

109535

To: The Honorable Board of Acquisition and Contract

From: Leonard G. Townes  
Commissioner of Social Services

Date: July 2, 2024

Re: Resolution authorizing the County of Westchester to enter into an amendment of its agreement with Dr. Robert D. Holland, to perform Medical Director services for the County of Westchester's Department of Social Services in an amount not to exceed \$50,000.00 for a term June 1, 2023 through May 31, 2024, in order to extend the term of the agreement for a one-year term commencing retroactively on June 1, 2024 and continuing through May 31, 2025.

---

By way of background, on March 28, 2023, the County of Westchester ("County") acting by and through its Department of Social Services ("Department") issued a Request for Quotations ("RFQ") for the purpose of entering into a one (1) year consulting contract with a qualified and experienced Medical Director to perform independent medical reviews for as many as approximately one hundred and fifty (150) complex cases for Medicaid recipients who receive, or are requesting, in-home personal care services. As a result of the RFQ, the Department received two quotations, and after evaluation by the Department's Medicaid Personal Care / Adult Protective Services Division, the Department determined that the quotation from Dr. Robert D. Holland received the highest score based on the criteria contained in the RFQ and was determined to be the most reasonable and advantageous to the Department.

As such, by resolution approved on July 20, 2023 (the "July 20, 2023 Resolution"), your Honorable Board authorized the County to enter into an agreement with Dr. Robert D. Holland (DSS7012-23; the "Agreement"), to provide Medical Director services for the Department's Office of Temporary Assistance-Medicaid Home Services Division, in an amount not to exceed \$50,000.00 for the term June 1, 2023 through May 31, 2024, to be paid pursuant to an approved budget. The Agreement was subsequently fully executed.

Medical Director services are required by the New York State Department of Health Codes, Rules and Regulations Section 505.14 Personal Care Services and the New York State Department of Health Codes Rules and Regulations Section 505.28-Consumer Directed Personal Care Services and Section 505.33.

The County has been satisfied with the quality of services provided to date by Dr. Robert D. Holland, and desires to amend the Agreement in order to extend the term of the Agreement for one year.

As such, authority is hereby requested from your Honorable Board, for the County to enter into an amendment (DSS7012-A-23; the "First Amendment") of the Agreement to extend the term of the Agreement for a term commencing retroactively on June 1, 2024 and continuing through May 31, 2025 in order for Dr. Robert D. Holland to continue providing Medical Director Services.

It should be noted that the not to exceed amount of the Agreement will not be increasing under the First Amendment and that Dr. Robert D. Holland will be paid at the rates set forth in the Agreement.

The public purpose of the First Amendment is to provide the mandated medical director services to oversee and review cases for the clients of the Department and to ensure compliance with the NYS Department of Health Social Services Regulations. The Medical Director provides reviews and reports on the most complex Personal Care cases including; reviews of requests for continuous 24-hour personal care services, personal home care cases that have been denied, discontinued or reduced, and cases that are reviewed by Fair Hearing.

The goals and objectives of this program is to continue to provide services that help keep disabled clients in their homes and in the least restrictive environment.

The goals and objectives of this program will be tracked and monitored by the Department's Office of Temporary Assistance-Medicaid Home Services Division.

The procurement of this First Amendment is exempt from the County's Procurement Policy and Procedures pursuant to section 3(a)viii thereof, which exempts contracts for medical or health-related services. In addition, since the First Amendment is 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.

Except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect.

Accordingly, authority is respectfully sought for the County to enter into this First Amendment.

LGT/JE/mb  
Attachment

## RESOLUTION

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

RESOLVED, that the County of Westchester, acting by and through its Department of Social Services, is hereby authorized to amend an agreement with Dr. Robert D. Holland, pursuant to which Dr. Robert D. Holland agreed to perform Medical Director services for the County's Department of Social Services for the term commencing June 1, 2023 through May 31, 2024 in an amount not-to-exceed \$50,000.00, payable pursuant to an approved budget, in order to extend the term of the Agreement for an additional one-year term commencing retroactively on June 1, 2024 and continuing through May 31, 2025 at the rates set forth in the original agreement (DSS7012-A-23; the "First Amendment"); and be it further,

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect; and be it further

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/14/2024 - RAYMOND G. JAMES, SECRETARY

|                      |               |
|----------------------|---------------|
| Original Agreement   | \$50,000.00   |
| This First Amendment | <u>\$0.00</u> |
| Total                | \$50,000.00   |

Account to be Charged/Credited:

| Fund | Dept. | Major Program,<br>Program &<br>Phase<br>Or Unit | Object/<br>Sub-<br>Object | Trust<br>Account | Dollars |
|------|-------|---|---------------------------|------------------|---------|
|      |       |   |                           |                  | 0.00    |
|      |       |   |                           |                  |         |

Budget Funding Year(s): 2024-2025  
 Start Date: 6/1/2024 End Date: 5/31/2025  
 (must match resolution)

Funding Source:

|                       |     |               |     |  |  |
|-----------------------|-----|---------------|-----|--|--|
| Federal               | 0 % | CFDA# (s)     | N/A |  |  |
| State                 | 0 % | State ID# (s) | N/A |  |  |
| Operating/Tax<br>Levy | 0 % |               |     |  |  |
| Capital               | 0 % |               |     |  |  |

Total NTE: \$0.00  
 (must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACTS - 08/01/2024 - RAYMOND SCULKY, SECRETARY