

**28248**

**DATE:** July 19, 2012

**TO:** Board of Acquisition and Contract

**FROM:** Sherlita Amler, MD  
Commissioner of Health

**RE:** Authorization for the County of Westchester to assign an agreement with an Early Intervention and Related Services Provider approved on April 1, 2010, Donna Klein and Associates, Inc., to Westchester Therapy Solutions – Occupational, Physical and Speech Therapy, PLLC as described below

On April 1, 2010, your Honorable Board approved a resolution (the “April 1<sup>st</sup> Resolution”) authorizing the County of Westchester, acting by and through its Department of Health (“WCDH”), to enter into agreements (the “Agreements”) with approved and licensed Early Intervention and Related Services Providers, for the period July 1, 2010 through June 30, 2015, subject to County appropriations, with each provider to be reimbursed at rates established and approved by the New York State Department of Health (“NYSDOH”) and the New York State Education Department (“NYSED”) respectively.

The Agreement with Donna Klein and Associates, Inc. (“Donna Klein”) has been executed.

The WCDH has since been informed that Donna Klein, which was authorized by your Honorable Board under the April 1<sup>st</sup> Resolution, has formed a new legal entity, Westchester Therapy Solutions – Occupational, Physical and Speech Therapy, PLLC (“Westchester Therapy Solutions PLLC”). Donna Klein has notified the NYSDOH of this new entity, and this new agency has received approval from the NYSDOH to operate and provide early intervention and related services to children with special needs.

Therefore, authority is respectfully requested to assign Donna Klein’s contract effective September 1, 2012, to the new agency as stated below:

Assign from: Donna Klein and Associates, Inc.

Assign to: Westchester Therapy Solutions – Occupational, Physical and Speech Therapy, PLLC

These agreements promote the public health, safety and welfare of Westchester County’s children with special needs by enabling their daily participation in special needs programs and other community settings that typically developing children attend. On an annual basis, approximately 10,000 children are served by the Early Intervention and Related Services programs.

The goals and objectives of these programs are to:

- Provide appropriate services to children from birth to five years of age with developmental disabilities and/or delays in accordance with their approved Individualized Family Service Plan (IFSP) or Individualized Education Plan (IEP)
- Provide these services in the child’s natural environment and least restrictive setting

Providers will be monitored, as per their contract requirements and the WCDH's performance measurement indicators, for the provision of services through program site visits and review of their clinical session and progress reports, and accuracy of billing by monthly reviews of submitted documentation.

The assigned agreement will contain all terms and conditions of the original Agreement.

An appropriate resolution has been attached herewith for your Board's consideration.

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/16/2012 - JOMARY VEIR, SECRETARY

## 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 assign an agreement with an Early Intervention and Related Services Provider, Donna Klein and Associates, Inc., for the period July 1, 2010 through June 30, 2015, for the provision of services to children with disabilities, mandated pursuant to Article 25, Title II-A of the New York State Public Health Law and Part 200 of the New York State Education Law, to Westchester Therapy Solutions – Occupational, Physical and Speech Therapy, PLLC effective September 1, 2012; and, be it further

**RESOLVED,** that the assigned agreement will contain all terms and conditions of the original Agreement; and, be it further

**RESOLVED,** that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute and deliver all instruments and to take all actions necessary or appropriate to accomplish the purpose of this resolution.

Department of Health  
 County of Westchester  
 145 Huguenot Street, 8<sup>th</sup> Floor  
 New Rochelle, New York 10801  
 July 19, 2012

Original Agreement	\$
First Amendment	\$
<b>This Amendment</b>	\$ _____
<b>TOTAL</b>	<b>\$</b>

Agreement # \_\_\_\_\_

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
N/A						

Budget Funding Year(s) (must match resolution) \_\_\_\_\_ Start Date \_\_\_\_\_ End Date \_\_\_\_\_

Funding Source	Tax Dollars	_____
	State Aid	_____
	Federal Aid	_____
(must match resolution)	Other	_____