

**69384**

**DATE:** April 18, 2019

**TO:** Board of Acquisition and Contract

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

**RE:** Authorization to Enter into an Agreement with the New York State Department of Health to Accept Funding for the Consumer Assistance for New York State of Health: Navigator Program Grant, for the period from 08/01/2019 through 07/31/2024, in the amount not-to-exceed \$2,389,750, pursuant to an approved budget, and to indemnify and hold harmless the New York State Department of Health as described below

The County of Westchester (“County”), acting by and through its Department of Health (“WCDH”), seeks authorization to enter into an agreement with the New York State Department of Health (“NYSDOH”) to accept funding for the Consumer Assistance for the New York State of Health: Navigator Program Grant (“Navigator Program”), for the period from 08/01/2019 through 07/31/2024, in the amount not-to-exceed \$2,389,750, pursuant to an approved budget.

As part of the federal Affordable Care Act (“ACA”), the Governor of New York created the New York State Health Benefit Exchange (“Exchange”), which is a one-stop marketplace where individuals and small businesses (“potential enrollees”) can explore and compare private and public health insurance options, health plans, out of pocket costs, and eligibility for advance premium tax credits and cost sharing assistance. As required by the ACA, the Exchange is required to establish and operate the Navigators Program.

The agreement will also require the County to indemnify and hold harmless the NYSDOH as follows:

“The Contractor shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the Contractor or its subcontractors pursuant to this Master Contract. The Contractor shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages and cost of every nature arising out of the provision of services pursuant to the Master Contract.”

The Navigator Program will promote the public health and general welfare of County residents by educating potential enrollees about the health plan options available and providing in-person enrollment assistance to all potential enrollees who apply for health insurance through the Exchange.

The goal of the Navigator Program is to reduce barriers in accessing and applying for health insurance by providing in-person, culturally competent, linguistically appropriate and disability accessible enrollment and application assistance to all potential enrollees in convenient community-based locations where this targeted population may congregate during days, evenings and weekends.

The Program's objectives will be accomplished by offering information in a fair and impartial matter on the types of health insurance programs available through the Exchange, providing enrollment assistance for private and public health insurance programs and advance premium tax credits and cost-sharing reductions and referring consumers to other organizations for help with grievances, complaints or questions regarding health coverage or a determination related to coverage.

The WCDH through the Navigator Program anticipates submitting on average 275 individual and small business applications on a monthly basis.

The WCDH will monitor compliance with all program deliverables and enrollment productivity will be tracked and monitored through the Exchange web portal.

I certify that my department, a.) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b.) has reviewed the Grant Terms, c.) is aware of and understands all of the Grant Terms, and d.) can and will comply with all of the Grant Terms.

Approval of the attached resolution is respectfully requested.

/dc  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/16/2011 LISA MARIJAS 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, is authorized to enter into an agreement with the New York State Department of Health (“NYSDOH”) to accept funding for the Consumer Assistance for the New York State of Health: Navigator Program Grant (“Navigator Program”), for the period from 08/01/2019 through 07/31/2024, in the amount not-to-exceed \$2,389,750, pursuant to an approved budget; and, be it further

**RESOLVED,** that the agreement will also require the County to indemnify and hold harmless the NYSDOH as follows:

“The Contractor shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the Contractor or its subcontractors pursuant to this Master Contract. The Contractor shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages and cost of every nature arising out of the provision of services pursuant to the Master Contract”; 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  
April 18, 2019

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
	263	27	517U	9854	T517	\$278,501
	263	27	517U	9853	T517	\$199,449
	263	27	517V	9854	T517	\$278,501
	263	27	517V	9853	T517	\$199,449
	263	27	517W	9854	T517	\$278,501
	263	27	517W	9853	T517	\$199,449
	263	27	517X	9854	T517	\$278,501
	263	27	517X	9853	T517	\$199,449
	263	27	517Y	9854	T517	\$278,501
	263	27	517Y	9853	T517	\$199,449

Budget Funding Year(s)  
(must match resolution) 2019-2024 Start Date 8/1/19 End Date 07/31/24

Funding Source Tax Dollars \_\_\_\_\_  
State Aid NYSDOH-\$1,392,505  
**\$2,389,750** Federal Aid Pass Thru NYSDOH-\$997,245  
(must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION  
 10/16/2019 - LISA RUIJAJARAT