby eliminating the administrative costs that would be incurred if an agency were employed to do those same things. CDPAP is less costly than other forms of home care under the Medical Assistance program for the aforementioned reason.

The **goals and objectives are monitored** on an on-going basis using compliance indicators established through the collaboration of the Department and an independent auditor.

The Department is able to report that in 2009, the Consumer Directed Personal Assistance Program successfully served 253 cases through the agreements the County had with five agencies. All of the agencies satisfactorily delivered services in their roles as fiscal intermediaries and paymasters of record for the Consumers' Personal Assistants.

Except as specifically amended hereby, all other terms and conditions of the original resolution shall remain the same. The Amendment is to the resolution because the contracts with the above said agencies have not been executed.

Accordingly, the County of Westchester is requesting authority to enter into the agreements with the agencies listed on 'Schedule B' attached hereto for the aforesaid purpose.

A resolution requesting the same is attached for your Honorable Board's approval.

APPROVED BOARD OF ACQUISITION & CONTRACT - 8-19-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Acting Commissioner of the Department of Social Services, be it hereby

RESOLVED, that the Resolution approved by your Honorable Board on November 19, 2009 authorizing the County, acting through the Department of Social Services, to enter into agreements with five (5) vendor agencies for the provision of Consumer Directed Personal Assistance Program Services under Title XIX of the Social Security Act and in accordance with Sections 365-f and 367-p (c) of the Social Services Law for the period from January 1, 2010 through December 31, 2010, is hereby amended in order to add the twenty-seven (27) personal care agencies listed on 'Schedule B' to the list of already approved agencies at no additional cost to the County; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the resolution approved on November 19, 2009 shall remain the same; and be it further

RESOLVED, that the County Executive or his authorized designee is empowered to execute any document necessary to implement this resolution.

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Original Agreement: \$15,000,000
This Amendment: \$0

Total \$15,000,000

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
N/A	N/A	N/A	N/A	N/A	N/A

Budget Funding Year(s) N/A Start Date: N/A End Date: N/A
(must match resolution)

Funding Source
N/A
(must match resolution)

Tax Dollars: N/A
State Aid: N/A
Federal Aid: N/A
Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 8-19-2010 - JOMAY VIEIRA, SECRETARY

Schedule “A”

Accentcare of New York, Inc. d/b/a Comprehensive Home Care
Concepts of Independent Choices, Inc.
Maxim of New York, L.L.C.
Recco Home Care Service, Inc.
South Shore Home Health Services, Inc.

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SCHEDULE "B"

Able Health Care Services, Inc.
A & J Homecare, Inc.
All Metro Health Care
Any-Time Home Care, Inc.
Azor, Inc. Licensed Home Care Service Agency
Best Care, Inc.
Chrislex Staffing, Ltd. d/b/a J&K Healthcare Services
Concept: Care, Inc.
Family Aides, Inc.
Family Services of Westchester, Inc.
Family Service Society of Yonkers
Grace Church Community Center, Inc. d/b/a Neighbors Program
Health Acquisition Corp. d/b/a Allen Health Care Services
Home Health Services of Westchester Jewish Community Services, Inc.
J&P Watson, Inc. d/b/a Interim Health Care of Rockland & Orange Counties
Lower West Side Household Services Corporation
New York Health Care, Inc.
People Care, Inc.
Personal Touch Home Care of Westchester, Inc.
PHC Services, Ltd.
Priority Home Care, Inc.
Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services
Unlimited Care, Inc.
Visiting Nurse Association Home Health Services, Inc.
The Wartburg Residential Community, Inc. d/b/a No Place Like Home Care
VIP Health Care Services, Inc.
Westchester Care at Home, Inc.

APPROVED BOARD OF ACQUISITION & CONTRACT - 8-19-2010 JUDY VIEIRA, SECRETARY