



County of Fresno

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Legislation Details (With Text)

File #: 16-1008 **Name:** Retroactive Revenue Agreement with the California Department of Public Health

In control: Public Health

On agenda: 8/23/2016 **Final action:** 8/23/2016

Enactment date: **Enactment #:** Agreement No. 16-532

Title: Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health, Office of AIDS, for HIV Prevention Program activities, effective January 1, 2016 through December 31, 2018 (\$890,055), and approve and authorize the Director of the Department of Public Health to execute the Contractor's Release Form to submit with the final invoice

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Agreement A-16-532 with CDPH

Date	Ver.	Action By	Action	Result
8/23/2016	1	Board of Supervisors	Conducted Hearings	Pass

DATE: August 23, 2016

TO: Board of Supervisors

SUBMITTED BY: David Pomaville, Department of Public Health

SUBJECT: Retroactive Revenue Agreement with the California Department of Public Health for HIV Prevention Program

RECOMMENDED ACTIONS:

- 1. Approve and authorize the Chairman to execute a retroactive revenue Agreement with the California Department of Public Health, Office of AIDS, for HIV Prevention Program activities, effective January 1, 2016 through December 31, 2018 (\$890,055).**
- 2. Approve and authorize the Director of the Department of Public Health to execute the Contractor's Release Form to submit with the final invoice.**

Approval of the recommended actions will allow the Department of Public Health to provide a HIV Prevention Program for testing, linkage to care, community mobilization events and partner services. Upon completion of activities, a Contractor's Release Form must be submitted with the final invoice to the California Department of Public Health (CDPH). Program activities are funded with federal funding and the indirect costs are recovered through Health Realignment, with no increase in Net County Cost.

ALTERNATIVE ACTION:

There is no viable alternative action. Should your Board not approve the recommended actions, the Department would not be able to accept HIV Prevention Program funding for HIV prevention and thus significantly reduce the services the County may provide.

RETROACTIVE AGREEMENT:

The recommended revenue Agreement for HIV Prevention Program activities with CDPH was received on June 20, 2016. The recommended Agreement is retroactive to January 1, 2016 and is effective through December 31, 2018.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The CDPH funding (\$890,055) will provide HIV prevention services for three calendar years, from January 1, 2016 through December 31, 2018. The maximum amounts payable under the proposed Agreement shall not exceed \$296,685 per calendar year (2016, 2017 and 2018). Sufficient appropriations and estimated revenues are included in the FY 2016-17 Department Org 5620 Adopted Budget and will be included in the FY 2017-18 budget request. The Agreement limits indirect cost recovery to 15 percent of salaries and benefits only. The Department's current indirect rate is 15.873 percent; the difference of \$10,203 per year; which is the indirect rate applicable to services and supplies, will be covered with Health Realignment funds.

DISCUSSION:

The California Department of Public Health, Office of AIDS has funded County HIV/AIDS services since 1985. On July 13, 2010, President Obama presented the National HIV/AIDS Strategy (NHAS), the country's first comprehensive preventative approach to address the HIV/AIDS epidemic. The NHAS directs resources to populations with a high HIV prevalence to assist in identifying those newly infected and to provide them with medical care and treatment to reduce their viral load (amount of HIV in the blood). In order to find those that are newly infected, the NHAS is calling for narrower public health testing efforts by focusing on the individuals at the center of the epidemic, such as: men who have sex with men, injection drug users; transgender individuals; and, those disproportionately affected by the epidemic, primarily racial and ethnic minorities.

The goals of the HIV Prevention Program are to minimize new HIV infections and maximize access to appropriate care, treatment, support and prevention services for people with HIV infection by supporting the implementation of high impact prevention strategies which identify new HIV-positive individuals (positives). The Department's HIV Prevention Program provides for targeted HIV testing; linkage to care services for all newly diagnosed HIV positives; partner services; condom distribution; Hepatitis C testing; and social marketing, media, and mobilization.

Earlier this year, the Department's HIV Testing Clinic was an essential component in the response to the rise in syphilis case in the County. The teamwork demonstrated between the HIV Prevention Program and the Sexually Transmitted Disease (STD) Program managed nearly 175 patients between March 30, 2016 and June 30, 2016. HPP and STD staff educated clients on HIV, Hepatitis C Virus (HCV) and STDs; conducted 99 HIV, 17 hepatitis C virus and 139 syphilis tests.

Approval of the recommended actions will provide funding to continue HIV Prevention activities and authorize the Department Director, or designee, to execute the State Contractor's Release form for submittal of final invoice. The recommended Agreement contains non-standard termination language as it provides the State the given right to terminate the Agreement without cause with a 30 notice, and immediately for cause; the County is not given the right to terminate without cause; the County is giving up the right to immediately pursue a claim in a court of law; the County must first go through the dispute resolution process; and, the County is agreeing to indemnify CDPH for any claims relating to intellectual property infringement.

REFERENCE MATERIAL:

National HIV/AIDS Strategy for the United States, July 13, 2010, The White House Office of National AIDS Policy

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Revenue Agreement with the CDPH

CAO ANALYST:

Sonia De La Rosa