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AMENDMENT NUMBER: 5

November 20, 2019

33960

Kelly Colopy, Director, Department of Health & Human Services
City of Long Beach
2525 Grand Avenue
Long Beach, California 90815

Dear Ms. Colopy:

**SUBJECT: CHANGE NOTICE TO CONTRACT NUMBER PH-002900 WITH CITY
OF LONG BEACH**

On April 1, 2015, City of Long Beach entered into contract number PH-002900 with the County of Los Angeles Department of Public Health (DPH) for the provision of HIV/AIDS Benefits Specialty Services.

The Director of DPH authorizes the revisions to Paragraph 32, CONSIDERATION OF HIRING GAIN/GROW PARTICIPANTS; Exhibit A, Paragraph 7, CLIENT/PATIENT FEE SYSTEM; and Exhibit H, Requirements Regarding Imposition of Charges for Services, as outlined in the attached, effective on the date of execution.

This Contract change is permitted by Paragraph 7. ALTERATION OF TERMS/AMENDMENTS, Subparagraph D, which states:

“7.D. Notwithstanding Paragraph 7.A., in instances where the County's Board of Supervisors has delegated authority to the Director to amend this Contract to permit modifications to or within budget categories within each budget, as reflected in Exhibit C, and corresponding adjustment of the scope of work tasks and/or activities and/or allow for changes to hours of operation, changes to service locations, and/or correction of errors in the Contract's terms and conditions, a written Change Notice shall be signed by the Director and Contractor, as authorized by the County's Board of Supervisors. The executed Change Notice shall be incorporated into and become part of this Contract.”

City of Long Beach
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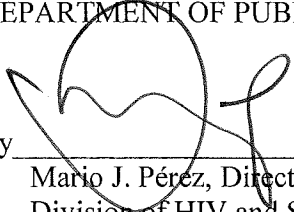
Upon execution and return by City of Long Beach of three (3) originals of this Change Notice, it will be signed by the Director of the Division of HIV and STD Programs and incorporated into Contract Number PH-002900. All other terms and conditions of the Contract remain unchanged and in full effect.

This Change Notice format has been approved by County Counsel.

If you have any questions, please contact Monique Collins, DHSP Contract Administration, at (213) 351-1115.

NOTED AND APPROVED BY:


DEPARTMENT OF PUBLIC HEALTH

By 
Mario J. Pérez, Director
Division of HIV and STD Programs


MJP:kg

Attachments (3)

CITY OF LONG BEACH

By 
**EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER**
Thomas Modica
Print Name

Title Acting City Manager
(Affix Corporate Seal)

APPROVED AS TO FORM
December 9, 2019
CHARLES PARKIN, City Attorney
By 
TAYLOR M. ANDERSON
DEPUTY CITY ATTORNEY

AMENDMENT NUMBER: 5**CITY OF LONG BEACH****HIV/AIDS BENEFITS SPECIALTY SERVICES****CONTRACT NUMBER PH-002900**

CURRENT CONTRACT LANGUAGE	REVISED CONTRACT LANGUAGE
<p>Paragraph 32 of the ADDITIONAL PROVISIONS, <u>CONSIDERATION OF GAIN/GROW PARTICIPANTS</u>, shall be deleted in its entirety and replaced as follows:</p> <p><u>“32. CONSIDERATION OF HIRING GAIN/GROW PARTICIPANTS:</u></p> <p>A. Should the Contractor require additional or replacement personnel after the effective date of this Contract, the Contractor shall give consideration for any such employment openings to participants in the County’s Department of Public Social Services Greater Avenues for Independence (GAIN) Program or General Relief Opportunity for Work (GROW) Program who meet the Contractor’s minimum qualifications for the open position. For this purpose, consideration shall mean that the Contractor will interview qualified candidates. The County will refer GAIN/GROW participants by job category to the Contractor. Contractors shall report all job openings with job requirements to <u>GAINGROW@DPSS.LACOUNTY.GOV</u> and <u>BSERVICES@WDACS.LACOUNTY.GOV</u> and DPSS will refer qualified GAIN/GROW job candidates.</p> <p>B. In the event that both laid-off County employees, as described in Paragraph 9, and GAIN/GROW participants are available for hiring, County employees, shall be given first priority.”</p>	<p>Paragraph 32 of the ADDITIONAL PROVISIONS, <u>CONSIDERATION OF GAIN/GROW PARTICIPANTS</u>, shall be deleted in its entirety and replaced as follows:</p> <p><u>“32. CONSIDERATION OF HIRING GAIN/GROW PARTICIPANTS:</u> Should the Contractor require additional or replacement personnel after the effective date of this Contract, to the degree permitted by Contractor’s current employment policies and agreement with its collective bargaining units, the Contractor shall give consideration for any such employment openings to participants in the County’s Department of Public Social Services Greater Avenues for Independence (GAIN) Program or General Relief Opportunity for Work (GROW) Program who meet the Contractor’s minimum qualifications for the open position. The County will refer GAIN/GROW participants by job category to the Contractor. Contractors shall report all job openings with job requirements to <u>GAINGROW@DPSS.LACOUNTY.GOV</u> to obtain a list of qualified GAIN/GROW job candidates.”</p>

Exhibit A, Paragraph 7, CLIENT/PATIENT FEE SYSTEM:

"7. CLIENT/PATIENT FEE SYSTEM:

Contractor shall comply with provisions of Section 2605 (e) of Title 26 (Ryan White Program) which is entitled "Requirements Regarding Imposition of Charges for Services", incorporated into this Contract as Exhibit H.

Contractor shall be responsible for developing and implementing a client fee system. Such system shall include, but not limited to, the following components:

- A. Procedures and forms used in financial screening of clients;
- B. Schedule of fees; no fees to be charged under this contract.
- C. Procedures and forms used in determining whether client is covered by any third party payor, such as Medicare, Medi-Cal, managed care program, or other private insurance;
- D. Description of mechanism or procedures used in assisting clients in applying for public benefits, entitlement programs, and/or other health insurance programs for which they may be eligible; and
- E. The frequency intervals of subsequent client financial screenings."

Exhibit A, Paragraph 7, CLIENT/PATIENT FEE SYSTEM, shall be amended to read as follows:

"7. CLIENT/PATIENT FEE SYSTEM:

Contractor shall comply with provisions of Section 2605 (e) of Title 26 (Ryan White Program) which is entitled "Requirements Regarding Imposition of Charges for Services", incorporated into this Contract as Exhibit H. RWP clients shall be charged a fee for accessing services, unless their annual income is less than 100% of the federal poverty level. Each eligible client shall be charged at least \$1.00 annually to access RWP services across your agency. No clients shall be denied services if they are unable to pay. Inability to pay should be noted in the client's record. Contractor shall submit their client fee system procedures to their DHSP Program Manager within 60 days of execution of the contract.

Contractor shall be responsible for developing and implementing a client fee system. Such system shall include, but not limited to, the following components:

- A. Procedures and forms used in financial screening of clients;
- B. Schedule of fees;
- C. Procedures and forms used in determining whether client is covered by any third party payor, such as Medicare, Medi-Cal, managed care program, or other private insurance;
- D. Description of mechanism or procedures used in assisting clients in applying for public benefits, entitlement programs, and/or other health insurance programs for which they may be eligible; and
- E. The frequency intervals of subsequent client financial screenings."

EXHIBIT H-REVISED

C.A.R.E. Act Title I

Public Law 101-381--August 18, 1990

As amended by the Ryan White Program Act Amendments of 1996

Provision 2605

(e) REQUIREMENTS REGARDING IMPOSITION OF CHARGES FOR SERVICES

"(1) **IN GENERAL**-The Secretary may not make a grant under section 2601 to an eligible area unless the eligible area provides assurances that in the provision of services with assistance provided under the grant-

"(A) in the case of individuals with an income less than or equal to 100 percent of the official poverty line, the provider will not impose charges on any such individual for the provision of services under the grant;

"(B) in the case of individuals with an income greater than 100 percent of the official poverty line, the provider-

"(i) will impose a charge of at least \$1.00 annually on each such individual for the provision of such services; and

"(ii) will impose the charge according to a schedule of charges that is made available to the public;

"(2) **ASSESSMENT OF CHARGE**-With respect to compliance with the assurance made under paragraph (1), a grantee or entity receiving assistance under this part may, in the case of individuals subject to a charge for purposes of such paragraph-

"(A) assess the amount of the charge in the discretion of the grantee, including imposing only a nominal charge for the provision of services, subject to the provisions of such paragraph regarding public schedules and regarding limitations on the maximum amount of charges; and

"(B) take into consideration the medical expenses of individuals in assessing the amount of the charge, subject to such provisions.

"(3) **APPLICABILITY OF LIMITATION ON AMOUNT OF CHARGE**- The Secretary may not make a grant under section 2601 to an eligible area unless the eligible area agrees that the limitations established in subparagraphs (C), (D) and (E) of paragraph (1) regarding the imposition of charges for services applies to the annual aggregate of charges imposed for such services, without regard to whether they are characterized as enrollment fees, premiums, deductibles, cost sharing, copayments, coinsurance, or other charges.

"(4) **WAIVER REGARDING SECONDARY AGREEMENT**-The requirements established in paragraphs (1) through (3) shall be waived in accordance with section 2604(dx2)."