

70669

DATE: July 12, 2019

TO: Board of Acquisition and Contract

FROM: Michael Orth, M.S.W.
Commissioner, Department of Community Mental Health

Sherlita Amler, M.D.
Commissioner of Health

SUBJECT: Authority to enter into a Second Amendment to the existing agreement with Lexington Center for Recovery, Inc., one of the original forty-six (46) listed entities approved by the Board of Acquisition and Contract on December 15, 2016, in order to extend the program term for certain additional services authorized in the First Amendment to the existing agreement to address opioid use in the county for a not to exceed amount of \$30,000 from June 30, 2019 through August 31, 2019, with all other terms of the existing agreement, as amended by the First Amendment, remaining the same.

On December 15, 2016, your Honorable Board approved a resolution which authorized the County of Westchester ("County"), acting by and through its Department of Community Mental Health ("WCDCMH") to enter into an agreement with each forty-six (46) listed entities pursuant to which each entity would provide community mental health services for various individual amounts not-to-exceed and for a total aggregate amount not-to-exceed \$201,412,280 for the period from January 1, 2017 through December 31, 2021 (the "December 15, 2016 Resolution").

Pursuant to the December 15, 2016 Resolution, the County entered into an agreement with Lexington Center for Recover, Inc., ("LCR"), dated January 18, 2017, for an amount not to exceed 8,494,661.00 for a term January 1, 2017 through December 31, 2021 for alcohol and substance abuse services as set forth in an annualized detailed program budget (the "Original Agreement").

On November 15, 2018, your Honorable Board approved a resolution which authorized an amendment to the Original Agreement to increase the not to exceed amount by \$30,000 to add additional services to address opioid use in the county to be performed within a specific program term of September 1, 2018 through June 30, 2019, pursuant to a detailed program budget, for a total revised amount not to exceed of 8,524,661 (the "November 15, 2018 Resolution").

Pursuant to the November 15, 2018 Resolution, the County entered into the First Amendment with LCR, dated January 31, 2019, to add the additional services to address opioid use in the county (the "Additional Services") to be performed within the specific program term of

September 1, 2018 through June 30, 2019 for such services for a not to exceed amount of \$30,000, increasing the total not to exceed amount to 8,524,661 (the "First Amendment").

The funding of the \$30,000 under the First Amendment is being made available to the WCDCMH from the Westchester County Department of Health ("WCDH"), which it received under a Public Health Emergency Preparedness Grant ("PHEP") from Health Research, Inc. ("HRI").

The WCDH recently received notice from HRI that it will allow the WCDH additional time to spend down the remaining PHEP funds related to opioid use by extending the budget period through August 31, 2019.

Therefore, authority is being requested to enter into a Second Amendment to the original Agreement with LCR in order to extend the program term for the Additional Services in the First Amendment from June 30, 2019 through August 31, 2019.

The Original Agreement with LCR was entered into pursuant to Articles 25 and 41 of the New York State Mental Hygiene Law, to provide community behavioral health services, one of which is substance abuse recovery and treatment services. LCR is in a unique position to help the County implement its strategies to address opioid use by providing the services of a peer advocate to address opioid use in Westchester county through LCR's established linkages with medical providers and other drug treatment support organizations.

The proposed amendment will serve a public purpose by continuing to ensure that linkage to care is improved and a substance abuse treatment continuum of care will be provided to persons actively using opioids and persons who have overdosed or at risk for overdose.

The goals and objectives of the proposed amendment are to provide the services of a peer advocate to help link and facilitate access to a substance abuse treatment continuum of care for persons most at risk for opioid use and overdose and to provide support to local waived medical providers in the implementation and administration of buprenorphine.

The goals and objectives of the proposed amendment are in the best interests of the County in terms of health and the environment, as they will ensure that persons at risk for opioid use and overdose will be provided substance abuse treatment continuum of care.

The goals and objectives of the proposed amendment will be tracked and monitored by WCDCMH's monthly review of the amendment's work scope to ensure compliance with fiscal and programmatic objectives based on number of persons referred for treatment and the participation of local waived medical providers, and the WCDH's review of weekly time and effort documentation sheets which will support the achievement of the targets/outcomes set forth in scopes of work.

Except as otherwise expressly stated herein, all other terms and conditions of the original agreement as amended shall remain unchanged.

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

MO/SA/rr/dc

RESOLUTION

Upon a communication from the Commissioners of the Department of Community Mental Health and Department of Health, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Community Mental Health (the "WCDCMH"), is hereby authorized to enter into a second amendment to the original agreement ("Original Agreement") with Lexington Center for Recovery, Inc., ("LCR"), dated January 18, 2017, as amended by the first amendment, dated January 31, 2019, with LCR (the "First Amendment") in order to extend the program term for certain additional services authorized in the First Amendment to address opioid use in the county for a not to exceed amount of \$30,000 from June 30, 2019 through August 31, 2019; and, be it further

RESOLVED, that except as otherwise expressly stated herein, all other terms and conditions of the Original Agreement, as amended by the First Amendment, shall remain unchanged; and, be it further

RESOLVED, that this amendment is subject to County appropriations; and be it further

RESOLVED, that this amendment 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 each 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 each agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to one or more contractors, then each such contractor shall have the right to terminate its agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Original Agreement	\$8,494,661
First Amendment	\$ 30,000
Second Amendment	\$
<u>This Amendment</u>	_____
TOTAL	\$8,524,661
Agreement #	

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

Budget Funding Year(s)
(must match resolution) 2018 - 2019 Start Date 09/01/2018 End Date 08/31/2019

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/18/2019 - LISA MRIJAJ, SECRETARY