

**DETERMINATION AND FINDINGS FOR A
SOLE SOURCE EXTENSION OF CONTRACT**

Contract No: DCHT-2014-C-0024-A02
Caption: Temporary Staffing Services
Proposed Contractor: Integrated Community Services, Inc.
Program Agency: Department of Health Care Finance

FINDINGS

1. Authorization:

D.C. Official Code §2-354.04, 27 DCMR § 1304, 1700, 1701 and 2005.2(b)

2. Minimum Need:

The Department of Health Care Finance (DHCF or the Agency) of the District of Columbia (District) has a minimum need to continue Temporary Staffing Services for personnel to ensure the District meets the needs of DC Medicaid beneficiaries (“Beneficiaries”) who have been determined eligible for, and in need of, Personal Care Aide (PCA) services.

3. Estimated Reasonable Cost:

The estimated fair and reasonable price to provide the required services for the Period of Performance from October 1, 2016 through December 31, 2016 shall be in the amount of \$5,500,000.00. The price is determined to be fair and reasonable, based on the changes to the reimbursement rates for Personal Care Aide (PCA) services effective January 1, 2015.

4. Facts Which Justify Sole Source Procurement:

It is necessary to enter into a Sole Source Contract extension with Integrated Community Services, Inc. (ICS), in order to avoid disruption of the essential PCA services to the Beneficiaries, and nursing staffing needs, to ensure continuity of care to the Beneficiaries, and to ensure compliance with Federal and District mandates Chapter 50, Medicaid Reimbursement For Personal Care Aide Services, of Title 29, Public Welfare, of the DCMR § 5000, *et seq.*, Provider Qualifications, and to allow Department of Health Care Finance-Home Health Agency (DHCF-HHA) time to transition beneficiaries to a permanent Home Health Agency (HHA). DHCF-HHA currently has upwards of 335 patients and is planning on transitioning 200 patients between now and September 30th. Currently, ICS provides care for some of our most venerable patients and therefore, we are transitioning them last to ensure that they will maintain the same level of care currently provided. ICS is currently in the process of becoming a standalone Home Health Agency and should be approved during the period of the extension request. Ensuring that the patients maintain the continuity of care is vital to the population that we serve. The patients have been with DHCF-HHA/ICS from April, 2014 through current

and we try to ensure that once they are transitioned to a new agency, that their services are transferred in accordance with the regulations set forth by DHCF and Department of Health (DOH).

The Beneficiaries were adversely impacted by law enforcement actions that forced the closure of several large HHA accused of Medicaid fraud. DHCF received approval from Center for Medicare and Medicaid Services (CMS) and DOH to establish a temporary HHA within DHCF to ensure that each of the Beneficiaries affected by the raid would have continuity of care with regard to PCA services. ICS was one of the contractors selected by DHCF to provide the PCA services. ICS has performed the required services satisfactorily since it was awarded the contract. Removing the Beneficiaries that are currently in ICS' care from ICS would be potentially harmful to the Beneficiaries. The Beneficiaries are frail and elderly. The Beneficiaries require assistance in order to conduct regular daily activities such as bathing, dressing, taking their meals, etc. Providing continuity of care to the Beneficiaries is a top priority for DHCF, and this can only be achieved by keeping the Beneficiaries that are currently being served by ICS with Integrated Community Services, Inc. until the transition period is completed.

ICS is the only contractor available to continue providing this immediate requirement at the current level of expertise, without experiencing an interruption in these critical health services for District residents; to whom they are currently providing a PCA for the services. ICS has been satisfactorily providing these services since April 2014, and has been selected as a choice contractor to provide PCA services.

A market survey was deemed unnecessary in light of the circumstances surrounding this procurement.

5. Certification by Agency Head:

I hereby certify that the above findings are correct and complete.

Date

Wayne Turnage
Director, DHCF

6. Certification by the Contracting Officer

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Helena Barbour
Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.04). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

George A. Schutter
Chief Procurement Officer