

**15157**

TO: The Board of Acquisition and Contract

FROM: Cheryl Archbald, MD MPH  
Acting Commissioner of Health

DATE: November 12, 2010

RE: Authority to amend a resolution approved on January 21, 2010, which authorized the County to enter into contract with the City of New York pursuant to Part A of the Ryan White HIV/AIDS Treatment Extension Act for the term 3/1/10 – 2/28/11, in order to enter into contract with the Westchester County Health Care Corporation for the not-to-exceed amount of \$322,334, for the same budget period, to provide medical case management and oral health care services

Contract Period: 3/1/10 – 2/28/11  
Amount: \$322,334

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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 (now “Part A”) 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 City of New York and the Westchester County Department of Health entered into contract under the CARE Act – and subsequently under the present-day reauthorized Ryan White HIV/AIDS Treatment Extension Act of 2009 – to fund HIV-related outpatient health and support services for residents in the Tri-County region through 2/28/14 (the “Agreement”) as authorized on November 26, 2008. The Agreement covers six (6) budget periods each at a not-to-exceed amount of \$6,500,000 for a total not-to-exceed contract amount of \$39,000,000.

On January 21, 2010, a resolution (the “January 21<sup>st</sup> Resolution”) was approved to accept funding from the City of New York for an amount not-to-exceed \$6,500,000 for the budget period 3/1/10 – 2/28/11, and to enter into contracts for direct service provision for the same period.

On April 22, 2010, a resolution was approved to amend the January 21<sup>st</sup> Resolution to increase the not-to-exceed contract amounts of several agencies in order to provide cost-of-living-adjustments and additional medical case management and transportation services, as well as to enter into a new contract for food services.

On June 3, 2010, a resolution was again approved to amend the January 21<sup>st</sup> Resolution to increase the not-to-exceed contract amounts of two agencies to provide enhanced early intervention and mental health services.

On July 29, 2010, a resolution was once more approved under the Ryan White Minority AIDS Initiative to amend the January 21<sup>st</sup> Resolution to increase the not-to-exceed contract amounts of two agencies and amend the contract for one other to provide early intervention services.

As part of this year's original spending plan, the Tri-County Ryan White Part A Steering Committee allocated base funding for the continuation of medical case management and oral health care services provided in the previous year by the Westchester County Health Care Corporation (WCHCC), pursuant to a continuing funding application. Budgets for both services have been approved by the Department, and on November 8, 2010, the Westchester County Board of Legislators adopted **Act No. 2010-143** authorizing the County to enter into an agreement with the WCHCC for a term commencing 3/1/10 – 2/28/11 whereby, under the Ryan White legislation, the WCHCC will provide medical case management and oral health care services for Westchester, Rockland and Putnam County residents with HIV/AIDS. The Department now requests authority to amend the January 21<sup>st</sup> Resolution in order to enter into contract with the WCHCC for the term 3/1/10 – 2/28/11, for an amount not-to-exceed \$322,334 to provide medical case management and oral health care services.

The WCHCC contract is exempt from Section 3(a)(viii) of the Procurement Policy relating to “contracts for medical or health-related services,” and Section 3(a)(xiv) relating to procurement “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.”

Public Purpose The value and importance of the goals and objectives of the services to be provided are in the best interest of the County as these services benefit the public health of the citizens of Westchester. The goals of the Ryan White-funded services are: 1) to promote the health of uninsured and underinsured Tri-County residents living with HIV/AIDS thereby minimizing avoidable opportunistic illnesses and costly 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 pharmaceuticals 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 NYC, NYS and Westchester County Departments of Health.

Except as specifically amended herein, all other terms and conditions of the January 21<sup>st</sup> Resolution shall remain the same.

Approval of the attached resolution is respectfully requested.

Enc.

# RESOLUTION

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

RESOLVED, that the resolution approved on January 21, 2010 (the "January 21<sup>st</sup> Resolution"), which authorized the County, acting by and through the Westchester County Department of Health to accept funding from the City of New York for the not-to-exceed amount of \$6,500,000 for the contract period 3/1/10 – 2/28/11 and to enter into contracts with various health and supportive care agencies, be amended to authorize the County to enter into contract with the Westchester County Health Care Corporation for an amount not-to-exceed \$322,334 for the same period, to provide medical case management and oral health care services, subject to and pursuant to approved budgets; and be it further

RESOLVED, that except as specifically amended herein, all other terms and conditions of the January 21<sup>st</sup> Resolution 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 all appropriate contracts or documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

Original Resolution	\$4,334,411
Second Resolution	253,848
Third Resolution	45,094
Fourth Resolution	198,096
This Resolution	<u>322,334</u>
Total	\$5,153,783

County of Westchester  
November 12, 2010

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
263	27	027K	4380	T027	\$322,334

Budget Funding Year(s) 2010-2011 Start Date 3/1/10 End Date 2/28/11

Funding Source Tax Dollars \_\_\_\_\_  
State Aid \_\_\_\_\_  
\$322,334 Federal Aid 100% pass-through  
Other \_\_\_\_\_