



Robert P. Astorino
County Executive

Department of Social Services

Grant E. Mitchell, MD
Acting Commissioner

15333

DATE: November 10, 2010

TO: Board of Acquisition and Contract

FROM: Grant E. Mitchell, MD
Acting Commissioner, Department of Social Services

RE: Authority to amend an Agreement with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services (DSS732-10) for the provision of nursing assessments for the home care needs of the elderly and disabled Medicaid recipients and the pediatric clients in the Care at Home Program for the period September 1, 2010 through August 31, 2011 by increasing the not to exceed amount by \$40,000 from a total not to exceed amount of \$60,000 to a new total not to exceed amount of \$100,000 to be paid pursuant to an approved budget and subject to appropriation to cover the additional cost for continuing the state mandated services to the target population

On July 13, 2010, Westchester County entered into an Agreement with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services (DSS732-10) for the provision of a Nurse to do assessments for the home care needs of elderly and disabled Medicaid recipients and the pediatric clients in the Care at Home Program as a measure to ensure that mandated services continue to be provided when nursing staff was out sick, on vacation or medical leave for the period September 1, 2010 through August 31, 2011 in an amount not to exceed \$20,000.

Through a resolution approved by your Honorable Board on September 2, 2010, the agreement was amended to increase the not to exceed amount by \$40,000 from a total not to exceed amount of \$20,000 to a new total not to exceed amount of \$60,000 to allow for the continued provision of mandated nursing assessments for the Personal Care and Care at Home programs. The agreement was subsequently executed.

Authority is now requested to further amend the Agreement to increase the not to exceed amount by \$40,000 from a total not to exceed amount of \$60,000 to a new total not to exceed amount of \$100,000 in order to ensure that these services, mandated by state regulations, are not discontinued.

An interdepartmental agreement with the Westchester County Department of Health (WCDOH) had always supplied the Department's Personal Care Program (PCA) with staff to provide these services. However, WCDOH informed the Department that it would need to discontinue performance on the inter-departmental agreement at the end of 2010. Consequently, DSS needed to identify a new vendor which the Department did through a Request for Proposals (RFP). The new contract will begin January 1, 2011. In the meantime, the WCDOH is only able to provide a limited level of nursing services during the transition to the new vendor. Amending the A&A Staffing Health Care Services contract by increasing the not to exceed amount by \$40,000 from a total not to exceed amount of \$60,000 to a new total not to exceed amount of \$100,000 will allow for the continued provision of mandated nursing assessments for the Personal Care and Care at Home programs until such time a contract with a new vendor is in place. It should be noted that the additional funding for this agreement comes from the savings of money previously budgeted to pay for the Interdepartmental agreement with the WCDOH. This agreement is exempt from the Westchester County Procurement Policy under Section 3(a) viii.

The **public purpose** of this program is the care for the elderly, medically fragile children and disabled Medicaid recipients through the Medical Services Program as mandated by the New York State Department of Health.

The **goal and objective** of this program is to ensure that mandated services continue to be provided in the absence of regular staff.

The **goal and objective is in the best interests of the County in that the health and safety** of its elderly, medically fragile children and disabled Medicaid recipients are protected and ensured.

This **goal and objective is in the best interest of the County from a fiscal perspective** in that one of the Department's specific goals in administering this program 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. Also, since this is a temporary measure, the mandated services can be accomplished without hiring full-time employees.

This **contract is monitored** through the Department of Social Services Office of Medical Home/Care Services. A&A Staffing Health Care Services has satisfactorily provided this service for the Department since 1999.

Except as specifically amended herein all other terms and conditions of the original agreement as amended shall remain the same.

Accordingly, authority is requested for the County of Westchester to amend an agreement with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services for the aforesaid purpose.

A resolution requesting the same is attached for your Honorable Board's approval.

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to further amend an Agreement with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services (DSS732-10) for the provision of nursing assessments for the home care needs of the elderly and disabled Medicaid recipients and the pediatric clients in the Care at Home Program for the period from September 1, 2010 through August 31, 2011 by increasing the total not to exceed amount by \$40,000 from a total not to exceed amount of \$60,000 to a new total not to exceed amount of \$100,000 to be paid pursuant to an approved budget to cover the additional cost for continuing the state mandated services to the target population; and be it further

RESOLVED, that this contract is subject to County Appropriation, 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 except as specifically amended hereby, all other terms and conditions set forth in the original agreement as amended shall remain the same; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to effectuate the purposes hereof.

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
JERRY VEIRA, SECRETARY

Original Contract Amount: \$20,000
1st Amendment: \$40,000
This Amendment \$40,000
Total: \$100,000

Account to be Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2010	101	22	4000	4420	_____	\$40,000.00

Budget Funding Year(s): 2010/2011
(must match resolution)

Start Date: 9/1/10

End Date: 8/31/11

Funding Source

\$40,000
(must match resolution)

Tax Dollars _____
 State Aid _____ 50%
 Federal Aid _____ 50%
 Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 12-16-2010 - JUDY VIEIRA, SECRETARY