

**Department of Health**  
11 Martine Avenue, 12<sup>th</sup> Fl  
White Plains, N.Y. 10606

**111880**

TO: Board of Acquisition and Contract

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

DATE: September 19, 2025

RE: Authorization to Amend a Resolution approved on March 13, 2025, which authorized the County of Westchester to Enter into Agreements with New York State Education Department Approved Providers of Special Education Preschool Services, Pursuant to Section 4410, Part 200 of the New York State Education Law, for the Period July 1, 2025 through June 30, 2030, in the total aggregate amount not to exceed \$447,444,373 with each Provider to be reimbursed at Rates established by the New York State Education Department, in order to add a newly approved Provider to the list, White Glove Behavioral Health Inc., effective November 01, 2025.

On March 13, 2025, your Honorable Board approved a Resolution (the “March 13, 2025 Resolution”) which authorized the County of Westchester, acting by and through its Department of Health (“WCDH”), to enter into agreements with the listed New York State Education Department (“NYSED”) approved providers of Special Education preschool services, pursuant to Section 4410, Part 200 of the New York State Education Law, and its subsequent amendments, for the period from July 1, 2025 through June 30, 2030, in the total aggregate amount not to exceed \$447,444,373 with each Provider to be reimbursed at Rates established by the New York State Education Department.

Accordingly, authorization is hereby respectfully requested that the March 13, 2025 Resolution be amended in order to add White Glove Behavioral Health Inc. to the approved providers list effective November 1, 2025, in order to enter into agreement under the same terms and conditions as specified in the March 13, 2025 Resolution.

Under Section 4410, Part 200 of the New York State Education Law, and its subsequent amendments, counties are required to enter into agreements with NYSED approved providers for Special Education Preschool Services, including evaluations, for children with disabilities ages 3-5 years. Each of these providers would be reimbursed for services at the rates established by the NYSED.

Agreements with these qualified and approved providers of Special Education preschool services, which include agencies and individuals, are exempt from the Westchester County Procurement Policy under Sections 3(a) viii, 3 (a) ix and 3(a) xvii.

The Westchester County Department of Health has been advised by the NYSED that the “subject to County appropriations” language and the New York State budget language are “impermissible” in

these New York State Education Law Section 4410 agreements. As stated by the New York State Education Department, "...Education Law Section 4410 (5)(f) mandates that the counties contract and pay for preschool special education services in the first instance with reimbursements by the State."

These agreements will promote the public health, safety and welfare of Westchester County's children with special needs by enabling their daily participation in special needs programs and other community settings that typically developing children attend. On an annual basis, approximately 1,800 children are served by the 4410 Special Education preschool programs. In 2024 approximately 2,085 children were served.

The goals and objectives of these programs are to:

- Provide appropriate educational services to children from three to five with developmental disabilities in accordance with their approved Individualized Education Plan.
- Provide these services in the child's least restrictive setting.

Providers will be monitored, as per their contract requirements and the Health Department's performance measurement indicators, for the provision of services through program site visits and review of their clinical session and progress notes, and accuracy of billing by monthly reviews of submitted documentation.

All other terms and conditions of the March 13, 2025 Resolution shall remain the same.

An appropriate resolution has been attached herewith for your Board's consideration and approval.

## RESOLUTION

Upon communication from the Commissioner of Health, be it hereby

**RESOLVED,** that the Resolution approved by This Honorable Board on March 13, 2025 (the “March 13, 2025 Resolution”), which authorized the County, acting by and through its Department of Health, to enter into agreements with New York State Education Department (“NYSED”) approved Providers of Special Education Preschool Services for children with disabilities from ages three to five, be hereby amended in order to add White Glove Behavioral Health Inc. to the list of NYSED approved providers effective November 1, 2025 on the same terms and conditions as stated in the March 13, 2025 Resolution; and, be it further

**RESOLVED,** that all other terms and conditions of the March 13, 2025 Resolution shall remain the same; and, be it further

**RESOLVED,** that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute and deliver all instruments and to take all actions necessary or appropriate to accomplish the purpose of this resolutions.

Department of Health  
County of Westchester  
11 Martine Avenue, 12<sup>th</sup> Fl  
White Plains, New York 10606

Original Agreement	\$
First Amendment	\$
<b>This Amendment</b>	\$ _____
<b>TOTAL</b>	\$

Agreement # \_\_\_\_\_

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
	N/A					

Budget Funding Year(s) \_\_\_\_\_ Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
(must match resolution)

Funding Source	Tax Dollars	_____
	State Aid	_____
	Federal Aid	_____
(must match resolution)	Other	_____