



George Latimer  
County Executive

Department of Social Services

Kevin McGuire  
Commissioner

**67418**

DATE: January 22, 2019

TO: Honorable Board of Acquisition and Contract

FROM: Kevin McGuire  
Commissioner

SUBJECT: Authority to amend a Resolution authorizing the County of Westchester to enter into contracts with vendor agencies for the provision of Consumer Directed Personal Assistance Program Services under Title XIX of the Social Security Act for the period beginning January 1, 2011 and continuing indefinitely unless terminated by either party upon thirty (30) days prior written notice for an amount not to exceed \$15 million to be paid pursuant to an approved budget and subject to appropriation, in order to include an additional agency at no additional cost to the County.

By resolution approved on December 16, 2010, and subsequently amended on May 24, 2012, your Honorable Board authorized the County of Westchester to enter into agreements with the vendor agencies for the administration of Consumer-Directed Personal Assistance Program Services (CDPAP) under Title XIX of the Social Security Act and in accordance with Sections 365-f and 367-p(c) of the Social Services Law for the period beginning January 1, 2011 and continuing indefinitely unless terminated by either party upon thirty (30) days prior written notice for an amount not to exceed \$15 million. The contracts were subsequently executed.

Authority is now requested to amend that resolution to add the agency listed below to the list of agencies already approved to provide CDPAP services:

Preferred Home Care of New York.  
And  
Marquis Home Care

The amendment is to the resolution because the contract with this agency has not been executed.

New York Social Services Law mandates that each local district ensure access to a CDPAP, allowing persons receiving home care pursuant to this Title to hire and direct their own caregivers. It is to be noted that the addition of these cases does not affect the aggregate number of Title XIX Personal Care cases or the appropriation because the CDPAP represents a choice in the provision of services for existing Personal Care recipients and does not add new cases to the total number of Personal Care cases.

These agreements are exempt from the Westchester County Procurement Policy pursuant to Section 3(a) (viii) therein which exempts contracts for medical or health-related services.

This contract serves a **public purpose** by enabling eligible participants to take an active, responsible role in planning their care thus improving the quality of life for the chronically ill and the disabled of Westchester County.

The **goals and objectives** of CDPAP's are to allow individuals receiving home care under the Medical Assistance program greater flexibility and freedom of choice in obtaining such services.

These **goals and objectives are in the best interest of the County** as regards **public health** in that this program provides a means of alternative, self-directed care for chronically ill and/or physically disabled individuals of Westchester County.

Furthermore, **these goals and objectives are in the best interest of the County from a fiscal perspective** in that the individual consumer recruits, interviews, hires, trains, supervises, schedules, and, if need be, dismisses the Personal Assistant of his/her choice, thereby eliminating the administrative costs that would be incurred if an agency were employed to do those same things. CDPAP is less costly than other forms of home care under the Medical Assistance program for the aforementioned reason.

The **goals and objectives are monitored** on an on-going basis using compliance indicators established through the collaboration of the Department and an independent auditor.

Except as specifically amended hereby, all other terms and conditions of the original resolution shall remain the same.

Accordingly, the County of Westchester is requesting authority to amend a resolution for the aforesaid purpose.

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

# RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, be it hereby

**RESOLVED**, that the Resolution approved by your Honorable Board on December 16, 2010 and subsequently amended on May 24, 2012 authorizing the County of Westchester to enter into agreements with the vendor agencies for a the administration of Consumer-Directed Personal Assistance Program Services (CDPAP) under Title XIX of the Social Security Act and in accordance with Sections 365-f and 367-p(c) of the Social Services Law for the period beginning January 1, 2011 and continuing indefinitely unless terminated by either party upon thirty (30) days prior written notice for an amount not to exceed \$15 million is hereby amended to add the agency listed below to the list of agencies already approved to provide CDPAP services:

**Preferred Home Care of New York**

**And**

**Marquis Home Care**

and be it further

**RESOLVED**, that except as specifically amend herein, all other terms and conditions of the original resolution shall remain the same; and be it further

**RESOLVED**, that the County Executive or his authorized designee is empowered to execute any document necessary to implement this resolution.

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
N/A	N/A	N/A	N/A	_____	N/A
				_____	

Budget Funding Year(s): N/A  
(must match resolution)

Start Date: Upon execution

End Date: N/A

Funding Source

N/A  
(must match resolution)

Tax Dollars: N/A

State Aid: N/A

Federal Aid: N/A

Other: