

COUNTY OF WARREN

ORDINANCE No. 2-2019

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WARREN, PENNSYLVANIA, APPROVING THE INTERGOVERNMENTAL COOPERATION AGREEMENT, ENTERED INTO ON SEPTEMBER ____, 2019, TO: (1) AUTHORIZE A SINGLE PRIMARY CONTRACTOR AGREEMENT WITH THE DEPARTMENT OF HUMAN SERVICES OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE HEALTHCHOICES BEHAVIORAL HEALTH PROGRAM ON BEHALF OF THIS COUNTY AND OTHER NOTHER CENTRAL STATE OPTION ZONE COUNTIES; AND (2) AUTHORIZE A SINGLE PRIMARY CONTRACTOR TO ENTER INTO AN AGREEMENT WITH A BEHAVIORAL HEALTH MANAGED CARE ORGANIZATION; AND FURTHER, (3) TO PROVIDE FOR AND AUTHORIZE PROPER OFFICERS OF THIS COUNTY TO TAKE ALL OTHER REQUIRED, NECESSARY, OR DESIRABLE ACTIONS IN CONNECTION WITH THIS ORDINANCE.

WHEREAS, the County of Warren, Pennsylvania (the "County"), is a county of the sixth class, of the Commonwealth of Pennsylvania; and

WHEREAS, in 2006, the Department of Human Services ("DHS") entered into a Primary Contractor Agreement with Community Care Behavioral Health Organization (the "DHS – Community Care Agreement") to serve as the Primary Contractor to operate the HealthChoices Behavioral Health Program (the "Program") in the North Central Zone, as designated by DHS, which includes the County and the counties set forth on Exhibit 2 hereto (collectively with Warren County, the "Counties"); and

WHEREAS, the Counties created Behavioral Health Alliance of Rural Pennsylvania, a Pennsylvania non-profit corporation ("BHARP"), pursuant to the County Code, Act of August 9, 1955, P.L. 323, and delegated to it certain responsibilities to participate in the implementation and monitoring of the DHS – Community Care Agreement; and

WHEREAS, DHS has now decided to offer the Counties the Right of First Opportunity to respond to a Request for Proposals, to be issued by DHS in 2020, to allow BHARP to become the Primary Contractor for the Program in the Counties, commencing July 1, 2021; and

WHEREAS, pursuant to the Intergovernmental Cooperation Act, 53 Pa. C.S.A. §§2301, *et seq.* (the "Act"), the County wishes to join with the other Counties and enter into an Intergovernmental Cooperation Agreement, dated September __, 2019 (the "IGA Agreement"), incorporating the terms and conditions for joint operation of BHARP and setting forth its agreement to authorize BHARP to enter into contracts with contractors, assist in the delivery of

the Program services, and assume financial and operational risks thereof, for the benefit of the Medicaid-eligible citizens of the County; and

WHEREAS, the County, in conjunction with the other Counties, desires to enter into the IGA Agreement to permit BHARP to enter into a single Primary Contractor Agreement with DHS (the "DHS Agreement") and a single agreement with a Behavioral Health Managed Care Organization, both on behalf of the Counties; and

WHEREAS, the County finds and concludes that the public interest is and will be served by entering into the IGA Agreement;

NOW, THEREFORE, it is hereby enacted and ordained by the County of Warren as follows:

Section 1. The County hereby authorizes its entry into an Intergovernmental Cooperation Agreement (referred to above as the "IGA Agreement") with the Counties set forth on Exhibit 2, a copy of which is attached to this Ordinance as Exhibit 1.

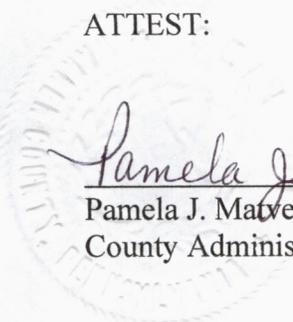
Section 2. The County authorizes the proper officers of this County to take all other required, necessary, or desirable action in connection with this Ordinance, including the execution of the Agreement.

Section 3. The provisions of this Ordinance are severable. If any provisions of this Ordinance or its application to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision or application of this Ordinance.

ENACTED AND ORDAINED, this 25th day of September, 2019 by the Board of Commissioners of Warren County.

ATTEST:

COUNTY OF
BOARD OF COMMISSIONERS



Pamela J. Matve
Pamela J. Matve
County Administrator/Chief Clerk

Benjamin Kafferlin
Benjamin Kafferlin, Chair

Cindy Morrison
Cindy Morrison, Vice-Chair

Jeff Eggleston
Jeff Eggleston, Secretary

EXHIBIT 2

NORTH CENTRAL ZONE COUNTIES

Bradford
Cameron
Centre
Clarion
Clearfield
Columbia
Elk
Forest
Huntingdon
Jefferson
Juniata
McKean
Mifflin
Montour
Northumberland
Potter
Schuylkill
Snyder
Sullivan
Tioga
Union
Warren
Wayne