

Robert P. Astorino
County Executive

Department of Social Services

Grant E. Mitchell, MD
Acting Commissioner

15770

DATE December 3, 2010

TO: Board of Acquisition and Contract

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

RE: Resolution authorizing the County of Westchester to enter into an agreement with the Mental Health Association of Westchester County, Inc., (MHA) for the provision of a Third Party Review process for the period January 1, 2011 through December 31, 2011 in an amount not to exceed \$450,150 to be paid monthly pursuant to an approved budget and subject to appropriation.

Authority is requested for the County of Westchester to enter into an agreement with the Mental Health Association of Westchester County, Inc. ("MHA") to provide a Third Party Review process for the period January 1, 2011 through December 31, 2011 in an amount not to exceed \$450,150 to be paid monthly pursuant to an approved budget and subject to appropriation. The Mental Health Association of Westchester County, Inc. has provided this service for the County for the past several years. In 2009, the Department of Social Services significantly decreased costs in this program. These reductions were a result of an analysis of the services being purchased, as well as negotiations with the vendor. The Department was able to reduce the cost of the contract by \$436,010 (almost 50%) from the 2008 to the 2009 contract year. Specifically, the Department reduced the number of Independent Service Plan Reviews provided by the vendor, thereby reducing staffing as well as the associated costs. Since Independent Service Plan Reviews are State mandated, some of the responsibilities for providing this service were shifted to residential foster and educational agencies in contract with the Department. Consequently, the vendor is providing services that have been deemed essential to the Department. Further reduction in funding at this point would impact the ability to provide the same level of services or would create a cost shift to the Department. In 2011, the Department will work with the agency to continue to explore possible ways to reduce costs without increasing costs to the Department or reducing the services provided.

The services provided pursuant to this contract serve a **public purpose** because they are aimed at ensuring that the County is in compliance with state regulations, 18 NYCRR, Part 430.12 regarding requirements to hold and document service plan reviews for children in foster care.



The **goals and objectives** of this contract are to provide case record reviews and facilitate Service Plan Reviews for children in family foster care and children who are in 1055 Placements. The Service Plan Review conference is required by the Office of Children and Family Services (OCFS) regulations, NYCRR 430.12, and is used to monitor compliance with court ordered services in support of permanency planning goals for children and families. MHA has the responsibility of scheduling the conferences on a timely basis as required by State mandate, notifying and inviting all participants and monitoring the conference as a neutral third party. Additionally, MHA provides case specific alerts to safety or planning issues. MHA is able to achieve program goals and objectives through the following:

- Identifying cases due for Service Plan Reviews
- Scheduling required conference in Connections (NY State system)
- Sending invitation letters to all participants
- Identifying safety issues and making recommendations to the Department
- Identifying cases to be referred to Foster Care Discharge Review and Single Point of Return (SPOR)
- Reviewing Court Orders

The **goals and objectives are in the best interest of the County** in that the services provided by this contract promote public safety and public health by reducing the risk of further abuse, neglect and maltreatment of the children of Westchester County. By conducting reviews, the Department has an independent audit of the work that is being performed both by the Department and the parent. Youth are encouraged to attend these meetings to discuss their issues, concerns, and successes. Other parties in attendance can be the child's law guardian, service providers, and educational providers. Record reviews are conducted and any concerns are reported immediately by MHA.

The **goals and objectives are in the best interest of the County in terms of fiscal responsibility** in that they assist the Department to remain in compliance with State mandates, thereby preventing possible sanctions and fines.

The **goals and objectives as stated in the resolution will be tracked and monitored** to evaluate success using the performance measurement indicators developed by the Department and approved by the County Budget Office. They include, but are not limited to, reviewing of periodic reports submitted by the vendor and making onsite visits.

Based on the **Performance Measurement Indicators** reported as of October 31, 2010, MHA is meeting targets and outcomes as stipulated by the contract and is on track to serving 100% contract capacity. As of October 31, 2010, MHA has performed 518 service plan reviews and has completed and recorded 100% of Service Plan Reviews within ten days of the event.

This contract is exempt from the Westchester County Procurement Policy under Section 3(a) ix as this contract falls under the contracts with professionals or experts and also under Section 3(a) xviii as the purpose of this contract is for the advancement of the moral, physical, mental and social well-being of the youth in Westchester County.

Accordingly, the County of Westchester is hereby requesting permission to enter into this Agreement with the Mental Health Association of Westchester County, Inc., for the above stated purpose.

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

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



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 enter into an agreement with the Mental Health Association of Westchester County, Inc., for the provision of a Third Party Review Process for the period January 1, 2011 to December 31, 2011, in an amount not to exceed \$450,150 to be paid on a monthly basis pursuant to an approved budget and subject to appropriation; and be it further

RESOLVED, that this contract is subject to County Appropriation; and be it further

RESOLVED, and this contract is 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 budget of the State budget and/or the adoption of the 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 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 is hereby authorized to execute any and all documents and to take all actions necessary and appropriate on behalf of the County of Westchester to effectuate the purposes hereof.

Account to be Charged/Credited

2011

| Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub-Object | Trust Account | Dollars |
|------|------|--|--------------------|---------------|-----------|
| 101 | 22 | 8900 | 5880 | ----- | \$450,150 |
| | | | | | |

Budget Funding Year(s) 2011
(must match resolution)

Start Date: 1/1/2011 End Date: 12/31/2011

Funding Source

Tax Dollars: 25%
State Aid: 23%
Federal Aid: 52%
Other:

\$450,150
(must match resolution)