

Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement With The New York State Department Of Health As It Pertains To The Fiscal Management And Payment Of Early Intervention Claims – Department Of Social Services

Referred to: The Social Services Committee (Chairman Wawro and Legislators Lopez, Richard Parete, Rodriguez and Ronk) and The Ways and Means Committee (Chairman Gerentine and Legislators Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez)

Chairman of the Social Services Committee, Mary Wawro, and Deputy Chairman Hector S. Rodriguez offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Social Services; and

WHEREAS, recent amendments to New York State Public Health Law §2550(2)(b) authorize the New York State Department of Health to enter into agreements with service providers which set forth the terms and conditions for participation in the Early Intervention Program; and

WHEREAS, statutory authority in New York State Public Health Law §2552(1) which allowed municipalities to contract with providers was repealed effective April 1, 2013; and

WHEREAS, New York State Public Health Law §2557 authorizes the New York State Department of Health to contract with a fiscal agent with respect to fiscal management and payment of early intervention claims; and

WHEREAS, Public Health Law §2557(5)(a) further provides that municipalities shall grant sufficient authority to the fiscal agent to act on their behalf and shall utilize the fiscal agent for payment of early intervention claims, as determined by the Department of Health, and shall provide such information and documentation as required by the Department of Health and necessary for the fiscal agent to carry out its duties; and

WHEREAS, in accordance with New York State Public Health Law §2557(1), the approved costs for an eligible child who receives an evaluation and early intervention services pursuant to Article 25, Title II-A of the New York State Public Health Law, continue to be a charge upon the municipality in which the child resides, unless those costs are paid by third party payors; and

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WHEREAS, pursuant to New York State Public Health Law §2557(5), the New York State Department of Health has contracted with a fiscal agent for fiscal management and payment of early intervention claims; and

WHEREAS, commencing on April 1, 2013, the New York State Department of Health and/or its fiscal agent assumed responsibility for fiscal management and payment of early intervention claims, including assisting providers in claims submission and adjudication to third party payors, and managing municipal payments owed to providers for services not reimbursed by third party payors to the extent that the municipality has transmitted sufficient funds, in accordance with an Inter-Municipal Agreement, into an account to make payment to providers; and

WHEREAS, the Department of Health and County must ensure that appropriate funding is deposited by the County in accordance with the Inter-Municipal Agreement as directed by the Department of Health, into an Account that shall be held in the name of the Department of Health and shall be utilized by the Department of Health and/or its fiscal agent for municipal payment of early intervention approved costs as specified in this Agreement; and

WHEREAS, the Commissioner of the Ulster County Department of Social Services requests that the Chairman of the Ulster County Legislature be authorized to execute an Inter-Municipal Agreement with the New York State Department of Health for the fiscal management and payments of early intervention claims beginning April 1, 2013; now, therefore, be it

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to execute an inter-municipal agreement, and any amendments thereto, with the New York State Department of Health for the fiscal management and payments of early intervention claims beginning April 1, 2013, in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney,

and moves its adoption.

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ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Gregorius)

Passed Committee: Social Services on April 29, 2013

Passed Committee: Ways and Means on May 7, 2013

FINANCIAL IMPACT:

\$1,875,000.00 – BUDGETED 2013 APPROPRIATION DOLLARS

\$918,750.00 – BUDGETED 2013 STATE REVENUE DOLLARS

\$956,250.00 – BUDGETED 2013 COUNTY DOLLARS

0232

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th Day of May, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 15th Day of May in the year Two Thousand and Thirteen.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
15th Day of May, 2013.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Approved by the County Executive this
22nd Day of May, 2013.

/s/ Michael P. Hein
Michael P. Hein, County Executive