

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

14 JUN 27 19:22

ADMINISTRATIVE  
 STATE PROCUREMENT OFFICE  
 1001 KALANOAUO DRIVE  
 HONOLULU, HI 96813

To: Chief Procurement Officer

From: Department of Health/Adult Mental Health Division *aj*  
*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): The services to be procured include: a. Functional Behavioral Assessments (FBA), Positive Behavioral Support (PBS) Planning, and consultation and training for the caregivers who implement the PBS. The purpose of these services is to identify the function of an individual's challenging behavior, create goals and procedures to address the behavior, and support the caregivers and the individual to change the behavior.  b. Adult Day Health Program. The purpose of this service, a behavioral support program, is to provide an array of individualized training based on an individual's interests, goals, and needs.  c. Personalized Habilitation Services. These services are to assist an individual to meet health and safety needs, utilize community resources, and develop natural supports. The services are driven by goals related to increasing the individual's capacity and independence to reside and/or participate in their home and community, and increase their capacity toward economic self-sufficiency. Services are one-on-one with a provider, occur in the home and community, may be used 24 hours per day, and may require more than one person to implement	
2. Provider Name and Address:	CARE Hawaii, Inc. 875 Waimanu Street, Suite 614 Honolulu, Hawaii 96813
3. Total Contract Funds: Contract Funds per Year (if applicable):	\$200,000 (estimate) Year 1: \$100,000 Year 2: \$100,000
4. Reference number of Previous Request for this Service (if applicable):	PEH No. 14-01
5. Term of Contract:	Start: 7/01/14  End: 6/30/16

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6. Describe how procurement by competitive means is either not practicable or not advantageous to the State:

The Department of Health (DOH), Adult Mental Health Division (AMHD), Hawaii State Hospital (HSH) previously submitted a request for exemption, PEH No. 14-01, for the period of 7/10/13 - 6/30/14, to provide services to a patient with developmental delays, low intellectual ability, and impairment in functional ability severe enough to result in disability, but not severe enough to be eligible for services from the Developmental Disabilities Division (DDD) of the DOH under the Medicaid Waiver. This individual also has a severe and persistent mental illness and is eligible for continuing services from the AMHD.

There was a critical need to obtain these services, as the consumer no longer required hospital level of care and there were no services available through AMHD or DDD. Although it was critical to transfer this consumer to a less restrictive level of service pursuant to section 334-104, Hawaii Revised Statutes, the consumer was not ready to transition to the community. Since August 2013, CARE Hawaii, Inc. (CARE) has been working with the AMHD to transition this consumer into the community through day programming and an Expanded Adult Residential Care Home (E-ARCH) was found for this consumer.

Unfortunately, the consumer's developmental disabilities, impairments, and mental illness has made the transition slow. The consumer was in the HSH for over 10 years, and the adjustments were challenging. For seven months, CARE's staff would go to the HSH to visit with the consumer, so he could become comfortable with their presence and able to attend day programming. At ten (10) months later, the consumer was able to start to transition into the E-ARCH home, and completed five transition days. We hope the consumer will be able to leave the hospital by the end of July 2014.

The adjustment from a hospital to community setting was arduous for the consumer. This is a unique situation to the AMHD, and an extension of time will enable CARE to continue to progress through the transition and provide assistance to this consumer through day programming without any adverse effects on the consumer.

It would not be advantageous to the State for the AMHD to competitively procure this service, as the consumer would not adjust well to the potential change in service providers. There would be a set-back in the progress made in the last eleven months, and the consumer would probably need to go back to the HSH, until he was stabilized enough to begin to work with the new service provider and adjust to the new environment and personnel.

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 identified provider is currently providing a package of services for the AMHD that includes adult day health services, personal assistance habilitation workers, and functional behavioral assessments with skills training, which is required for this consumer. Also, due to the difficulties with this consumer's ability to transition from the HSH into the community, to end services now would jeopardize the consumer's ability to transition into the community. It has taken this consumer eleven months of coaching and services to get him ready to transition into the community. Changes with the personnel providing direct services and the day programming environment would disrupt the consumer's progress and may cause him to decompensate to where he needs to be re-hospitalized. An extension of time will enable the consumer to continue with his programming and complete his transition into the community. This request will ensure that there is no break in service or in the continuity of care.

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

Service and administrative requirements for the procurement shall be monitored through AMHD's regular oversight and monitoring procedures.

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

Amy Yamaguchi, Public Health Administrative Office (PHAO)  
 Enid Kagesa, AMHD Contracts Coordinator

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10. Direct questions to (name & position): Amy Yamaguchi, PHAO  
 Phone number: 586-4682  
 e-mail address: amy.yamaguchi@doh.hawaii.gov

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

  
 Department Head Signature 6-26-2014  
Date

Linda Rosen, M.D., 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: \_\_\_\_\_ Chief Procurement Officer, State Procurement Office, 1151 Punchbowl St., #230A, Honolulu, HI 96813.

**FOR CHIEF PROCUREMENT OFFICER USE ONLY**

Chief Procurement Officer's Comments:

This approval is for the procurement process only. Service provider is required to be compliant with applicable laws, and verified on the Hawaii Compliance Express, if applicable. This award is required to be posted on the Awards Reporting System. If there are any questions, please contact Corinne Higa at 587-4706, or corinne.y.higa@hawaii.gov.

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

  
 Chief Procurement Officer Signature 7/29/14  
Date

Please ensure adherence to applicable administrative requirements.