

111591

DATE: August 6, 2025

TO: Board of Acquisition and Contract

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

RE: Authorization to enter into a contract amendment with the New York State Department of Health to accept additional funding for the Early Intervention Administration Program Grant, in the amount not-to-exceed \$35,182 for budget year five from 10/01/2025 to 09/30/2026, pursuant to an approved budget, for the total revised amount not-to-exceed \$2,887,157, and to indemnify and hold harmless the New York State Department of Health as described below

On August 26, 2021, your Honorable Board approved a resolution which authorized the County of Westchester ("County"), acting by and through its Department of Health ("WCDH"), 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 (the "Agreement"). This Agreement has been executed.

Recently the NYSDOH notified the WCDH that additional funding in the amount not-to-exceed \$35,182 will be added to the budget year five period from 10/01/25 through 09/30/26, for a total revised amount not-to-exceed of \$2,887,157. Accordingly, authority is hereby requested to amend the Agreement with the NYSDOH to accept additional funding for the EI Admin Program grant, in the amount not-to-exceed of \$35,182 for budget year five, from 10/01/2025 to 09/30/2026, pursuant to an approved budget, thereby increasing the total amount not-to-exceed from \$2,851,975 to \$2,887,157.

The proposed amendment will also 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."

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

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.

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 (the "County"), acting by and through its Department of Health (the "Department"), is hereby authorized to amend an agreement with the New York State Department of Health (the "NYSDOH"), pursuant to which the NYSDOH provided the County with funding under 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 (the "Agreement"), in order to accept additional funding for the EI Admin Program grant, in the amount not-to-exceed \$35,182, for budget year five, from 10/01/2025 to 09/30/2026, pursuant to an approved budget, for a total revised amount not-to-exceed \$2,887,157; and, be it further

RESOLVED, that the amendment 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 except as otherwise expressly amended herein, all other terms and conditions of the Agreement shall remain unchanged; 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	\$2,851,975
First Amendment	\$
This Amendment	\$ <u>35,182</u>

TOTAL \$2,887,157

Agreement #C36444

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/14/2025 - RAYMOND SCULKY, SECRETARY

Account to be Charged/Credited	<table><tr><th>Fund</th><th>Dept</th><th>Major Program, Program & Phase or Unit</th><th>Object/ Sub-Object</th><th>Trust Account</th><th>Dollars</th></tr><tr><td>263</td><td>27</td><td>549A</td><td>9853</td><td>T549</td><td>\$21,728</td></tr><tr><td>263</td><td>27</td><td>549A</td><td>9854</td><td>T543</td><td>\$13,454</td></tr></table>	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars	263	27	549A	9853	T549	\$21,728	263	27	549A	9854	T543	\$13,454
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263	27	549A	9853	T549	\$21,728														
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Budget Funding Year(s) (must match resolution)	<u>2025 - 2026</u>	Start Date	<u>10/01/25</u>	End Date	<u>09/30/26</u>														
Funding Source	Tax Dollars	<u>NYSDOH</u>																	
\$35,182	State Aid	<u>Federal Funding pass thru NYS</u>																	
(must match resolution)	Federal Aid	<u></u>																	
	Other	<u></u>																	