

Family Planning Collaborative of Erie County Agreement

Between The Community Health Center of Buffalo, Inc. and the Erie County Department of Health

Contract Term
1/1/14 – 12/31/15

Contract Total
\$525,000.00

Entered into this 1 day of January, 2014 by and between: **THE COUNTY OF ERIE**, a municipal corporation of the State of New York, having its principle place of business at 95 Franklin Street in the City of Buffalo (hereafter called "**COUNTY**");

THE COMMUNITY HEALTH CENTER OF BUFFALO, INC., a not-for-profit organization under the Laws of the State of New York, having its principle place of business at 34 Benwood Avenue, Buffalo, NY 14214 (hereinafter called the "**CONTRACTOR**");

WITNESSETH

WHEREAS, the New York State Department of Health has heretofore granted to the County of Erie, through its Department of Health, a sum not to exceed \$2,418,864.00 to cover the family planning service expansion costs for the Family Planning Collaborative of Erie County; and

NOW, THEREFORE IT IS AGREED

1. "**CONTRACTOR**" shall participate in the Family Planning Collaborative of Erie County, as detailed in the statement of work attached hereto as Exhibit A, and incorporated herein as if fully set forth in this place.
2. In consideration of such work, "**COUNTY**" will pay "**CONTRACTOR**" the sum of \$525,000.00 in monthly payments and upon invoices presented in a form provided by the Erie County Department of Health and acceptable to the Erie County Comptroller. Invoices are to be submitted by "**CONTRACTOR**" to the Erie County Health Department's Accounting Office within ten days of the end of the month in which contractual services have been provided.
3. Upon written request, a one-time advance of up to 25% of the total grant may be forwarded to "**CONTRACTOR**". When making payments to the Contractor, the County will bill invoiced amounts against the advance before any additional payment is made.
4. "**CONTRACTOR**" will keep records of performance of the work under this contract for a period of not less than six years from the completion date of this contract.
5. "**CONTRACTOR**" shall make all books and records with respect to performance of this contract available for the audit by the Erie County Comptroller and the New York State Department of Audit and Control.

6. Funding for this contract period 1/1/14 – 12/31/15 is provided through a settlement with the State of New York. This agreement shall be deemed executory only to the extent of monies appropriated and available for the purpose of this agreement and no liability on account thereof shall be incurred by the County of Erie beyond the amount of such monies. It is understood that neither this agreement nor any representation by any public employee of officer creates any legal or moral obligation, appropriate or make monies available for the purpose of this agreement.
7. **“CONTRACTOR”** shall obtain at its own expense, comprehensive general liability insurance coverage, and excess umbrella liability policy, and shall provide a certificate of insurance as evidence of such coverage in a form acceptable to the Erie County Attorney. All such insurance policies (i) must show that coverage is in effect at the start of the contract period and continuing; (ii) meet the standards set by the Erie County Legislature; (iii) must list the County of Erie as additional insured.
8. **“COUNTY” & “CONTRACTOR”** each agree to indemnify and hold the other harmless against any and all claims, losses, damages, action, judgements, and expenses (including reasonable attorney fees) arising out of, caused by, or related to the negligent acts or omission of the indemnitor, its directors, officers, and employees in connection with the performance of this agreement.
9. All medical records, case histories, films and regular files concerning inpatients and outpatients of the Community Health Center of Buffalo, Inc., and its network of providers by Contractor during the term of this Agreement related to the performance of services as described in Exhibit A shall belong to and remain the property of the County; provided, however, that during the term of this Agreement and follow any terminating hereof, Contractor shall, to the extent permitted under applicable laws governing confidentiality of medical records, have the right to inspect and reproduce, at its own expense, such records. During the term of this Agreement, the parties shall allow each other reasonable access to their respective medical, financial and other records maintained in connection with the services provided pursuant to this Agreement, to the extent permitted under applicable laws governing the confidentiality of such records. Based on HIPPA and NYS Law, the Community Health Center of Buffalo, Inc. shall share medical information with a signed release from the patient.
10. Erie County strongly encourages all not-for-profit agencies that contract with the County of Erie to participate in the community service component of the County’s Welfare to Work Initiative. This program places qualified public assistance recipients in community service placements. Clients participating in this component must work in their respective community assignments as a condition for receipt of welfare benefits. An agency representative should contact: Frank DeCarlo, Director of Employment and Training Program, Erie County Department of Social Services at 858-7481 for additional information regarding this program.

IN WITNESS WHEREFORE, the parties have set their hand and seal as of the date first set out above.

COUNTY OF ERIE

By: _____
MARK POLONCARZ/RICHARD TOBE
County Executive/Deputy County Executive

Date: _____

APPROVED AS TO CONTENT:

By: (Electronically Signed)
GALE R. BURSTEIN, M.D., M.P.H.
Commissioner
Erie County Department of Health

Date: _____

Approved as to form:

By: (Electronically Signed)
GREG P. KAMMER
Assistant County Attorney

Date: _____

Agency Name/ Vendor



By: _____
NAME: LaVonne Ansari, Ph.D./CEO
COMMUNITY HEALTH CENTER OF BUFFALO, INC

Date: 01.02.2014

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EXHIBIT "A"

ERIE COUNTY DEPARTMENT OF HEALTH
Family Planning Collaborative of Erie County,
And
The Community Health Center of Buffalo, Inc

STATEMENT OF WORK
1/1/14– 12/31/15

The Erie County Department of Health will subcontract with the Community Health Center of Buffalo to expand the availability and accessibility of family planning services in Erie County including:

Provision of family planning services

Pregnancy Testing and Counseling

Adolescent Services

HIV Counseling and Testing Services for Initial and Annual Visits

Sexually Transmitted Infection Screening and Treatment

Follow-up of Referrals

Ancillary Services

Clinical services at all collaborative practices will include a full range of comprehensive reproductive/ family planning care such as:

- Full range of FDA approved contraceptive methods
- Sexually transmitted infection testing and treatment
- Pregnancy testing and unbiased, "all-options" counseling
- Community education, including evidence based, age-appropriate, comprehensive sexuality education
- cryosurgery (PPWNY only)
- Colposcopy
- Gynecological exams
- Client education and counseling
- HIV testing/counseling
- HPV vaccines
- Breast and cervical cancer screening
- Testicular cancer screening
- To coordinate rescreening efforts of the partnership designed to establish wellness behaviors in the targeted population
- Participation in Erie County Collaborative Meetings
- Assisting in the development and distribution of printed materials
- Provide day to day oversight of Project Director
- House necessary staff
- Writing of work plans and subcontractor budget requests
- Research and apply for alternative funding sources, if applicable and does not conflict with the current Family Planning grant.
- Submission of timely reports to funding agencies as required

Implement all Family Planning work plan objectives as per NYSDOH approved collaborative work plan as well as standardized family planning objectives

EXHIBIT "B"
ERIE COUNTY DEPARTMENT OF HEALTH
Family Planning Collaborative of Erie County
and
Community Health Center of Buffalo, Inc
BUDGET PERIOD: 1/1/14– 12/31/15

CATEGORY	BUDGET
<i>Program Manager, WHS</i>	24,960
<i>Medical Director/Provider</i>	29,950
<i>Nurse Practitioner-WHNP (T/W)</i>	64,000
<i>WHNP Evening Clinic(TH) to start in Jan 2015</i>	5,299
<i>Registered Nurse</i>	66,400
<i>Educator (nurse)</i>	45,000
<i>Finge @ 18.77</i>	44,223
<i>Per Diem WHNP</i>	86,400
<i>Per Diem Accountant</i>	39,744
<i>Lab and Technical Equipment</i>	26,205
<i>Office Equipment</i>	2,000
<i>Education Supplies</i>	3,111
<i>Promotional Items</i>	528
<i>Medical Supplies and Materials</i>	75,655
<i>Pharmacy</i>	11,525
TOTAL	525,000

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

BUFFALO, N.Y., December 19, 2013

RECEIVED

JAN 10 2014

ECHO Administration

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, That at the 24th Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the Nineteenth day of December 2013 A.D., a Resolution was adopted, of which the following is a true copy:

WHEREAS, Erie County entered into a settlement agreement with the New York State Department of Health (NYSDOH) to allow the Erie County Department of Health (ECDOH) to spend \$2,418,864 owed to NYSDOH to expand Family Planning Services in Erie County; and

WHEREAS, the Erie County Department of Health has received approval from the New York State Department of Health to implement the Erie County Family Planning Collaborative plan in the amount of \$2,418,864 for the provision of family planning services; and

WHEREAS, the collaborative will establish multiple sites, operated by multiple partners for the provision of comprehensive family planning services to at-risk adolescents and other medically indigent women and men in areas where infant mortality, poor health outcomes, unintended adolescent pregnancy and birth rates are high; and

WHEREAS, in addition, in order to meet the needs of the program and fulfill the collaborative work plan, Erie County will establish a clinic at 608 William Street by adding additional staff, and also provide funding to the Community Health Center of Buffalo, Planning Parenthood of Western New York, and Northwest Community Health Center for the aforementioned comprehensive Family Planning services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into contract and appropriate the settlement award from the New York State Department of Health to be budgeted as follows:

Fund 281- Health Department Grant Fund
Family Planning Services
1/1/2014-12/31/2015

Revenue	Increase
416070 Private Pay	\$ 868
416540 Insurance	86,785
416900 Medicaid	210,352
466100 Other Revenue - Grant Program	2,418,864
Total Revenue	\$2,716,869

Expense	Increase
500000 Full Time - Salaries	\$ 192,953
500020 Regular PT - Wages	292,888
502000 Fringe Benefits	325,513
505000 Office Supplies	4,000
506200 Medical Supplies	84,551
506200 Maintenance & Repair Supplies	8,400
510000 Local Mileage	600
510200 Training & Education	500
516020 Community Health Center of Buffalo	525,000

1/10/14 To: C. Moore/Fox
A. Simonetta
B. Szepzwoycki
L. Reedin
R. Bertalotta
N. Kanner

ATTEST



ROBERT M. GRABER
Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

BUFFALO, N.Y., December 19, 2013

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *That at the 24th Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the Nineteenth day of December 2013 A.D., a Resolution was adopted, of which the following is a true copy:*

516020	Planned Parenthood of Western New York	524,998
516020	Northwest Community Health Center	559,940
516020	Prof Service Contract & Fees	127,329
561410	Lab & Technical Equipment	39,270
561420	Office Equipment	5,750
912700	ID Health Services	11,155
980000	ID DISS Services	<u>14,022</u>
	Total Expenses	\$2,716,869

and be it further

RESOLVED, that one Full-Time position of Head Nurse, JG X, (B100 #7492), one Full-Time Supervising Chief Account Clerk, JGIX (B100 #7493), two Regular Part-Time positions of Registered Nurse, JG VIII, (B100 #7494), one Regular Part-Time position of Sr. Nurse Practitioner, JG XVI, (B100 #7495), and two Regular Part-Time positions of Medical Office Assistant, JG IV, (B100 #7496) are hereby created; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into subcontracts with the Community Health Center of Buffalo, Planned Parenthood of Western New York, and the Northwest Community Health Center for the provision of comprehensive Family Planning services; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building.

REFERENCE: COMM. 23E-10 (2013)

ATTEST



ROBERT M. GRABER
Clerk of the Legislature of Erie County