

34688

DATE: June 25, 2013

TO: Board of Acquisition and Contract

FROM: John B. McCaffrey  
Chief Information Officer

Sherlita Amler, M.D.  
Commissioner of Health

RE: AUTHORIZATION TO AMEND A SOFTWARE LICENSE AND SERVICE AGREEMENT (IT-1156) WITH HUDSON CENTER FOR HEALTH EQUITY AND QUALITY ("HCHEQ") FOR THE FACILITATED ENROLLMENT ELECTRONIC APPLICATION TO EXTEND THE AGREEMENT FOR 1 YEAR COMMENCING JANUARY 1, 2013 AND TERMINATING DECEMBER 31, 2013 AND INCREASE THE AMOUNT BY \$9,835 TO A NEW TOTAL NOT TO EXCEED AMOUNT OF \$32,009, WITH ALL OTHER TERMS AND CONDITIONS OF THE AGREEMENT REMAINING THE SAME

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BACKGROUND:

- Currently we have an executed and approved Software License and Service Agreement (IT-1156) with Hudson Center for Health Equity and Quality ("HCHEQ"), for the provision of the Facilitated Enrollment Electronic Application ("FEEA"), which allows for the electronic completion of applications for public health insurance coverage. The agreement commenced August 18, 2010 and terminated December 31, 2011 for a total not to exceed amount of \$12,625 and provides for three renewals of one year each.
- By a resolution approved on February 9, 2012, your Honorable Board authorized the County to amend Agreement IT-1156 by, 1) extending the term by twelve (12) months, to a new termination date of December 31, 2012, and 2) increasing the authorized not-to-exceed amount by \$9,549, to a new amount not-to-exceed \$22,174, in order to pay for the services to be provided during the extended term (the "First Amendment"). The First Amendment was subsequently executed. We would like to amend the agreement in order to exercise the second 1-year renewal option and increase the amount by \$9,835.
- The FEEA software automates the NYSDOH required paper application, eligibility verification, and documentation for enrollment and recertification in New York State public health insurance programs, specifically Child Health Plus, Family Health Plus and Medicaid. FEEA increases productivity, improves coordination, and provides a more efficient system for completing and processing applications for public health insurance by reducing redundancy and application errors, which ultimately impacts timely access to coverage and medical care. The Department of Health Community Based Facilitated Enrollment program (FE) continues to utilize FEEA to complete applications for health insurance coverage.

- The Department of Health receives a performance-based grant funding from NYSDOH to hire enrollers to provide facilitated enrollment services. The Health Department's contract with the NYSDOH is amended annually with the current contract amendment period ending December 31, 2013. Therefore, we now come before your Honorable Board requesting approval to amend the current agreement with HCHEQ for FEEA to exercise the County's second 1-year renewal option, commencing January 1, 2013 and terminating December 31, 2013 for a total not to exceed contract amount of \$9,835.00, with the County having the option to terminate the agreement in the event NYSDOH discontinues funding of the administration of the FE program or requires use of alternate technology or systems to facilitate access to public health insurance.
- Pursuant to Section 9 of the Westchester County Procurement Policy and Procedures, it is our recommendation that after reasonable investigation, it has been determined that software support services from HCHEQ is the only one practicable source for the provision of these services. HCHEQ, which designed and implemented FEEA, is a sole source provider of support and maintenance services of its proprietary application software licensed to, and in use by the County, therefore they are the sole source for software support services. For this reason, it is our recommendation that the subject procurement qualifies as a sole source procurement and is exempt from the procedures of the Procurement Policy under Section 9 of said Policy.
- The public purpose of this agreement is the utilization of an automated system for the efficient processing of health insurance applications. This benefits the public by facilitating timely access to health insurance coverage and medical care.
- The goals and objectives of the requested agreement are to:
  - Increase overall access to public health insurance coverage
  - Enable the submission of applications for public health insurance in a timely manner
  - Improve the accuracy and completeness of applications for public health insurance
  - Improve coordination between the Health Department, facilitated enrollment subcontractors and health insurance enrollment entities.
- FEEA will be tracked and monitored by Department of Health staff in conjunction with the Department of Information Technology to be sure the system is working efficiently.

**ACTION REQUESTED:**

- Authorization to amend an agreement (IT-1156) with Hudson Center for Health Equity and Quality ("HCHEQ"), having an office located at 303 South Broadway, Suite 420, Tarrytown, New York 10591-5455, for the Facilitated Enrollment Electronic Application ("FEEA"), for 1 year commencing January 1, 2013 and terminating December 31, 2013 and to increase the amount \$9,835.00, with the County having the option to terminate the agreement (IT-1156) with HCHEQ in the event the New York State Department of Health discontinues funding of the FE program or requires use of alternate technology or systems to facilitate access to public health insurance.

A resolution authorizing the above agreement is submitted herewith for your approval.

## RESOLUTION

UPON A COMMUNICATION FROM THE CHIEF INFORMATION OFFICER, DEPARTMENT OF INFORMATION TECHNOLOGY, and THE COMMISSIONER, DEPARTMENT OF HEALTH, BE IT HEREBY

RESOLVED, that the County of Westchester (the "County") is authorized to amend a software license and service agreement (IT-1156) with Hudson Center for Health Equity and Quality (HCHEQ"), having an office located at 303 South Broadway, Suite 420, Tarrytown, New York 10591-5455, for the Facilitated Enrollment Electronic Application ("FEEA"), to exercise the County's second 1-year renewal option, commencing January 1, 2013 and terminating December 31, 2013, and increase the amount by \$9,835 to a new total not to exceed amount of \$32,009, with all other terms and conditions of the agreement remaining the same; and be it further

RESOLVED, that the County of Westchester has the option to terminate the agreement (IT-1156) with HCHEQ in the event the New York State Department of Health discontinues funding of the FE program or requires use of alternate technology or systems to facilitate access to public health insurance; and be it further

RESOLVED, that subject procurement qualifies as a sole source procurement and is exempt from the procedures of the Procurement Policy under Section 9 of said Policy; and be it further

RESOLVED, this Agreement is subject to County appropriations; and be it further

RESOLVED, 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 and empowered to execute any and all documents necessary to effectuate the purposes hereof.

Original Agreement: \$ 12,625.00  
 First Amendment: \$ 9,549.00  
**This Amendment: \$ 9,835.00**  
**Total \$ 32,009.00**

Contract: **IT-1156**

Account to be charged/credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
2013	101	16	6000	4070		\$9,835.00

Budget Funding Year(s): 2013

Start Date: January 1, 2013

End Date: December 31, 2013

Funding Source: Tax Dollars: \$9,835.00  
 State Aid \_\_\_\_\_  
\$9,835.00 Federal Aid \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/01/2013 JENY VIEIRA, SECRETARY