MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Meeting date:	July 17, 2019				
Department:	Health & Human Services	Agenda Planning Date:	July 11, 2019	Time required:	10
☐ Audio/Visual aids					
Contact:	Cary Moller, Administrator	Phone:	503-585-4978		
Department Head Signature:					

TITLE	Class Special Procurement; Adult Foster Homes and Residential Facilities In Support Of Oregon Health Authority Intergovernmental Agreement (IGA) #159174 Financing of Community Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services
Issue, Description & Background	Health and Human Services Department requests an exemption to allow the use of a class special procurement to issue multiple contracts for Marion County individuals who reside at adult foster homes (AFH), residential treatment homes (RTH) and residential treatment facilities (RTF) and whom require fiscal intermediary services paid on their behalf to those providers. Effective July 1, 2019, OHA Health Systems Division has negotiated with residential treatment homes and facilities, and adult foster home providers "standardized rates" based on Individual's Plane of Care and their LSI score. As such, the providers contract directly with the State and perform services in accordance with the IGA's MHS 28 Services delivered in Residential Treatment Facilities (RTF), as defined in OAR 309-035-0105, Residential Treatment Homes (RTH), as defined in OAR 309-035-0150, and Providers of Foster Care MHS 34 Services funded through the IGA Agreement shall comply with OAR 309-040-0300 through 309-040-0455. OHA provides financial assistance for MHS 28 and MHS 34 Services for providers that must be enrolled as a Medicaid provider. When an Individual is not Medicaid eligible, or requires a service not Medicaid covered, or is an Individual without SSI benefits, or awaiting the start of SSI benefits, MCHHS acting as the fiscal intermediary shall enter into a contract with the provider in order to process the provider's invoice through OHA for payment.
Financial Impacts:	The Intergovernmental Agreement is funded in its Financial Assistance Award, "Part C" in MHS 28 and MHS 34 to provide funds for these providers to process invoices.
Impacts to Department & External Agencies	MCHHS does not anticipate any impacts to other departments & external agencies.
Options for Consideration:	1. Approve the Class Special Procurement Request for Adult Foster Homes and Residential Facilities. 2. Deny approval of the Class Special Procurement Request for Adult Foster Homes and Residential Facilities. 3. Take no action at this time.
Recommendation:	Marion County Health & Human Services Department recommends approval of the Class Special Procurement Request for Adult Foster Homes and Residential Facilities.
List of attachments:	The Board Order for Class Special Procurement Request for Adult Foster Homes and Residential Facilities.
Presenter:	Cydney Nestor, Division Director

MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Copies of completed paperwork sent to the following: (Include names and e-mail addresses.)

Copies to: Linda Wilson, lwilson@co.marion.or.us

BEFORE THE BOARD OF COMMISSIONERS FOR
MARION COUNTY, OREGON

In the matter of granting a Class Special Procurement exemption for multiple contracts to provide residential care services pursuant to the Marion County Public Contracting Rules	))))

ORDER NO. _____

This matter came before the Marion County Board of Commissioners, acting as the Marion County Contract Review Board (Board), on at its regularly scheduled public meeting on Wednesday, July 17, 2019.

WHEREAS, the board finds that Marion County Health and Human Services Department seeks an exemption from Marion County Public Contracting Rules, pursuant to Section 20-0285, which provides for the use of alternative contracting methods as may be directed by the Board of Commissioners under ORS 279B.085; and

WHEREAS, Section 20-0285 allows the Board to direct the use of alternative contracting methods as an exception to the prescribed public contracting practices in Oregon and its use must be justified in accordance with public contracting code and Marion County Public Contracting Rules; and

WHEREAS, Adult Foster Care, Residential Treatment Facilities, and Residential Treatment Homes are Services delivered to Individuals with chronic or severe mental illness who are in need of further stabilization in a licensed care setting for the potential of transitioning to an integrated setting; and

WHEREAS, the County receives funding from Intergovernmental Agreement with Oregon Health Authority #159174; and

WHEREAS, as demonstrated in the findings, attached as Exhibit A, contracting with providers of these services will allow successful continuation of care and services to County residents, will not encourage favoritism or will not substantially diminish competition by allowing additional residential service providers to enter into contracts; and

IT IS HEREBY ORDERED that the Board adopts the findings attached hereto as Exhibit A and grants a Class Special Procurement exemption to allow the use of multiple contracts for services to provide residential care services beginning July 1, 2019 and as may be needed for the 2019 - 2021 biennium which ends December 30, 2020.

DATED this

MARION COUNTY BOARD OF COMMISSIONERS

_____
Chair

Original: Health
Cc: BOC
Finance Contracts

_____
Commissioner

_____
Commissioner

Attachments:
Exhibit A – Department Findings

REQUEST FOR SPECIAL PROCUREMENT No. C25102-HE-617-19

Date of Request: 6/25/19 **Department Name:** Health & Human Services

Department Contact Name: Linda Wilson

Type of Request: X Class Special Procurement _____ Contract-specific Special Procurement

Time Period Requested: From: July 1, 2019 To: December 30, 2020

Total Estimated Cost: $250,000

Title: Supplies and/or Services to be Acquired:

Act as a fiscal intermediary and process OHA approved invoice payments for individuals in residential housing care facilities whom are; not eligible for Medicaid, or for approved services not covered by Medicaid, or whom are awaiting reinstatement or qualifying for Social Security Income (SSI) benefits.

Request, Background and Proposed Contracting Procedure:

a. Request:

Marion County Health & Human Services (MCHHS) acting as the Local Mental Health Authority (LMHA) has been designated through OHA Intergovernmental Agreement (IGA) #159174 as a local government entity responsible for the Community Mental Health Program (CMHP) for planning the delivery of Services for Individuals with mental or emotional disturbances, drug abuse, alcohol abuse or gambling addiction problems in a specific geographic area of the state under an agreement with OHA or a Local Mental Health Authority. The IGA is effective July 1, 2019 through December 30, 2020. In providing delivery of services, MCHHS has been granted through the IGA, financial administration authority as to how the delivery of services are made, and may contract with outside providers in delivering the contractual services.

MCHHS is requesting an exemption to allow the use of a class special procurement to issue multiple contracts for Marion County individuals who reside at adult foster homes (AFH), residential treatment homes (RTH) and residential treatment facilities (RTF) and whom require fiscal intermediary services paid on their behalf to those providers.

b. Background:

Effective July 1, 2019, OHA Health Systems Division has negotiated with residential treatment homes and facilities, and adult foster home providers "standardized rates" based on Individual's Plane of Care and their LSI score. Services delivered to an Individual are determined based upon a person-centered assessment of treatment needs and the development of a Plan of Care that is individualized to promote stabilizations, skill building, and preparation to be living in a more integrated community. As such, the providers contract directly with the State and perform services in accordance with the IGA's MHS 28 Services delivered in Residential Treatment Facilities (RTF), as defined in OAR 309-035-0105, Residential Treatment Homes (RTH), as defined in OAR 309-035-0150, and Providers of Foster Care MHS 34 Services funded through this Agreement shall comply with OAR 309-040-0300 through 309-040-0455.

OHA provides financial assistance for MHS 28 and MHS 34 Services for providers that must be enrolled as a Medicaid provider. OHA calculates the rates and then processes claims through OHA's Medicaid

Management Information System (MMIS) for Medicaid mental health services, for Medicaid-eligible individuals.

When an Individual is not Medicaid eligible, or requires a service not Medicaid covered, or is an Individual without SSI benefits, or awaiting the start of SSI benefits, MCHHS shall act as fiscal intermediary and process the provider's invoice through OHA for payment.

c. Proposed Contracting Procedure:
MCHHS shall enter into a Contract for Services with the Individual's provider for a period of performance term not to exceed past the term of the IGA #159174.

Justification for use of Special Procurement:

Findings to Satisfy the Required Standards: This proposed special procurement:

_X_ (a) will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts because:

Marion County is not awarding contracts to providers based upon competition criteria. Providers are licensed by OHA, are Medicaid approved providers, and perform services in accordance with the IGA's MHS 28 Services delivered in Residential Treatment Facilities (RTF), as defined in OAR 309-035-0105, Residential Treatment Homes (RTH), as defined in OAR 309-035-0150, and Providers of Foster Care MHS 34 Services funded through this Agreement shall comply with OAR 309-040-0300 through 309-040-0455.

and

_X_ (b)(i) will result in substantial cost savings to the contracting agency or to the public because:

The services delivered to an Individual in MHS 28 or MHS 34 are determined based upon a person-centered assessment of treatment needs and the development of a Plan of Care that is individualized to promote stabilizations, skill building, and preparation to be living in a more integrated community and become self-sustaining and not requiring twenty-four (24) hour care. Individuals receiving MHS 28 Services with an LSI score for Tier 2 (lowest Tier) is $4,962.17 per month, which is substantially higher than an individual living independently.

Special Procurement Authorized: ☐ Yes ☐ No

_____
Chief Administrative Officer or Designee Date

_____
Reviewed by Contracts and Procurement Date

PROVIDER NAME	SERVICE	EXEMPTION	NOTES
Abdoulie Adult Foster Home	MHS		AFH
Amazing Grace Care Homes, Inc.	A&D MHS		AFH
Around The Clock Support	MHS		AFH
Carrolls Group Care Home, Inc.	MHS		AFH
House of Troy	MHS		AFH
Kairos Northwest	MHS		Res Facility
Kindred Hearts Care Home	MHS		AFH
Liberty Care Homes	MHS		AFH
Lone Oaks Care Home, Inc.	MHS		AFH
Loving Kindness AFH	MHS		AFH
Marimea Bodunov	MHS		AFH
Pelton Project, Inc.	MHS		Res Facility
Saving Hope Care Management LLC	MHS		AFH
Shangri-La Corp.	MHS		Res Facility

Notice

Special Procurement Notice

Class Special Procurement for Adult Foster Homes & Res. Facility

(Prod)

Only Manual Bids Allowed

ORPIN
Oregon Procurement Information Network

OREGON

Issued By

Marion County (ORCPP)
3180 Center Street NE
Suite 2100
Salem, Oregon
97301

Contact Kathryn (Linda) Wilson
Phone 1 (503) 361-2792
Fax
Email lwilson@co.marion.or.us

Notice #
C25102-HE-617-19-19

Publish Date & Time
06/27/2019 12:50 PM

Closing Date & Time
07/03/2019 5:00 PM

Time Zone
Pacific Time

Approx. Time Remaining

All dates are mm/dd/yyyy

Attachments Exist
Privileged Attachments Do Not Exist
Documents for Purchase Do Not Exist
Geographic Matching Exists
Commodity Matching Exists

Issued For

Marion County (ORCPP)
3180 Center Street NE
Suite 2100
Salem, Oregon
97301

Notice Summary

Marion County Health & Human Services Department is requesting an exemption to allow the use of a Class Special procurement to issue multiple contracts for Marion County individuals who reside at adult foster homes (AFH), residential treatment homes (RTH) and residential treatment facilities (RTF) and whom require fiscal intermediary services paid on their behalf to those providers.

Delivery Requirements

Payment Terms
Net 30

FOB
(Not Applicable)

Manual & Electronic response must express an interest. Manual response must 1st DOWNLOAD the document. Electronic Response [if allowed] – must express interest; select Respond Online & complete response. Instructions can be found in the HELP screens

Control Number: 2066700 **Master File:**