

EXPENDITURE PLAN EARLY INTERVENTION PROGRAM

American Recovery and Reinvestment Act (ARRA) of 2009
Stimulus Funding Expenditures
Infants and Families with Disabilities
\$26,406,499

A. PROGRAM PROPOSAL

Summary

The American Recovery and Reinvestment Act of 2009 (ARRA) appropriates significant new funding for programs under the Individuals with Disabilities Education Act (IDEA). Part C of the IDEA provides funds to each state to implement statewide systems of early intervention services for infants and toddlers with disabilities and their families. The IDEA funds under ARRA provide an unprecedented opportunity for states to implement innovative strategies to improve outcomes for infants and toddlers with disabilities while stimulating the economy.

As lead agency for Part C of the IDEA, New York State Department of Health has been appropriated ARRA funds in the amount of \$26,406,499. The funds are being provided as a supplemental appropriation to the annual FY 2009 -10 IDEA Part C Grants to Infants and Families Program. The U.S. Department of Education distributes the funds to states pursuant to a formula in 20 USCA 1443. The first half of the funds became available in March 2009 and the second half became available in October 2009. All \$26.4 million is required to be obligated by September 30, 2011 and expended by December 31, 2011. Federal regulations governing the use of Part C grant funds prohibit supplanting (34 CFR 303.124). The regulations specify that the maintenance of effort requirement is defined as follows:

“the total amount of state and local funds budgeted for expenditures in the current fiscal year... must be at least equal to the total amount of State and local funds actually expended...in the most recent preceding fiscal year.”

The U.S. Department of Education has clarified that the transfer of expenses from a State's base federal grant to the ARRA supplemental federal grant is an appropriate use of recovery funds and is not supplanting since it has not resulted in a reduction in State or local funding for the program. Documentation from the U.S. Department of Education's Office of the General Counsel supporting this decision is attached.

Purpose

The purpose of the Early Intervention Program is to assure high quality, family-centered services for infants and toddlers with disabilities and their families and to ensure equity in the availability of resources and program standards. The program provides for:

- Screening and tracking of children at risk for developmental delays and/or disability
- Initial service coordination services for children referred as potentially eligible
- Multidisciplinary evaluation to determine children's eligibility
- Development of Individualized Family Service Plans for eligible children
- Ongoing service coordination services for eligible children
- Delivery of early intervention services at no cost to families and use of Medicaid and commercial third party insurance, whenever possible, to offset state and local costs.

Early intervention services include assistive technology devices; assistive technology services; audiology; family training, counseling, home visits and parent support groups; medical services for diagnostic or evaluation purposes; nursing services; nutrition services; occupational therapy, physical therapy, psychological services; service coordination; social work services; special instruction; speech-language pathology; vision services; health services; and, transportation and related costs.

Over the past two years, New York's Part C base funding has been reduced. There are two main reasons for the reduction: (1) the number of children under age three in NYS is declining, and (2) the allocation methodology in federal statute is flawed since it is based on population rather than program enrollment. As a result of these reductions, along with NYS's austerity budget cost control measures, many initiatives and ongoing activities that are required to ensure compliance with federal regulations and to ensure the health and safety of children and their families receiving services were unable to occur. County and miscellaneous service contracts had to be reduced, vacancies have not been filled, limitations and restrictions on travel and attendance at off-site conferences were implemented, and purchases of needed hardware, software, office equipment and supplies have been severely reduced or have not occurred at all.

With ARRA funding, not only will reductions in services be avoided, but initiatives that were put off can now be undertaken such as the development and implementation of a revised rate reimbursement methodology; enhanced training and technical assistance for municipalities; conversion of existing curriculum to on-line web-based training; update Clinical Practice Guidelines; development and implementation of a preferred list of evaluation tools; translation and printing of publications; and conducting the two day annual conference for county staff. New contracts will be initiated for the evolution and maintenance of the NYEIS system; implementation of a disaster recovery center; provision of enhanced training on NYEIS for providers and municipalities; and expansion of family initiatives to create a web site and blog for families in NYS. New contracts will be awarded for utilization review and other data mining and analysis

projects in support of cost saving proposals. It is also proposed to provide a one-time enhancement for reimbursement to municipalities for administrative costs of the Early Intervention Program; nine NYEIS project positions will be able to continue to be funded for a 21-month period; services of a firm to conduct audits of selected early intervention providers; a loan repayment/recruitment/retention program to expand the capacity of service providers in shortage areas will be implemented; and hiring of temporary staff to assist with the increased workload created by the proposed ARRA initiatives.

Background

The New York State Early Intervention Program has been fully operational since July 1, 1993, and is established in State Public Health Law (PHL) as Title II-A of Article 25 and in federal law as Part C of the Individuals with Disabilities Education Act (IDEA). The Department is designated as the lead agency for this program in PHL Section 2550 and is responsible for the general administration and supervision of programs and activities receiving assistance under the title (including approval of early intervention evaluators, service coordinators, and service providers; monitoring of municipalities and service providers and correcting deficiencies identified through monitoring; enforcement of federal requirements pertaining to the provision of early intervention services, and, provision of training and technical assistance to municipalities and service providers).

The Early Intervention Program is administered and implemented at the local level by an early intervention official designated by the chief executive officer of the municipality (PHL Section 2541). Municipalities are responsible for ensuring that needed early intervention services identified in Individualized Family Service Plans are provided to eligible children and their families who reside in the municipality and may contract with approved providers of early intervention services for such purposes (PHL Section 2552).

Program Plan

ARRA funds are proposed to be used for the following initiatives.

#1. EI Admin Contracts	\$8,000,000	10/1/09-9/30/11
-------------------------------	--------------------	------------------------

The Bureau of Early Intervention will implement contracts through a noncompetitive procurement with 57 counties and New York City. The contracts will provide enhanced funding for local administration of the EIP. Enhanced funding will be used to offset administrative expenses at the local level for the operation of the program in light of increasing requirements and decreased federal funding. The same distribution formula approved by the Office of the State Comptroller for the current contract period will be used for this one-time enhancement. It is an equitable distribution of available federal funds to all counties and New York City. In accordance with guidance from the Office of Management and Budget's April 3, 2009 memo, "departments and agencies 'shall develop transparent, merit-based selection criteria that will guide their available discretion in committing, obligating, or expending funds under the Recovery Act for

grants and other forms of Federal financial assistance”. Allowable uses of ARRA funding under this initiative will include temporary staff, OTPS expenses such as equipment needed for the new New York Early Intervention System, and contracts and consultant agreements that will help support the range of administration and management activities of the EIP in each county.

#2. NYEIS Modifications **\$5,270,023** **9/30/09-9/30/11**

#2a. NYEIS System Evolution and Maintenance (SEM) Option 1 and 2 ARRA Initiative **\$4,470,023**

SEM Option 1 and 2 were part of the original NYEIS fully-competitive procurement. This initiative provides for the on-going evolution and maintenance of NYEIS, a complex web-based statewide data system that captures federally required data for over 70,000 children served annually by the EIP. The evolution provides new/expanded/modified application capabilities while maintenance provides repairs for software problems. Activities include the requirement and design definition of new/expanded/modified application capabilities; software development; integration testing and software builds for production use; analysis and correction of NYEIS software problems; support of the Configuration Control Board; analysis of NYEIS performance and help desk staff to support NYEIS implementation. Deliverables include: analysis reports, requirements and design documentation, and developed software.

#2b. Enhanced NYEIS Training and Launch **\$800,000**

Included in the plan for NYEIS modifications is the development and delivery of enhanced training on NYEIS. ARRA funding will be used to provide the enhanced training to an estimated 1,200 additional EIP staff from 58 municipalities and approximately 2,000 approved and contracted EI service providers who have contracts with municipalities. This is consistent with guidance from the Office of Management and Budget, which state the use of ARRA funds must “achieve long term public benefits by investing in science and health to improve economic efficiency and improve quality of life”. Enhanced NYEIS launch activities include support for migrating municipal early intervention data, making adjustments/corrections to the NYEIS application, pilot-testing the application among three municipal Early Intervention Programs, updating the user manual, and launching the application statewide. Deliverables from this initiative include: instructional webinars, online self-paced tutorials, face-to-face classroom training, a training environment for practice, train-the-trainer methodologies provided to EIP municipal staff and their service providers, and user manual updates and training materials.

#3. PERSONNEL **\$3,528,176** **9/1/09 – 8/22/11**
 (NYEIS Project Positions/Temporary Agency Staff /Temporary Civil Service Items)

NYEIS Project Positions **\$2,251,051** **11/12/09 – 8/22/11**

BEI plans to realign nine NYEIS temporary project item positions from Part C base funding to Part C ARRA funding in order to retain the positions for the period of

11/12/09 to 8/22/11. Approval for the second of three allowable phases of the NYEIS positions expires in February 2010. It was anticipated NYEIS would be completed by fall 2009, however, as a result of the DOH pretest of NYEIS, numerous issues were identified for redesign or fixes. This has resulted in an overall delay to the rollout of NYEIS. The pilot will be resumed in November 2009, and launch of the system will begin in January 2010. With ARRA funding, BEI will be able to continue to support these NYEIS positions for 21 months, including the current 18 month phase pending approval from Civil Service, until the NYEIS project is completed.

Supporting temporary positions using ARRA funds is consistent with guidance issued from the Office of Management and Budget on April 3, 2009 that specifies: "Long-term public benefits, optimizing economic and programmatic result. ...departments and agencies should support projects that have, among other things and to the greatest extent, a demonstrated or potential ability to delivery programmatic results; optimize economic activity and the number of jobs created or saved in relation to the Federal dollars obligated; and achieve long-term public benefits by, for example, investing in technological advances in science and health to increase economic efficiency and improve quality of life; investing in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; fostering energy independence; or improving educational quality."

These positions support the NYEIS project which is a long-term investment in the technology that supports the EIP. NYEIS will support the full range of management and administration activities of the EIP including initial referral and intake, evaluation, eligibility determination, IFSP development, service authorization and delivery, all financial aspects (provider invoicing, insurance claiming (commercial and Medicaid), and state voucher reimbursement, as well as management and reporting tools to assist both county and state EIP personnel in the program's administration. Additionally, NYEIS will have provider application and approval capabilities and will replace the current EI Fiscal system.

Temporary Agency Positions ¹	\$132,369	9/1/09 – 9/30/11
--	------------------	-------------------------

New federal stimulus funding opportunities have greatly increased the administrative workload of the Bureau of Early Intervention. The BEI needs temporary positions for additional workload related to ARRA initiatives and reporting requirements, as well as increased workload due to new and ongoing initiatives. Vacant positions have not been able to be filled due to the State's hiring freeze enacted in 2008. These temporary staff have been hired from OGS contracted employment agencies, Kelly Services, Inc and AccuStaff. Without additional staff to assist with the expanded stimulus related duties, existing staff will not be able to meet federal requirements for stimulus spending and reporting. Hiring temporary staff is consistent with ARRA guidance which states "departments and agencies should seek to maximize the economic benefits of a

¹ Additional Temporary Services Personal included in Initiative #16 will be hired from a contracted information technology firm identified from the OGS backdrop contract rather from an OGS contracted temporary employment agency.

Recovery Act-funded investment in a particular community by supporting projects that seek to ensure that the people who live in the local community get the job opportunities that accompany the investment”.

Temporary Civil Service Items \$1,144,756 1/1/10-9/30/11

The current BEI staffing level is insufficient to handle the additional workload to develop, implement and maintain each ARRA initiative and emerging issue in a timely manner. Each initiative will require an aggressive approach with sufficient staff to oversee the work including developing policies and procedures, provide training and technical assistance to stakeholders, collect and analyze data, develop and implement competitive procurements, and oversee the work of contractors. ARRA contains unprecedented standards for accountability and transparency including extensive reporting requirements requiring considerable effort and coordination. The program is also expected to quickly comply with the new requirements which include fraud prevention, contract management and grants accountability. The workload to implement the new and ongoing initiatives, including ARRA requirements, within the required timeframes is not manageable with current staffing levels. Therefore, deployment or re-assignment of staff is not possible.

#4. Loan Repayment/Recruitment/Retention program \$1,400,000 11/09-9/30/11

\

The Bureau of Early Intervention will implement contracts through a non-competitive procurement with 57 counties and New York City. The purpose of the initiative is to offer economic assistance to recruit/retain service providers in underserved communities. PHL §2552 states that each municipality shall be responsible for ensuring that the early intervention services contained in an IFSP are provided to eligible children and their families who reside in such municipality and may contract with approved providers of early intervention services for such purpose. There is a shortage of EI professionals in certain geographical areas of New York State. This initiative will enable the Department to offer substantial economic assistance to repay a portion of an individual’s qualifying loan or other costs in exchange for providing EI services for a specified period of time, within their profession, in areas identified as having a shortage of providers. This will provide a financial incentive to recruit and/or retain service providers in regions experiencing provider shortages. This program will provide immediate support to municipalities by expanding capacity of providers in critical shortage areas/underserved areas. Consistent with guidance issued from the Office of Management and Budget on April 3, 2009 there is potential for “long-term public benefits, optimizing economic and programmatic results” if providers continue to provide EI services after they have completed their service obligation.

#5. Revised reimbursement methodology \$600,000 7/1/10-9/30/11

The Bureau of Early Intervention will implement a time-limited project to support the Department’s comprehensive review of the current reimbursement methodology used to set rates for early intervention services delivered under the EIP. Use of ARRA funds to support this project is consistent with the Office of Management and Budget’s April 3, 2009 guidance which states that “departments and agencies should support projects that have, among other things and to the greatest extent, a demonstrated or potential

ability to deliver programmatic results”. The current reimbursement methodology has been in place since the program's implementation on July 1, 1993. The current fiscal climate within New York State, the recent repeal of the COLAs, concerns by the provider community about the adequacy of EI rates and inequities in reimbursement across provider types, ongoing redesign of Medicaid rate methodologies, concerns identified by the Bureau of Early Intervention (BEI) related to the EIP reimbursement methodology, and changing federal CMS policies make it timely to complete a review of the EIP reimbursement methodology. The Department, as directed in Section 2553.2 of the PHL and in conjunction with the Early Intervention Coordinating Council (EICC), has convened a reimbursement advisory panel (RAP) to assist in advising the Department regarding payment methodologies “to promote the efficient, economical, productive and stable delivery of early intervention services”. The RAP has been meeting monthly since February with Department staff to initiate a review of the reimbursement methodology. A necessary next step toward completion of this review is to issue an RFP to establish a contract to collect, analyze, and present reimbursement information and options for the Department's consideration, with advice and assistance from the EICC and RAP. The contractor will work with the Department to identify information and data needs required to complete this review and propose revisions to the existing methodology or propose new reimbursement methodologies for the Department's consideration. The funds will pay the contractor to conduct data collection techniques such as interested party surveys, discussions with other state EI programs, and identifying information that can be used from within the NYS Early Intervention KIDS/NYEIS system. Comprehensive analysis will be conducted of all data collected and reports will be provided to the Department on a regular basis. The contractor will be required to solicit input from the EICC and the RAP.

#6. Training and Technical Assistance \$1,100,000 10/1/09-9/30/11

The Bureau of Early Intervention seeks to award two contracts through an RFP process to qualified bidders to convert early intervention training courses into a distance learning format and to provide enhanced technical assistance (TA) to municipalities on a statewide and regional basis. Distance learning provides 24-hour access to people limited by weather, geographic, and travel-related obstacles. Increased TA provides timely information to municipalities resulting in compliance with regulations and system improvement. The RFP is constructed in two parts. Bidders may submit proposals to provide services in Category A; Category B; or, both Categories A and B. Category A: modify/convert early intervention training courses into distance learning formats. Category B: provide enhanced technical assistance to municipalities statewide. Contracts resulting from this solicitation will be for a two year period between 10/1/09 – 9/30/11. Use of ARRA funds for this initiative is consistent with the guidance issued by the Office of Management and Budget in their April 3, 2009 memo which states: “departments and agencies should support projects that have, among other things and to the greatest extent, a demonstrated or potential ability to deliver programmatic results; optimize economic activity and the number of jobs created or saved in relation to the Federal dollars obligated; and achieve long-term public benefits by, for example, investing in technological advances in science and health to increase economic efficiency and improve quality of life”. The Training and Technical Assistance initiative

meets the ARRA objectives by delivering programmatic results and investment in technological advances.

#7. Clinical Program Initiatives

\$1,900,000

7/1/10 – 9/30/11

A competitive bid will be issued to solicit a contractor to assist with clinical program initiatives to improve the quality of early intervention evaluations and services. Part A of the RFP will solicit an update of the EIP's six evidence-based clinical practice guidelines on assessment and intervention for young children with specific conditions. The contractor will be responsible for using the evidence-based methodology employed by the Department to develop the six guidelines; review and abstract scientific literature published since issuance of the guidelines; convene consensus panels to review the evidence and revise the guidelines; complete a peer-review process for each guideline; and publish print and electronic versions of each guideline. The guidelines consist of three documents: the technical report, which describes the research and recommendations; the report of the recommendations; and, quick reference guide summarizing the recommendations. Deliverables include: six guidelines on the topics of 1) Autism/Pervasive Developmental Disorders, 2) Communication Disorders, 3) Down Syndrome, 4) Motor Disorders, 5) Hearing Loss, and 6) Vision Impairment. Each consists of three separate publications (a technical report, a report of the recommendations, and a quick reference guide). The four most recent guidelines include evidence tables and are provided on compact discs.

Part B of the RFP will solicit the development of a list of preferred evaluation tools for performance of initial and ongoing eligibility evaluations for the EIP. The contractor will be responsible for compiling a list of potential "gold standard" assessment instruments; summarize the psychometric properties of the instruments and utility and applicability to the EI population, including use with linguistically and culturally diverse populations; and, present and finalize the list in collaboration with Department staff and clinical review panel.

The effectiveness of the six clinical practice guidelines in improving the quality of early intervention services for children with specific developmental problems depends upon the extent to which the guideline reflect the most current scientific evidence. The guidelines were developed from 1998-2001. To maintain their scientific validity, the guidelines must be updated to reflect research in assessment and intervention conducted and published during the last decade. Currently, there is a wide variation in the type and quality of evaluations received by infants and toddlers and the percentage of children found eligible to receive early intervention services. Requiring evaluators to use a list of preferred evaluation instruments will improve the accuracy of eligibility determinations and service recommendations, ensuring that only children who meet eligibility criteria receive an IFSP and services, and help ensure timely diagnoses are made for children with conditions with a high probability of developmental delay. The contract term is estimated as a one year contract with the possibility of going to 15 months if time allows. The use of ARRA funds to support this initiative is consistent with the OMB guidance document which specifies "In evaluating projects for funding, departments and agencies accordingly should allocate Recovery Act funds toward

projects that will achieve long-term public benefits by, for example, improving educational quality.”

#8. Expansion of Family Initiatives **\$800,000** **10/1/09 – 9/30/11**

Part C of IDEA and PHL require the Department to provide support and training to parents involved in the EIP. States receiving federal Early Intervention funding are required to assist families in working with their infants and toddlers with disabilities to enhance the effective communication of their children’s needs. ARRA funds provide an opportunity for the Department to further develop initiatives to train and support parents, including parents whose primary language is not English. The Bureau will implement single source procurement with Just Kids Foundation, Inc. to expand the Family Initiative Coordination Services Project offering parents involved in the EIP additional skill-building activities designed to increase their advocacy and leadership skills. This enhancement will be used to expand family activities under the Family Initiative Coordination Services Project. This one-time funding will expand parent activities by: further developing the Family Initiative Contract’s www.eifamilies.com Web site; expanding the Early Intervention Partners Training Project; providing additional skill-building training opportunities to parents through round table discussions or workshops; working with SDOH to improve Department-issued publications and training materials; developing low literacy family-friendly information translated into other languages; adding temporary staff or interns to assist with this two year initiative; providing EIP outreach to community centers, churches/synagogues, recreational facilities, etc., to increase public awareness of the EIP; strengthening and coordinating relationships with other existing resources- parent training centers, advocacy centers, Families Together in NYS, Parent to Parent of NYS, and NYS Resources for Disabilities. This will help foster a relationship between the EIP and other resources during and after the two year ARRA enhancement. Consistent with the Office of Management and Budget’s April 3, 2009 guidance “Long -term public benefits, optimizing economic and programmatic results” and “Targeting assistance consistent with other policy goals”; funding of this project will “achieve long-term public benefits by, for example, investing in technological advances in science and health to increase economic efficiency and improve quality of life.....or improving educational quality” and will “.....engage with community-based organizations”.

#9. Utilization Review **\$1,300,000** **7/1/09- 9/30/11**

The purpose of this initiative is to obtain an understanding of utilization patterns and underlying factors that impact utilization of program resources within the NYS Early Intervention Program. The Department will award a contract through an RFP to an organization qualified to perform retrospective utilization reviews of Early Intervention services processed through the Bureau’s KIDS and NYEIS data systems. Use of ARRA funds to support this project is consistent with the Office of Management and Budget’s April 3, 2009 guidance which states that “departments and agencies should support projects that have, among other things and to the greatest extent, a demonstrated or potential ability to deliver programmatic results”. Eligible bidders must have a minimum total of five years successful work experience performing retrospective and/or concurrent utilization reviews of disability services for children birth to five years, and be

licensed to do business in New York State. Eligible bidders need to be able to provide the data analytics capable of aggregating utilization data across broad population demographics, and provide updated utilization review criteria derived from nationally recognized evidence based sources. The contractor will be required to conduct reviews that evaluate enrollee utilization based on both the quality of service provided according to evidence based standards and the appropriate level of resources expended. The contractor must be able to identify and apply utilization benchmarks that can be used to identify possible over and under utilization of services. Deliverables will include:

- Develop and obtain Department approval for the methodology to be used in utilization review, establishing benchmarks, and service delivery performance measures. Development of survey tools to be used in soliciting information from program stakeholders.
- Completion of data exchange and preliminary data analysis of utilization patterns. This will include the creation of preliminary reports to be presented to the Department and obtaining Department input on specific analysis to be conducted based on preliminary analysis results.
- Presentation to the department on the factors impacting service utilization patterns within the program. This will include information obtained from service claims data, surveys of interested parties, and relevant information obtained from national sources.
- Presentation to the Department of a final comprehensive report on the utilization of services within the EIP. The report will detail utilization patterns and trends including Department approved benchmarks, identify key factors impacting utilization, and recommend possible actions that can be taken by the Department to address inappropriate utilization within the program. The report should be accompanied by a set of performance measures for service utilization that have been created by the contractor to be used by the Department in future Utilization Review efforts.

#10. EI Annual Meeting

\$95,000

Fall 2010

Under the IDEA PHL, the Department is responsible for ensuring implementation of the EIP that is consistent with statute, regulation and program guidance in each county. BEI is required to ensure consistent quality training of the EIP participants, including municipal Early Intervention Officials/Managers and their designees. As part of this requirement, Early Intervention annual meetings have taken place every 12-18 months for the past 13 years. The EI annual meeting provides an opportunity to disseminate technical information, increase knowledge and understanding relative to significant legislative changes, fiscal, administrative, and clinical updates to the EIP. It also enhances communication between Early Intervention Officials/Managers and Department staff. This meeting is an opportunity to provide information on federal and state initiatives/topics and current policy and practices at the national and state levels.

BEI will issue an Invitation for Bid (IFB) to procure a meeting venue for 150 attendees, lodging, food and AV equipment. An IFB will also be issued to procure an event planner

to plan and coordinate meeting logistics. The use of ARRA funds to support the EI annual meeting is consistent with the April 3, 2009 Office of Management and Budget Guidance memo which states "Departments and agencies should seek to maximize the economic benefits of a Recovery Act-funded investment in a particular community by supporting projects that seek to ensure that the people who live in the local community get the job opportunities that accompany the investment" and "small businesses play a critical role in stimulating economic growth and creating jobs. Because support of small businesses furthers the economic growth and job creation purposes of the Recovery Act, agencies should support projects that provide maximum practicable opportunities for small businesses. In the sphere of government contracting, agencies should provide maximum opportunities for small businesses to compete and participate as prime and subcontractors in contracts awarded by agencies, while ensuring that the government procures services at fair market prices. Accordingly, agencies are strongly encouraged to take advantage of authorized small business contracting programs to create opportunities for small businesses".

#11. DOH software training, licenses, technical support, hardware purchase
\$288,000

BEI will procure with vendors who are currently on contract with OGS. Procurements for the following items are anticipated:

- Dell Software licenses for Dream Weaver and Media to develop the various WEB browser applications and to continue to develop and support a wide variety of applications currently in use by the EIP.
- New Sharepoint/SQL Server to support various systems for the EIP
- New equipment to provide support to the new Early Intervention application NYEIS. Staff are currently using equipment that is obsolete and cannot be repaired or upgraded to support NYEIS.
- Disk attachments for the Early Intervention Fiscal System. This system is out of server space and must continue to operate until all the data are migrated into NYEIS.
- Software licenses for Visual Studio .NET, SQL Server and SharePoint Server. The licenses are required to upgrade numerous EI legacy systems so they are compatible with new network operating systems and related security packages.
- ProjectPro 2007 and VisioPro 2007 software for staff preparing the documentation of how NYEIS data might be used in conjunction with other child health information.
- IBM Power 520 Server and Installation to support the New York Early Intervention System.
- User Licenses for ASP.NET Maker 7.1 to develop the various browser applications
- Thirteen desk top computers, three laptop computers and four printers for BEI staff whose equipment is obsolete and does not have the capacity to support newer software applications.

applications, or applicants for funding that have, to the greatest extent, a demonstrated or potential ability to: deliver programmatic results; achieve economic stimulus by optimizing economic activity and achieve long-term public benefits”.

#14. Audit of Early Intervention Providers \$800,000 4/1/10 -9/30/11

This initiative will use ARRA EI funding to support a contracted audit firm identified from the OGS backdrop contract to conduct audits of individual and agency providers in the program. The Department has existing authority to conduct audits of providers to identify disallowances such as overlapping visits, inadequate travel time between visits, missing session notes or other instances of inappropriate billing. As a result of this initiative it is projected that \$1 million in State General fund and Medicaid funding will be recovered in SFY 2010-11 and an additional \$2million from the combined sources in SFY 2011-12.

The use of ARRA funds to support this initiative is consistent with the U.S. Office of Management and Budget guidance that “departments and agencies should support projects that have, among other things and to the greatest extent, a demonstrated or potential ability to deliver programmatic results, achieve long-term public benefits and increase economic efficiency”.

#15. Temporary Programmer/Data Analyst support for Early Intervention \$475,300 3/1/10-9/30/11

The Program Development and Data Analysis (PDDA) Unit within the Bureau of Early Intervention (BEI) conducts ongoing research and analysis to ensure the efficient, economical, productive and stable delivery of early intervention services. Staff within the unit are involved in projects supported with ARRA funding. Within the ARRA funded initiatives, the BEI proposes to examine program enrollee utilization based on both the quality of service provided to children and families according to evidence based standards and the appropriate level of resources expended on these services. In-depth data analysis conducted by outside contractors of utilization of services, identifying trends and outlying data will require oversight and collaboration with the staff within the PDDA unit that are familiar with programmatic and fiscal data. In addition to service utilization analysis, the BEI is proposing to use ARRA funding to support restructuring the reimbursement methodology for services within the program.

Current ongoing workload within the PDDA does not allow sufficient support for these critically added ARRA initiatives. The BEI plans to use ARRA funding to add temporary Programmer/Data Analyst positions to its PDDA in order to address the increase in current workload. These temporary staff will be hired from a contracted information technology firm identified from the OGS backdrop contract. The proposed staff will be responsible for assisting the Director of the PDDA in meeting the research and data analysis requirements within each of the above described specific projects. Hiring temporary staff is consistent with ARRA guidance which states “departments and agencies should seek to maximize the economic benefits of a Recovery Act-funded investment in a particular community by supporting projects that seek to ensure that the

people who live in the local community get the job opportunities that accompany the investment”.

Reporting, Evaluation and Monitoring

According to Section 1512 of the American Recovery and Reinvestment Act of 2009, each federal agency requires its recipients of grants, cooperative agreements and loans made under the Recovery Act to report a significant amount of information and data electronically through a central federal portal or through an agency information collection process. This reporting is required within 10 days after the close of each calendar quarter.

In addition to meeting the reporting requirements outlined in the ARRA, New York State has been selected by the U.S. Government Accountability Office (GAO) as one of the 16 “core states” to be followed over the next few years to provide an ongoing longitudinal analysis of the use of funds under the Recovery Act. New York was selected on the basis of outlay projections, demographics, and geography. To meet the reporting and evaluation requirements outlined in ARRA BEI has instituted the following measures:

Fraud Prevention

- Monthly meetings with key staff to review and update status of initiatives, discuss concerns; answer questions.
- Work plan deliverables and outcomes detailed in contracts.
- Staff participation in training on fraud prevention.
- Site visits to sub-recipients and contractors.
- Collect and review receipts and invoices from sub-recipients and vendors.
- Collect and review documentation supporting vouchers.
- All vouchers reviewed to confirm proper completion, perform math verifications, signature confirmations, and test for duplicate claims.
- Perform budget to voucher comparisons.
- Evaluate the reasonableness of the budget.
- Data comparisons completed on a regular basis to identify potential problem payments.
- Contractors must sign certification statement attesting to information in grant applications.

Contract Management

- Written policies and procedures for procurements are in place to ensure accountability

- All existing levels of approvals, beginning with BEI's Administrative Services Unit, Bureau Assistant Director and Director, Division of Fiscal staff, Division, Center for Community Health and Fiscal Management, are followed.
- A unique fund code will be developed for ARRA.
- A new ARRA tracking system has been developed to account for expenditures as they occur.
- Staff will attend training on contract management procedures unique to ARRA requirements
- Performance measures for contractors established and posted on the Department's web site.
- Regularly scheduled meetings with state and local program officials and auditors will be held.
- Regular site visits will occur.
- Contractors will be given timeframes for submission of reports documenting deliverables.
- Contract managers will review and monitor deliverables to ensure quality products prior to payment.
- In-office reviews and site visits may be conducted to review payroll records, cancelled checks and invoices.
- Meetings with contractors will be held to reinforce reporting expectations.

Grants Accountability

1. Contractors are required to complete a Vendor Responsibility Questionnaire and Department staff will verify information and complete a Vendor Profile
2. Boilerplate documents will provide clear terms and conditions based on ARRA requirements in RFPs, RFAs and contracts
3. Training sessions scheduled with Bureau of Accounts Management staff
4. Regularly scheduled meetings with other units within the Department and bi-weekly meetings scheduled with DFH's Fiscal Unit
5. Information/data and statistics will be maintained, reported and will include who is receiving ARRA funds, amounts of awards, type/description of projects or activities, completion status of projects or activities and what impact they've had on job retention or creation.
6. Bi-weekly reports on the status of ARRA initiatives to staff in BEI, Division Fiscal, Division, Center for Community Health, Fiscal Management Group
7. Weekly report on the status of ARRA initiatives for the Governor's Recovery Cabinet sent to DOH's Administration Division

B. BUDGET PROPOSAL

1. Summary

PERSONAL SERVICES

\$3,395,807

NYEIS Temporary Project

Funds in the amount of \$2,251,051 will be used to support nine temporary NYEIS positions in the Bureau for a 21 month period beginning in November 2009. ARRA funding is short-term and must be expended by December 31, 2011. It is important to ensure that ARRA funds are invested in ways that do not result in unsustainable commitments after funding expires. The nine temporary positions have been specifically approved to work on the development and implementation of NYEIS. The NYEIS project is time limited, and will result in long term improvements to the EIP and of a duration that is slated to end within the allowable period for ARRA funds. As a result, supporting the project items is an ideal use of the stimulus funding.

The salary, fringe and indirect costs for the NYEIS positions which will be supported by ARRA funding for a 21 month period are as follows:

<u>Title</u>	<u>Grade</u>	<u>Item #</u>	<u>Salary/Fringe/Indirect</u>
Project Coordinator	G-31	24647	\$ 343,292
Project Coordinator	G-29	24648	\$ 283,801
Project Assistant	G-27	24650	\$ 278,957
Project Assistant	G-27	24717	\$ 282,893
Project Assistant	G-25	24719	\$ 256,000
Project Assistant	G-25	24721	\$ 217,598
Project Assistant	G-23	24722	\$ 196,170
Project Assistant	G-23	24723	\$ 196,170
Project Assistant	G-23	24724	\$ 196,170

Temporary Civil Service Items

Funds in the amount of \$1,144,756 will be used to support seven temporary civil service positions in the BEI for a 21 month period beginning in January 2010. ARRA funding is short-term and must be expended by December 31, 2011. It is important to ensure that ARRA funds are invested in ways that do not result in unsustainable commitments after funding expires. Work activities related to the new and ongoing initiatives include: data collection, research and analysis; regulations, policies and procedures; training and

technical assistance; and fiscal and contract management. Hiring temporary staff is consistent with ARRA guidance which states “departments and agencies should seek to maximize the economic benefits of a Recovery Act-funded investment in a particular community by supporting projects that seek to ensure that the people who live in the local community get the job opportunities that accompany the investment”.

The salary, fringe and indirect costs for the temporary civil service positions which will be supported by ARRA funding for a 21 month period are as follows:

<u>Title</u>	<u>Grade</u>	<u>Salary/Fringe/Indirect</u>
Principal Auditor	G-27	\$209,293
Research Scientist 3	G-25	\$188,613
Program Research Specialist 4	G-23	\$169,710
Health Program Administrator 1	G-23	\$169,710
Early Intervention Specialist 1	G-20	\$145,262
Health Program Administrator	G-18	\$131,084
Health Program Administrator	G-18	\$131,084

NON PERSONAL SERVICES **\$ 23,010,692**

One-time enhanced funding for EI Administrative contracts \$8,000,000

NYEIS Modifications
 NYEIS system evolution and maintenance (Two years) \$ 4,470,023

Enhanced NYEIS training \$ 800,000

Temporary Agency Positions \$ 132,369

Loan Repayment/Recruitment/Retention Program \$1,400,000

Development/implement Revised Reimbursement Methodology \$ 600,000

Training and Technical Assistance Initiatives \$1,100,000

Clinical Program Initiatives \$1,900,000

Expanded Family Initiatives \$ 800,000

Utilization Review Modules & Data Mining Activities \$1,300,000

Two-Day EI Annual Meeting	\$ 95,000
Software Training, Licenses, Technical Support, Hardware Purchase	\$ 288,000
Disaster Recovery Center	\$ 600,000
Publications Printing	\$ 250,000
Audit Early Intervention Providers	\$ 800,000
Temporary Programmer/Data Analyst Support	\$ 475,300