



Kenneth W. Jenkins
County Executive

Department of Social Services

Leonard G. Townes
Commissioner

111866

DATE: September 11, 2025

TO: Board of Acquisition and Contract

FROM: Leonard G. Townes
Commissioner
Department of Social Services

SUBJECT: Authority for the County to enter into agreements with various agencies for Title XIX Personal Care Services, under the Federal Social Security Act, for the period commencing upon execution, and continuing indefinitely until terminated by either party, at a total amount not to exceed \$53,050,000.00 for the 2025 calendar year to be paid in accordance with the approved rates and subject to future appropriations.

The County of Westchester (the "County") acting by and through Department of Social Services Office of Medical Home Care Services (the "Department") is requesting authority to enter into forty-one (41) agreements with various agencies as listed on the attached Resolution, for Title XIX Personal Care Services, under the Federal Social Security Act, for the period commencing upon execution, and continuing indefinitely until terminated by either party with thirty (30) days prior written notice, at the rates approved by the New York State Department of Health ("NYSDOH") for Personal Care Services. The total aggregate amount for Title XIX Personal Care Services under these contracts in 2025 is \$53,050,000.00, to be paid in accordance with the pre-established approved rates.

The NYSDOH is authorized pursuant to Section 365-a (2)(e) of the New York State Social Services Law and 18 New York Code of Rules and Regulations ("NYCRR"), 505.14 to provide personal care services to persons eligible to receive such services. The County administers the Program locally and receives reimbursement from New York State and the Federal government under Title XIX of the Federal Social Security Act.

Please note that the agreements with the forty-one (41) agencies listed on the

resolution will take effect upon execution and will continue indefinitely until terminated by either party upon thirty (30) days prior written notice. The “evergreen clause” was incorporated upon the recommendation from NYSDOH to allow these agreements to continue indefinitely until terminated by either party with or without cause after serving proper notice. All current Personal Care Evergreen contracts with the County will be terminated with proper notice, and all agencies currently providing services will be required to enter into new agreements.

The Proposed Title XIX Personal Care agreements will serve a public purpose through the provision of personal home care services to Westchester’s Medical Assistance recipients.

The goals and objectives of the proposed Title XIX Personal Care agreements are to monitor, strengthen, and safeguard the well-being of medical assistance recipients in their homes, with the ultimate aim of achieving maximum rehabilitation and optimal self-sufficiency. The Department’s specific goals in administering the personal care program include:

- Ensuring that eligible recipients have free and timely access to care
- Confirming that services provided are medically necessary and appropriate
- Maintaining a standard of care that meets professionally recognized benchmarks to support the highest possible level of health and safety within the recipient’s home
- Promoting innovative approaches, such as a continuum of services that consolidate and enhance both the availability and quality of care
- Guaranteeing the delivery of services tailored to the specific needs of the sick, incapacitated, or disabled
- Providing these services in a cost-effective manner

The goals and objectives of the proposed Agreements are in the best interest of the County in regards to public health and safety in that the personal care services provided through these agreements supports the highest level of health and safety possible in the recipient’s own home, and promotes the delivery of care that addresses each recipient’s specific needs.

The goals and objectives of the proposed Agreements are in the best interest of the County from a fiscal perspective in that the Department is required to monitor the personal care services provided under the Title XIX personal care agreements, to ensure that all Personal Care Services are medically necessary and appropriate, ensuring Client safety and cost effectiveness.

The goals and objectives of the proposed Agreements are monitored by the Department through audits conducted by an independent auditor and performance reviews. The annual audit review is mandatory for all personal care providers. If any agency fails to meet the specifications, the Department will work with the agency to

meet the requirements, and carefully monitor the program. If performance reviews and follow up audits continue to indicate substandard performance, no new Personal Care cases will be authorized for a six (6) month period. Continued substandard performance may result in termination of the Agency's contract, with proper notice. Complaints received by the Department are duly evaluated and acted upon if deemed necessary.

The Department is able to report that in 2024-2025, an average of seven hundred twenty (720) cases received Personal Care Services authorized by the County. All providers successfully delivered services pursuant to Title XIX of the Federal Social Security Act and applicable State Law.

The proposed Agreements are exempt from the County Procurement Policy pursuant to section 3(a)viii thereof, which exempts contracts for medical or health-related services. In addition, since the proposed Agreements are being funded through the Medicaid program, a combined federal and state entitlement program, the terms of provider relations are dictated by Title XIX of the Social Security Act and the approved Medicaid State Plan. As such, the requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (formerly, Federal Common Grant Rules ("FCGR")), do not apply.

We respectfully recommend the adoption of the attached resolution.

LGT

RESOLUTION

Upon a communication from the Commissioner of Social Services be it hereby:

RESOLVED, that the County of Westchester (the "County"), acting by and through the Department of Social Services Office of Medical Home Care Services (the "Department") is hereby authorized to enter into forty-one (41) agreements with the Personal Care Agencies listed below to provide Personal Care Services under Title XIX of the Federal Social Security Act for the period commencing upon execution and continuing indefinitely until such time as the County or the Personal Care Agency shall terminate, either with or without cause, with thirty (30) days prior written notice to the other party, at a total amount not to exceed \$53,050,000.00 for the 2025 calendar year, to be paid in accordance with the New York State Department of Health approved rates during the contract term and subject to future appropriations; (the "Agreements"); and be it further

RESOLVED, that the Agreements are subject to County appropriations; and be it further

RESOLVED, that the Agreements are also subject to 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 or 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 this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions necessary and appropriate to effectuate the purposes of this resolution.

RESOLUTION
Title XIX Personal Care Agencies

1. A&A Staffing Health Care Services
2. A&J Home Care dba HCS Home Care of Westchester, Inc.
3. Able Health Care Services, Inc.
4. Accentcare of New York, Inc.
5. ACS Home Care, LLC
6. All Metro Home Care Services of New York, Inc.
7. Always Compassionate Home Care, Inc.
8. Anchor Health Homecare Services, Inc.
9. Any-Time Home Care, Inc.
10. Attending Home Care Services, LLC
11. Bestcare, Inc.
12. Blossom Home Care, LLC
13. Community Care Companions, Inc.
14. Cottage Home Care Services, Inc.
15. Hamaspik Homecare
16. Harbor Care, LLC
17. Health Acquisition Corp.
18. J&K Healthcare Services
19. Kind Loyal Service RN Healthcare Services, PLLC
20. Lach Home Care Services
21. La' Dorch Homecare, Inc.
22. Marquis Home Care, LLC
23. Maxim of New York, LLC
24. New Vision Home Care Services, LLC
25. New York Health Care, Inc.
26. People Care Incorporated
27. Personal Touch Home Care of Westchester, Inc.
28. Preferred Home Care of New York/Preferred Gold dba Assistcare Home Health Services, LLC
29. Premier Home Health Care Services, Inc.
30. The Regency of Boro Park L.H.C.S.A. dba Regency Health Care, Inc.
31. Rockaway Home Care dba Foundation For The Elderly
32. Special Touch Home Care Services, Inc.
33. Sunshine Home Care Services Corp.
34. Taconic Innovations, Inc.
35. Trinamco, Inc.
36. Ultimate Care, Inc.
37. Unlimited Care, Inc.
38. Vision Homecare Services
39. VNS Health Personal Care dba New Partners, Inc.
40. White Glove Community Care, Inc.
41. X-Treme Care, LLC

Account to be Charged/Credited:

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	22	8900	5760		\$53,050,000.00

Budget Funding Year(s): 2025Start Date: Upon Execution End Date: Indefinitely until terminated by either party with proper notice**Funding Source:**

Federal	50%	CFDA#(s)	NA		
State	50%	State ID#(s)	NA		
Operating/Tax Levy	0%				
Capital	N/A				

Total NTE: \$53,050,000.00 (2025)
(must match resolution)