

**86459**

**DATE:** July 28, 2021

**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 continued funding for the Early Intervention Administration Program Grant, for the period from 10/01/21 through 09/30/26, in the total amount not-to-exceed \$2,851,975, 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"), requests authorization to enter into an agreement with the New York State Department of Health ("NYSDOH") to accept continued funding for the Early Intervention Administration Program ("EI Admin Program") grant, for the period from 10/01/21 through 09/30/26, in the total amount not-to-exceed \$2,851,975, pursuant to an approved budget.

Local governments are responsible for administering the EI Admin Program, subject to regulations of the Commissioner of Health, Subpart 69-4 of subchapter H of Chapter II of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York. Administrative funds are provided to municipalities to offset costs incurred in the implementation of the EI Admin Program, exclusive of due process costs.

The EI Admin Program will serve the public purpose and promote the public health, safety and general welfare of County residents by providing the necessary resources and information to support the administration and operation of the EI Admin Program. The mission is to identify and evaluate as early as possible those infants and toddlers (birth through 2 years of age) whose healthy development is compromised and provide appropriate intervention to improve child and family development.

The EI Admin Program's main goal is to provide services to eligible infants and toddlers (birth through 2 years of age) in natural environments via referrals to service providers.

The objectives of the EI Admin Program are to ensure that service providers are aware of their responsibilities, have policies and procedures in place to complete evaluations, determine eligibility and report eligibility findings in accordance with State and Federal regulatory requirements, and to approve the delivery of all mandated developmental and educational services to eligible children while ensuring parental rights are met through due process.

The desired outcome is that all children will make progress toward their family driven developmental goals and/or transition to appropriate preschool placements at age three.

In order to measure the outcome and assess compliance for timely authorization and delivery of services, the EI Admin Program is tracked and monitored by the WCDH through quality assurance activities, which include service provider monitoring and fiscal audits. These activities also ensure that Medicaid and third party billing requirements are met by providers for reimbursement. Approximately 5,000 infants and children are served annually.

The agreement will require the County to indemnify and hold harmless the New York State Department of Health 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.”

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.

/mv

Attachment

APPROVED BOARD OF ACQUISITION # CONTRACT 00121204 RAYMOND SULLIVAN 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 to accept continued funding for the Early Intervention Administration Program grant, for the period from 10/01/21 through 09/30/26, in the amount-not-exceed \$2,851,975, pursuant to an approved budget; and, be it further

**RESOLVED**, that the agreement will require the County to indemnify and hold harmless the New York State Department of Health as follows:

“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.

County of Westchester  
10 County Center Road – 2<sup>nd</sup> Floor  
White Plains, New York 10607

Original Agreement	\$
First Amendment	\$
This Amendment	_____
<b>TOTAL</b>	<b>\$</b>

Agreement #

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
	263	27	549W	9853	T549	\$352,276
	263	27	549W	9854	T549	\$218,119
	263	27	549X	9853	T549	\$352,276
	263	27	549X	9854	T549	\$218,119
	263	27	549Y	9853	T549	\$352,276
	263	27	549Y	9854	T549	\$218,119
	263	27	549Z	9853	T549	\$352,276
	263	27	549Z	9854	T549	\$218,119
	263	27	549A	9853	T549	\$352,276
	263	27	549A	9854	T549	\$218,119

Budget Funding Year(s) (must match resolution) 2021 - 2026 Start Date 10/01/21 End Date 09/30/26

Funding Source Tax Dollars \_\_\_\_\_  
State Aid NYSDOH  
Federal Aid Federal Funding pass thru NYS  
Other \_\_\_\_\_

**\$2,851,975**  
(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/26/2021 - RAYMOND BUCKLEY, SECRETARY