

42218

DATE: September 16, 2014

TO: Board of Acquisition and Contract

FROM: Sherlita Amler, M.D., Acting Commissioner
Department of Community Mental Health

RE: 1. Amendment of a prior resolution which was approved on December 1, 2011 which authorized the County of Westchester, acting by and through its Department of Community Mental Health to enter into an agreement with Mount Vernon Hospital for the provision of community mental health services for the period January 1, 2012 through December 31, 2016 for an original not-to-exceed amount of \$1,787,408. The reason for the amendment is that there has been an increase in State Aid and change in contract term as described herein.

2. Amendment of a prior resolution which was approved on July 10, 2014 which authorized the County of Westchester, acting by and through its Department of Community Mental Health to enter into an agreement with Montefiore Mount Vernon Hospital Inc. (formerly Mount Vernon Hospital) to provide community mental health services for the period November 6, 2013 through December 31, 2016 for a not-to-exceed amount of \$1,144,648. The reason for the amendment is that there has been an increase in State Aid as described herein.

On December 1, 2011, your Honorable Board approved a resolution authorizing the County, acting by and through its Department of Community Mental Health (the "Department"), to enter into agreements, pursuant to Articles 25 and 41 of the New York State Mental Hygiene Law, with forty-nine (49) agencies, pursuant to which each agency would provide community mental health services, including services to mentally ill adults, seriously emotionally disturbed children and adolescents, services to mentally retarded/developmentally disabled individuals, drug free treatment services, methadone maintenance treatment services, alcoholism treatment services and/or school-based alcohol and substance abuse prevention services, for a total

aggregate amount not-to-exceed \$201,991,605 for the period January 1, 2012 through December 31, 2016 to be funded by a combination of the County, the New York State Office of Children and Family Services, and the New York State Department of Mental Hygiene. Subsequently, on or about June 1, 2012, one of these agreements was executed with Mount Vernon Hospital for the term January 1, 2012 through December 31, 2016 wherein Mount Vernon Hospital agreed to provide the aforesaid community mental health services for a not-to-exceed amount of \$1,787,408 to be paid in accordance with the applicable percentages of State Aid.

Subsequently, the County was advised that Montefiore Medical Center (“Montefiore”) purchased the assets of Mount Vernon Hospital pursuant to a bankruptcy action and the transfer of assets became effective as of November 6, 2013. Montefiore established Montefiore Mount Vernon Hospital Inc. as one of its legal entities.

On July 10, 2014, your Honorable Board approved a resolution authorizing the County, acting by and through the Department to enter into an agreement with Montefiore (formerly “Mount Vernon Hospital”) for a term November 6, 2013 through December 31, 2016 for a not-to-exceed amount of \$1,144,648 for the provision of community mental health services to be paid in accordance with the applicable percentages of State Aid. At the time of that resolution, Mount Vernon Hospital had used \$642,760 for the period January 1, 2012 through November 5, 2013. The agreement has not yet been executed.

After the July 10, 2014 resolution was approved, New York State advised that it has increased State Aid allocations for the aforesaid community mental health services due to the conversion of “Disproportionate Share Hospital Program” payments from Medicaid to State Aid.

It is respectfully requested that the prior resolution approved on December 1, 2011 be amended so that the not-to-exceed amount that Mount Vernon Hospital shall be reimbursed for the provision of community mental health services for the period January 1, 2012 through November 5, 2013 (the time period in which Mount Vernon Hospital provided community mental health services) shall be changed from \$1,787,408 to \$931,330 due to the conversion of “Disproportionate Share Hospital Program” payments from Medicaid to State Aid.

Further, it is respectfully requested that the resolution approved on July 10, 2014 be amended to authorize the County to enter into an agreement with Montefiore for a term November 6, 2013 through December 31, 2016 for a not-to-exceed amount of \$1,508,135 for the provision of community mental health services to be paid in accordance with the applicable percentages of State Aid.

The proposed amendments will serve a public purpose by ensuring that community mental health services, including services to mentally ill adults, seriously emotionally disturbed children and adolescents, services to mentally retarded/developmentally disabled individuals, drug free treatment services, methadone maintenance treatment services, alcoholism treatment services and/or school-based alcohol and substance abuse prevention services continue to be provided.

The goals and objectives of the proposed amendments are to provide community mental health services, including services to mentally ill adults, seriously emotionally disturbed children and adolescents, services to mentally retarded/developmentally disabled individuals, drug free treatment services, methadone maintenance treatment services, alcoholism treatment services and/or school-based alcohol and substance abuse prevention services.

The goals and objectives of the proposed amendments are in the best interests of the County in terms of health and safety as they will ensure that community mental health services are provided to individuals who are in need of these services.

The goals and objectives of the proposed amendments will be tracked and monitored monthly by review of submitted reports outlining the progress in achieving the targets/outcomes set forth in the agreement.

This procurement is exempt from the requirements of the County Procurement Policy pursuant to Section 3(a)(xvii) thereof.

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

SA/lac
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/22/2014 - JONAH VIEIRA SECRETARY

RESOLUTION

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

RESOLVED, that the resolution approved on December 1, 2011 authorizing the County of Westchester, acting by and through its Department of Community Mental Health to enter into agreements with forty-nine (49) agencies, including Mount Vernon Hospital, pursuant to Articles 25 and 41 of the New York State Mental Hygiene Law pursuant to which each agency, including Mount Vernon Hospital would provide community mental health services, be amended so that Mount Vernon Hospital shall be reimbursed for the provision of community mental health services for the period January 1, 2012 through November 5, 2013 in a not-to-exceed amount of \$931,330; and be it further

RESOLVED, that the resolution approved on July 10, 2014 authorizing the County of Westchester, acting by and through its Department of Community Mental Health to enter into an agreement with Montefiore Mount Vernon Hospital Inc., pursuant to which Montefiore Mount Vernon Hospital Inc. will provide community mental health services, including services to mentally ill adults, seriously emotionally disturbed children and adolescents, services to mentally retarded/developmentally disabled individuals, drug free treatment services, methadone maintenance treatment services, alcoholism treatment services and/or school-based alcohol and substance abuse prevention services, be amended so that the not-to-exceed amount is amended from \$1,144,648 to \$1,508,135, for the period November 6, 2013 through December 31, 2016 to be paid in accordance with the applicable percentages of State Aid; and be it further

RESOLVED, that the remaining terms and conditions of the aforesaid resolutions shall remain the same; and be it

RESOLVED, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Account to be
Charged/Credited

Fund	Dept	Unit	Object/ Sub Object	Trust Account	Activity	Dollars
263	26	177M	4380	T177	4000	\$191,421
263	26	177N	4380	T177	4000	\$126,315
263	26	177P	4380	T177	4000	\$116,909
263	26	177Q	4380	T177	4000	\$121,585
263	26	177R	4380	T177	4000	\$126,448

263	26	183N	4380	T183	4000	\$(4,156)
263	26	183P	4380	T183	4000	\$(8,478)
263	26	183Q	4380	T183	4000	\$(8,847)
263	26	183R	4380	T183	4000	\$(9,170)

Budget Funding Year(s) _____ Start Date: January 1, 2012 End Date: December 31, 2016
(must match resolution)

Funding Source: Tax Dollars _____
State Aid \$652,057
Federal Aid _____
Other _____
\$652,057
(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/23/2014 - JOMARY VIEIRA SECRETARY