



Robert P. Astorino
County Executive

Department of Social Services

Grant E. Mitchell, MD
Acting Commissioner

14620

DATE: October 13, 2010

TO: Honorable Board of Acquisition and Contract

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

SUBJECT: Resolution authorizing the County of Westchester to enter into an agreement with the Visiting Nurse Services in Westchester, Inc. for the provision of nursing assessments/reassessments to Social Services clients who need personal care services for the term from January 1, 2011 through December 31, 2015 in an amount not to exceed \$6.875 million of which \$6.5 million will be billed directly to Medicaid through eMedNY, the Medicaid claims processing state subsystem for all Medicaid claims, and \$375,000, exclusively designated to cover the cost associated with Medicaid denials, is to be paid pursuant to an approved budget and subject to appropriation

We are hereby requesting authority for the County of Westchester to enter into an agreement with the Visiting Nurse Services in Westchester, Inc. to provide assessments/reassessments to Social Services clients who need personal care, establish a plan of care for each client and provide supervision of the client to determine if the level, amount, frequency and duration of personal care services authorized continues to be appropriate, as specified in 18 NYCRR 505.14 of the Social Services Regulations for the period January 1, 2011 through December 31, 2015 for an amount not to exceed \$6.875 million of which \$6.5 million will be billed directly to Medicaid through eMedNY (the Medicaid claims processing state subsystem for all Medicaid claims) and \$375,000, exclusively designated to cover the cost associated with Medicaid denials, to be paid pursuant to an approved budget and subject to appropriation.

The Westchester County Department of Social Services Office of Medical Home Care Services approves services for approximately 4,000 Medicaid-eligible elderly and disabled persons annually, about 2,300 of whom receive Personal Care Services. These people have

impairments which require that they receive assistance with the activities of daily living in order for them to be maintained safely in the home. Services must be ordered by a physician, performed by a trained Personal Care worker in accordance with a WCDSS approved plan of care, and supervised by a registered professional nurse.

It is estimated that about 7,000 home visits will be needed each year to monitor this caseload. These visits, the joint visits with Nurse and WCDSS Caseworker and Nursing Supervisory visits by the Nurse alone will be billed directly to Medicaid through eMedNY. Most of the Personal Care clients are Medicaid recipients with fee-for-service coverage which includes the cost of the assessments. For those clients who are subsequently determined to be ineligible for Medicaid (“Medicaid Denials”) the vendor shall bill the Westchester County Department of Social Services rather than Medicaid.

The aforementioned services were historically provided for the Office of Medical Services through an Interdepartmental agreement with the Westchester County Department of Health. The Department of Health is no longer able to participate in this agreement and Social Services needed to identify a new vendor to provide the services. This contract would ordinarily be exempt from the Westchester County Procurement Policy pursuant to Section 3(a) (viii) of that document. However, the Department opted to do a Request for Proposals (“RFP”) and ten (10) providers responded. Their proposals were evaluated using criteria specified in the RFP (See attached Schedule “A”) and ranked accordingly. Cost proposals of the applicants were comparable since these services will be billed directly to Medicaid at the nursing visit rate. That being said, the selection of Visiting Nurse Services in Westchester, Inc. is in the best interests of the County because this agency had the highest overall score of all the proposers and was the first ranked proposal based on the evaluation criteria set forth in the RFP (See attached Schedule “B”). They are a long established, financially stable, community based operation able to provide the Department with a staff of Registered Nurses all with at least two years of home care experience. They are able to bill Medicaid directly for nursing visits without additional funding from the County; all of their expenses will be covered through Medicaid reimbursement. They have the resources and the reputation to ensure continuity of care and provision of services for the Medicaid eligible population that will be in their care.

The **public purpose** of this program is to provide personal care to Medicaid recipients who require some or total assistance with the activities of daily living, including nutrition, environmental support functions and health related tasks.

The **goals and objectives** of this program are:

- To assure the provision of nursing assessments/reassessment to Medicaid eligible elderly and disabled Social Services clients who need personal care
- To establish a plan of care for each client
- To provide supervision of each client

The **goals and objectives are in the best interests of the County** in that the services provided ensure the maintenance of the personal care recipient’s health and safety within his/her home.

These **goals and objectives are in the best interest of the County from a fiscal perspective** in that one of the Department's specific goals in administering this program is to monitor that the services provided to the recipients are medically necessary and appropriate and to ensure that these services are provided in a cost-effective manner.

This **contract is monitored** through the Department of Social Services Office of Medical Home/Care Services.

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 11-12-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement with the Visiting Nurse Services in Westchester, Inc. for the provision of nursing assessments/reassessments to Social Services clients who need personal care services for the term from January 1, 2011 through December 31, 2015 in an amount not to exceed \$6.875 million of which \$6.5 million will be billed directly to Medicaid through eMedNY, and \$375,000, exclusively designated to cover the cost associated with Medicaid denials, to be paid pursuant to an approved budget and subject to appropriation; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to effectuate the purposes hereof.

Account to be

Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
2011	101	22	8900	5760 5650	-----	\$1,300,000 \$ 75,000
2012	101	22	8900	5760 5650	-----	\$1,300,000 \$ 75,000
2013	101	22	8900	5760 5650	-----	\$1,300,000 \$ 75,000
2014	101	22	8900	5760 5650	-----	\$1,300,000 \$ 75,000
2015	101	22	8900	5760 5650	-----	\$1,300,000 \$ 75,000

Budget Funding Year(s): 2011/2015
(must match resolution)

Start Date: 1/1/11

End Date: 12/31/15

\$6.5 Million (Vendor claims directly from eMedNY)

5760

5650

Funding Source

Tax Dollars _____ } Included in Medicaid Cap

Tax Dollars _____

State Aid _____ } Included in Medicaid Cap

State Aid _____ 50%

\$6.875 million
(must match resolution)

Federal Aid _____ } Included in Medicaid Cap
Other _____

Federal Aid _____ 50%
Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 11-12-2010 - JOMARY VIEIRA, SECRETARY

SCHEDULE "A"

PROPOSAL EVALUATION AND SELECTION

Each proposal will be reviewed by the Department according to the selection criteria defined below; final selection will be made by the Department's Office of Medical Home Care Services which will select those proposals which, in its opinion, best meet the requirements of the RFP.

Approval of the Proposer (s) and final contract requirements are subject to approval of the Westchester County Board of Acquisition and Contract. The approved Proposer will be required to sign contracts with the Department. The contract will be the final document and will specify the rights and responsibilities of all parties. If the selected Proposer (s) refuses or is unable to sign said contract within a reasonable time frame as determined by the Department, the Department will withdraw the offer to contract and begin negotiations with the next highest-ranked Proposer, subject to Board of Acquisition and Contract and other appropriate approvals.

Proposals will be rated on the following factors:

Organization Capability

- Proposer's History and Performance Record in the last 10 years.
- Recent history with nursing services operation.
- Prior experience with target population.
- Performance on prior government contracts.

Responsiveness to the RFP

- Compliance with basic requirements and understanding of basic services to be provided.
- Clarity and conciseness of the proposal.

Management

- Adequacy of the proposed organization and staffing plans.
- Quality Assurance
- Adequacy of staff supervision, training and support.

Financial Capability

- Indication of the respondent's overall fiscal well-being

Ability of use Equipment and Systems

Data enter the Nursing Assessment, Nursing Supervisor and Plan
of Care

Customer Service

- Evaluation of service plan to initiate and monitor Nursing service and
- to respond efficiently to emergencies.

Cost

- Reasonableness of proposed budget.

Organization Capability	_____	20%
Responsiveness to the RFP	_____	10%
Management	_____	10%
Financial Capability	_____	20%
Ability of use Equipment and Systems	_____	10%
Customer Service	_____	10%
Cost	_____	20%
Total	_____	

Proposer Name: _____

Reviewed by: _____

SCHEDULE "B"

RFP NURSING 2010

	Jose	Kathy	James	David	Ave	Total
VNS in Westchester	100	93	100	92	96.25	385
Personal Touch of West	85	93.5	95	90	90.875	363.5
VNS of NY Homecare	84	75	91	75	81.25	325
Dominican Sisters	70	62	91	82	76.25	305
Health Acquisition Corp.(Allen)	65	68	68	71	68	272
Maxim of New York	60	40	45	45	47.5	190
Pioneer Homecare Inc.	50	30	45	35	40	160
White Glove	29	12	35	23	24.75	99
Broadway Health Care	35	0	16	28	19.75	79
VNR	15	2	24	28	17.25	69

APPROVED BOARD OF ACCOUNTANTS & CONTRACT - 11-12-2010 - JOMARY NEIRA, SECRETARY