

**96057**

**DATE:** September 16, 2022

**TO:** Board of Acquisition and Contract

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

**RE:** Request Authority to enter into an Agreement with the New York State Department of Health to accept funding for the Sexual Health Clinical Services Program Grant for the period from October 1, 2022 through September 30, 2027, in the amount not-to-exceed \$1,200,000, pursuant to an approved budget and to authorize the County of Westchester to defend and indemnify the New York State Department of Health pursuant to the agreement as written below

The County of Westchester ("County"), acting by and through its Department of Health ("WCDH"), requests authority to enter into an Agreement with the New York State Department of Health ("NYSDOH") to accept funding for the Sexual Health Clinical Services Program Grant ("Sexual Health"), formerly known as the Pre-Exposure Prophylaxis ("PrEP") Program, for the period from October 1, 2022 through September 30, 2027, in the amount not-to-exceed \$1,200,000, pursuant to an approved budget ("Agreement").

Last year the County responded to a Request for Application ("RFA") for the new Sexual Health Program. Due to the ongoing COVID pandemic, the original RFA was rescinded and all prospective respondents were instructed to reapply for an expanded Sexual Health Program in May 2022 to which the County duly applied. The County was recently informed that it was awarded funding in the amount and for the period described above.

The expanded Sexual Health Program will promote the public health and general welfare of all County residents by continuing to enhance service delivery by reaching those persons who need access to sexual health care, such as Men Having Sex with Men ("MSM") of Color, African American, Latina men and women, persons of transgender experience and injection drug users, among others who are vulnerable.

Since the Program's initial funding in 2016, the WCDH has worked to enhance its clinical sexual services by rebranding its Yonkers and White Plains Clinics in 2018 from Sexually Transmitted Infections ("STIs") Clinics to Sexual Health Clinics, coupled with a team of medical providers including two public health nurses, two Nurse Practitioners and a Medical Social Work Assistant.

The goals of the Sexual Health program are to reduce the incidence of HIV and other STIs by reducing the stigma of persons seeking HIV, pregnancy, or STI prevention services and screening and treatment for STIs. Addressing barriers to health care that are rooted in Social Determinants of Health (SDOH) will help achieve this goal. Sexual health services will be delivered in a sex positive clinical setting, where sexuality is accepted and the physical, emotional and spiritual benefits of sexual expression are acknowledged, fostering discussions of sexual health needs and increasing the likelihood of return visits for information, care, and treatment when needed. In addition, the Sexual Health clinics provide STI Treatment for patients that are referred by local hospitals and Federally Qualified Health Centers (FQHC).

The Objective is to support a clinic service model of integrated disease prevention, screening, testing, diagnosis and treatment of HIV, syphilis, gonorrhea, chlamydia, other STIs, HCV, and Viral Hepatitis; and provision of prevention strategies including Pre-Exposure Prophylaxis (PrEP) and PEP; and contraception and/or emergency contraception (directly or through a referral).

The intended outcome is to minimize reoccurring incidents of STI's in Westchester County that if left untreated may increase the number of persons who are at risk for HIV or other related medical complications. WCDH works with all people regardless of insurance status, especially for persons who have migrated from other countries.

This program will be monitored by tracking the number of high-risk individuals identified as candidates and referred for PReP therapy as well as monthly reviews of all program activities, and more frequent progress reports to include monthly group phone calls with NYS AIDS Institute staff. This information will also be reported electronically to the New York State Department of Health.

The Agreement also requires the County to indemnify 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."

Therefore, authority is requested from your Honorable Board to enter into an Agreement with the New York State Department of Health ("NYSDOH") to accept funding for the Sexual Health Clinical Services Program Grant ("Sexual Health"), formerly known as the Pre-Exposure Prophylaxis ("PrEP") Program, for the period from October 1, 2022 through September 30, 2027, in the amount not-to-exceed \$1,200,000, pursuant to an approved budget.

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.

SA/dc  
Attachment

## RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF HEALTH, be it hereby

**RESOLVED**, that the County of Westchester is authorized to enter into an Agreement with the New York State Department of Health ("NYSDOH") to accept funding for the Sexual Health Clinical Services Program Grant ("Sexual Health"), formerly known as the Pre-Exposure Prophylaxis ("PrEP") Program, for the period from October 1, 2022 through September 30, 2027, in the amount not to exceed \$1,200,000, pursuant to an approved budget; and, be it further

**RESOLVED**, that the agreement requires the County to indemnify the New York State Department of Health as follows:

"That 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.

Original Agreement	\$1,200,000
First Amendment	\$
Second Amendment	\$
<b>This Amendment</b>	<b>\$</b> _____
<b>TOTAL</b>	<b>\$ 1,200,000</b>

Agreement # C37469

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub- Object	Trust Account	Dollars	
263	27	546X	9854	T546	\$240,000	10/1/22-9/30/23
263	27	546Y	9854	T546	\$240,000	10/1/23-9/30/24
263	27	546Z	9854	T546	\$240,000	10/1/24-9/30/25
263	27	546A	9854	T546	\$240,000	10/1/25-9/30/26
263	27	546B	9854	T546	\$240,000	10/1/26-9/30/27

Budget Funding Year(s)  
(must match resolution)

2022 -2027

Start Date

10/01/22

End Date

09/30/27

Funding Source

Tax Dollars

State Aid

NYSDOH Grant

Federal Aid

**\$1,200,000**

(must match resolution)

Other

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/23/2022 - RAYMOND SCUKY, SECRETARY