



Robert P. Astorino
County Executive

Department of Social Services

Kevin P. Mahon
Commissioner

12190

DATE: June 2, 2010

TO: Board of Acquisition and Contract

FROM: Kevin Mahon
Commissioner

RE: Authority to amend a Resolution authorizing the County of Westchester to enter into agreements with vendor agencies for Title XIX Personal Care Services under the Social Security Act for the period from January 1, 2004 and continuing indefinitely until terminated by either party in order to add a new agency to the list of already approved agencies, attached as Schedule "A", at no additional cost to the County.

On December 4, 2003, your Honorable Board authorized the County of Westchester, acting through the Department of Social Services, to enter into agreements with vendor agencies for Title XIX Personal Care Services under the Social Security Act in an aggregate amount not to exceed \$42.3 million for a term to commence on January 1, 2004 and continuing indefinitely until terminated by either party upon thirty (30) days prior written notice. The "evergreen clause" was incorporated upon the recommendation of the New York State Department of Health to allow these agreements to continue indefinitely until terminated by either party with or without cause after serving proper notice. Annual aggregate amounts of the Personal Care Agreements will be provided in the Westchester County Budget for succeeding years.

Authority is now requested to amend the aforesaid resolution in order to include the new agency listed below in the group of already approved agencies providing Personal Care Title XIX services at no additional cost to the County. Please note that the agreement with the new agency will take effect upon execution and will continue indefinitely until terminated by either party upon thirty (30) days prior written notice.

Azor, Inc. Licensed Home Care Service Agency
8 East Prospect Avenue
Mount Vernon, New York 10550

These agreements serve a **public purpose** through the provision of personal home care services to Westchester's Medical Assistance recipients.

The **goals and objectives** of Title XIX contracts are to monitor, strengthen and safeguard the functioning of the medical assistance recipients in their homes, with an ultimate goal of obtaining the maximum rehabilitation and self-sufficiency possible.

The **goals and objectives are in the best interest of the County as regards public health and safety** in that the services provided through these contracts support the highest level of health and safety possible in the recipient's own home, and promote the delivery of care which addresses the specific needs of the sick, incapacitated or disabled.

These **goals and objectives are in the best interest of the County from a fiscal perspective** in that one of the Department's specific goals in administering this program through the Title XIX contracts is to monitor that the services provided to the recipients are medically necessary and appropriate and to ensure that these services are provided in a cost-effective manner.

The **negative consequences of not providing these services** would be a violation of state and federal regulations because Title XIX of the Social Security Act requires states to create Medical Assistance programs to furnish personal care services to needy individuals. The County, as an agent of New York State Department of Social Services, administers this program locally and receives reimbursement for the provision of these services from New York State and the federal government.

The **goals and objectives are monitored** by the Department and through audits conducted by an independent auditor. If any agency fails to meet the specifications, the Department will move to terminate the contract. Complaints received by the Department are duly evaluated and acted upon if deemed necessary.

The Department is able to report that in 2009, an average of 2,100 cases received Personal Care Services authorized by the County through agreements with twenty-nine (29) agencies. All agencies successfully delivered services pursuant to Title XIX of the Federal Social Security Act and applicable state law.

These contracts are exempt from the County Procurement Policy pursuant to Section 3(a) viii of that document.

Except as specifically amended hereby, all other terms and conditions of the original resolution shall remain the same. The Amendment is to the resolution because the contract with the agency has not been executed.

We are respectfully requesting your Honorable Board's approval of the annexed Resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-24-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Social Services, be it hereby

RESOLVED, that the Resolution approved by your Honorable Board on December 4, 2003 authorizing the County, acting through the Department of Social Services, to enter into agreements with vendor agencies for Title XIX Personal Care Services under the Social Security Act for the period from January 1, 2004 and continuing indefinitely until terminated by either party upon thirty (30) days prior written notice, is hereby amended in order to add the following new agency to the list of already approved agencies, attached as Schedule "A", at no additional cost to the County:

Azor, Inc. Licensed Home Care Service Agency
8 East Prospect Avenue
Mount Vernon, New York 10550

and be it further

RESOLVED, that term of the agreement with the newly added agency will commence upon execution and will continue indefinitely until terminated by either party upon thirty (30) days prior written notice; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the resolution approved on December 4, 2003 shall remain the same; and be it further

RESOLVED, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

APPROVED BOARD OF ACQUISITION & COMPACT - 6-24-2010 - JONARY VERNY SECRETARY

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
N/A	N/A	N/A	N/A	_____	N/A

Budget Funding Year(s): N/A
(must match resolution)

Start Date: N/A

End Date: N/A

Funding Source

Tax Dollars _____ N/A

State Aid _____ N/A

N/A
(must match resolution)

Federal Aid _____ N/A

Other _____ N/A

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-24-2010 - JOMARY VIEIRA, SECRETARY

SCHEDULE "A"

Able Health Care Services, Inc.
Accentcare of New York, Inc. d/b/a Comprehensive Home Care, Inc.
A & J Homecare, Inc.
All Metro Health Care
Any-Time Home Care, Inc.
Best Care, Inc.
Chrislex Staffing, Ltd. d/b/a J&K Healthcare Services
Concept: Care, Inc.
Family Aides, Inc.
Family Services of Westchester, Inc.
Family Service Society of Yonkers
Grace Church Community Center, Inc. d/b/a Neighbors Program
Health Acquisition Corp. d/b/a Allen Health Care Services
Home Health Services of Westchester Jewish Community Services, Inc.
J&P Watson, Inc. d/b/a Interim Health Care of Rockland & Orange Counties
Lower West Side Household Services Corporation
Maxim of New York, L.L.C.
New York Health Care, Inc.
People Care, Inc.
Personal Touch Home Care of Westchester, Inc.
PHC Services, Ltd.
Priority Home Care, Inc.
Recco Home Care Service, Inc.
Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services
South Shore Home Health Services, Inc.
Unlimited Care, Inc.
Visiting Nurse Association Home Health Services, Inc.
The Wartburg Residential Community, Inc. d/b/a No Place like Home Care
VIP Health Care Services, Inc.
Westchester Care at Home, Inc.