



Robert P. Astoring
County Executive

Department of Social Services

Kevin McGuire
Commissioner

25196

DATE: February 28, 2012

TO: Board of Acquisition and Contract

FROM: Kevin McGuire
Commissioner of Social Services

SUBJECT: Resolution authorizing the County of Westchester to amend contracts with American Medical Alert Corporation, Lifeline Systems Company and Lifestation for Personal Emergency System services under Title XIX of the Social Security Act and pursuant to the provisions of Sections 365-a and 367-g of New York State Social Services Law for the period January 1, 2009 through December 31, 2011 for a total amount not to exceed \$600,000 by: 1.) extending the end date from December 31, 2011 to August 31, 2012 and 2.) increasing the amount not to exceed by \$133,333 from a total amount not to exceed of \$600,000 to a new total amount not to exceed of \$733,333 to be paid pursuant to an approved budget and subject to appropriation, at New York State rates indicated on Schedule "A" attached hereto, to cover the costs associated with the services to be provided during the extended period

By resolution approved on March 19, 2009, your Honorable Board authorized the County of Westchester, acting by and through the Department of Social Services, to enter into agreements with American Medical Alert Corporation, Lifeline Systems Company and Lifestation to provide Personal Emergency Response Systems (PERS) services to Medicaid enrollees who are in receipt of Personal Care Services under Title XIX of the Social Security Act and pursuant to the provisions of Sections 365-a and 367-g of New York State Social Services Law for the period January 1, 2009 through December 31, 2011 in an amount not to exceed \$600,000. The agencies named above were chosen pursuant to a Request for Proposals ("RFP") issued in December, 2008. Contracts with all three (3) agencies were subsequently executed.

Authority is now requested to amend the foresaid agreements by: 1) extending the end date from December 31, 2011 to August 31, 2012 and 2) increasing the amount not to exceed by \$133,333, from a total amount not to exceed of \$600,000 to a new total amount not to exceed of \$733,333 to be paid pursuant to an approved budget and subject to appropriation at New York State rates indicated on the attached Schedule "A". The additional funding will be used to cover the cost associated with the provision of services during the extended period. The Department is requesting that these contracts be amended to allow time for the completion of the RFP process. The Department is anticipating that the new PERS contracts will take effect on or about September 1, 2012.

This contract serves a **public purpose** by providing PERS support to Medicaid enrollees receiving Personal Care. Personal Emergency Response Systems are telephone electronic monitoring devices that summon emergency assistance to homebound individuals.

The **goals and objectives** of this agreement are to ensure the safety and wellbeing of the elderly, chronically ill and disabled Medicaid recipients by providing them with a device that summons assistance in cases of emergency.

The goals and objectives are in the best interest of the County from a **public health and public safety** perspective since the PERS device acts as a guardian for those individuals who are homebound and vulnerable and ensures a swift response to their emergencies.

These **goals and objectives are also in the best interest of the County** as regards **fiscal** responsibility in that the PERS device reduces the need for the additional Personal Care hours that would be required to assure client safety. Medical Assistance expenditures are significantly reduced without an adverse impact on the recipients' quality of care. Also, the small cost of this device far outweighs the possible consequences for susceptible Medicaid patients whose home safety is an issue.

The **goals and objectives are tracked and monitored** by the Department of Social Services on an on-going basis using compliance indicators established through the contract. 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.

The Department is able to report that during the last contract period, the vendors previously contracted with maintained compliance and timeliness in all of the following areas: provision of service; reliability of service; efficiency of emergency response and accuracy of reporting. From 2009 through 2011, the average monthly total of PERS subscribers was 760. The average quarterly total for new installations was 95.

Except as specifically amended hereby, all other terms and conditions of the original agreements shall remain in full force and effect.

We are now requesting that your Honorable Board approve the attached resolution for the County of Westchester to amend agreements with AMERICAN MEDICAL ALERT CORPORATION, LIFELINE SYSTEMS COMPANY and LIFESTATION for the above stated purpose.

A Resolution requesting the same is attached for your approval.

RESOLUTION

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

RESOLVED, that the County of Westchester be, and hereby is authorized to amend agreements with AMERICAN MEDICAL ALERT CORPORATION, LIFELINE SYSTEMS COMPANY and LIFESTATION for Personal Emergency Response System services under Title XIX of the Social Security Act and pursuant to the provisions of Sections 365-a and 367-g of the New York State Social Services Law for the period January 1, 2009 through December 31, 2011 for an amount not to exceed \$600,000 by: 1) extending the end date from December 31, 2011 to August 31, 2012; and 2) increasing the amount not to exceed by \$133,333 from a total amount not to exceed of \$600,000 to a new total amount not to exceed of \$733,333 to be paid at New York State rates pursuant to an approved budget to cover the cost associated with the services to be provided during the extended period; and be it further

RESOLVED, that these contracts are subject to County Appropriations; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the original agreements shall remain in full force and effect; and be it further

RESOLVED, that these Agreements are 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 these Agreements. 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 these Agreements or to renegotiate the amounts and rates approved herein. If the County shall subsequently offer to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

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

Original contract amount: \$600,000
 This amendment: **\$133,333**
 Total: \$733,333

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	22	8900	5760	_____	\$133,333

Budget Funding Year(s): 2012 Start Date: 1/1/09 End Date: 8/31/12
 (must match resolution)

Funding Source

Tax Dollars:

State Aid: 50% Included in the Medicaid cap

\$133,333
 (must match resolution)

Federal Aid: 50% Included in the Medicaid cap

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/05/2012 - JOMARY VIEIRA, SECRETARY

Schedule "A"

New York State Department of Health
PERS RATES 2012

AGENCY NAME	INSTALLATION FEE	MONTHLY CHARGE
LIFELINE SYSTEMS COMPANY	\$40.00	\$25.00
AMAC	\$50.00	\$24.00
LIFESTATION	\$19.25	\$20.00

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/05/2012 - JOMARY VIEIRA, SECRETARY