

AN ORDINANCE 2009-04-09-0277

**APPROVING A CONTRACT AMENDMENT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE AN ADDITIONAL \$120,636.00 TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR VOLUNTARY HIV TESTING OF INMATES AT THE SAN ANTONIO MAGISTRATE DETENTION CENTER.**

\* \* \* \* \*

**WHEREAS**, the Texas Department of Health and Human Services (TDSHS) provided \$442,639.00 to the San Antonio Metropolitan Health District (SAMHD) for contract year 2009 to conduct services to control and prevent the spread of Sexually Transmitted Diseases (STD), including human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and viral hepatitis; and

**WHEREAS**, the SAMHD's STD-HIV program additionally performs the following core services: 1) community and Individual Behavior Change Interventions, 2) medical and laboratory Services, 3) partner services, 4) leadership and program management, 5) surveillance and data management, and 6) training and professional development; and

**WHEREAS**, the TDSHS has now offered the SAMHD an amendment to the current STD-HIV grant contract adding \$120,636.00; and

**WHEREAS**, this funding is intended to expand voluntary HIV testing of inmates at the San Antonio Magistrate Detention Center and, if positive cases are identified, SAMHD will provide linkages to primary care, crisis intervention, and ensure that morbidity is reported according to TDSHS requirements; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager or her designee or the Director of the San Antonio Metropolitan Health District or his designee, is authorized to execute a contract amendment with the Texas Department of State Health Services (TDSHS) to provide an additional \$120,636.00 to the San Antonio Metropolitan Health District for voluntary HIV testing of inmates at the San Antonio Magistrate Detention Center. A copy of said contract amendment in substantially final form is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** Fund 2601636006 entitled "Texas Department of State Health Service" and Internal Order 13600000041, are hereby designated for use in the accounting for the fiscal transaction in the acceptance of this grant.

**SECTION 3.** The revised budget and revised personnel complement which are attached hereto and incorporated herein for all purposes as **Attachment II** are approved and adopted for entry in the City books.

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This ordinance shall be effective on and after April 19, 2009.

PASSED AND APPROVED this 9<sup>th</sup> day of April, 2009.

ATTEST: *Leticia M. West*  
City Clerk

*for* *[Signature]*  
MAYOR  
PHIL HARDBERGER

APPROVED AS TO FORM: *Hollis Young*  
*for* City Attorney

<b>Agenda Item:</b>	<b>18 ( in consent vote: 8, 9, 10, 11, 12, 14A, 14B, 14C, 14D, 15, 16, 18, 20A, 20B, 22, 23 )</b>						
<b>Date:</b>	04/09/2009						
<b>Time:</b>	03:38:53 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance approving a contract amendment with the Texas Department of State Health Services to provide an additional \$120,636.00 to the San Antonio Metropolitan Health District for voluntary HIV testing of inmates at the San Antonio Magistrate Detention Center. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5	x					
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				

## DEPARTMENT OF STATE HEALTH SERVICES

Amendment  
To

The Department of State Health Services (DSHS) and CITY OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT (Contractor) agree to amend the Program Attachment # 001 (Program Attachment) to Contract # 2009-030618 (Contract) in accordance with this Amendment No. 001A : STD - HIV, effective 02/18/2009.

The purpose of this Amendment is to add \$120,636 for expanded HIV testing initiative.

It is mutually agreed by and between the contracting parties to amend the terms and conditions of Document No. 2009-030618 as written below. All other terms and conditions not hereby amended are to remain in full force and effect. In the event of a conflict between the terms of this contract and the terms of this Amendment, this Amendment shall control.

Therefore, DSHS and Contractor agree as follows:

PROGRAM ATTACHMENT NO. is revised as below:

PROGRAM ATTACHMENT NO. ~~001~~ 001A

SECTION I. STATEMENT OF WORK is revised to insert new Paragraphs four (4) and five (5) as below:

This February 2009 amendment to this contract adds routine HIV testing activities as described herein. Contractor shall conduct routine HIV testing (integrated into all medical visits with other health screenings) to inmates at the Bexar County Jail, according to the approved protocol developed by Contractor staff and approved by DSHS for this Program Attachment. The main goals of this routine testing are to promote identification of HIV-infected clients early in disease course and to link such clients to a system of medical care. Contractor shall develop its protocol in accordance with CDC's Revised Recommendations for HIV Testing of Adults, Adolescents, and Pregnant Women in Health Care Settings (see <<http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5514a1.htm>>) and shall submit its protocol to DSHS prior to implementation of routine testing. The protocol shall be submitted to DSHS staff within 30 days of the effective date of this amendment. DSHS staff will review submitted protocol and Contractor shall immediately begin using the protocol as approved by DSHS (including all revisions required by DSHS).

For all jail inmates who are tested for HIV, Contractor staff shall:

- Follow the established protocol for providing the results to the client, including the provision of crisis intervention and referral of the client to HIV early intervention services or HIV prevention resources as appropriate;
- Provide linkage to HIV primary medical care and services as appropriate;
- Ensure HIV antibody 1/2 confirmatory test is done on the same visit;
- Ensure positive results are sent to the SAMHD in accordance with Texas Health and Safety Code

Chapter 81; and

- Provide other client referrals as (i.e. HIV medical and support services, substance abuse treatment services, and mental health services) needed.

Previous Paragraphs four (4) through eight (8) are now Paragraphs six (6) through ten (10).

SECTION II. PERFORMANCE MEASURES, Paragraph one (1) Item one (1) is revised to add the following:

Expanded HIV Testing Objectives

- Contractor shall provide all inmates at the Bexar County Jail with HIV rapid and/or routine testing (unless they refuse), delivery of positive test results, and necessary referrals to services according to the approved protocol developed by Contractor staff for this Program Attachment.
- Contractor will conduct a total of 10,500 HIV tests in the Bexar County Jail with 105 new positive clients to be identified.
- For all clients tested for HIV, Contractor will report the following information to DSHS on a monthly basis using a format that includes the following elements:
  - Birth date
  - Gender
  - Race/Ethnicity
  - Test Sample Date
  - Testing Technology (blood, oral, or rapid)
  - Test Result
- For all clients testing HIV positive, Contractor will also include the following additional elements in their report:
  - Referral to Care (referral is provided and confirmed)
  - Test Result Given
  - Self-reported HIV status (only for persons with preliminary positive or indeterminate test results)

SECTION II. PERFORMANCE MEASURES, REPORTING REQUIREMENTS, is revised to add items five (5) and six (6) as follows:

5. Contractor shall provide DSHS Program with HIV Expanded Testing monthly data reports on or before the 20<sup>th</sup> calendar day of each month. DSHS may, following review of these reports, redirect Contractor activities in order to satisfy the agency's expectations under this Contract. In such an event, Contractor shall follow DSHS directives, according to the given schedule.
6. Contractor shall produce an annual report to DSHS HIV/STD Program contact by October 30, 2009 which contains the following:
  - A cumulative data summary of the performance measures above; and
  - A detailed discussion of barriers encountered by the Contractor to the effective delivery of HIV testing to inmates at the Bexar County Jail. Also include a discussion of things that facilitated such testing.

SECTION VIII. BUDGET is revised to add the following:

This February 2009 amendment adds \$ 120, 636 to support expanded routing HIV testing activities to inmates at the Bexar County jail as described herein.

Source of Funds: CFDA # 93.940; 93.977

Department of State Health Services

Contractor

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Signature of Authorized Official

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Bob Burnette, C.P.M., CTPM

Director, Client Services Contracting Unit

1100 WEST 49TH STREET  
AUSTIN, TEXAS 78756

(512) 458-7470

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Director of Health

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San Antonio, Texas 78205

210-207-8730

Fernando.Guerra@sanantonio.gov

2009-030618-001A

ATTEST:

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael D. Bernard, City Attorney

DEPARTMENT OF STATE HEALTH SERVICES



1100 WEST 49TH STREET  
AUSTIN, TEXAS 78756-3199

CATEGORICAL BUDGET CHANGE REQUEST

DSHS PROGRAM: STD - HIV

CONTRATOR: CITY OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT

CONTRACT NO: 2009-030618

CONTRACT TERM: 01/01/2009 THRU: 12/31/2009

BUDGET PERIOD: 01/01/2009 THRU: 12/31/2009

CHG: 001A

<b>DIRECT COST (OBJECT CLASS CATEGORIES)</b>			
	Current Approved Budget (A)	Revised Budget (B)	Change Requested
Personnel	\$268,033.00	\$332,860.00	\$64,827.00
Fringe Benefits	\$105,604.00	\$126,715.00	\$21,111.00
Travel	\$12,926.00	\$12,926.00	\$0.00
Equipment	\$0.00	\$599.00	\$599.00
Supplies	\$6,860.00	\$29,360.00	\$22,500.00
Contractual	\$0.00	\$0.00	\$0.00
Other	\$8,286.00	\$8,286.00	\$0.00
<b>Total Direct Charges</b>	<b>\$401,709.00</b>	<b>\$510,746.00</b>	<b>\$109,037.00</b>
<b>INDIRECT COST</b>			
Base (\$)	\$0.00	\$0.00	\$0.00
Rate (%)	0.00%	0.00%	0.00%
<b>Indirect Total</b>	<b>\$40,930.00</b>	<b>\$52,529.00</b>	<b>\$11,599.00</b>
<b>PROGRAM INCOME</b>			
Program Income	\$0.00	\$0.00	\$0.00
Other Match	\$0.00	\$0.00	\$0.00
<b>Income Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>LIMITS/RESTRICTIONS</b>			
Advance Limit	\$0.00	\$0.00	\$0.00
Restricted Budget	\$0.00	\$0.00	\$0.00
<b>SUMMARY</b>			
Cost Total	\$442,639.00	\$563,275.00	\$120,636.00
Performing Agency Share	\$0.00	\$0.00	\$0.00
Receiving Agency Share	\$442,639.00	\$563,275.00	\$120,636.00
<b>Total Reimbursements Limit</b>	<b>\$442,639.00</b>	<b>\$563,275.00</b>	<b>\$120,636.00</b>
<b>JUSTIFICATION</b>			
Increase to add \$120,636 due to CDC expanded HIV testing initiative.			

Equipment List Attached

Financial status reports are due: 04/30/2009, 07/30/2009, 10/30/2009, 03/01/2010

The negotiated indirect cost amount shown above is less than Contractor's current approved indirect cost rate on file at DSHS. Indirect costs will be charged in accordance with the approved rate, but may not

exceed the amount shown above. Indirect charges to this contract may not exceed the amount shown above, except by prior written approval of DSHS.

The budgeted indirect cost amount is based on an indirect cost rate proposal prepared in accordance with OMB Circular A-87. A copy of the indirect cost rate proposal and supporting documents is on file in the contractor's office and is subject to review by DSHS fiscal monitors, or any of its duly authorized representatives, as well as duly authorized federal or state authorities. A copy of the current rate certification is on file at DSHS.

DEPARTMENT OF STATE HEALTH SERVICES



1100 WEST 49TH STREET  
AUSTIN, TEXAS 78756-3199

EQUIPMENT LIST CHANGE REQUEST

DSHS PROGRAM: STD - HIV  
CONTRACTOR: City of San Antonio Metropolitan Health District  
CONTRACT TERM: 01/01/2009 THRU: 12/31/2009  
BUDGET PERIOD: 01/01/2009 THRU: 12/31/2009  
CONTRACT NO: 2009-030618 CHG: 001A

PREVIOUS EQUIPMENT LIST

Item #	Equipment Description	Units	Unit Cost	Total
			\$	\$
			\$	\$
			\$	\$

NEW EQUIPMENT LIST

Item #	Equipment Description	Units	Unit Cost	Total
1	Phlebotomy Chair Model # ML6492B - adjustable, reclining.	1	\$599.00	\$599.00
TOTAL				\$599.00

**Attachment II**

**STD - HIV 2009 (Federal)  
Fund 26016000  
Functional Area 3600400000030020  
TDSHS Contract No. 2009-030618-001**

<u>ESTIMATED REVENUES</u>	<u>GL</u>	<u>CURRENT BUDGET</u>	<u>ADD (DEDUCT)</u>	<u>REVISED BUDGET</u>
2009-030618-001	4501100	\$ 442,639		\$ 442,639
2009-030618-001A			\$120,636	\$ 120,636
<b>Total Estimated Revenues</b>		<u>\$ 442,639</u>	<u>\$ -</u>	<u>\$ 563,275</u>

**APPROPRIATIONS**

**Public Health Support - 2009 - Federal  
Activity 36-07-29  
Cost Center 3607290003  
Internal Order 136000000417**

1/1/2009 to 12/31/2009

Regular Salaries & Wages	5101010	220,431	25,709	246,140
Temporary Salaries	5101015	39,802	52,012	91,814
Language Skills Pay	5101050	3,600		3,600
FICA	5103005	16,863	1,967	18,830
Temporary FICA	5103007	3,198	3,979	7,177
Life Insurance	5103010	264	268	532
Personal Leave Buy Back Pay	5103035	2,000		2,000
Transportation Allowance	5103056	2,200		2,200
Flex Benefits	5104030	53,214	1,901	55,115
TMRS	5105010	32,065	103	32,168
Education	5201025	-		-
Binding, Printing, and Reproduction	5203060	1,539		1,539
Transportation fees	5203090	9,926		9,926
Mail and Parcel Post Service	5205010	247		247
Rental of Office Equipment	5205020	1,700		1,700
Travel-Official	5207010	3,000		3,000
Office Supplies	5302010	2,860		2,860
Chem, Med & Drugs	5304040	4,000	22,500	26,500
Communications: Telephones	5403010			
Cell Phones	5403040	4,800		4,800
Indirect Cost	5406530	40,930	11,599	52,529
Furn/Fix	5501065		599	599
<b>Total Appropriations</b>		<u>\$ 442,639</u>	<u>\$ - 120,636</u>	<u>\$ 563,275</u>

**PERSONNEL COMPLEMENT:**

Activity 36-07-29  
Cost Center 3607290003  
Internal Order 136000000417

	<u>Current Positions</u>	<u>Add/Delete</u>	<u>Revised Positions</u>
2054 Community Services Supervisor	1	0	1
0282 Health Program Specialist	6	1	7
<b>Total:</b>	<u>7</u>	<u>1</u>	<u>8</u>