



Policy Bulletin

Bureau of Drug and Alcohol Programs

No. 3-11

July 6, 2011

BDAP Operations Manual Updates

The Bureau of Drug and Alcohol Programs (BDAP) has made a number of policy changes to requirements in the BDAP Operations Manual since the new 5-year grant agreement went into effect on July 1, 2010. The effective date that a requirement changed or will change varies so the SCA should pay close attention to all information contained in this Policy Bulletin.

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- Operations Manual, Part V, Functional Unit Requirements, 5.01 (A) and 5.01 (E)

Effective retroactive to July 1, 2010

BDAP approves an across-the-board waiver for all SCAs with functional treatment programs related to the requirement under section 5.01 (A) that states, “The SCA must obtain BDAP approval, based on Bureau protocols, to maintain a functional treatment unit.” BDAP will permit functional units to provide treatment services until the SCAs are monitored and a decision made to approve or disapprove the SCA continuing to provide treatment services as a functional treatment unit. This waiver will remain in effect until the Commissioners or Board Chairperson are officially notified regarding BDAP’s approval or disapproval of the SCA maintaining a functional treatment unit.

In addition, BDAP also waives the requirement under section 5.01(E) that states, “The SCA must establish a FFS rate for the functional unit based on the development of a budget, organizational chart, BDAP’s Roster of Personnel, and a cost allocation plan related to the operations of the unit.” This waiver will remain in place until such time as BDAP staff can identify a methodology that establishes a FFS rate which takes into account the SCA’s unique structure as a functional treatment unit.

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- Operations Manual, Part VI., 6.01 (E) and 6.02 (D), Personnel Transactions, Adding New Positions, Re-classifying Current Positions, or Eliminating Current Positions

Effective July 1, 2011

The entire section relating to Adding New Positions, Re-classifying Current Positions, or Eliminating Current Positions is amended, as follows:

“SCAs must notify BDAP’s Director in the Division of Program Monitoring regarding any new, reclassified, or eliminated positions, regardless of funding source as described within this section. *The only exception to this requirement is SCA staff in Trainee positions that have successfully completed their year of service in that position and now qualify for the relevant Specialist classification. This SCSC 100 form for this personnel action may be directly submitted to assigned Bureau of Human Resources’ staff without first obtaining approval from BDAP’s Director of Division of Program Monitoring.*

Approval from BDAP is needed prior to adding a new BDAP-funded position to the complement, reassigning current BDAP-funded staff to a different position within the SCA, or eliminating a BDAP-funded position from the complement. The SCA must submit a request for any of these personnel actions to BDAP’s Director of Division of Program Monitoring as described below:

If the request is for a new position, the SCA must:

- provide rationale as to why the new position is needed
- report how the position will be funded
- submit a job description that details all of the specific duties of the position.
- submit a proposed organizational chart as defined in section (B)
- submit an SCSC 100 form that delineates the funding source(s) used in the remarks section of the form to create the position.

If the request is to reassign a position, reassign current staff to a different position within the SCA, or redefine duties that may involve a classification change, the SCA must:

- provide rationale as to why the personnel action is necessary
- report any funding changes for the position
- submit a job description that details all of the specific duties of the position and a description regarding what responsibilities have changed from the employees previous position
- submit a proposed organizational chart as defined in section (B)
- submit an SCSC 100 form that delineates the funding source(s) used in the remarks section of the form and reflects the personnel change requested.

If the SCA is requesting to eliminate a position from the complement, the SCA must:

- submit documentation that explains the why the position is being eliminated, to include an explanation of how the duties of that position will be carried out once the position is no longer on the complement
- submit an updated organizational chart as defined in section (B)
- submit an SCSC 100 form to delete the position.

After the SCA's request is approved by the Director of Division of Program Monitoring, the request will be forwarded to the Department's Bureau of Human Resources (BHR) for classification and final approval.

While the SCA is not required to obtain approval for personnel changes related to split-funded or 100% non-BDAP funded staff positions, all such positions are required to be reported to the BDAP's Director in the Division of Program Monitoring.

The notification must be accompanied by the following information:

- an SCSC 100 form that delineates the funding source(s) used in the remarks section of the form
- an organizational chart as defined in section (B)
- a job description that details the duties of the position.

NOTE: SCAs may not utilize contracted individuals for BDAP-funded positions; in addition, only BDAP-funded employees may provide administrative or fiscal services required by the DOH/SCA grant agreement.

Positions paid 100% from non-BDAP funds will not need to be classified nor the MET's verified except when the employee is performing D&A Direct Service grant agreement work (Prevention, Intervention-excluding hotline, Treatment or Treatment-related, to include case management and recovery support). This employee must be classified and meet METs despite being 100% non-BDAP funded.

If an SCA has a fulltime staff person paid by BDAP funds, that same person may not also work part-time doing a job that is also BDAP-funded; however, that person could work part-time as an employee if that position is paid using 100% non-BDAP funding.”

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- Operations Manual, Part VI., 6.02 (B), Job Description

Effective July 1, 2011

The underlined language is added to the first paragraph of the section, as follows:

Each employee of an SCA must have a signed job description. The job description must contain the basic identifying information such as name, position number, class title, and work hours. If the

SCA uses a Merit System separate from the State Civil Service Commission (SCSC), a document must be provided that crosswalks the classifications used for each position providing drug and alcohol administrative, fiscal, technical, clerical, and program responsibilities with the related SCSC classification. The employees' classification description must also be attached with the job description when submitted to BHR. The content must describe the actual duties performed and the specific responsibilities assigned to the employee. It must be written in descriptive terms rather than copies of phrases from the class specifications. An organization chart of all positions (BDAP-funded and non-BDAP funded) must be attached providing a visual picture of the organization in which the employee functions. Each position listed on the organization chart must delineate the staff person's name, position title and classification as well as the funding sources(s) of the position.

- Operations Manual Part VII., 7.02 Fee-for-Service Treatment Rate Setting Process, (A)

Effective July 1, 2012

The underlined language is amended to the first paragraph of the section, as follows:

- (A) Rates that are not standardized for Outpatient and Partial Hospitalization treatment providers (e.g., OP, IOP, co-occurring) in the SCA's catchment area must be negotiated and established based on a budget that defines staffing, operating, and fixed asset costs for the delivery of services.
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- Operations Manual Part VII., 7.05, Types of Contracts and Grants (A)

Effective July 1, 2011

Section (A) now includes Screening for Emergent Care After-Hour Availability. Screening for Emergent Care is considered a Direct Service; however, when a provider's sole purpose is to make this service available after-hours, the SCA is, in reality, paying for the availability of staff time not the number of calls received. This service is like a Hotline service that is programmatically defined as an intervention service but is contracted for as a Support Contract. The underlined language will now read, as follows:

- (A) Support contracts are those that the SCA has in place in order to administer its programs but that do not involve the direct delivery of D&A services. These contracts shall pertain to, but not be limited to the following services:
 - Medical (e.g., doctor, nurse, psychologist, psychiatrist)
 - Legal
 - Information technology services (e.g. software development, repair, help desk)

- Auditing
 - Accounting
 - Hotline
 - Screening for Emergent Care for After-Hour Availability
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- Operations Manual, Part VII., Contracting and Funding Requirements, Types of Contracts and Grants, 7.05, (B) 2) Limited Single Service Prevention Grants (LSSPGs), section (f)

Effective retroactive to July 1, 2010

Section (f) is rescinded in its entirety. This section delineated the clauses that must be included word for word into the LSSPG and no longer requires any of the following components:

- Fee-Splitting;
 - Federal Lobbying Certification and Disclosure Requirements; Persons or entities, at whatever tier, receiving more than \$100,000 in federal funds hereunder, shall promptly file the certification and any necessary lobbying disclosure forms with the tier providing the funding;
 - Block grant prohibition provisions pursuant to the Federal SAPTBG;
 - The Contractor and all subcontractors shall comply with State law, Controlled Substance, Drug Device and Cosmetic Act, 35 P.S. Section 780-101 et seq., which prohibits providing individuals with hypodermic needles or syringes;
 - Pro-Children Act of 1994;
 - Other Federal Funds - If the Cost-Reimbursement Contractor is contributing toward the general contract cost, the Contractor certifies that the Federal funds to be used under this Agreement do not replace or supplant in any way, State or local funds for already existing services;
 - Equal Employment Opportunity;
 - Equal Opportunity for the Handicapped;
 - Provisions Concerning the Americans with Disabilities Act; and
 - Nondiscrimination/Sexual Harassment Clause
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- Operations Manual, Part VIII., Content of Contracts, Direct Service Contracts paid either on a fee-for-service basis, 8.01(H) or on a cost-reimbursement basis, 8.02 (L)

Effective retroactive to July 1, 2010

The second sentence is amended, as follows, “The statement must delineate what disciplinary action will be taken if confidentiality is breached.”

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- Operations Manual, Part VIII., Content of Contracts, Direct Service Contracts paid on a fee-for-service basis, 8.01(L) section 7) Other Federal Funds

Effective retroactive to July 1, 2010

The section is rescinded in its entirety as it only applies to cost-reimbursed contracts.

- Operations Manual, Part VIII., Content of Contracts, Direct Service Contracts paid either on a fee-for-service basis, 8.01(L) or on a cost-reimbursement basis, 8.02 (P). *If the SCA already had contracts signed or in route through the contracting process, the SCA will not be required to amend the contract but must be able to verify that the provider was notified, in writing, regarding the provider's ability to access the secure provider forum containing BDAP's Prevention, Treatment, Fiscal and/or Operations Manuals.*

Effective July 1, 2011

Sections 8.01 (L) and 8.02 (P) delineate what clauses must be included word for word into the provider's contract language. The following clause, added as (L) 2) and (P) 2), is now a required clause under these sections and reads, "Provider access to applicable BDAP Manuals to review requirements and obtain copies is available through a separate and secure provider forum by clicking on the link below:

<http://bdap.health.state.pa.us/BDAPCommunicator/forums/storage/92/3327/2010-2015%20Manuals.zip> or logging into the Communicator at:

<http://bdap.health.state.pa.us/BDAPCommunicator/> Username: Reference Password: 1Provide

- Operations Manual, Part VIII., Content of Contracts, Support Service Contracts paid either on a fee-for-service basis, 8.03 (F) or on a cost-reimbursement basis, 8.04 (G) *If the SCA already had contracts signed or in route through the contracting process, the SCA will not be required to amend the contract but must be able to verify that the provider was notified, in writing, regarding the provider's ability to access the secure provider forum containing BDAP's Prevention, Treatment, Fiscal and/or Operations Manuals.*

Effective July 1, 2011

The last sentence in Sections 8.03 (F) and 8.04 (G) currently require that the contractor be given copies of all applicable Manuals. That sentence is replaced with the following language: "Provider access to applicable BDAP Manuals to review requirements and obtain copies is available through a separate and secure provider forum by clicking on the link below:

<http://bdap.health.state.pa.us/BDAPCommunicator/forums/storage/92/3327/2010-2015%20Manuals.zip> or logging into the Communicator at:

<http://bdap.health.state.pa.us/BDAPCommunicator/> Username: Reference Password: 1Provide

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- Operations Manual, Part VIII., Content of Contracts, Support Service Contracts paid either on a fee-for-service basis, 8.03 (J) or on a cost-reimbursement basis, 8.04 (M)

Effective retroactive to July 1, 2010

Sections 8.03 (J) and 8.04 (M) are rescinded in their entirety if no federal funds are used to pay for the support services rendered. However, if federal funds are used to pay for the support services rendered, federal requirements must be included in the contract. Specifically, the SCA will be required to insert the following clauses word for word into these types of contracts paid with federal funds, as follows:

- Federal Lobbying Certification and Disclosure Requirements; Persons or entities, at whatever tier, receiving more than \$100,000 in federal funds hereunder, shall promptly file the certification and any necessary lobbying disclosure forms with the tier providing the funding;
- Block grant prohibition provisions pursuant to the Federal SAPTBG;
- The Contractor and all subcontractors shall comply with State law, Controlled Substance, Drug Device and Cosmetic Act, 35 P.S. Section 780-101 et seq., which prohibits providing individuals with hypodermic needles or syringes;
- Pro-Children Act of 1994;
- Other Federal Funds - If the Cost-Reimbursement Contractor is contributing toward the general contract cost, the Contractor certifies that the Federal funds to be used under this Agreement do not replace or supplant in any way, State or local funds for already existing services;
- Equal Employment Opportunity;
- Equal Opportunity for the Handicapped;
- Provisions Concerning the Americans with Disabilities Act; and,
- Nondiscrimination/Sexual Harassment Clause.

If the SCA did not initially plan to pay a support service contract using federal funds so it did not include the federal language in that contract but subsequently decides to pay that contract with federal funds, the SCA must amend the contract to include the federal language required prior to payment.

SCA's are reminded that support contracts are only needed when the SCA generates the contract.

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