



Kenneth W. Jenkins
County Executive

Department of Community Mental Health

Michael Orth
Commissioner

On Base # 112335

DATE: October 29, 2025

TO: Board of Acquisition and Contract

FROM: Michael Orth, M.S.W.
Commissioner, Department of Community Mental Health

RE: Authorization to enter into an agreement with Westchester Medical Center Advanced Physician Services, P.C. to provide psychiatric assessments, psychiatric treatment and medication management to County's Clinic adult patients, as needed, for an initial term from November 1, 2025 through December 31, 2026, in a not-to-exceed of \$400,000, pursuant to an approved budget, with four (4) automatic one-year renewal terms, expiring on December 31, 2030, and to authorize Westchester County to indemnify the provider for billing issues.

The County of Westchester ("County"), acting by and through its Department of Community Mental Health (the "WCCMH" or "Department") seeks authorization to enter into an agreement with Westchester Medical Center Advanced Physician Services, P.C. ("WMC Advanced Physicians"), to provide psychiatric assessments, psychiatric treatment and medication management to WCCMH Clinic adult patients in its brand new safety net mental health clinic facilities which will be operated pursuant to New York State Office of Mental Health (OMH), Mental Health Outpatient Treatment and Rehabilitative Services (MHOTRS), Article 31 licensed safety net mental health clinics. The Agreement will be for an initial term of fourteen (14) months, from November 1, 2025 through December 31, 2026 ("Initial Term"), in the total not-to-exceed amount of \$400,000, pursuant to an approved budget. The term of the Agreement will automatically renew for four (4) additional one-year terms, expiring on December 31, 2030, unless terminated earlier, for the following individual not-to-exceed annual amounts, which reflects an annual increase of 3.5% over the immediately preceding year:

Calendar Year	Not to Exceed Amount
2027	\$414,000.00
2028	\$428,490.00
2029	\$443,487.15
2030	\$459,009.20

WMC Advanced Physicians will comply with OMH standards for the quality of WCCMH clinic facilities and programs providing treatment, rehabilitation and related services in support of WCCMH clients' mental health resilience and recovery goals. WMC Advanced Physicians will serve WCCMH patients with severe behavioral health conditions in need of immediate outpatient services at the Department's brand new safety net clinic.

WMC Advanced Physicians will provide services in person, via telehealth, and some off site services to individuals accepted for treatment with complex needs, including co-occurring disorders.

Pursuant to the Agreement, the County will be required to indemnify WMC Advanced Physicians, as follows:

“[County] shall indemnify and hold harmless [WMC Advanced Physicians], [WMC Advanced Physicians]’ subsidiaries, affiliates, officers, directors, employees and agents from and against any and all claims, damages, awards, actions and settlements damages or expense (including court costs and reasonable attorneys' fees) arising from [County’s] improper billing, including utilization of CPT codes other than those provided by [WMC Advanced Physicians] or psychiatrists for the relevant encounters. This provision will survive termination or expiration of this Agreement.”

In addition, pursuant to the Agreement, the County may seek reimbursement for all or a portion of the costs incurred under this Agreement by billing federal and/or state or private insurance providers for the costs incurred in connection with the provision of aforesaid psychiatric services, in accordance with federal government and New York State Office of Mental Health standards and guidelines for Medicaid, Medicare, Medicaid/managed care, and private insurance billing.

The Department expects to have capacity at the new clinic for 120 clients at a time, and approximately 160 clients annually.

Although the Agreement is exempt from Westchester County Procurement Policy (“Procurement Policy”) under Section 3 (a) viii, which exempts contracts for medical and/or health-related services, the County conducted a request for proposal (“RFP”) process, in accordance with Section 6 of the Procurement Policy. On May 30, 2025, the County issued two (2) requests for proposals that solicited proposals from vendors to obtain the aforementioned services from a psychiatrist and a psychiatrist nurse (collectively, the “RFP”). In response to the RFPs, the Department received two proposal’s from Health Advocates Network and Worldwide Travel Staffing. However, upon careful review and consideration of the two (2) proposals received, the Department determined that such proposals did not adequately satisfy the Department’s needs to provide the aforesaid services to its Clinic patients. Following such determination by the Department that the proposals received were unable to address the County’s needs, the Department then made inquiries to other Clinic Directors and New York Medical College in an attempt to find a responsible provider for the provision of psychiatric services to its Clinic patients. Lastly, the New York Medical College successfully referred WMC Advanced Physicians to the County for the provision of needed psychiatric services and the Department desires to obtain such services from WMC Advanced Physicians.

The goal and objective of this Agreement is to promote the overall psychological and well being of WCCMH Clinic patients’ and their families.

The Agreement serves a public purpose by improving the overall mental health, wellbeing and safety of Westchester County residents.

The proposed agreement will serve a public purpose by assisting the County in diagnosing and treating individuals with mental illness or psychiatric disturbance, develop and manage a treatment plan designed to minimize symptoms and adverse effects or illness, maximize wellness and promote recovery towards the achievement of life goals.

The Agreement will be tracked and monitored by the Department.

Your approval of the attached Resolution is respectfully requested.

Attachment

MO/cmc

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/07/2025 - RAYMOND SCULKY, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”), acting by and through its Department of Community Mental Health (then “WCCMH” or “Department”), is hereby authorized to enter into an agreement with Westchester Medical Center Advanced Physician Services, P.C. (“WMC Advanced Physicians”), to provide psychiatric assessments, psychiatric treatment and medication management to Department’s Clinic adult patients in its brand new clinic facilities, for an initial term of fourteen (14) months, from November 1, 2025 through December 31, 2026, for a total not-to-exceed amount of \$400,000, pursuant to an approved budget; and be it further

RESOLVED, that the term of the agreement shall automatically renew for four (4) additional one-year terms, expiring on December 31, 2030, and for the individual not-to-exceed annual amounts set forth below:

Calendar Year	Not to Exceed Amount
2027	\$414,000.00
2028	\$428,490.00
2029	\$443,487.15
2030	\$459,009.20

; and be it further

RESOLVED, that authority is further requested to add the following indemnification language to the proposed agreement:

“[County] shall indemnify and hold harmless [WMC Advanced Physicians], [WMC Advanced Physicians]’ subsidiaries, affiliates, officers, directors, employees and agents from and against any and all claims, damages, awards, actions and settlements damages or expense (including court costs and reasonable attorneys' fees) arising from [County’s] improper billing, including utilization of CPT codes other than those provided by [WMC Advanced Physicians] or psychiatrists for the relevant encounters. This provision will survive termination or expiration of this Agreement.”

; and, be it further

RESOLVED, that the agreement is subject to County appropriations; and, be it further

RESOLVED, that the agreement is subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of the agreement. The agreement shall contain a provision that 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 the State Budget or any amendments thereto, and for a reasonable period of time after such releases(s) or adoption(s) to conduct an analysis of the impacts of any State Budget on County finances. After

such analysis, the County shall retain the right to either terminate the agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount and/or rate to WMC Advanced Physicians, then WMC Advanced Physicians 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 and empowered to execute all appropriate agreements or documents necessary to effectuate the purposes of this Resolution in the manner prescribed by law.

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
2025	101	26	2520	4380		\$55,000
2026	101	26	2520	4380		\$345,000
2027	101	26	2520	4380		\$414,000.00
2028	101	26	2520	4380		\$428,490.00
2029	101	26	2520	4380		\$443,487.15
	101	26	2520	4380		\$459,009.20

Budget Funding Year(s) (must match resolution)	2025 - 2026	Start Date	11/1/25	End Date	12/31/26
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Funding Source	Tax Dollars	\$400,000
	State Aid	\$
\$400,000.00	Federal Aid	
(must match resolution)	Other	