



County of Erie

Mark C. Poloncarz
County Executive

Mark O'Brien, LCSW-R
Commissioner

Department of Mental Health

October 11, 2023

Dear Colleagues,

We are pleased to **announce the start of the 2024 Contracting process**. Each year the Erie County Department of Mental Health (ECDMH) provides significant funding to service providers such as your agency to improve the lives of members of our community. More specifically, in 2024, the ECDMH anticipates contracting with **42 community provider agencies for over 72 million dollars in Federal, State and local funding across 7 primary funders**.

The timely execution of your contract and subsequent payment is a critical goal of ours. To this end, your accurate, complete and timely submission will greatly aid in the processing of your 2024 Contract. **Please carefully review the following pages for all pertinent details**.

We have moved up the deadline for **completion and return of the Contract Coordinator documents to November 15, 2023**. This will allow us sufficient time to review your documents, resolve any questions, and complete the processing of your contract by the end of the calendar year.

One new item for 2024 that we wish to bring to your attention here pertains to County insurance requirements. **We will be requiring your agency designated insurance representatives to attend a mandatory ECDMH insurance training that will cover County requirements and provide assistance on how to effectively submit your insurance renewals**. It is hoped that the training will provide the designated agency staff with the clarity and assistance to aid in the successful and timely submission of the necessary documents that meet the County insurance requirements, thereby alleviating unnecessary delays in your agency contract execution. Toward this end, several sessions will be scheduled throughout the year so the training will be provided conveniently close to the time of your insurance renewals. Melissa Stark, our Contracts Technician, will contact your agency designated insurance contacts in advance of your insurance renewal date to schedule their online training session. Our goal here is to provide your agency representative(s) with key tools to ensure a timely and efficient renewal process.

What follows contains specific information to help guide you through this process. However, if you have any questions or need additional information, please contact the assigned Contract Coordinator for your agency.

We respectfully request and greatly appreciate your cooperation during the contracting process. As we look forward to another year, the Department wishes to extend to you and your entire team our heartfelt gratitude for your service to our community.

Outlined Below are 2024 Contract Highlights and Reminders

Reference Documents:

The reference documents below are now available on the Erie County Department of Mental Health's Website at: <https://www3.erie.gov/mentalhealth/information-contract-agencies>.

Please visit our website link and download the following (*these will no longer be sent out to you*):

- **2024 ECDMH Procedure Manual for Contract Agencies**
- **2024 ECDMH Reporting Calendar**
- **2024 Prevention Providers: "Prevention Deliverables Handbook"**
- **2024 Adult Single Point of Access (A-SPOA) Guidance Manual**
For those agencies providing Housing, Health Home Care Management, Critical Time Intervention, Assertive Community Treatment, Deficit Funding Care Management, and Mental Health Court services, this document provides details needed for referrals and reporting.
- **2024 ECDMH HUD Continuum of Care (CoC) Grant Policy and Procedure**
- **HUD Rental Stipend Worksheet**
- **Procurement Guidelines for All Funders**
- **OASAS Funding Requirements**

2024 Funding Authorization Summary (FAS) and Program Funding Source Detail (PFSD):

The **2024 Program Funding Source Detail (PFSD)** and **Funding Authorization Summary (FAS)** are in the final stages of being reviewed and approved by your Contract Coordinator. Once finalized, these will be emailed to you by the ECDMH Fiscal Staff.

Contract Documents requiring your completion:

You will receive an email from your Contract Coordinator in the coming days providing direction regarding how to complete and submit the required documents. Please follow the instructions in the email from your Contract Coordinator regarding how to complete and transmit the forms and the Scope of Service documents. All documents should be returned in a single email to your Contract Coordinator with the subject line: "**2024 Contract Submission- YOUR agency name.**" This email will also include the forms that you will need to submit. These forms are also available at: <https://www3.erie.gov/mentalhealth/information-contract-agencies>.

Forms to be completed and returned:

- **2024 Corporate Compliance Plan Certification**
- **2024 Disaster Preparedness and D-COOP**

**Update for the OMH Federal Funds Certification Form - This will be sent to applicable agencies for completion when the updated document is received, typically in the early Spring.*

Scope of Service (SoS):

Where possible 2023 language was rolled over for the Scope of Service documents for 2024. The Scope of Service documents have been uploaded into ClearPoint, or in special circumstances will be emailed to you, for your review and are to be updated where necessary. **Please reference the “2024 Instructions_ How to Download SoS in ClearPoint & Update SoS,”** that you will receive via the email from your Contract Coordinator to prepare and update the 2024 Scope of Service document(s).

Start Letter Email:

Once your Contract Coordinator has reviewed and approved all required 2024 documents referenced in their email, you will then be emailed a **“Start Letter”** signifying the next phase of the contract execution process **from Melissa Stark. Please carefully follow the instructions contained within this “Start Letter” email for completing and returning these documents.**

The Start Letter email will contain the following for your review and/or completion as appropriate:

- Your **2024 Agency Specific ECDMH Contract;**
- **2024 ECDMH Contract Submission Checklist;**
- **2024 County of Erie Equal Pay Certification;**
- **2024 Business Associate Agreement (BAA);**
- Your final and **approved 2024 Scope of Service document(s)** (in 1 combined PDF); and where applicable,
- **Subrecipient Agreements**, if receiving HUD and/or SAMHSA and/or Bureau of Justice Assistance (BJA) Funding:
 - Per Federal Regulation, it is required that those who receive **HUD and/or SAMHSA and/or BJA** funds sign a **Subrecipient Agreement** with the ECDMH. This will guide the Service Provision and Operations of federally funded grants.
 - Depending on the grant term dates, the Subrecipient will either be sent a new Subrecipient Agreement to sign, or if it’s within the existing term dates and previously signed, the current, fully-executed Subrecipient Agreement will be attached to the contract and included as Appendix F.
 - **HUD funded programs must have their MOU for services that will be incorporated as part of the match submitted at least 30 days prior to the starting date of the 2024-2025 grant year.**

All Contract documents attached to the Start Letter email must be printed single-sided and returned with original signatures. **Do not make any edits to your Contract documents.** Please notify Melissa Stark if you should require any changes to any of your contract related documents and upon review and approval, any revisions will be made by ECDMH and then redistributed accordingly.

Once the 2024 Contract is approved and signed by the County Executive Office, you will be emailed a “Finish Letter” with the fully-executed 2024 Initial Contract attached in PDF for your records.

Insurance:

Please provide any updates to your insurance contacts / contract signatory to Melissa.Stark@erie.gov. **Your Certificates of Insurance must be in good standing and approved by the County Attorney prior to processing your 2024 Contracts.** ECDMH is not permitted to make payments to agencies for contracted amounts without executed contracts.

- All Certificates of Insurance and Waiver Letters must be sent via email to: Melissa.Stark@erie.gov.
- **Late, incomplete and/or inaccurate Insurance Certifications are a common cause for delays in contract execution and the execution of contract amendments.**
- Agencies are expected to review your insurance expiration dates and proactively work toward a complete and accurate submission to the ECDMH, as referenced herein. **Certificates of Insurance need to be up-to-date with ECDMH at all times.**
- **Waiver of Subrogation needs to be included in the Insurance Table for General, Auto, Umbrella, Professional and Abuse.** This is not a new requirement, many policies automatically include this when a contract requires it, so for many of you this will just mean **making sure the box is checked in the Insurance Table** (column next to additional insured on Acord 25 Form) and that it is included on the standard endorsement page for these policies.
- Agencies are required to have **Professional Liability in the amount of \$5 million aggregate.** Abuse & Molestation Liability is based on the agency's contract amount at the time of the agency's insurance renewal.
 - **If an agency cannot meet these Professional and/or Abuse requirements, an ECDMH Waiver Letter must be requested from Melissa Stark at Melissa.Stark@erie.gov and must be submitted with your renewal(s). The template will prompt you to provide the pertinent information when requesting a waiver.**
 - You must state the services provided by your agency and the reason for the waiver request for the additional Professional or Abuse to be waived – i.e., *financial hardship.
 - If the agency meets the requirement through their Umbrella policy, then you must explain that in the letter and submit a copy of the current Umbrella Declaration pages showing that Professional and/or Abuse is covered in the Umbrella policy.

If your agency is requesting a waiver to the \$5 million Professional Liability requirement due to financial hardship AND STILL DOES NOT MEET THE \$5 MILLION WITH THE UMBRELLA POLICY, **you must explain why it is a financial hardship to obtain the coverage (i.e. the cost of the insurance, description of budget restraints). Even with the explanation of services provided, you still need to add detail about the financial hardship. The County will not accept the blanket statement of "financial hardship."*

Expenditure Reports:

ECDMH Fiscal staff will share with you a **Google Sheet** of your initial 2024 Template in a separate email. This will include a **Budget tab** that **should be completed and returned by January 15, 2024.** There will also be one tab for each of the quarterly reports (formatted to YTD for each quarter). Please note that Q1 expenditure reports are not required.

- For those who have contracts for **HUD Homeless Housing** a separate monthly expenditure report is required by the **15th of each month.**
- For those who are Subrecipients of **SAMHSA funding** a separate monthly expenditure report is required by the **20th of each month.**
- For those who are Subrecipients of BJA funding, a separate monthly expenditure report is required by the **20th of each month.**
- For those who have children's services funded by Mandated Preventive (funding code 094M) a separate monthly expenditure report is required by the **20th of each month.**

- **Expenditure reports for services** other than those that are funded by HUD, SAMHSA, BJA, or Mandated Preventive are to be **submitted no later than 30 days from the close of each quarter**.
- **For those agencies that receive Opioid Settlement Funds**, please continue to track the usage of these funds separately from other funding so that ECDMH can report the usage to the state. There is a designated yellow shaded cell located within each of the quarterly cost report tabs to enter the amount of opioid settlement funds expended for each program.

Upon completion of the applicable expenditure reports, please notify Alicia.Delecki@erie.gov via email or via the Google Sheets function: File > Email Collaborators.

Other 2024 Notable Items / Updates / Reminders:

1. Tangible Personal Property:

Agencies are required to maintain an inventory of tangible personal property purchased with county, state, and /or federal funds.

2. Timeliness of Program and Fiscal Report Submissions:

As described in Section 711 of the ECDMH Procedure Manual delays in submitting required documentation **may lead to a temporary payment withhold**.

3. Consistent with the information previously provided by the ECDMH Fiscal office to providers, the following should be noted for the 2024 contract year:

- ECDMH will not accept the submission of all four (4) quarterly invoices [non-HUD] from providers in advance;
- Agencies should submit them each quarter based on the current year's actual or estimated spending. However, 25% of the original contract amount is still acceptable to use for the Q1 invoice.
- ECDMH reserves the right to adjust all or a portion of an agency's payment request should any of the following situations apply:
 - Under-spending of contract expenses that took place in a previous quarter of the current year that is not deemed to be a one-time occurrence;
 - An agency is delinquent in completing and submitting its prior year CFR (including ALL necessary signatures);
 - An agency is not current with any required documentation, including, but not limited to, program reports and all current Certificates of Insurance; or
 - An agency is not current with any cost reports from a prior period.

4. For Prevention Providers:

The following language has been added to the handbook:

“Due to pending changes in the OASAS data reporting requirements, ECDMH is recommending that all prevention agencies follow the current OASAS reporting requirements. Once final conversations take place with OASAS and data reporting system decisions are made, more specific guidance will be provided. The “Prevention Deliverables Handbook” is available at <https://www3.erie.gov/mentalhealth/information-contract-agencies>.”

5. **Policy and Procedure Manual Section 920 revision for Assisted Community Treatment:**

The following language has been added:

“Agencies accepting and providing treatment inclusive of, but not necessarily limited to, medication management and/or psychiatric treatment to those individuals enrolled in Assisted Outpatient Treatment whose AOT court order is subject to renewal are required to provide a Board-certified physician to complete the renewal evaluation, prepare a treatment plan, and when a hearing is required provide court testimony and associated testimony preparation in accordance with the requirements and deadlines of the Court.”

Please work with your assigned ECDMH Contract Coordinator if you have questions or need additional information.

Once again, we greatly appreciate your ongoing commitment to our community and thank you for your continued cooperation!

Sincerely,

A handwritten signature in black ink, appearing to read 'John Grieco', written in a cursive style.

John Grieco, MS, CRC
Assistant Commissioner
Erie County Department of Mental Health

JG/mms

Copy ***via email only:*** Mark O'Brien
Amy Rockwood
ECDMH Fiscal staff
ECDMH Contract Coordinators
Shannon Stocker
Melissa Stark