

STATE OF HAWAII

NOTICE OF AND REQUEST FOR EXEMPTION '07 OCT 30 P 3:14
FROM CHAPTER 103F, HRS

ADMINISTRATION OFFICE

To: Chief Procurement Officer

From: Department of Health, Alcohol and Drug Abuse Division
Department/Division/Branch or Office

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

1. Title and description of health and human service(s):	Assessment Services for Uninsured Youth- The purpose of this service is to provide substance abuse assessment services for students who are found in violation of the Department of Education's "zero tolerance" policy relating to alcohol and other drugs. Implementation of the DOE's "zero tolerance" policy relating to alcohol and other drugs requires students to be assessed if an initial screening indicates that further assessment is warranted.
2. Provider Name and Address:	Multiple Providers selected from the "Treatment List of Qualified Providers."
3. Total Contract Funds:	\$50,000
Contract Funds per Year (if applicable):	\$50,000
4. Reference number of Previous Request for this Service (if applicable):	PEH # 06-43
5. Term of Contract:	Start: Upon Approval End: December 31, 2008
6. Describe how procurement by competitive means is either not practicable or not advantageous to the State:	It is not feasible to procure these services because: 1) Inability to Predict Need for the Services - We are unable to anticipate and plan for the need for these services, as it is directly related to the number of youth caught by teachers and school staff using or selling alcohol and other drugs on campus statewide, ADAD will need access to a sufficient number of qualified individuals across the state to adequately address the possible demand for this service. This is particularly important in rural areas of the state with limited number of qualified individuals within the community. 2) Client Choice- A process is needed that allows students and their families to choose the qualified individuals within their communities to obtain a valid assessment. Client choice is an important aspect of effective service delivery. Students and parents need to be able to identify and work with treatment providers that they are compatible with, and are able to develop strong therapeutic relationships. 3) Immediate Access - The process must also support direct and immediate access to qualified treatment providers in order to provide needed assessment services in a timely manner to enable students an opportunity to return to school earlier as detailed in the DOE discipline policy. It is also important to note that any delays in obtaining assessment services could negatively impact the intervention or treatment outcomes. Providing timely and appropriate services, when an individual is in a situation when they are forced to confront their alcohol or substance use, can be a strong motivating factor to encourage students to seek appropriate services.

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7. Describe the reason for the selection of the provider including a description of how the procedure ensured the maximum fair and open competition practicable:

Because the nature of the service need is largely similar to the conditions for utilizing the treatment method of procurement the ADAD is requesting permission to use the existing treatment List of Qualified Private Providers as a mechanism to provide substance abuse assessment services through an exception to section 3-145-205. ADAD requires additional time to further assess the need for these services statewide and to determine if the use of the current treatment list is merited or if a competitive RFP should be issued. ADAD is requesting permission to establish a set rate of payment for all providers delivering services and allow students and their parents to select any provider on the list without the involvement of the head of the purchasing agency regarding the selection of the service provider. With this variation to the procedure, ADAD will have the ability to address this vital need in communities across the state in an efficient and effective manner; ensure that students and families most in need, individuals without medical insurance, are able to access needed substance abuse assessment services; and if appropriate, effectively intervene with students and their families to provide intervention or treatment services statewide. A request for exemption was submitted and approved by the State Procurement Office (SPO), PEH#06-43, which expired on December 30, 2006. Unfortunately the List of Qualified Private Providers established by SPO was not finalized until January 2007 and assessment services for uninsured youth was not initiated until the beginning of the 2007-2008 academic year (September 2007).

8. Describe the state agency's internal controls and approval requirements for the exempted procurement:

The ADAD together with the Department of Education (DOE) have developed and implemented general procedures and guidelines to ensure requested services are: (1) For students within the public school system who are found in violation of the DOE "zero tolerance" policy regarding alcohol and other drugs; (2) that students and their families do not have medical insurance that is able to provide substance abuse assessment services; (3) direct access to various qualified treatment professionals in their community that will be able to provide comprehensive and accurate substance abuse assessment services in a timely manner. ADAD will also ensure that contract agreements and payment procedures will be developed to ensure that all treatment providers will have a clear understanding of the general scope of services expected and the method of payment and compensation for services provided. Program Specialists along with fiscal staff will periodically, at a minimum once per year, review contractor documents and case files to substantiate completed work and to assure services are provided as detailed by the service agreement. The ADAD has also required qualified treatment providers to utilize a standardized assessment tool (the Adolescent and Drug Abuse Diagnosis). The ADAD will also continue to provide training on the use of this assessment tool if treatment providers are not familiar with this specific instrument.

9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Margaret Tom, Department of Health-Alcohol and Drug Abuse Division-Community and Consultative Services Branch Administrator and Phillip Nguyen, Department of Health-Alcohol and Drug Abuse Division-Fiscal Unit.

10. Direct questions to (name & position):	Keith Y. Yamamoto, Division Chief
Phone number:	808-692-7507
e-mail address:	keith.yamamoto@doh.hawaii.gov

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

 _____ Department Head Signature	OCT 29 2007 _____ Date
Chiyome Leinaala Fukino, M.D. _____ Typed Name	

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NOTICE

The chief procurement officer is considering this request for exemption and, if there is good cause, the state intends to exempt the purchase as described in the request. Any inquiries regarding the purchase shall be directed to the contact person noted in item 10 of the request. Any concerns regarding the exemption shall be in writing and received by the chief procurement officer within seven days of the date the notice was first posted. Concerns shall be mailed to: Aaron Fujioka, Chief Procurement Officer, State Procurement Office, 1151 Punchbowl St., #230A, Honolulu, HI 96813.

FOR CHIEF PROCUREMENT OFFICER USE ONLY

Chief Procurement Officer's Comments:

APPROVED **DISAPPROVED** **NO ACTION**



Chief Procurement Officer Signature

11/13/07

Date

Please ensure adherence to applicable administrative requirements.