

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

**CONSENT AGENDA
ITEM NO. 22**

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 FOR THE TITLE X FAMILY PLANNING PROGRAM

DATE: October 20, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the City Manager to accept and execute a contract change for an additional \$16,667.00 from the Texas Department of State Health Services (TDSHS) to augment funding for the Title X Family Planning Program 2004/2005 in the San Antonio Metropolitan Health District (SAMHD) and extend the period from August 31, 2005 to December 31, 2005. This ordinance will also revise the program budget 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 TDSHS 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. TDSHS has now offered Contract Change Notice No. 29, Attachment 14B to this contract, for an additional \$16,667.00 to augment funding for the Title X Family Planning Program 2004/2005 in the SAMHD and to extend the period from August 31, 2005 to December 31, 2005 (See Attachment II). TDSHS needs this additional time in order to implement changes mandated by the Texas Legislature, including the issuance of a competitive RFP this fall for family planning services with new contracts to be awarded January 1, 2006.

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 (a multi-departmental teen pregnancy prevention initiative **Working On Real Teen Health**), will furnish 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. 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 \$5,080,394.00.

POLICY ANALYSIS

Acceptance of this grant from TDSHS 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 additional funds totaling \$16,667.00 to augment support for the Title X Family Planning Program 2004/2005 in the SAMHD for the period September 1, 2004 through December 31, 2005. The SAMHD has coordinated with the Office of Management and Budget.

COORDINATION

The City Attorney's Office and the Human Resources Department, Risk Management Division, have reviewed and approved the contract with TDSHS. The SAMHD has coordinated with the Finance Department for accurate accounting of the grant.

SUPPLEMENTARY COMMENTS

Provisions of the Ethics Ordinance do not apply.

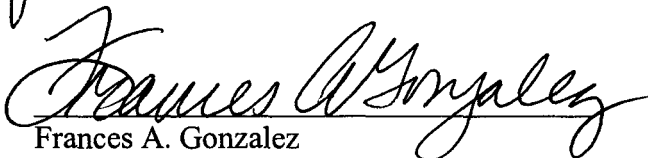
Attachments:

- Attachment I: Title X Family Planning Project 2004/2005 Budget and Personnel Complement
- Attachment II: TDSHS 7460020708 2005 Contract Change Notice No. 29, Attachment No. 14B

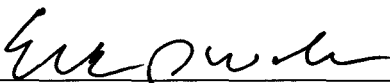


Fernando A. Guerra, MD, MPH

1) Director of Health



Frances A. Gonzalez
Assistant City Manager



+ J. Rolando Bono
City Manager

ATTACHMENT I
Title X Family Planning Project 2004/2005
Fund 26016000
Funds Center 3606330000
TDSHS Contract No. 7460020708 2005

INDEX	ESTIMATED REVENUES	SAP GL	PREVIOUS BUDGET	ADD (DEDUCT)	REVISED BUDGET
	TDSHS Attachment #14B	4501100	81,000	16,667	97,667
	Title X Patient Co-Pay	4501170	100	100	200
	Total Estimated Revenues		\$ 81,100	16,767	97,867

APPROPRIATIONS

Title X Family Planning Program 2004/2005
Activity 36-06-33 09/01/2004 through 12/31/2005
Cost Center 3606330001
Internal Order 136000000246

Regular Salaries & Wages	5101010	23,442	4,325	27,767
Retirement Benefits - Soc. Sec.	5103005	1,465	488	1,953
Life Insurance	5103010	515	172	687
Education	5103065	0	325	325
Retirement Benefits - TMRS	5105010	2,668	889	3,557
Fees to Professional Contractors	5201040	14,259	0	14,259
Binding, Printing & Reproduction	5203060	1,880	620	2,500
Travel-Official	5207010	5,925	(725)	5,200
Office Supplies	5302010	487	363	850
Chemicals, Medical & Drugs	5304040	19,407	4,936	24,343
Tools, Apparatus & Accessories	5304050	0	2,200	2,200
Computer Software	5304075	1,422	0	1,422
Liability, Hazard & Fidelity Insurance	5405030	500	0	500
Flexible Benefits Contribution	5405040	2,150	717	2,867
Computer Equipment	5501000	4,222	0	4,222
Machine & Equipment - Other	5501055	2,758	0	2,758
Indirect Cost		0	2,457	2,457
Total Appropriations		\$ 81,100	16,767	97,867

PERSONNEL COMPLIMENT

Class No.	Title	PREVIOUS POSITIONS	ADD (DEDUCT)	REVISED POSITIONS
Activity 36-06-33				
Cost Center 3606330001				
Internal Order 136000000246				
0247	Public Health Nurse Supervisor (.50 FTE)	1	0	1
Total Personnel:		1	0	1

AN ORDINANCE

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$16,667.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (TDSHS) TO AUGMENT FUNDING FOR THE TITLE X FAMILY PLANNING PROGRAM 2004/2005 IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT AND TO EXTEND THE PERIOD TO DECEMBER 31, 2005; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDSHS; REVISING THE PROGRAM BUDGET; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

* * * * *

WHEREAS, the Texas Department of State Health Services (TDSHS) 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 SAMHD; and

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

WHEREAS, Ordinance No. 98536, passed and approved on December 4, 2003, authorized the execution of Contract 7460020708 2005 between the City of San Antonio and TDSHS, covering operation of the Public Health State Support Project 2004/2005 of the SAMHD; and

WHEREAS, Ordinance No. 99954, passed and approved November 4, 2004, authorized the acceptance of \$50,000.00 to renew funding for 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, Ordinance No. 100603, passed and approved March 31, 2005, authorized the acceptance of \$31,000.00 to augment funding for the Title X Family Planning Program 2004/2005 in the SAMHD through Contract Change Notice No. 22, Attachment 14A, to the above contract for the period September 1, 2004 through August 31, 2005; and

WHEREAS, TDSHS has now offered an additional \$16,667.00 to augment support for the Title X Family Planning Program 2004/2005 through Contract Change Notice No. 29, Attachment 14B, to the above contract and extend the period to December 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 additional support from TDSHS, approve the execution of the contract change notice, revise the program budget, and authorize payments for contractual services; **NOW THEREFORE:**

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

SECTION 1. The City Manager, or his designee, is authorized to accept and execute Contract Change Notice No. 29, Attachment 14B to Grant Contract 7460020708 2005 with TDSHS to accept an additional \$16,667.00 to augment support the Title X Family Planning Program 2004/2005 in the SAMHD for the period September 1, 2004 through December 31, 2005. A copy of Contract Change Notice No. 29 is set out in Attachment II and incorporated herein for all purposes.

SECTION 2. Fund 26016000, Funds Center 3606330000, Cost Center 3606330001, Internal Order 136000000246 entitled "2004-05 Title X Family Planning", is hereby designated for use in accounting for the fiscal transactions of this project.

SECTION 3. The additional sum of \$16,667.00 for this project is hereby appropriated in the above-designated fund, GL Account No. 4501100, and budget set out in Attachment I is approved and adopted for entry on the City books.

SECTION 4. Co-payments obtained from patients receiving services through the Title X Family Planning Program 2004/2005 will be deposited into Fund 26016000, Funds Center 3606330000, Cost Center 3606330001, Internal Order 136000000246, SAP GL Account No. 4501170.

SECTION 5. Payments in an aggregate amount of \$14,259.00 are hereby authorized to be paid from Fund 26016000, Funds Center 3606330000, Cost Center 3606330001, Internal Order 136000000246, 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 6. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific fund numbers, account numbers, cost centers, and internal order numbers as necessary to carry out the purpose of this ordinance.

SECTION 7. 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 8. This ordinance shall be effective on and after the tenth day after passage hereof.

PASSED AND APPROVED this _____ day of October, 2005.

M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM: _____

City Attorney



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. 29

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. 14B : CHS - 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

RECEIVING AGENCY :

DEPARTMENT OF STATE HEALTH SERVICES

By: _____
(Signature of person authorized to sign)

By: _____
(Signature of person authorized to sign)

(Name and Title)

Bob Burnette, Director
Client Services Contracting Unit

(Name and Title)

Date: _____

Date: _____

RECOMMENDED:

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

JC CSCU - Rev. 6/05

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
04D	IMM/LOCALS 0000001769	01/01/04	08/31/05	State	716,353.00	0.00	716,353.00
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	State	199,444.00	0.00	199,444.00
09A	STD/HIV C038634000	09/01/04	12/31/04	State	25,682.00	0.00	25,682.00
10B	CHS/POP C038881000	09/01/04	12/31/05	93.994	88,000.00	0.00	88,000.00
11	OPHP/LPHS C039361000	09/01/04	08/31/05	State 93.991	305,776.00	0.00	305,776.00
12	BNS/WIC-CARD C039468000	10/01/04	09/30/05	10.557	0.00	0.00	0.00
13B	CPS/BIOTERR 0000300716	09/01/04	08/31/05	93.283	2,435,007.00	0.00	2,435,007.00
14B	CHS/TITLE X 0000300863	09/01/04	12/31/05	93.217	97,667.00	0.00	97,667.00
15A	REFUGEE 0000301008	10/01/04	09/30/05	93.566 93.576	143,495.00	0.00	143,495.00
16	M&D	08/15/05	08/31/05		0.00	0.00	0.00
DSHS Document No.7460020708 2005 Change No. 29					Totals	\$ 0.00	\$5,080,394.00
						\$5,080,394.00	\$5,080,394.00

*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.

DEPARTMENT OF STATE HEALTH SERVICES

RECEIVING AGENCY PROGRAM: COMMUNITY HEALTH SERVICES SECTION

PERFORMING AGENCY: SAN ANTONIO METROPOLITAN HEALTH DISTRICT

CONTRACT TERM: 09/01/04 THRU: 12/31/05 BUDGET PERIOD: 09/01/04 THRU 12/31/05

DSHS DOC. NO. 7460020708 200514B CHG. 29

REVISED CONTRACT BUDGET

FINANCIAL ASSISTANCE											
OBJECT CLASS CATEGORIES		CURRENT APPROVED BUDGET (A)		CHANGE REQUESTED (B)		NEW OR REVISED BUDGET (C)					
Personnel		\$602,492.00		\$195,837.00		\$798,329.00					
Fringe Benefits		174,728.00		56,678.00		231,406.00					
Travel		6,780.00		846.00		7,626.00					
Equipment*		15,150.00		0.00		15,150.00					
Supplies		144,749.00		48,684.00		193,433.00					
Contractual		74,037.00		17,682.00		91,719.00					
Other		28,519.00		6,470.00		34,989.00					
Total Direct Charges		\$1,046,455.00		\$326,197.00		\$1,372,652.00					
Indirect Charges		0.00		938.00		938.00					
TOTAL		\$1,046,455.00		\$327,135.00		\$1,373,590.00					
PERFORMING AGENCY SHARE:											
Program Income		446,475.00		137,476.00		583,951.00					
Other Match		518,980.00		172,992.00		691,972.00					
RECEIVING AGENCY SHARE		\$81,000.00		\$16,667.00		\$97,667.00					
PERFORMING AGENCY SHARE		\$965,455.00		\$310,468.00		\$1,275,923.00					
Detail on Indirect Cost						Rate Type:					
Rate		0.07		Base		\$1,372,652.00		Total		\$938.00	
Budget Justification: Increase due to extension of term from 08/31/2005 to 12/31/2005 and increased number to be served.											
Revised Number to be Served/Units of Service: 1,242											

Form No. GC-9 ECPS - Rev. 10/04

Financial status reports are due the 30th of December, 30th of March, 30th of June, 15th of October, and the 28th of February.

The negotiated indirect cost shown above is less than PERFORMING AGENCY'S current indirect cost rate on file at the RECEIVING AGENCY and subject to review by RECEIVING AGENCY fiscal monitors. Indirect charges to this contract may not exceed the amount shown above, except by prior written approval of RECEIVING AGENCY.

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

PERFORMING AGENCY: SAN ANTONIO METROPOLITAN HEALTH DISTRICT

RECEIVING AGENCY PROGRAM: COMMUNITY HEALTH SERVICES SECTION

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

It is mutually agreed by and between the contracting parties to amend the conditions of Document No. 7460020708 2005 -14A as written below. All other conditions not hereby amended are to remain in full force and effect.

SECTION I. SCOPE OF WORK, sixth paragraph, is replaced with the following:

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 1,242 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	522
Women 20 to 34	683
Women 35 and Over	0
Males	37
Total Family Planning Clients	1,242

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 I. SCOPE OF WORK is revised to include the following:

PERFORMING AGENCY shall perform no elective abortion procedures, shall neither contract with nor provide funds to any individual or entity for the performance of elective abortions, and

shall submit no claims to RECEIVING AGENCY for reimbursement of direct or indirect costs (including overhead, rent, phones, and utilities) of abortion procedures.

If PERFORMING AGENCY is affiliated with an entity that performs elective abortion procedures or becomes affiliated with an entity that performs elective abortions at any time during the term of this contract,

1. PERFORMING AGENCY and its abortion-services affiliate must be legally separate corporations, with separate articles of incorporation and separate bylaws. If PERFORMING AGENCY is a State or local governmental entity, the abortion-services affiliate must be a legally separate organization with a separate governing structure.
2. PERFORMING AGENCY and its abortion-services affiliate must have easily distinguishable names.
3. PERFORMING AGENCY and its abortion-services affiliate must have separate boards of directors or governing bodies which meet separately and maintain separate records.
4. PERFORMING AGENCY may not transfer any funds distributed under RECEIVING AGENCY Strategy B.1.3 to its abortion-services affiliate. PERFORMING AGENCY must assure that its affiliated entity apportions fair value for any shared expenses or costs (including overhead, rent, phones, equipment, and utilities) in accordance with generally accepted accounting principles.
5. PERFORMING AGENCY shall assure that any person employed part-time by PERFORMING AGENCY and by its abortion-services affiliate shall contemporaneously maintain accurate time records, similar to time records maintained by attorneys, though not necessarily by means of an automatic recording device such as a "time clock", that clearly reflect the work performed for each employer.
6. If PERFORMING AGENCY and its abortion-services affiliate are located at the same physical location, PERFORMING AGENCY shall assure that the existence and separate nature of the affiliate relationship is clearly reflected by appropriate signage in areas accessible to the public.
7. PERFORMING AGENCY and its abortion-services affiliate must each maintain records adequate to show compliance with the foregoing requirements.

SECTION II. SPECIAL PROVISIONS is revised to include the following:

RECEIVING AGENCY shall include in any financial audits of state funds received by PERFORMING AGENCY under this attachment a review to ensure compliance with the requirements of Department of State Health Services Rider 30, General Appropriations Act, 79th Legislature.

SECTION II. SPECIAL PROVISIONS, page 4, **Reports** Article, first paragraph, is replaced with the following:

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- Jan 1, 2005 – Dec 31, 2005	Jan 20, 2006 for period ending Dec 31, 2005
1) Progress Report (Objectives)	Sep 1, 2004-Aug 31, 2005	1) Oct 31, 2005
2) Progress Report (Objectives)	Sep 1, 2005-Dec 31, 2005	2) Feb 28, 2006
Financial Status Report (Form 269a)	Modified Quarterly Sep 1, 2004-Nov 30, 2004 Dec 1, 2004-Mar 31, 2005 Apr 1, 2005-May 31, 2005 Jun 1, 2005-Aug 31, 2005 Sep 1, 2005-Dec 31, 2005	Dec 30, 2004 April 30, 2005 June 30, 2005 Oct 15, 2005 Feb 28, 2006

SECTION II. SPECIAL PROVISIONS, **Reports** Article, sixth paragraph, is replaced with the following:

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, 2005 through December 31, 2005, in a manner compatible with the Compass 21 billing and reporting system. Encounters shall be submitted by the 60th 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.

General Provisions, **Child Abuse Reporting Requirements** Article, first sentence, is replaced in its entirety:

PERFORMING AGENCY is required to comply with this article only as related to services provided under the following Attachments: Human Immunodeficiency Virus and Sexually Transmitted Diseases (all direct client care services for HIV and other sexually transmitted

diseases funded under the Ryan White CARE Act Title II or general revenue), Title V Family Planning (CHS/FEE-FP), Title X Family Planning (CHS/TITLE X), Title XX Family Planning (CHS/TTLXX), Primary Health Care (CHS/PHC), Title V Maternal and Child Health (CHS/FEE), Special Supplemental Nutrition Program for Women, Infants, and Children (NSS/WIC-CARD), and the Services Delivery Integration project (SDI/FFS).

General Provisions, **Terms and Conditions of Payment** Article, is revised to include the following:

Funds made available in the initial contract term of September 1, 2004 through August 31, 2005 must be used for services performed on or after September 1, 2004 through August 31, 2005. Any funds that are not expended for services performed during that period are not available for services performed after August 31, 2005. PERFORMING AGENCY shall submit all vouchers and supporting documentation for dates of service between September 1, 2004 and August 31, 2005 to RECEIVING AGENCY no later than October 15, 2005.

Funds made available by this contract amendment for the period of September 1, 2005 through December 31, 2005 must be used for services performed on or after September 1, 2005 through December 31, 2005. Any funds that are not expended for services performed during that period are not available. PERFORMING AGENCY shall submit all vouchers and supporting documentation for dates of service between September 1, 2005 and December 31, 2005 to RECEIVING AGENCY no later than February 28, 2006.