

**CITY OF SAN ANTONIO
SAN ANTONIO METROPOLITAN HEALTH DISTRICT
CITY COUNCIL AGENDA MEMORANDUM**

CONSENT AGENDA

ITEM NO. 25

TO: Mayor and City Council

FROM: Fernando A. Guerra, MD, MPH, Director of Health

SUBJECT: ORDINANCE ACCEPTING FUNDS FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES

DATE: November 4, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the City Manager to accept and execute a contract change totaling \$50,000.00 from the Texas Department of State Health Services (DSHS) to fund the Title X Family Planning Program 2004/2005 in the San Antonio Metropolitan Health District (SAMHD) for the period September 1, 2004 through August 31, 2005. This ordinance will also adopt the program budget, approve the personnel complement, and authorize payments for contractual services.

Staff recommends approval.

BACKGROUND INFORMATION

The City Manager was authorized to execute the Public Health State Support Project 2004/2005 contract with DSHS through an ordinance passed and approved on December 4, 2003 providing annual assistance to the City in support of the core public health activities provided by the SAMHD. DSHS has now offered a contract change totaling \$50,000.00 through Contract Change Notice No. 17 to fund the new Title X Family Planning Program 2004/2005 in the SAMHD for the period September 1, 2004 through August 31, 2005 (See Attachment II).

Title X Federal funding is offered to build the infrastructure needed to strongly encourage teens to involve their parent(s) in early adolescent health care. Nine SAMHD clinics, in collaboration with Project WORTH, will provide Family Planning Services to meet the needs of adolescents by providing a welcoming atmosphere and positive responses to adolescent inquiries in person or by telephone. Solicited feedback will be reviewed by clinic and program staff annually. Each clinic will have a target of serving twice the number of adolescent clients as served in FY 2004.

Adolescent services will include the ability to speak to a registered nurse regarding a clinical problem or question. Appointment schedules will be available for counseling and clinical services, and will be flexible enough to accommodate access for adolescents requesting the services. Some appointments will be available after school hours. Counseling programs will encourage adolescents to communicate with their parent(s), family member or other trusted adult regarding their sexual health situations and to participate in Project WORTH events and activities.

The personnel complement for the Title X Family Planning Program 2004/2005 will consist of one (1) part time Public Health Nurse Supervisor to oversee and coordinate the clinics and staff (See

Attachment I). In collaboration with Project WORTH, the program will focus on principals of abstinence for adolescents.

Acceptance of this contract change brings the total support for the Public Health State Support Project 2004/2005 Federal and State component to \$4,198,352.00.

POLICY ANALYSIS

Acceptance of this grant from DSHS will continue the long-standing practice of utilizing Federal and State aid to support the local public health programs of the City.

FISCAL IMPACT

This contract change provides funds totaling \$50,000.00 to support the Title X Family Planning Program 2004/2005 in the SAMHD for the period September 1, 2004 through August 31, 2005. Acceptance of this grant will place no demand on the City General Fund.

COORDINATION

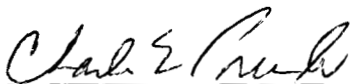
The City Attorney's Office and the Human Resources Department, Risk Management Division, have reviewed and approved the contract with DSHS. The Finance Department has approved the proposed budget.

SUPPLEMENTARY COMMENTS

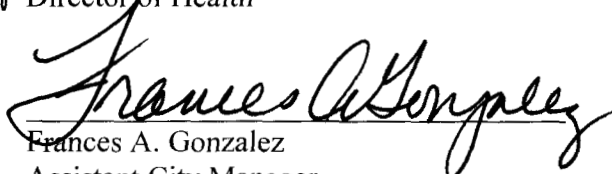
Provisions of the Ethics Ordinance do not apply.

Attachments:

- Attachment I: Title X Family Planning Project 2004/2005 Budget and Personnel Complement
- Attachment II: DSHS 7460020708 2005 Contract Change Notice No. 17, Attachment No. 14



Fernando A. Guerra, MD, MPH
Director of Health



Frances A. Gonzalez
Assistant City Manager



J. Rolando Bono
Interim City Manager

AN ORDINANCE

AUTHORIZING THE ACCEPTANCE OF A CONTRACT CHANGE TOTALING \$50,000.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) TO FUND THE TITLE X FAMILY PLANNING PROGRAM 2004/2005 IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH DSHS; ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

* * * * *

WHEREAS, the Texas Department of State Health Services (DSHS), formerly the Texas Department of Health (TDH), provides annual financial assistance to the San Antonio Metropolitan Health District (SAMHD) to supplement the delivery of comprehensive public health services to protect the health of all residents within the jurisdiction of the District; and

WHEREAS, these services include a variety of activities including family planning services for Title X eligible individuals; and

WHEREAS, Ordinance 98536, passed and approved on December 4, 2003, authorized the execution of Contract 7460020708 2005 between the City of San Antonio and DSHS covering operation of the Public Health State Support Project 2004/2005 in the SAMHD; and

WHEREAS, DSHS has now offered an additional \$50,000.00 to fund the Title X Family Planning Program 2004/2005 in the SAMHD through Contract Change Notice No. 17, Attachment 14, to the above contract for the period September 1, 2004 through August 31, 2005; and

WHEREAS, the balance of the funds required for this program will come from Title X patient co-payments; and

WHEREAS, it is now necessary to authorize the acceptance of the support from DSHS, approve the execution of the contract change notice, adopt the program budget, approve the personnel complement, and authorize payments for contractual services; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Interim City Manager, or his designee, is authorized to accept Contract Change Notice No. 17, Attachment 14 to Grant Contract 7460020708 2005 with DSHS, providing an additional \$50,000.00 to support the Title X Family Planning Program 2004/2005 in the SAMHD for the period September 1, 2004 through August 31, 2005. The Interim City Manager, or his designee, is authorized to execute this Contract Change with DSHS. A copy of

Contract Change Notice No. 17 is set out in Attachment II and incorporated herein for all purposes.

SECTION 2. The account entitled "Title X Family Planning Project 2004/2005", Fund No. 26-016069, Fund Center xxxxxxxxxx, is hereby designated for use in accounting for the fiscal transactions of this project. For the appropriation of funds for said project, Cost Center 3606330001 entitled "Title X Family Planning Project 2004/2005". The Functional Area 3600xxxxxxxxxxx with Internal Order 136000000xxx are hereby established and authorized to be revised in accordance with Contract Change Notice No. 17.

SECTION 3. The total funding of \$50,100.00 for this project is hereby appropriated in the above-designated Fund Center and the budget set out in Attachment I is approved and adopted for entry on the City books.

SECTION 4. Payments in an aggregate amount of \$1,890.00 are hereby authorized to be paid from Fund Center xxxxxxxxxx, Internal Order 136000000xxx, SAP GL Account No. 5201040, Fees to Professional Contractors, on a fee for service basis to various contract professional licensed physicians and registered nurses to cover the services of those medical professionals who see patients in the SAMHD family planning clinics.

SECTION 5. The one (1) personnel position is set out in Attachment I is hereby authorized for the activity thereon.

SECTION 6. Co-payments obtained from patients receiving services through the Title X Family Planning Program 2004/2005 will be deposited into Fund Center xxxxxxxxxx, Internal Order No. 136000000xxx, SAP GL Account No. xxxxxxxx.

SECTION 7. The Director of Finance, may, subject to concurrence by the Interim City Manager or the Interim City Manager's designee, correct allocation to specific internal order numbers, account numbers and fund numbers as necessary to carry out the purpose of this ordinance.

SECTION 8. Should the grant awarded be in an amount other than that budgeted for, or should the grant contain terms and conditions different than those currently existing, acceptance of the grant, budget and corresponding personnel complement will be subject to subsequent City Council ordinance.

SECTION 9. This ordinance shall be effective on and after the tenth day after passage hereof.

PASSED AND APPROVED this _____ day of November, 2004.

M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM: _____
City Attorney

ATTACHMENT I
Title X Family Planning Project 2004/2005
Project No. 26-016069
Fund Center xxxxxxxxxx
Functional Area 3600xxxxxxxxxxx
Internal Order 136000000xxx
DSHS Contract No. 7460020708 2005

INDEX	<u>ESTIMATED REVENUES</u>	SAP GL	CURRENT BUDGET
	DSHS Attachment #14	00-004	50,000
	Title X Patient Co-Pay	00-008	100
	Total Estimated Revenues		\$ <u>50,100</u>

APPROPRIATIONS

Title X Family Planning Program 2004/2005
36-06-33 09/01/2004 through 08/31/2005
Cost Center 3606330001

Regular Salaries & Wages	5101010	23,442
Retirement Benefits - Soc. Sec.	5103005	1,465
Retirement Benefits - TMRS	5105010	2,668
Flexible Benefits Contribution	5405040	2,150
Life Insurance	5103010	515
Travel-Official	5207010	450
Fees to Professional Contractors	5201040	1,890
Chemicals, Medical & Drugs	5304040	17,020
Liability, Hazard & Fidelity Insurance	5405030	500
Total Appropriations		\$ <u>50,100</u>

PERSONNEL COMPLIMENT

Class No.	Title	PREVIOUS POSITIONS	ADD (DEDUCT)	CURRENT POSITIONS
Activity 36-06-33				
Cost Center 3606330001				
0247	Public Health Nurse Supervisor (.50 FTE)	<u>0</u>	<u>1</u>	<u>1</u>
	Total Personnel:	0	1	1



ATTACHMENT II

DEPARTMENT OF STATE HEALTH SERVICES
1100 WEST 49TH STREET
AUSTIN, TEXAS 78756-3199

STATE OF TEXAS

DSHS Document No. 7460020708 2005

COUNTY OF TRAVIS

Contract Change Notice No. 17

The Department of State Health Services, hereinafter referred to as RECEIVING AGENCY, did heretofore enter into a contract in writing with SAN ANTONIO METROPOLITAN HEALTH DISTRICT hereinafter referred to as PERFORMING AGENCY. The parties thereto now desire to amend such contract attachment(s) as follows:

SUMMARY OF TRANSACTION:

ATT NO. 14 : BWH - TITLE X

All terms and conditions not hereby amended remain in full force and effect.

EXECUTED IN DUPLICATE ORIGINALS ON THE DATES SHOWN.

Authorized Contracting Entity (type above if different from PERFORMING AGENCY) for and in behalf of:

PERFORMING AGENCY:

SAN ANTONIO METROPOLITAN HEALTH DISTRICT

By: _____
(Signature of person authorized to sign)

(Name and Title)

Date: _____

RECOMMENDED:

By: _____
(PERFORMING AGENCY Director, if different from person authorized to sign contract)

RECEIVING AGENCY :

DEPARTMENT OF STATE HEALTH SERVICES

By: Bob Burnette
(Signature of person authorized to sign)

Bob Burnette, Director
Procurement and Contracting Services Division
(Name and Title)

Date: 8-31-04

CC PCSD - Rev. 6/04

DETAILS OF ATTACHMENTS

Att/ Amd No.	DSHS Program ID/ DSHS Purchase Order Number	Term		Financial Assistance		Direct Assistance	Total Amount (DSHS Share)
		Begin	End	Source of Funds*	Amount		
01	TB/PC 0000001629	01/01/04	12/31/04	93.116	356,700.00	0.00	356,700.00
02	HIV/PREV 0000001706	01/01/04	12/31/04	93.940	232,350.00	0.00	232,350.00
03A	STD/HIV 0000001818	01/01/04	12/31/04	93.977	258,617.00	0.00	258,617.00
04B	IMM/LOCALS 0000001769	01/01/04	12/31/04	State	429,812.00	0.00	429,812.00
05A	HIV/SURV 0000002157	04/01/04	12/31/04	93.944	86,303.00	0.00	86,303.00
06	EPI/LEAD 0000002255	07/01/04	06/30/05	93.262	45,000.00	0.00	45,000.00
07	DIAB/CDSP 0000002262	07/01/04	03/29/05	93.988	90,000.00	0.00	90,000.00
08	TB/PC C038632000	09/01/04	08/31/05		199,444.00	0.00	199,444.00
09	STD/HIV C038634000	09/01/04	08/31/05		77,046.00	0.00	77,046.00
10	ACFH/POP C038881000	09/01/04	08/31/05		66,000.00	0.00	66,000.00
11	OPHP/LPHS C039361000	09/01/04	08/31/05		305,776.00	0.00	305,776.00
12	BNS/WIC-CARD C039468000	10/01/04	09/30/05		0.00	0.00	0.00
13	OPHP/BIOTERR 0000300716	09/01/04	08/31/05	93.283	2,001,304.00	0.00	2,001,304.00
14	BWH/TITLE X 0000300863	09/01/04	08/31/05		50,000.00	0.00	50,000.00
DSHS Document No.7460020708 2005 Change No. 17					Totals	\$ 0.00	\$4,198,352.00

*Federal funds are indicated by a number from the Catalog of Federal Domestic Assistance (CFDA), if applicable. REFER TO BUDGET SECTION OF ANY ZERO AMOUNT ATTACHMENT FOR DETAILS.

DOCUMENT NO. 7460020708-2005
ATTACHMENT NO. 14
PURCHASE ORDER NO. 0000300863

PERFORMING AGENCY: SAN ANTONIO METROPOLITAN HEALTH DISTRICT

RECEIVING AGENCY PROGRAM: BUREAU OF WOMEN'S HEALTH

TERM: September 01, 2004 THRU: August 31, 2005

SECTION I. SCOPE OF WORK:

PERFORMING AGENCY shall provide the following Title X comprehensive family planning services: medical, counseling, client education, referral, community education, and outreach.

PERFORMING AGENCY shall comply with all applicable federal and state laws, rules, regulations, standards, and guidelines in effect on the beginning date of this contract Attachment unless amended, including but not limited to:

- Grants for Family Planning Services, 42 CFR Part 59;
- Regulations Applicable to Administration of Grants, 45 CFR Parts 74 and 92;
- Sterilizations, 42 CFR Part 50, Subpart B;
- RECEIVING AGENCY Family Planning Rules, 25 TAC Chapter 56; and
- Title X of the Public Health Service Act, as amended, 42 USC 300.

The following documents are incorporated by reference and made a part of this contract Attachment. These include:

- RECEIVING AGENCY Associateship for Family Health FY 05 Competitive Request For Proposal (RFP);
- PERFORMING AGENCY FY 05 Competitive Application and any revisions;
- RECEIVING AGENCY'S *Texas Department of Health Standards for Public Health Clinic Services*, revised January 2004;
- Program Guidelines for Project Grants for Family Planning Services, Office of Population Affairs, Department of Health and Human Services (DHHS), revised January 2001; and
- RECEIVING AGENCY'S Family Planning Policy Manual for Title X and Title XX, September 2004, and any subsequently issued later edition.

Within thirty (30) days of receipt of an amended standard(s) or guideline(s), PERFORMING AGENCY shall inform RECEIVING AGENCY Program, in writing, if it will not continue performance under this Attachment in compliance with the amended standard(s) or guideline(s).

RECEIVING AGENCY may terminate the Attachment immediately or within a reasonable period of time as determined by RECEIVING AGENCY.

RECEIVING AGENCY'S Public Health Regional Director, as coordinator of regional services, will assist RECEIVING AGENCY staff in providing direction to PERFORMING AGENCY. RECEIVING AGENCY personnel may, from time to time, provide technical assistance and training to PERFORMING AGENCY. PERFORMING AGENCY shall cooperate with RECEIVING AGENCY staff to attain the goals of unified community health assessment, policy development, coordinated services, and quality assurance and to prevent unnecessary duplication of services.

PERFORMANCE MEASURES

The following performance measures will be used to assess, in part, the PERFORMING AGENCY'S effectiveness in providing the services described in this contract Attachment, without waiving the enforceability of any of the terms of the contract.

PERFORMING AGENCY shall provide family planning medical services to 984 unduplicated clients who live or receive services in the following county(ies)/area: Bexar. The services shall be provided to the clients in the following population categories and in the following numbers:

<u>Category</u>	<u>Number of Clients</u>
Women 19 and Under	409
Women 20 to 34	550
Women 35 and Over	0
Males	25
Total Family Planning Clients	984

Performance measure data shall be reported in the annual Progress Report (Objectives) no later than 60 days after the end of the Attachment term.

SECTION II. SPECIAL PROVISIONS:

For purposes of this Attachment only, the following provisions shall apply:

General Provisions, **Terms and Conditions of Payment** Article, second paragraph, is replaced with the following:

PERFORMING AGENCY must have incurred a cost where the benefit from such cost is received within the applicable Attachment term to be eligible for reimbursement under this contract and prior to claiming reimbursement. PERFORMING AGENCY must submit requests for reimbursement on a State of Texas Purchase Voucher (TDH Form B-13) and Supporting Schedule for Title X Reimbursement Vouchers (Form B-13X) monthly within 30 days following the end of the month covered by the bill. PERFORMING AGENCY shall submit a reimbursement request as a final close-out bill not later than 90 days following the end of the applicable Attachment term(s) for costs encumbered on or before the last day of the Attachment term. Reimbursement requests submitted and postmarked more than 90 days following the end of the applicable Attachment term may not be paid, at the discretion of RECEIVING AGENCY.

General Provisions, **Program Income** Article, is not applicable to this Attachment. PERFORMING AGENCY shall comply with the following paragraphs regarding Program Income:

All revenues directly generated by a contract Attachment(s) supported activity or earned only as a result of the Attachment(s) during the term of the Attachment(s) are considered program income. PERFORMING AGENCY shall identify and report this income quarterly and annually utilizing the forms specified in the General Provisions, **Reports** Article.

Program income generated under this contract shall be used to further the program objectives of the State/Federal statute under which the Scope of Work for the Attachment was made. The receipt and expenditure of all program income shall be reported monthly on the Supporting Schedule for Title X Reimbursement Vouchers (Form B-13X).

This section shall not be construed to apply to funds raised by PERFORMING AGENCY from fund-raising activities or donations. Fund raising includes membership drives or special events used to raise program funds. Donations include monies donated to the program by individuals and private groups, such as churches or other organizations.

General Provisions, **Overtime Compensation** Article, is not applicable.

General Provisions, **Inspections** Article, is revised to include:

PERFORMING AGENCY shall participate fully in quality assurance site review(s) as authorized by RECEIVING AGENCY. The RECEIVING AGENCY will report to the appropriate officers of the PERFORMING AGENCY and its subrecipient(s), if any, the preliminary results of the quality assurance site review prior to the findings becoming a matter of record.

General Provisions, **Reports** Article, is revised to include:

PERFORMING AGENCY shall provide the following routine reports to RECEIVING AGENCY in compliance with the dates and conditions specified below:

REPORT TITLE	SUBMISSION FREQUENCY	DUE DATE
FPAR Report	Annually	January 20
Progress Report (Objectives)	Annually	60 days after the end of the contract term.
Financial Status Report (Form 269a)	Modified Quarterly Sep 1 - Nov 30 Dec 1 - Mar 31 Apr 1 - May 31 Jun 1 - Aug 31	30 days after the end of each modified quarter; final report due 90 days after the end of the contract term.

PERFORMING AGENCY shall notify RECEIVING AGENCY immediately in the event of any significant change affecting the PERFORMING AGENCY'S identity, ownership or control, name change, governing board membership, vendor identification, medical or program director, changes in hours of operation, clinic site information regarding closure, relocation, change of address, and openings of new clinic sites. Failure to disclose the required information or inaccurate disclosure by the PERFORMING AGENCY may be treated as a material breach of this contract and may be grounds for termination.

PHARMACY - If PERFORMING AGENCY is dispensing and/or providing prescribed medications, e.g., birth control pills, antibiotics, etc., on site, it shall have, at a minimum, a Class D pharmacy license as provided by the Texas Pharmacy Act, Occupations Code, §560.051 or must dispense and/or provide such medications in compliance with other pharmacy statutes with prior approval from RECEIVING AGENCY.

STERILIZATION - PERFORMING AGENCY shall comply with all federal regulations applying to sterilization procedures.

Prior to receiving a sterilization, a client shall sign a copy of the U.S. Department of Health and Human Services (DHHS) sterilization consent form. The original of this form, with all required signatures (including the physician's) must be kept in the client's medical records.

DATA COLLECTION - PERFORMING AGENCY shall maintain statistical and management information systems that are compatible with accurate reporting of contract performance under Family Planning Annual Report (FPAR). PERFORMING AGENCY shall submit encounters, including reports of all Family Planning services provided, for all individual medical services provided to clients during any given encounter submission period. Encounters shall be submitted to Texas Medicaid and Healthcare Partnership (TMHP) from September 1, 2004 through August

31, 2005, in a manner compatible with the Compass 21 billing and reporting system. Encounters shall be submitted by the 120th day after the date on which services were provided. Encounters shall be submitted using approved claim/encounter format, which follows the RECEIVING AGENCY Program specifications which may be obtained from RECEIVING AGENCY Program.

PERFORMING AGENCY shall provide statistical data to RECEIVING AGENCY, as requested, according to specified criteria (e.g., age, sex, race, gender, ethnicity, contraceptive method, unduplicated client number, etc).

FEE COLLECTION - PERFORMING AGENCY shall be responsible for implementation of policies and procedures for charging, billing, and collecting fees for individual client services provided. These policies and procedures shall be reviewed by PERFORMING AGENCY'S policy board or advisory committee.

PERFORMING AGENCY shall establish fees based on the cost of the services provided. A schedule of discounts is required for individuals with family incomes between 101% and 250% of the most current federal poverty income level based on family size and income. Fees shall be waived for individuals with family incomes above this amount, who as determined by service site project director, are unable, for good cause, to pay for family planning services.

PERFORMING AGENCY shall not deny services to clients because of inability to pay.

PERFORMING AGENCY shall not charge clients with incomes at or below 100% of the federal poverty level.

PERFORMING AGENCY shall charge full fee to clients with incomes above 250% of the federal poverty level, except where justification for waiving fees has been approved by service site project director.

PERFORMING AGENCY shall assess and document each prospective client's eligibility or potential eligibility for third party reimbursement.

SECTION III. BUDGET:

PERSONNEL	\$602,492.00
FRINGE BENEFITS	174,728.00
TRAVEL	1,305.00
EQUIPMENT*	3,514.00
SUPPLIES	145,509.00
CONTRACTUAL	61,668.00
OTHER	26,239.00
 TOTAL	 \$1,015,455.00
 RECEIVING AGENCY SHARE	 \$50,000.00
PERFORMING AGENCY SHARE	\$965,455.00
 OTHER MATCH	 \$518,980.00

Total reimbursements will not exceed \$50,000.00.

Financial status reports are due the 30th of December, 30th of April, 30th of June, and the 30th of November.

* Equipment list attached.

PERFORMING AGENCY: SAN ANTONIO METROPOLITAN HEALTH DISTRICT

RECEIVING AGENCY PROGRAM: BUREAU OF WOMEN'S HEALTH

DSHS DOC. NO: 7460020708 · 2005

ATTACHMENT NO: 14

Change No. 17

EQUIPMENT LIST				
ITEM	DESCRIPTION	NO. OF UNITS	UNIT COST	EXTENSION
001	162-ASC-Z binocular Microscope: ASC 4, 10 & 40X OBJS with 14302 Carrying Case, soft-sided, 13x11x17	1	1,620.00	\$ 1,620.00
002	Dell Optiplex GX270, GX270T-2.8G-17F Dell, PC P4 2.8GHz, 512MD, 80GB, 17" LCD; MS Latest EA Backoffice, WIN2K Pro, Off 2000 Pro.	1	1,894.00	\$ 1,894.00
TOTALS				\$ 3,514.00

Items may be brand name, if specified, or equivalent.