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STATE PROCUREMENT OFFICE
STATE OF HAWAII

STATE PROCUREMENT OFFICE NOTICE OF AND REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

- 1. TO: Chief Procurement Officer
- 2. FROM: Department of Human Services/Social Services Division/ POS

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:
 The purpose of this service is to certify Nurse Aide Training and Competency Evaluation Program (NATCEP) sites that provide nurse aide training and competency evaluations to students/candidates who will provide hands-on care to the elderly and disabled, Medicaid client population. The certification process will be provided by a registered nurse. Certification reviews will consist of 2-3 days of on-site observation and approval of nurse aide training curriculums, lab work, and clinical training in accordance with State and federal standards.

4. Name of Vendor: Community Ties of America, Inc.
 Address: 45-955 Kamehameha Hwy, Suite 300, Kaneohe, Hawaii
 96744

5. Price:
 \$115,648.00

6. Term of Contract: From: 7/1/09 To: 6/30/10

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:
 In May 2009, SSD-ACCSB was assigned the responsibility to certify NATCEP sites effective July 1, 2009, which was previously the responsibility of the Med Quest Division. SSD-ACCSB does not have the nursing staff available to administer this program because most training sessions are held at night and on weekends. CTA is the only private agency known to deliver certification services for the elderly, Medicaid population in Hawaii as this otherwise is handled internally in State agencies. It is not practicable nor advantageous to the State to competitively procure for this service because there is not enough time to complete a Chapter 103 D procurement. If DHS-SSD does not administer this program by July 1, 2009, the State will be in non-compliance with Title 42, Chapter 7, Subchapter XIX. This will result in the withholding of needed federal Medicaid and Medicare reimbursement to the State.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
 CTA was selected under a competitive procurement to provide recruitment, certification and monitoring of community care foster family homes (CCFFHs) and recruitment, licensing and monitoring of case management agencies (CMAs). Due to their currently contracted responsibilities, CTA has an established infrastructure for service implementation that includes a staff of registered nurses. CCFFH primary and substitute care givers with three residential clients, are required under HRS 346-331 and HAR 17-1454 to be certified nurse aides who have completed a state approved training program. CTA is able to deliver this training certification service because of their knowledge of local residential needs and resources for the elderly, Medicaid population. NATCEP sites provide the only mechanism available to CCFFH primary and substitute caregivers to obtain certified nurse aide training that meets State CCFFH certification requirements.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
 The Department of Human Services, Purchase of Services unit (POS) has direct responsibility over this contract. This provider will be required to submit quarterly activity and expenditure reports for POS unit review.

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
Lillian B. Koller	Director	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Amy Tsark	Acting Division Administrator	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Randy Fonseca	FRPS Administrator	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Jacob Heffernan	POS Supervisor	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Laura Giddings	Program Specialist	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Department of Human Services Contact Name: Laura Giddings Phone Number: 586-5748 Fax Number: 586-5606
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Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*



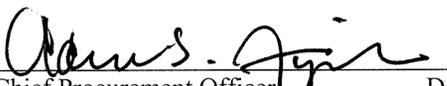
06/19/09

Department Head

Date

Reserved for SPO Use Only
15. Date Notice Posted <u>6/24/09</u>
The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: <p align="center"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 </p>
Chief Procurement Officer's comments: <p align="center"> Limited approval is granted based on the understanding that DHS must be in compliance with Title 42, Chapter 7, subchapter XIX regarding nurse aid training and competency evaluation programs. Approval is for the period of July 1 – December 31, 2009, and during that period, the department shall comply with HRS Chapter 103D for services beyond December 31, 2009. </p>

16. APPROVED DISAPPROVED NO ACTION REQUIRED


 Chief Procurement Officer Date 7/6/09