

DATE: May 7, 2010
TO: Board of Acquisition and Contract
FROM: Mae Carpenter, Commissioner
Department of Senior Programs and Services
RE: Authority to:

- a) Enter into an Agreement with the New York State Executive Department Office for the Aging to accept a grant in the amount of \$48,566 to implement the New York State Office for the Aging's Long Term Care Ombudsman Program for the program period April 1, 2010 through March 31, 2011; and
- b) Enter into an Agreement with the Mental Health Association of Westchester, Inc. to administer the Long Term Care Ombudsman Program in Nursing and Adult Homes under the New York State Office for the Aging's Long Term Care Ombudsman Program in an amount not to exceed \$48,566 for the program period April 1, 2010 through March 31, 2011, pursuant to an approved budget.

The attached Resolution, if approved by your Board, will authorize the County of Westchester (the "County"), acting by and through its Department of Senior Programs & Services (the "Department"), to enter into an Agreement with the New York State Executive Department Office for the Aging to accept a grant in the amount of \$48,566 for the purpose of implementing the New York State Office for the Aging Long Term Care Ombudsman Program for the program period April 1, 2010 through March 31, 2011.

The attached Resolution, would also authorize the County to enter into an Agreement with the Mental Health Association of Westchester, Inc. for the purpose of administering the Long Term Care Ombudsman Program ("LTCOP") in nursing and adult homes for an amount not to exceed \$48,566 for the program period April 1, 2010 through March 31, 2011, pursuant to an approved budget.

LTCOP will serve a public purpose by providing oversight and advocacy for residents in long term care facilities in Westchester County, including nursing and adult homes. The goals and objectives of LTCOP are to improve the quality of life for the elderly who are living in long term care facilities, such as nursing homes, health related facilities and adult residential homes, through the use of trained volunteers, many of whom are elderly and for whom their volunteer work gives them the pleasure of performing a valuable service through meeting residents in these homes, learning about their concerns and working with the facility staff to resolve any problems or complaints.

The goals and objectives of LTCOP are in the best interests of the County in terms of public health because it has been demonstrated that residents in long-term care facilities will receive better care when trained volunteers visit on a regular basis.

The goals and objectives will be tracked, monitored and evaluated by the NY State Office for the Aging through monthly reporting activities and an annual on-site review to determine if the contract performance goals and objectives are being met in a fiscally responsible and appropriately safe fashion. All reporting and monitoring activities are required to be handled by the NY State Office for the Aging.

In the previous fiscal year, oversight and advocacy was provided to 6,500 residents in long term care facilities in Westchester County.

If this resolution is not approved, the public health of long term care facility residents who do not receive regular visitors could deteriorate greatly, because they will not have anyone to advocate on their behalf.

The agreement with the New York State Office for the Aging is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) iii thereof. The agreement with the Mental Health Association of Westchester, Inc. is exempt from the Procurement Policy pursuant to Section 3(a) xix thereof.

Accordingly, I most respectfully recommend adoption of the proposed resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 5-27-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF THE WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES:

RESOLVED: that the County of Westchester be and is hereby authorized to enter into an Agreement with the New York State Executive Department Office for the Aging to accept a grant in the amount of \$48,566 to implement the New York State Office for the Aging's Long Term Care Ombudsman Program for the program period April 1, 2010 through March 31, 2011; and be it further

RESOLVED: that the County of Westchester be, and is hereby, authorized to enter into an Agreement with the Mental Health Association of Westchester, Inc. to administer the New York State Long Term Care Ombudsman Program in nursing and adult homes for an amount not to exceed \$48,566 for the program period April 1, 2010 through March 31, 2011, subject to an approved budget; and be it further

RESOLVED: that the agreement with the Mental Health Association of Westchester, Inc. is subject to County appropriations; and be it further

RESOLVED: that the agreement with the Mental Health Association of Westchester, Inc. is also subject to the further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this 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 of 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 the Agreement with the Mental Health Association of Westchester, Inc., or to renegotiate the amounts and rates approved therein. If the County subsequently offers to pay a reduced amount to the Mental Health Association of Westchester, Inc., then the Mental Health Association of Westchester, Inc. shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

RESOLVED: that the County Executive or his duly authorized designee be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes hereof.

Agreement Total \$48,566.00

Agreement # N/A

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	85	337K	4380	T-337	\$48,566
263	85	337K	9854	T-337	\$48,566

Budget Funding Year(s) 2010-2011 Start Date 4/1/10 End Date 3/31/11

(must match resolution)

Funding Source Tax Dollars _____

State Aid \$48,566

\$48,566 Federal Aid _____

(must match resolution) Other _____