

DeKalb County
Contract No. 569849

THE RYAN WHITE COMPREHENSIVE AIDS
RESOURCE EMERGENCY ACT
INTER-GOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT entered into this 30th
day of September, 2005 by and between **FULTON COUNTY**, a political subdivision of
the State of Georgia and **DEKALB COUNTY**, a political subdivision of the State of
Georgia.

WITNESSETH:

WHEREAS, on August 18, 1990, President Bush signed HR5257 appropriating
funds for the Ryan White Comprehensive AIDS Resource Emergency Act of 1990, with the
funding authorized under 42 U.S. C. 3000e, et. seq. (hereinafter "C.A.R.E. Act")

WHEREAS, grant funds awarded pursuant to the C.A.R.E. Act to provide direct
financial assistance to Eligible Metropolitan Areas (hereinafter "EMA") that have been the most
severely affected by the HIV epidemic;

WHEREAS, the goal of the C.A.R.E. Act Grant Program is to relieve the
overwhelming burden of the HIV-related care that currently affects urban health systems by
improving access to case management and transitional home and community-based health and
support services;

WHEREAS, EMAs which may apply for grants are those metropolitan areas for
which as of March 31, 1990, there have been more than 2,000 cases of AIDS reported and
confirmed by the Center for Disease Control in its HIV surveillance report;

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals.

ADOPTED by the DeKalb County Board of Commissioners, this 13th day of September, 2005.



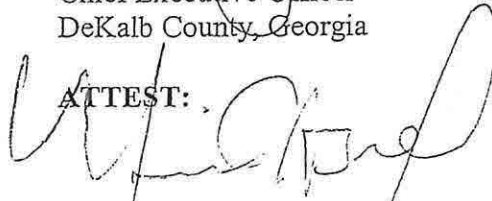
BURRELL ELLIS
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this 13th day of September, 2005.



VERNON JONES
Chief Executive Officer
DeKalb County, Georgia

ATTEST:



MICHAEL J. BELL
Ex-Officio Clerk of the
Chief Executive Officer and
Board of Commissioners of
DeKalb County, Georgia

DeKalb County
Contract No. 569849

FULTON COUNTY, GEORGIA

By:  (SEAL)
Karen Handel, Chairman
County Board of Commissioners
141 Pryor Street, SW., Suite 10032
Atlanta, Georgia 30303

ATTEST:

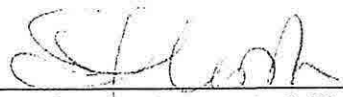

Mark Massey
Clerk to the
Fulton County Board of Commissioners

APPROVED AS TO FORM:

Signature

Name (Typed or Printed)

APPROVED AS TO SUBSTANCE:


Fulton County Attorney's Office


SUDEN N. GILUSH
Name (Printed or Typed)

APPROVED AS TO FORM:


County Attorney Signature, Ass't

Stephen Whitted
County Attorney Name (Typed or Printed)

APPROVED AS TO SUBSTANCE:


S.E. Bouchelion, M.D.,
Director, DeKalb County Board of Health

Sandra Elizabeth Bouchelion
Director Name (Printed or Typed)

ITEM # 05-1116 ACS 9/21/05
RECESS MEETING

DeKalb County
Contract No. 569849

Appendix A

FY 2016 AGREEMENTS AND COMPLIANCE ASSURANCES Ryan White HIV/AIDS Program *Part-A Grant Program*

I, the Chief Elected Official of the Eligible Metropolitan Area or Transitional Grant Area Atlanta, Georgia, (hereinafter referred to as the EMA/TGA) assure that:

Pursuant to Section 2602(a)(2)^{1, 2}

The EMA/TGA will establish a mechanism to allocate funds and a Planning Council that comports with section 2602(b).

Pursuant to Section 2602(a)(2)(B)

The EMA/TGA has entered into intergovernmental agreements with the Chief Elected Officials of the political subdivisions in the EMA/TGA that provide HIV-related health services and for which the number of AIDS cases in the last 5 years constitutes not less than 10 percent of the cases reported for the EMA/TGA.

Pursuant to Section 2602(b)(4)

The EMA/TGA Planning Council will determine the size and demographics of the population of individuals with HIV/AIDS, as well as the size and demographics of the estimated population of individuals with HIV/AIDS who are unaware of their HIV status; determine the needs of such population, and develop a comprehensive plan for the organization and delivery of health and support services. The plan must include a strategy with discrete goals, a timetable, and appropriate funding, for identifying individuals with HIV/AIDS who do not know their HIV status, making such individuals aware of their HIV status, and enabling such individuals to use the health and support services. The strategy should particularly address disparities in access and services among affected subpopulations and historically underserved communities.

Pursuant to Section 2603(c)

The EMA/TGA will comply with statutory requirements regarding the timeframe for obligation and expenditure of funds, and will comply with any cancellation of unobligated funds.

Pursuant to Section 2603(d)

The EMA/TGA will make expenditures in compliance with priorities established by the Planning Council/Planning Body.

Pursuant to Section 2604(a)

¹ All statutory references are to the Public Health Service Act, unless otherwise specified.

² TGAs are exempted from the requirement related to Planning Councils, but must provide a process for obtaining community input as described in **Section 2609(d)(1)(A)**. TGAs that have currently operating Planning Councils are strongly encouraged to maintain that structure.

The EMA/TGA will expend funds according to priorities established by the Planning Council/Planning Body, and for core medical services, support services, and administrative expenses only.

Section 2604(c)

The EMA/TGA will expend not less than 75 percent of service dollars for core medical services, unless waived by the Secretary.

Pursuant to Section 2604(f)

The EMA/TGA will, for each of such populations in the eligible area use, from the grants made for the area under Section 2601(a) for a FY, expend not less than the percentage constituted by the ratio of the population involved (infants, children, youth, or women in such area) with HIV/AIDS to the general population in such area of individuals with HIV/AIDS, unless a waiver from this provision is obtained.

Pursuant to Section 2604(g)

The EMA/TGA has complied with requirements regarding the Medicaid status of providers, unless waived by the Secretary.

Pursuant to Section 2604(h)(2), Section 2604(h)(3), Section 2604(h)(4)

The EMA/TGA will expend no more than 10 percent of the grant on administrative costs (including Planning Council or planning body expenses), and in accordance with the legislative definition of administrative activities and the allocation of funds to subrecipients, will not exceed an aggregate amount of 10 percent of such funds for administrative purposes.

Pursuant to Section 2604(h)(5)

The EMA/TGA will establish a CQM Program that meets HRSA requirements and that funding for this program shall not exceed the lesser of 5 percent of program funds or \$3 million.

Pursuant to Section 2604(i)

The EMA/TGA will not use grant funds for construction or to make cash payments to recipients.

Pursuant to Section 2605(a)

With regard to the use of funds,

- a. funds received under Part A of Title XXVI of the PHS Act will be used to supplement, not supplant, state funds made available in the year for which the grant is awarded to provide HIV related services to individuals with HIV disease;
- b. during the period of performance, political subdivisions within the EMA/TGA will maintain at least their prior FY's level of expenditures for HIV related services for individuals with HIV disease;
- c. political subdivisions within the EMA/TGA will not use funds received under Part A in maintaining the level of expenditures for HIV related services as required in the above paragraph; and
- d. documentation of this MOE will be retained.

Pursuant to Section 2605(a)(3)

The EMA/TGA will maintain appropriate referral relationships with entities considered key points of access to the health care system for the purpose of facilitating EIS for individuals diagnosed as being HIV positive.

Pursuant to Section 2605(a)(5)

