

**44689**

TO: The Board of Acquisition and Contract

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

DATE: February 18, 2015

RE: Authority – pursuant to Part A of the Federal Ryan White HIV/AIDS Treatment Extension Act – to enter into contract with the New York City Department of Health & Mental Hygiene not-to-exceed \$19,500,000 for the budget period 3/1/15 – 2/28/18 for the provision of HIV-related services for residents of Westchester, Rockland, and Putnam counties

Contract Period: 3/1/15 – 2/28/18  
Amount: \$19,500,000

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On July 10, 1991, the Board of Legislators authorized the County of Westchester, acting by and through its Department of Health, to participate in the Ryan White CARE Act of 1990 on an ongoing basis by entering into Intergovernmental Agreements with the City of New York and the Counties of Rockland and Putnam.

For purposes of Title I of the CARE Act, the Federal Health Services & Resources Administration had determined that the City of New York and the Counties of Westchester, Rockland and Putnam together (the “Tri-County region”) comprised an eligible metropolitan area and, therefore, qualify for financial support from the program. Since 1991 the New York City Department of Health & Mental Hygiene (“NYCDOHMH”) and the Westchester County Department of Health entered into contract under the CARE Act – and subsequently under Part A of the present-day reauthorized Ryan White HIV/AIDS Treatment Extension Act – to fund HIV-related outpatient health and support services for residents in the Tri-County region through February 28, 2014 (the “Agreement”) as authorized on November 26, 2008. Last year authorization was received to enter into a one-year contract from 3/1/14 – 2/28/15. The Department of Health now requests authorization to enter into a new Agreement with the NYCDOHMH for the three-year period 3/1/15 – 2/28/18 at a not-to-exceed contract amount of \$19,500,000. This Agreement is renewable for up to two (2) additional three (3) year terms subject to further approval by the County. The NYCDOHMH Agreement requires the County to indemnify, defend and hold harmless the City against any and all liability, claims and expenses, including reasonable attorney’s fees, resulting from the acts or omissions of the County.

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.

Public Purpose The goals and objectives of this contract are in the best interest of the County as the services to be provided benefit the public health of the citizens of Westchester. The goals of the Ryan White-funded programs are: 1) to promote the health of uninsured and underinsured Tri-County residents living with HIV/AIDS thereby minimizing avoidable opportunistic illnesses and costly emergency room visits and hospitalizations, and 2) to stem the further spread of the HIV epidemic across the region. The goals will be met through the following three objectives: a) identifying those already infected with HIV through outreach and counseling and testing; b) linking them to primary care and medications to suppress HIV viral load and boost immune function; and c) providing supportive services to help patients maintain medical appointments and treatment regimens. These goals and objectives will continue to be measured via an ongoing quality management initiative that is jointly funded, implemented and monitored by the NYS, NYC, and Westchester County Departments of Health.

Approval of the attached resolution is respectfully requested

Enc.

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/19/2015 - JONAPY WELLS COUNTY

**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 – pursuant to Part A of the federal Ryan White HIV/AIDS Treatment Extension Act – to enter into a three-year contract with the New York City Department of Health & Mental Hygiene (“NYCDOHMH”) for the period 3/1/15 – 2/28/18 not to exceed \$19,500,000, in order to provide HIV-related services to residents of Westchester, Rockland, and Putnam counties; and be it further

RESOLVED, that under the NYCDOHMH Agreement, the County shall indemnify, defend and hold harmless the City against any and all liability, claims and expenses, including reasonable attorney’s fees, resulting from the acts or omissions of the County.

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

County of Westchester  
February 18, 2015

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Revenue	Trust Account	Dollars
263	27	027Q	9853	T027	\$6,500,000
263	27	027R	9853	T027	\$6,500,000
263	27	027S	9853	T027	\$6,500,000

Budget Funding Year(s) 2015-2018      Start Date 3/1/15      End Date 2/28/18

Funding Source      Tax Dollars \_\_\_\_\_  
                                 State Aid \_\_\_\_\_  
\$19,500,000      Federal Aid 100% pass-through  
                                 Other \_\_\_\_\_