

72542

DATE: November 7, 2019

TO: Honorable Members of the Board of Acquisition and Contract

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

RE: Authority to enter into an agreement with Robert Rothman, d/b/a Empirepro, pursuant to which Robert Rothman will provide professional services for the Westchester County Department of Health's pharmacy operations that serve its District Office Sexually Transmitted Disease ("STD") and Tuberculosis ("TB") Clinics, for the period January 1, 2020 through December 31, 2020, for a total amount not-to-exceed \$80,000, payable at the hourly reimbursement rates as stated in Schedule "A".

Authority is hereby requested for the County of Westchester (the "County"), acting by and through its Department of Health ("WCDH"), to enter into an agreement with Robert Rothman, d/b/a Empirepro ("Robert Rothman"), pursuant to which Robert Rothman will provide professional services for the Westchester County Department of Health's pharmacy operations that serve its District Office Sexually Transmitted Disease ("STD") and Tuberculosis ("TB") Clinics, for the period January 1, 2020 through December 31, 2020, for a total amount not-to-exceed \$80,000, payable at the hourly reimbursement rates as stated in Schedule "A".

As an Article 28 provider, the WCDH has both a regulatory and public health requirement to provide continuous pharmacy operations services for its clinic patients, and it is in the best interests of the County to enter into an agreement with Robert Rothman.

Under the terms of the proposed agreement, Robert Rothman will provide to the WCDH as per current NYS Board of Pharmacy regulations, a NYS licensed and currently registered supervising pharmacist, and any other appropriate NYS licensed and registered pharmacist(s) and pharmacy technician(s) or others who can perform all necessary services required to fill patient prescriptions and repack medications both in liquid and pill form, that are dispensed in the district office clinics; assist with the ongoing support and refinement of a web-based electronic health record system, which includes an integrated pharmacy system for district office-based medical providers to order medications and electronically send prescriptions for dispensing by the pharmacy; ensure that WCDH's pharmacy system meets and complies with NYSED Office for Professions and FDA regulatory requirements for dispensing, tracking and managing pharmaceuticals and potential medication recalls, managing inventory and ordering and repackaging of bulk supplies of pharmaceuticals.

This proposed agreement will promote the public health and general welfare of County residents by providing the required supervision of WCDH's pharmacy operations in order to ensure compliance with state regulations regarding the repackaging and correct dispensing of patient-specific medications. In lieu of having personnel to perform these services, Robert Rothman will provide these services to the WCDH on an as-needed basis. The goal is to ensure that WCDH clinic patients who are being treated and monitored for critical communicable diseases, such as STDs and TB, receive their prescriptions in accordance with proper clinical and treatment regimens. The objective is to minimize the public health risk by providing pharmacological intervention to these patients and improve their overall well-being. This is consistent with the goal to manage and contain the WCDH's overall costs of maintaining and operating its pharmacy operations.

This agreement will be tracked and monitored by WCDH's clinician monthly reviews of medications dispensed and accuracy for orders by requesting clinics, ongoing assessment of other contracted pharmacy operations and data collection through the electronic medical record system. In addition, pharmacy operations staff and clinicians will meet semi-annually to review and update the medication formulary and dispensing protocols. On an annual basis, approximately 7,500 prescription medications are repackaged and labeled for patients treated in the district office clinics.

This agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)viii thereof.

Approval of the attached resolution is respectfully requested.

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/05/2019 - JOAN COCCARDELL SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF HEALTH, be it hereby

RESOLVED, that the County of Westchester ("County"), acting by and through its Department of Health ("WCDH"), is authorized to enter into an agreement with Robert Rothman, d/b/a Empirepro ("Robert Rothman"), pursuant to which Robert Rothman will provide professional services for the Westchester County Department of Health's pharmacy operations that serve its District Office Sexually Transmitted Disease ("STD") and Tuberculosis ("TB") Clinics, for the period January 1, 2020 through December 31, 2020, for a total amount not-to-exceed \$80,000, payable at the hourly reimbursement rates as stated in Schedule "A"; and, be it further

RESOLVED, that under the terms of the proposed agreement, Robert Rothman will provide to the WCDH as per current NYS Board of Pharmacy regulations, a NYS licensed and currently registered supervising pharmacist, and any other appropriate NYS licensed and registered pharmacist(s) and pharmacy technician(s) or others who can perform all necessary services required to fill patient prescriptions and repack medications both in liquid and pill form, that are dispensed in the district office clinics; assist with the ongoing support and refinement of a web-based electronic health record system, which includes an integrated pharmacy system for district office-based medical providers to order medications and electronically send prescriptions for dispensing by the pharmacy; ensure that WCDH's pharmacy system meets and complies with NYSED Office for Professions and FDA regulatory requirements for dispensing, tracking and managing pharmaceuticals and potential medication recalls, managing inventory and ordering and repackaging of bulk supplies of pharmaceuticals, and provide professional guidance and support to ensure the pharmacy complies with NYSDOH and FDA regulatory requirements; and, be it further

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

RESOLVED, that 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 be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

Department of Health
County of Westchester
10 County Center Road, 2nd Floor
White Plains, New York 10607

Original Agreement	\$
First Amendment	\$
This Amendment	\$ _____
TOTAL	\$

Agreement #

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
101	27	0010 - HSSN	4380/39		\$ 80,000

Budget Funding Year(s)
(must match resolution)

2020

Start Date 1/01/20

End Date 12/31/20

Funding Source

Tax Dollars \$ 51,200 (64%)

State Aid \$ 28,800 (36%)

\$80,000

(must match resolution)

Federal Aid

Other

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/05/2019 - JOAN COCCARDI, SECRETARY

Schedule "A"

Contract Reimbursement Rates

Supervising Licensed & Registered Pharmacist: \$90 per hour

Pharmacy Technician: \$37.50 per hour

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/05/2019 - JOAN COCCIARDI, SECRETARY