

Department of Health

10 County Center Road, 2nd Floor
White Plains, NY 10607

72347

TO: The Board of Acquisition and Contract

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

DATE: October 24, 2019

RE: Request authority to enter into an agreement with Public Health Solutions to accept funding for the Early Intervention Services (EIT) Program Grant, for the contract period March 1, 2019 through February 28, 2022, in an amount not-to-exceed \$402,994, pursuant to an approved budget, and to indemnify and defend Public Health Solutions as described below.

The County of Westchester (the "County"), acting by and through the Department of Health (the "WCDH"), requests authorization to enter into an agreement with Public Health Solutions ("PHS") to accept funding for the Early Intervention Services (EIT) Program Grant, for the contract period March 1, 2019 through February 28, 2022, in an amount not-to-exceed \$402,994, pursuant to an approved budget.

New York City Department of Health and Mental Hygiene ("NYC DOHMH"), through its funding intermediary PHS, has awarded the WCDH this EIT grant funding to provide community-based HIV testing, among other services, in high risk/special populations where there continues to be limited resources. This EIT funding is part of the Ryan White Part A Program which provides medical and support services to counties/cities that are the most severely affected by HIV/AIDS epidemic.

This EIT Program will promote the public health, safety and welfare of County residents by assisting the WCDH in decreasing the spread of HIV and Hepatitis infection in high risk/special populations which are primarily uninsured and underinsured and improving overall health outcomes.

The goal of this EIT Program is to provide targeted HIV testing among priority populations in non-clinical settings to encourage these groups to test regularly according to the recommendations of the Center for Disease Control and Prevention ("CDC") and NYC DOHMH recommendations. The objectives to accomplish this are a) linkage to initiation of antiretroviral treatment ("iART"); b) timely linkage to care for those who are newly diagnosed or previously diagnosed and out of

care for 9 months or longer; and c) linkage to pre-exposure prophylaxis (“PrEP”) and post-exposure prophylaxis (“PEP”) services for HIV-negative persons at risk of HIV acquisition.

The goals and objectives of the EIT Program will be tracked and monitored by entering at least monthly the number of clients tested for HIV, newly diagnosed, newly linked to care, among other service indicators, into PHS’s reporting portal eSHARE. Program outcomes will also be measured by client satisfaction surveys.

The agreement will also require the County to indemnify Public Health Solutions as follows:

“The Westchester County Department of Health agrees to indemnify, defend and hold Public Health Solutions harmless against any and all liability, claims and expenses, including reasonable attorney’s fees resulting from the acts or omissions of the Westchester County Department of Health.”

The proposed contract is exempt from Section 3(a)(xiv) of the Procurement Policy relating to procurements “for the purpose of entering into a contract or contracts with not for profit organizations for the purposes of providing aid, care and support to persons in need of public assistance.”

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.

Approval of the attached resolution is respectfully requested.

RESOLUTION

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

RESOLVED, that the County of Westchester, acting by and through the Department of Health (the “WCDH”), requests authorization to enter into an agreement with Public Health Solutions (“PHS”) to accept funding for the Early Intervention Services (EIT) Program Grant, for the contract period March 1, 2019 through February 28, 2022, in an amount not-to-exceed \$402,994, pursuant to an approved budget; and be it further

RESOLVED, that “the Westchester County Department of Health agrees to indemnify, defend and hold Public Health Solutions harmless against any and all liability, claims and expenses, including reasonable attorney’s fees resulting from the acts or omissions of the Westchester County Department of Health”; and be it further

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

County of Westchester
October 24, 2019

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Revenue	Trust Account	Dollars
263	27	T12U	9853	T1012	\$134,098
263	27	T12V	9853	T1012	\$134,098
263	27	T12W	9853	T1012	\$134,098

Budget Funding Year(s) 2019-2022 Start Date 3/1/19 End Date 2/28/22

Funding Source Tax Dollars _____
 State Aid _____
 Federal Aid: Public Health Solutions, NYC DOHMH _____
 (must match resolution) Other _____

\$402,294