

35992

DATE: September 16, 2013

TO: Board of Acquisition and Contract

FROM: Sherlita Amler, M.D.  
Commissioner of Health

RE: Authorization for the County of Westchester to amend a Resolution approved on April 1, 2010, as amended, for Agreements with Early Intervention and Related Services Providers Pursuant to Article 25, Title II-A of the New York State Public Health Law and Section 4410, Part 200 of the New York State Education Law respectively, in order to add one new Related Services Provider, Maxim of New York, LLC

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On April 1, 2010, your Board approved a resolution (the "April 1<sup>st</sup> Resolution"), as amended, authorizing the County to enter into Agreements (the "Agreements") with approved and licensed Early Intervention and Related Services Providers pursuant to Article 25, Title II-A of the New York State Public Health Law and Section 4410, Part 200 of the New York State Education Law respectively, for the period July 1, 2010 through June 30, 2015, with each provider to be reimbursed at rates established and approved by the New York State Department of Health and New York State Education Department ("NYSED") respectively.

On June 17, 2010, the April 1<sup>st</sup> Resolution was amended to add two approved and licensed providers, Speech and Communication Professionals and Behavior Analysts of New York, LLC, subject to the same terms and conditions of the April 1<sup>st</sup> Resolution. These agreements were subsequently executed.

On November 3, 2011, the April 1<sup>st</sup> Resolution was further amended to add another approved and licensed provider, Sunshine RN, PT, OT, SLP and Psychology, PLLC, subject to the same terms and conditions of the April 1<sup>st</sup> Resolution. This agreement was subsequently executed.

On July 18, 2013, the April 1<sup>st</sup> Resolution was again further amended to add another approved and licensed Related Services provider, Richard Madison Associates, Inc., subject to the same terms and conditions of the April 1<sup>st</sup> Resolution. This agreement was subsequently executed.

Accordingly, authorization is hereby respectfully requested to amend the April 1<sup>st</sup> Resolution by adding one approved and licensed Related Services provider, Maxim of New York, LLC, effective November 1, 2013. This provider will be subject to the same terms and conditions of the April 1<sup>st</sup> Resolution, and will provide RN/LPN nursing services to Westchester school districts for preschool children with special needs, three to five years of age that require medical support in order to attend special education or nursery programs. Part 200 of the New York State Education Law requires that municipalities ensure adequate provider capacity to serve all disabilities and contract with provider agencies when there is a documented need for highly specialized services or a lack of provider capacity.

These agreements will 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 Health Department'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.

All other terms and conditions of the April 1<sup>st</sup> Resolution as amended shall remain the same. Your approval of the attached Resolution is respectfully requested.

MY/dc  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/10/2013 - SOMER VERA SECRETARY

# RESOLUTION

Upon a communication from the Commissioner of the Department of Health, be it hereby

**RESOLVED**, that the Resolution approved by This Honorable Board on April 1, 2010 (the "April 1<sup>st</sup>, 2010 Resolution"), as amended, which authorized the County to enter into agreements with approved and licensed Early Intervention and Related Services Providers 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, be hereby amended in order to add one approved and licensed Related Services provider, **Maxim of New York, LLC**, effective November 1, 2013, to the list of providers subject to the same terms and conditions as stated in the April 1<sup>st</sup>, 2010 Resolution; and, be it further

**RESOLVED**, that all other terms and conditions of the April 1<sup>st</sup>, 2010 Resolution as amended shall remain the same; 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  
 10 County Center Road, 2<sup>nd</sup> Floor  
 White Plains, NY 10607  
 September 16, 2013

Original Agreement	\$	
First Amendment	\$	
<b>This Amendment</b>	<b>\$</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 (must match resolution) Tax Dollars _____						
State Aid _____						
Federal Aid _____						
Other _____						