STATE OF HAWAII

NOTICE OF AND REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

'11 MAY 18 A9:19

STATE PROCUREMENT OFFICE
STATE OF HAWAII

To: Chief Procurement Officer

From: Department of Health - Child and Adolescent Mental Health 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):	Mental Health Services in out-of-state facilities The Department of Health's Child and Adolescent Mental Health Division (CAMHD) is responsible to "provide prevention, diagnostic, treatment and rehabilitative services for emotionally disturbed and mentally ill children and youth" through the age of 20 years; and the coordination of mental health services for youth adjudicated through the courts §321-171 HRS; IDEA 20 U.S.C. § 1401; Section 504)
2. Provider Name and Address:	To Be Determined
3. Total Contract Funds:	$1,000,000
Contract Funds per Year (if applicable):	(as applicable)
4. Reference number of Previous Request for this Service (if applicable):	PEH NO. 03-20 PEH NO. 04-10 PEH NO. 05-01 PEH NO. 05-17 PEH NO. 05-32 PEH NO. 06-03 PEH NO. 06-55 PEH NO. 07-36 PEH NO. 08-30 PEH 09-43 PEH 10-41
5. Term of Contract: Start:	7/01/11
End:	6/30/12
6. Describe how procurement by competitive means is either not practicable or not advantageous to the State:	At times the CAMHD must provide authorized services through out-of-state providers. The need to place a youth in an out-of-state facility occurs only after all efforts to meet the youth's treatment need in Hawaii have been exhausted; the youth is in need of specialized treatment that is not locally available; or the determination for placement is reflected in the youth's Individualized Education Program (IEP) or court order. The ability to anticipate, and adequately meet all procurement requirements for each youth in need of such services in a timely manner is not practicable and would place the State at risk of violating federal law and/or court order. Further, any delay of clinically necessary services would not be in the best interest of the youth or the state.
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:	The multi-disciplinary treatment team and the established Individualized Educational Program process and/or a court order shall assess local programs to determine appropriateness of placement and to ensure competition. Only after local programs are deemed inappropriate, a mainland facility is considered.

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8.	Describe the state agency's internal controls and approval requirements for the exempted procurement: The CAMHD has implemented a process for the payment of out-of-state facilities. Payment shall be processed only upon the approval by the CAMHD Family Guidance Center involved and with a valid Service Authorization for the invoiced period. The CAMHD Accountant reviews and resolves deviations to the process. The CAMHD strives to have a contract in place that refelects the Individualized Education Plan, and includes the negotiated reimbursement rate and manages the rate increases.
9.	List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract: Janet Ledoux, PHAO CAMHD John MacDonald, Contract Specialist
10.	Direct questions to (name & position): Janet Ledoux, PHAO Phone number: 733-4198 e-mail address: janet.ledoux@doh.hawaii.gov

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

Department Head Signature — *Date* 5/18/11

Loretta J. Fuddy, AA.C.S.W., M.P.H.
Typed Name

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:

Conditional approval is granted provided Ms. Janet Ledoux attends SPO Workshop No. 205, *Planning, Using the Requests for Information (RFI) and Collaboration for Health and Human Services*, on July 19, 2011. As a reminder, individual(s) participating in procurement activities are required to be in compliance with Procurement Delegation No. 2010-01 and Amendment 1, and Procurement Circular No. 2010-05, *Statewide Procurement Training*, as appropriate. Procurement requests submitted to the SPO listing departmental personnel without written delegated procurement authority and the appropriate mandatory procurement training will be returned with no action taken.

☒ **APPROVED** ☐ **DISAPPROVED** ☐ **NO ACTION**

Chief Procurement Officer Signature — *Date* 6/30/2011

Please ensure adherence to applicable administrative requirements.

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