

Houston Area HIV Services Ryan White Planning Council
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LETTER OF AGREEMENT

Parties to the Letter of Agreement:

1. Harris County Judge – The “Chief Elected Official” (CEO)
2. Houston Eligible Metropolitan Area (EMA) Ryan White Part A Planning Council – The “Planning Council” (RWPC)
3. Houston EMA Office of Support for the Ryan White Part A Planning Council
4. Texas Department of State Health Services (TDSHS) - Part B Grantee
5. Houston Regional HIV/AIDS Resource Group, Inc. - Houston HIV Service Delivery Area (HSDA) Part B Administrative Agency
6. Harris County Public Health, Ryan White Grant Administration Section (HCPH/RWGA) - Houston EMA Part A Administrative Agency

PURPOSE

This Letter of Agreement is created to facilitate cooperative and collaborative working relationships between and among the Ryan White Part B Administrative Agency (AA) and the Ryan White Part A Planning Council. The Health Resources and Services Administration (HRSA), a division of the United States Department of Health and Human Services, encourages stakeholders to document via a Letter of Agreement (LOA) to better define responsibilities for the Houston Eligible Metropolitan Area (EMA) and the Houston Health Services Delivery Area (HSDA) designated by the Texas Department of State Health Services (TDSHS). The Houston EMA is designated by HRSA to receive Ryan White Program Part A funds to provide services to People Living with HIV/AIDS (PLWH/A). The Houston EMA is a six-county area in southeast Texas that consists of Chambers, Fort Bend, Harris, Liberty, Montgomery and Waller counties. The Houston HSDA consists of these same six counties and four others – Austin, Colorado, Walker and Wharton.

This document is not intended to restate all HRSA and TDSHS rules, but rather to clarify entity roles and outline procedures that will foster productive interaction and efficient communication between and among the six stakeholders.

This LOA is a dynamic tool to help the principal stakeholders avert conflict and foster collaborative relationships and decision-making processes. The underlying foundation of the agreement is the principle of mutual respect. Mutual respect is created through open communication, active listening, seeking understanding, and acknowledging our mutual goals. This document is built upon the understanding that the six entities, parties to the LOA, are equal stakeholders in the Ryan White process with the shared goal of helping individuals and families living with HIV/AIDS obtain the highest quality and most appropriate Ryan White Program eligible services.

HRSA DEFINED ROLES AND DUTIES

The following is taken from the 2002 HRSA Title I (Part A) manual and the Title I (Part A) Planning Council Primer and describes the role and duties of the:

Chief Elected Official (CEO):

The CEO is the person who officially receives the Part A Ryan White Program funds, also referred to as the Grantee for Part A. In the Houston EMA, the CEO is the County Judge., The County Judge is ultimately responsible for administering all aspects of the Part A funds. Duties include: ensuring that all legal requirements are met; appointing all members of the Planning Council; and selecting the HCPH to be the AA (or recipient) for the Part A funding.

Houston Ryan White Part A Planning Council (Planning Council)

This entity is a group of volunteers appointed by the CEO whose purpose is to plan for and oversee the delivery of services to persons with HIV in the defined EMA/HSDA. Duties include: setting up planning body operations; setting priorities; allocating resources to those priorities; assessing the administrative mechanism which means reviewing how long the grantee takes to pay providers, reviewing whether the funds are used to pay only for services that were identified as priorities by the planning council; and whether all the funds are spent. The Council also works with the AAs to assess need, develop a comprehensive plan, coordinate with other Ryan White programs and services, and reallocate funds as necessary. The Planning Council reports to the CEO.

Planning Council Office of Support:

This entity provides administrative support to the Council. Duties include, but not limited to: coordinating and staffing all Council processes; interfacing with HRSA, the CEO's Office and other County Offices regarding Council business; and assisting Council members stay in compliance with federal and county rules and regulations, as well as Council bylaws, policies and procedures. The Manager of the Office of Support reports to the Planning Council and the CEO.

Ryan White Part A Administrative Agency (CEO's Agent, also called the Part A recipient):

This entity carries out the day-to-day administrative activities required to implement and administer services in the defined EMA according to the plan set forth by the Planning Council. Duties include: procuring services for PLWH/A consistent with Planning Council priorities and allocations, including all aspects of the Request for Proposals (RFP), review, award and contracting process with service providers: establishing intergovernmental agreements; ensuring services to women, infants, children, and youth with HIV/AIDS; ensuring that Ryan White Program Part A funds address funding gaps; ensuring delivery of quality services; preparing and submitting Part A applications; assuring all services are in compliance with HRSA rules and regulations; limiting recipient administrative costs; limiting contractor administrative costs; monitoring contracts; advising the Council on HRSA mandates; and working with the Council to assess need, develop a comprehensive plan, coordinate with other Ryan White Program recipients and service providers programs, and reallocate funds.

Texas Department of State Health Services (TDSHS)

This entity is the Ryan White Program Part B and State Services (SS) Recipient for the state of Texas. The Part B recipient is the entity that officially receives the Part B funds. Locally,

TDSHS is ultimately responsible for administering all aspects of Part B and SS funds. Duties include: ensuring that all legal requirements are met; selecting and contracting with Part B/SS AAs; and providing oversight, monitoring and technical assistance to AAs in the planning and implementation of Part B/SS funds.

Houston Regional HIV/AIDS Resource Group, Inc.

This entity is contracted by TDSHS to carry out the day-to-day administrative activities required to implement and administer services in the Part B and SS HIV/AIDS Administrative Service Area (HASA) according to the comprehensive plan. Duties include: procuring services for PLWH/A consistent with the local priorities and allocation as approved by TDSHS; including all aspects of the RFP, review, award and contracting process with service providers; establishing intergovernmental agreements; ensuring services to women, infants, children, and youth living with HIV/AIDS; **(ADD): ensuring service deliver to rural residents living with HIV/AIDS residing in the HSDA**; ensuring that Ryan White Program funds are used to address gaps; ensuring delivery of quality services; preparing and submitting Part B applications to the State; assuring all services are in compliance with HRSA rules and regulations; limiting recipient administrative costs; limiting contractor administrative costs; monitoring contracts; and assessing need, developing a comprehensive plan, coordinating with other Ryan White Program recipients and services; and reallocating funds.

DEFINED RESPONSIBILITIES IN THE HOUSTON EMA/HSDA

In areas where there is shared responsibility between the Part A Planning Council, Part A & B/SS AAs, and the Office of Support, it is agreed that, in the Houston EMA/HSDA, the entities named above will have primary responsibility for initiating and completing the following:

Houston Ryan White Planning Council and Part A and B/SS Administrative Agents agree to:

- Collaborate in developing the Part A and B/SS Standards of Care;
- Collaborate in determining the Part A/Part B/SS Outcome Measures; and
- The Part B/SS AA, TDSHS, and Part A AA will develop procedures to ensure that Part A, Part B & State Services client level data is entered into the ARIES system whether through direct input or import.

Houston Ryan White Planning Council and Part B/SS Administrative Agency (The Resource Group) agree to:

- Collaborate to provide guidance and leadership in the development and implementation of a timeline for all required Part B/SS AA and Council work products that is consistent with published deadlines;
- Collaborate on planning and completion of multi-year and/or recurring processes, such as needs assessment and comprehensive planning in order that the Council is appropriately informed of its deadlines and expected work products;
- Collaborate on a Needs Assessment process to determine the size and demographics of the population of individuals living with or affected by HIV/AIDS in the Houston EMA/HSDA, and through this process jointly determine the needs of such populations in the defined geographic area;
- Collaborate on the production of, and updates to, the Comprehensive Needs Assessment for the defined EMA/HSDA; and

- The Part B/SS AA and the Planning Council will collaborate to develop a single list of service priorities for the Houston HSDA.

Houston Ryan White Planning Council agrees to:

- Indicate to the Part A and Part B/SS AAs, through the service definitions and the standards of care, how the services are to be configured;
- Develop recommendations for Part B and State Services allocations for the EMA/HSDA; (Recommended priorities and allocations and reallocations for the EMA/HSDA may not be changed by the Part B/SS Administrative Agency and must be presented to TDSHS for approval.)
- Develop recommendations for the reallocation of Part B and SS funds;
- Assess the Part B/SS AA administrative mechanism, which could include reviewing how long the AA takes to pay providers, reviewing whether the funds are used to pay only for services that were identified as priorities by the planning council and whether all the funds are spent. (Per the County Judge’s Office: Distribute copies of the final assessment to DSHS, the Part B/SS AA and the Chair of the Board of Directors for the Houston AA for RW Part B and State Services.) This will be done annually in January; and
- Solicit input from the Part B/SS AA in the development of the Houston EMA/HSDA HIV/AIDS Resource Guide, commonly known as The Blue Book.

Part B/State Services Administrative Agency agrees to:

- Provide accurate, timely, aggregate service category and other information needed or requested for the different Council processes such as the *How to Best Meet the Need*, priority setting, annual allocations, reallocations and other processes;
- Coordinate and staff the Part B/SS Standard of Care and Outcome Measures Work Groups to ensure appropriate interface with the Quality Management Program and because Standards of Care must also reflect all HRSA Ryan White and TDSHS programmatic and fiscal guidelines and more;
- Within thirty-days of receiving a notice of grant award for Part B or State Services funding, inform the Office of Support in writing of the award amount and date of notice;
- Inform the Office of Support after the initial grant awards are distributed and within 45-days after the end of the second quarter of any unobligated funds available for reallocation;
- Notify all Part B/SS agencies when the Planning Council’s Priority and Allocations Committee is preparing to allocate or reallocate funds;
- Within 30-days of announcing the availability of funds, provide the Council with de-identified service category funding requests increase so that the Council can review and make recommendations for reallocating these funds;
- Inform the Office of Support within thirty-days of any allocation changes made under the Houston RWPC-approved “10% rule”. The 10% rule allows the AA to shift funds between Service Categories without prior Council recommendation as long as funds shift no more than 10% of the current approved TDSHS allocation for either service category affected by the change;
- In the final quarter of the Ryan White Part B and SS grant years, after implementing the year end Planning Council-approved reallocation of unspent funds and utilizing the existing 10% reallocation rule to the extent feasible, the Part B/SS AA may reallocate any remaining unspent funds as necessary to ensure no funds are returned to the TDSHS. If

funds are to be moved from the Houston HSDA, the Part B/SS AA will notify the Office of Support when the information is submitted to the TDSHS. The Office of Support will notify the members of the Priority and Allocations Committee upon receipt and the Steering Committee and Council at their next scheduled meetings; and

- Annually in November of each year, contact the principal Stakeholders, listed at the beginning of this document, to determine if any wish to review and/or revise the LOA. This annual process will provide an opportunity for Stakeholders to ensure the LOA will continue to be responsive to the needs and responsibilities of all concerned.

Distributing Information to the Council, its Committees and Work Groups

Information will be delivered to the Office of Support for distribution to the Council, its Committees and workgroups. The Office of Support will determine the appropriate process to be used to disseminate the information. When providing information, please keep the following in mind:

- 1.) Requests requiring Council or committee approval must be submitted in writing eight-days prior to the date of the meeting;
- 2.) When information does not require approval, submission of the information eight-days before the date of the meeting is preferred; and
- 3.) Once a workgroup or committee has created a recommendation in response to the request, the chair of the Committee, workgroup or designee will be responsible for moving the request forward and speaking on behalf of the request.

Signed By:

Harris County Judge

Date

Chair, Houston Ryan White Planning Council

Date

Office of Support for the Houston Ryan White Planning Council

Date

TDSHS, Texas Part B and State Services Grantee

Date

Houston Regional HIV/AIDS Resource Group, Inc.

Date

Harris County Public Health, RWGA Section

Date