

**38813**

**DATE:** February 27, 2014

**TO:** Board of Acquisition and Contract

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

**RE:** Authorization to enter into Memoranda of Understanding each with Hudson River Health Care, Inc. and St. John's Riverside Hospital for the Referral of Patients who test positive for the Hepatitis C virus for further diagnostic testing and follow-up medical treatment as needed, for the period commencing upon the execution of the MOU and continuing until termination by either party with thirty (30) days prior written notice to the other party, at no cost to the County

The County of Westchester, acting by and through its Department of Health ("WCDH"), seeks authorization to enter into Memoranda of Understanding ("MOUs") each with Hudson River Health Care, Inc. and St. John's Riverside Hospital for the referral of patients who test positive for the Hepatitis C virus for further diagnostic testing and follow-up medical treatment as needed, for the period commencing upon the execution of the MOU and continuing until termination by either party with thirty (30) days prior written notice to the other party, at no cost to the County.

Last year the Governor of New York State signed into law a new Section 2171 of the Public Health Law that took effect January 1, 2014 that requires the offering of a Hepatitis C ("HCV") screening test to every individual born between 1945 and 1965 receiving inpatient hospital care or primary care services in an Article 28 licensed diagnostic and treatment facility or from a physician/other licensed health care practitioner. The new law was enacted to increase HCV testing and ensure timely diagnosis and linkage to care. The law also requires that if an individual accepts the test offer and the screening test is reactive, the health care provider must either provide follow-up health care or referral to a health care provider who can provide such further diagnostic testing and medical treatment. HCV is now more readily curable in some cases and the treatment regimen is significantly shorter.

Under the law, the New York State Department of Health ("NYSDOH") has selected and funded several medical providers to whom persons would be referred for further testing and care. In Westchester County these are Hudson River Health Care and St. John's Riverside Hospital ("Referral Medical Providers").

The WCDH is an Article 28 licensed diagnostic and treatment facility that can provide the Hepatitis C screening test to patients seen in its clinics who accept the offer. If a patient tests reactive to the virus he or she would be referred to one of the Referral Medical Providers since the WCDH does not have the capability to provide further diagnostic testing and treatment.

Under the terms of the proposed MOUs, the WCDH would refer patients who test reactive for the Hepatitis C virus for further diagnostic testing and contact the Referral Medical Providers to coordinate appointments. The Referral Medical Providers would agree to accept the referrals, to conduct further diagnostic testing and contact the WCDH to verify patient's receipt of testing. In addition they would agree to provide HCV medical evaluation and treatment based on test results.

These MOUs will promote the public health and general welfare of the County by increasing the public awareness of this contagious and communicable disease and ensuring that persons who may be at risk for the Hepatitis C virus and never tested receive the necessary screening and diagnostic tests, link them to appropriate medical care and treatment and provide them a possible cure from HCV.

The goal is to ensure that all eligible persons are offered an HCV screening test and referred for further diagnostic testing and medical treatment as needed. The objective is to identify these persons who may be unaware they are infected to reduce HCV-related morbidity and mortality from liver disease and cancer and transmission of this disease.

The NYSDOH will track and monitor the number of screening tests performed and referrals for further testing and care through Medicaid billing reports and surveillance data reported by WCDH.

As state previously herein, NYSDOH has selected the referral agencies which would be funded in connection with this new law. Therefore, the proposed MOUs would be exempt from the Westchester County Procurement Policy under Section 3 (a) xii – as “procurements which involve the expenditure of federal or state assistance where and to the extent that federal or state law, rules or regulations conflict with the provision of this policy”.

Approval of the attached resolution is respectfully requested.

SA/dc

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS 02/27/2014 JOMAR M. FERRELL SECRETARY

## RESOLUTION

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

- RESOLVED,** that the County of Westchester, acting by and through its Department of Health (“WCDH”), seeks authorization to enter into Memoranda of Understanding (“MOUs”) each with Hudson River Health Care, Inc. and St. John’s Riverside Hospital and any other agency designated by the New York State Department of Health (“Referral Medical Providers”) for the referral of patients who test positive for the Hepatitis C virus for further diagnostic testing and follow-up medical treatment as needed, for the period commencing upon the execution of the MOU and continuing until termination by either party with thirty (30) days prior written notice to the other party, at no cost to the County; and, be it further
- RESOLVED,** that under the terms of the proposed MOUs, the WCDH would refer patients who test reactive for the Hepatitis C virus for further diagnostic testing and contact the Referral Medical Providers to coordinate appointments; and, be it further
- RESOLVED,** that the Referral Medical Providers would accept the referrals to conduct further diagnostic testing and contact the WCDH to verify patient’s receipt of testing and would provide HCV medical evaluation and treatment based on test results; 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  
 10 County Center Road, 2<sup>nd</sup> Floor  
 White Plains, New York 10607

Original Agreement	\$	
First Amendment	\$	
<b>This Amendment</b>	<b>\$</b>	
<b>TOTAL</b>	<b>\$</b>	

Agreement # \_\_\_\_\_

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
	N/A					

Budget Funding Year(s) (must match resolution) \_\_\_\_\_ Start Date Upon execution End Date Until termination

Funding Source	Tax Dollars	
	State Aid	
<b>\$</b>	Federal Aid	
(must match resolution)	Other	