

**42149**

**DATE:** September 9, 2014

**TO:** Board of Acquisition and Contract

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

**RE:** Authorization to enter into an Agreement with Laboratory Corporation of America Holdings to provide various laboratory testing services for clinic patients of the Westchester County Department of Health's Tuberculosis (TB) and Sexually Transmitted Disease (STD) Programs, for the period 12/01/14 to 11/30/17, in the total Not-to-Exceed Amount of \$75,000 payable at the stated contract rates

The Westchester County Department of Health ("WCDH") requests authorization to enter into an agreement with Laboratory Corporation of America Holdings ("LabCorp") to provide various laboratory testing services for clinic patients of the WCDH's Tuberculosis ("TB") and Sexually Transmitted Disease ("STD") programs, for the period 12/01/14 to 11/30/17, in the total not-to-exceed amount of \$75,000 payable at the stated contract rates. The WCDH will bill those patients who have insurance to recoup some of the costs.

The rates for the first two years of the contract will be fixed. For the third year, the rate increase will be equal to the lesser of three (3) percent or the change in the "Average Consumer Price Index of all Urban Consumers" as published by the U.S. Bureau of Labor Statistics for the latest 12 months for which statistics are available.

As mandated by the New York State Department of Health and Public Health Law, the WCDH provides TB and STD health services at its district office clinics located throughout the County. Laboratory testing is required for the proper medical management of these patients in order to confirm a diagnosis and monitor treatment for both its efficacy and side effects. The Department of Labs and Research does not provide these specific lab tests.

Due to a change in NYS Public Health Law in 2014 pertaining to Article 28 licensed diagnostic and treatment facilities, of which the WCDH is one, laboratory testing services will now include Hepatitis C virus screening and confirmatory testing which will be provided to both TB and STD clinic patients according to NYSDOH guidelines to expand our standard of medical care.

WCDH currently contracts with LabCorp and continuing the ongoing contractual arrangement would greatly minimize the disruption to patient services and clinic operations involved in changing to a new laboratory provider. Over the past three years, the WCDH and LabCorp have worked to create a bi-directional electronic health data sharing interface between LabCorp's electronic lab test order and reporting system and the WCDH's web-based electronic health, case management, billing and reporting software. The successful implementation of this interface has contributed to streamlining clinic services and creating operational efficiencies, such as reducing the chance of ordering unnecessary or duplicate lab tests and receiving out-of-range test results more timely.

The public purpose is to promote the public health and general welfare of County residents by ensuring that proper courses of treatment for TB and STD disease screenings are provided to WCDH patients, and to their contacts who may have already been exposed. The goal is to properly screen, treat and monitor patients with both newly identified and active TB and STD cases through the provision of specific laboratory tests to control and prevent the spread of TB and STDs to minimize the public health risks, and improve patients' overall well-being.

The WCDH monitors and tracks the management of patients with TB and STD through the analyses of test results and physicians' review of WCDH clinic program reports on an as-needed and monthly basis. During 2013 approximately 1,150 lab tests were provided representing approximately 2,000 patients. Through August 2014 year to date, approximately 630 lab tests were provided representing approximately 1,400 patients who have been evaluated and treated for potential TB and STD exposure and infection .

This contract would be exempt from the Westchester County Procurement Policy under Section 3 (a) (viii) - contracts for medical or health-related services.

Accordingly, the WCDH requests authorization to enter into a three-year contract with LabCorp for the various tests to be provided payable at the stated contract rates.

Approval of the attached resolution is respectfully requested.

/dc  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS - 10/02/2014 - CAMERON VEIKI, SECRETARY

# RESOLUTION

**RESOLVED,** that the County of Westchester, acting by and through its Department of Health, ("WCDH"), is authorized to enter into an agreement with Laboratory Corporation of America Holdings to provide various laboratory testing services for clinic patients of the WCDH's Tuberculosis ("TB") and Sexually Transmitted Disease ("STD") programs, for the period 12/01/14 to 11/30/17, in the total not-to-exceed amount of \$75,000 payable at the stated contract rates; and, be it further

**RESOLVED,** that the rates for the first two years of the contract will be fixed, and for the third year the rate increase will be equal to the lesser of three (3) percent or the change in the "Average Consumer Price Index of all Urban Consumers" as published by the U.S. Bureau of Labor Statistics for the latest 12 months for which statistics are available; and, be it further

**RESOLVED,** that this Agreement is subject to County Appropriations; 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 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  
County of Westchester  
10 County Center Road, 2<sup>nd</sup> Floor  
White Plains, New York 10607  
September 9, 2014

Original Agreement	\$
First Amendment	\$
This Amendment	\$
TOTAL	\$ _____

Agreement #

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
101	27	0010 - HSSN	4238-04		\$1,250 ('14)
101	27	0010 - HSSN	4380-04		\$833 ('14)
101	27	0010 - HSSN	4238-04		\$15,000 ('15)
101	27	0010 - HSSN	4380-04		\$10,000 ('15)
101	27	0010 - HSSN	4238-04		\$15,000 ('16)
101	27	0010 - HSSN	4380-04		\$10,000 ('16)
101	27	0010 - HSSN	4238-04		\$13,750 ('17)
101	27	0010 - HSSN	4380-04		\$9,167 ('17)

Budget Funding Year(s) (must match resolution) 2014-2017 Start Date 12/01/14 End Date 11/30/17

Funding Source	Tax Dollars	<u>\$48,000</u>
	State Aid	<u>\$27,000</u>
<b>\$75,000</b>	Federal Aid	<u>                    </u>
(must match resolution)	Other	<u>                    </u>

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/02/2014 - JOMARY WEBB, SECRETARY