

62066

DATE: March 9, 2018

TO: Board of Acquisition and Contract

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

RE: Authorization for the County, acting by and through its Department of Health, to enter into a Provider Agreement with the New York State Department of Health through its Bureau of Early Intervention to provide Service Coordination Services and Core and Supplemental Evaluations as an approved agency under the Early Intervention Program, for the period April 1, 2018 and continuing for a 5 year term, with no payment from the NYSDOH to the County.

The County, acting by and through its Department of Health (“WCDH”), requests authorization to enter into a Provider Agreement with the New York State Department of Health (“NYSDOH”) through its Bureau of Early Intervention to provide Service Coordination Services and Core and Supplemental Evaluations as an approved agency under the Early Intervention Program (“EIP”), for the period April 1, 2018 and continuing for a 5 year term, with no payment from the NYSDOH to the WCDH.

The mission of the statewide EIP is to identify as early as possible those infants and toddlers from birth to two years of age whose healthy development are compromised and provide appropriate intervention to improve child and family development. To this end the WCDH, as a local municipality, is responsible for the administration of the EIP under to Article 25, Title IIA of the NYS Public Health Law (“NYS PHL”) and is also approved by the NYSDOH as an agency to provide Service Coordination Services and Core and Supplemental Evaluations. Historically, this relationship was established in the form of the NYSDOH’s authorized “Provider Profile” (see attachment).

Pursuant to amendments to NYS PHL and under reforms enacted to the EIP in New York State Fiscal Year (“SFY”) 2012-13, the NYSDOH assumed responsibility for all EI provider agreements effective April 1, 2013 of which WCDH is one.

The proposed agreement will require the County, referred to as “Provider”, to indemnify the New York State Department of Health, referred to as “Department”. As such, authority is requested to include the following indemnification language in the proposed agreement:

“The Provider shall indemnify and hold harmless the Department and its officers and employees and Municipalities and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this agreement and under the EIP.”

This agreement would be exempt under the Westchester County Procurement Policy under Section 3(a)(iii). This agreement is a transaction/contract with the NYSDOH.

This agreement as part of the EIP will promote the public health and general welfare of County residents through the WCDH's provision of initial services, coordination and implementation of procedures to complete evaluations for each eligible child from birth through two years of age.

WCDH has staff assigned to accomplish these deliverables and receives funding from NYSDOH under a separate grant agreement for EIP personnel costs.

The program's objectives are not limited to services coordination but also include child eligibility determinations in accordance with regulatory requirements, approval, coordination and delivery of mandated developmental and educational services to eligible children, reimbursement for services and assistance to parents in applying for Medicaid and other public health insurance.

The program is tracked and monitored by quality assurance activities designed to assess compliance for timely delivery of services, verification of delivery of services and submission of complete and accurate provider documentation, and assessment of staff productivity. Approximately 5,000 children/infants are served annually.

Therefore, authorization is requested to enter into a Provider Agreement under the terms and conditions specified above.

Approval of the attached Resolution is respectfully requested.

/dc

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/05/2018 - LIC. # 110144JAJ, SECRETARY

RESOLUTION

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

RESOLVED, that the County, acting by and through its Department of Health (“WCDH”), requests authorization to enter into a Provider Agreement with the New York State Department of Health (“NYSDOH”) through its Bureau of Early Intervention to provide Service Coordination Services and Core and Supplemental Evaluations as an approved agency under the Early Intervention Program (“EIP”), for the period April 1, 2018 and continuing for a 5 year term, with no payment from the NYSDOH to the WCDH; and, be it further

RESOLVED, that the proposed agreement will require the County, referred to as “Provider”, to indemnify the New York State Department of Health, referred to as “Department”, and therefore authority is further requested to include the following indemnification language in the proposed agreement:

“The Provider shall indemnify and hold harmless the Department and its officers and employees and Municipalities and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this agreement and under the EIP”; 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.

County of Westchester
 10 County Center Road – 2nd Floor
 White Plains, New York 10607
 March 9, 2018

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
	N/A					

Budget Funding Year(s) _____ Start Date 04/01/18 End Date 03/31/23

(must match resolution)

Funding Source	Tax Dollars	_____
	State Aid	_____
	Federal Aid	_____
(must match resolution)	Other	_____