

Sandoval County Board of County Commissioners

Agenda Item Summary

AGENDA ITEM # 2-19-15.9A

1. REQUESTED MOTION

ACTION REQUESTED:

Adopt Resolution No. 2-19-15.9A Authorizing the Submission of an Application for \$150,000 to the NM Department of Finance and Administration, Local government Division, to Participate in the Alcohol Detoxification Grant Program for FY 2015-2016

WHY ACTION IS NECESSARY (Summary):

This is a primary funding source which pays for individual and group counseling for DWI offenders.

2. REQUESTOR

COMMISSIONER SPONSORED: YES NO

DISTRICT: DISTRICT 1 DISTRICT 4
 DISTRICT 2 DISTRICT 5
 DISTRICT 3

DIRECTOR / ELECTED: Peggy Folk Cote

DIVISION: Community Services

ELECTED OFFICE:

ATTACHMENTS: YES NO

3. MEETING DATE

February 19, 2015

4. AGENDA (To be completed by County Manager)

- PROCLAMATION
- PRESENTATION
- CONSENT
- REGULAR
- APPEAL

5. RECOMMENDATIONS

Recommend Board of County Commission approval.

6. FISCAL IMPACT

If the application is approved, \$150,000 will be budgeted for FY 2015-2016.

7. RECOMMENDED APPROVAL (Initials & Date)

Department Director/Elected Official PFC 2/11/15	Human Resources _____	Purchasing _____	County Attorney PFT 2/12/15	Finance Budget CCH 2/12/15	County Manager PPR 2/12/15	Other _____

8. COMMISSION ACTION

Approved Denied Deferred Other



**SANDOVAL COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NO. 2-19-15.9A

**A RESOLUTION AUTHORIZING THE COUNTY TO SUBMIT AN APPLICATION TO THE
DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION,
TO PARTICIPATE IN THE LOCAL DETOX GRANT PROGRAM**

WHEREAS, the Legislature enacted Section 11-6A-1 through 11-6A-6 NMSA 1978 as amended to address the serious problems of Driving While Intoxicated in the State; and

WHEREAS, a program is established to make grant and distribution funding available to counties and municipalities for new, innovative or model programs, services or activities to prevent or reduce the incidence domestic abuse related to DWI, DWI, alcoholism and alcohol abuse; and

WHEREAS, the county DWI planning council and other governmental entities approval must be received in order to apply for grant and distribution funding; and

WHEREAS, the County along with participating agencies is making application to the Department of Finance and Administration, Local Government Division for program funding.

NOW THEREFORE, BE IT RESOLVED by the governing body of the Sandoval County DWI Program that the County Commission Chairman on behalf of the County and all participating entities is authorized to submit an application for the Detoxification Grant, FY16 program funding under the regulations established by the Local Government Division.

APPROVED AND ADOPTED by the governing body at its meeting held on

_____, 2015.

Darryl Madalena
County Commission Chairman

Attest:

Peggy Cote
DWI Planning Council Representative

Eileen Garbagni
County Clerk (SEAL)

DOH ASSURANCES AND COOPERATIVE AGREEMENT

The Sandoval County DWI Program referred to as the "Program" and the New Mexico Department of Health (DOH), Epidemiology and Response Division hereby receives the following assurances and enters into the following cooperative agreement, to carry out the requirements of the evaluation MOU between DOH and DFA:

The DOH:

1. Acknowledges that it is in full compliance with the provisions concerning research activities in Section 2.52 of Federal confidentiality regulations, 42 CFR Part 2, including:
 - a. That a research protocol is maintained in accordance with the security requirements of § 2.16 of 42 CFR Part 2; and
 - b. That client identifying information will not be re-disclosed except back to the Program from which the information was obtained; and no individual client will be identified in any report resulting from any epidemiologic research; and
 - c. That the Epidemiology and Response Division has provided a satisfactory written statement that a group of three or more individuals who are independent of the research project has reviewed the protocol and determined that:
 - (i) The rights and welfare of clients will be adequately protected; and
 - (ii) The risks in disclosing client identifying information are outweighed by the potential benefits of the research.
2. Acknowledges that in receiving, storing, processing, or otherwise dealing with any information from the Program about the clients in the Program, the Epidemiology and Response Division is fully bound by the provisions of the Federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2: and
3. Undertakes to resist in judicial proceedings any effort to obtain access to information pertaining to patients otherwise than as expressly provided for in the Federal confidentiality regulations, 42 CFR Part 2.

The Program:

1. Agrees to allow the Epidemiology and Response Division access to client records from the web based client screening and tracking system for those clients provided services through the Local Government Division DWI Grant Program, for the purpose of conducting outcome monitoring research activities.

This agreement will become effective on July 1, 2014.

This agreement will expire on June 30, 2015.

Michael Landen, MD, MPH,
State Epidemiologist and
Director Epidemiology and Response Division
New Mexico Department of Health
Harold Runnels Building
1190 St. Francis Drive
Santa Fe, NM 87502

Darryl Madalena
County Commission Chairman

MEMORANDUM OF UNDERSTANDING

The County of Sandoval DWI Program (hereinafter referred to as the "Program") and the New Mexico Department of Finance and Administration/Local Government Division/Driving While Intoxicated Program (hereinafter referred to as "Agency") hereby exchange the following assurances and enter into the following Memorandum of Understanding MOU:

The Agency assures:

1. That Agency is in full compliance with the provisions concerning research activities in Section 2.52 of the Federal Confidentiality of Alcohol & Drug Abuse Patient Records regulations, 42 CFR Part 2, including Section 2.16:
2. That client identifying information will not be re-disclosed except back to the Program from which the information was obtained, or according to the terms of this MOU.
3. That in receiving, storing, processing, or otherwise dealing with any information from the Program about the clients in the Program, the Agency acknowledges it is bound by the provisions of the Federal Confidentiality of Alcohol and Drug Abuse Patient Records regulations, 42 CFR Part 2: and
4. That the Agency shall undertake to resist any effort to obtain access to information pertaining to patients otherwise than as expressly provided for in the Federal Confidentiality of Alcohol & Drug Abuse Patient Records regulations, 42 CFR Part 2.
5. That the Agency is not a "covered entity" as defined by the Department of Health and Human Services Regulations entitled "Standards for Privacy of Individually Identifiable Health Information", 45 CFR Parts 160 and 164, implementing the Health Insurance Portability and Accountability Act of 1996 (HIPAA); (the HIPAA Regulations).
6. That the Agency shall never possess treatment or maintain any "individually identifiable health information" or transmit "protected health information" as defined by the HIPAA Regulations.

The Program agrees to:

1. Upon request, provide the Agency or other parties authorized with client records for those clients provided services through the Local Government Division DWI Grant Program, for the purpose of conducting outcome monitoring research activities, and evaluation of LDWI Program interventions.

2. If applicable, comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Department of Health and Human Services Regulation entitled "Standards for Privacy of Individually Identifiable Health Information", 45 CFR Parts 160 and 164, applicable to entities covered by HIPAA; (the HIPAA Regulations).
3. Report or transmit data to the Agency that deletes and contains no "individually identifiable health information" or "protected health information" as defined by the HIPAA Regulations.

Executed this _____ day of _____ 2015.

Rick Lopez, Director
Department of Finance & Administration
Local Government Division
DWI Program
Bataan Memorial Building, Suite 203
Santa Fe, New Mexico 87501

Darryl Madalena
County Commission Chairman

Date

**Alcohol Detoxification Grant Funding Application Cover Sheet
Local DWI Grant Program
Local Government Division - DFA**

County: Sandoval

Application No. _____ Date: 3/6/2015
(Office Only) (of Application)

Contact Person or Project Director:

Name: Diane Irwin
Address: 711 S. Camino Del Pueblo
City, Zip: Bernalillo, NM 87004
Telephone: 505 362-6010
E-Mail: Dirwin@sandovalcountynm.gov
Fax: 505 867-8170

Fiscal Agent:

Name: Sandoval County DWI
Contact Person: Sharon C. Torres
Mailing Address: 711 S. Camino Del Pueblo
City, Zip: Bernalillo, NM 87004
Telephone: 505 362-1471
E-Mail: Storres@sandovalcountynm.gov
Fax: 505 867-8170

Total Alcohol Detoxification Funding Request: \$ 150,000.00

Certification:

The attached resolution adopted by the governing body of Sandoval County DWI Program on _____.
(Applicant) (Date)
authorizes the applicant to file this application for assistance from the State of New Mexico.

To the best of my knowledge, the information presented in this application is true and correct.

Darryl Madalena
County Commission Chairperson

Date