

86089

DATE: June 30, 2021

TO: Board of Acquisition and Contract

FROM: Sherlita Amler, MD
Commissioner of Health

Ann Marie Berg
Commissioner of Finance

RE: Authorization to apply to the Center for Medicare and Medicaid Services (“CMS”) for enrollment to be a Medicare Provider, which application requires that the County attest by letter, to be legally and financially responsible in the event that there is any outstanding debt owed to CMS.

Authority of your Honorable Board is respectfully sought for the County of Westchester (the “County”), acting by and through the Department of Health (the “WCDH”) to apply to the Center for Medicare and Medicaid Services (“CMS”) for enrollment to be a Medicare Provider, which application requires that the County attest, by letter, to be legally and financially responsible in the event that there is any outstanding debt owed to CMS (the “Attestation Letter”).

WCDH operates public health clinics which provide testing for tuberculosis, as well as testing and counseling for sexually transmitted diseases and HIV. Currently, WCDH is enrolled as a Medicaid provider which allows the County to bill Medicaid for the services provided to patients who are covered by Medicaid. Federal regulations require state Medicaid agencies to revalidate the enrollment of all providers on a periodic basis. Due to changes in Federal law, Medicaid providers must now also participate in Medicare in order to maintain enrollment in Medicaid.

As part of the Medicare provider application process, CMS requires that the County sign the Attestation Letter. By signing the Attestation Letter, the County would potentially be responsible to pay to CMS any amount that exceeds statutorily payable amounts that Medicare identifies as an overpayment to the County. This could occur due to incorrect coding, insufficient documentation, medical necessity errors, or administrative errors.

The goals and objectives of the application to CMS and the Attestation Letter are for the County to continue to provide testing for tuberculosis, as well as testing and counseling for sexually transmitted diseases and HIV, and continue to be eligible to bill Medicaid and, if necessary, Medicare for these services.

The goals and objectives will be tracked and monitored by the WCDH.

The Westchester County Procurement Policy does not apply to this request as this is not a procurement of goods or services.

Accordingly, approval of the attached resolution is respectfully requested

SA/AMB/jrc
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/08/2021 - LISA MRIJAJ, SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONERS OF HEALTH AND FINANCE, BE IT HEREBY

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Health, is authorized to apply to the Center for Medicare and Medicaid Services ("CMS") for enrollment to be a Medicare Provider; and be it further

RESOLVED, that the County is authorized to attest, by letter, to be legally and financially responsible in the event that there is any outstanding debt owed to CMS; 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.

Department of Health
 10 County Center Road, 2nd Floor
 White Plains, New York 10607

Original Agreement \$ _____
 First Amendment \$ _____
This Amendment \$ _____
 TOTAL \$ _____

Account to be Charged/Credited:
 Agreement No. _____

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

Budget Funding Year(s): _____ Start Date: _____ End Date: _____
 (must match resolution)

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