



Interoffice Memorandum

AGENDA ITEM

June 25, 2020

TO: Mayor Jerry L. Demings
-AND-
Board of County Commissioners

THRU: Yolanda G. Martínez, EdPhD., PhD., Director Health Services Department *J. Goodrich*

FROM: Claudia Yabrudy, Manager
Fiscal and Operational Support
Contact: (407) 836-6583

SUBJECT: Orange County Substance Abuse and HIV Prevention Navigator Program for Racial/Ethnic Minorities
Consent Agenda – July 7, 2020

The Health Services Department is requesting approval to receive the Orange County Substance Abuse and HIV Prevention Navigator Program for Racial/Ethnic Minorities Grant as administered by Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA). This grant will be used to engage racial/ethnic minority populations at high risk for HIV and substance use disorders and link them to needed services, including medical care, housing and substance abuse services. The program will provide HIV and Hepatitis testing, as well as training and education around the risks of substance abuse and HIV/AIDS.

The performance period for the federal grant is August 31, 2020 through August 30, 2025. The estimated amount for the five year grant is \$1,000,000. For Grant Year August 31, 2020 – August 30, 2021 the award is \$200,000. In order to expedite the use of any additional funding, authorization is requested for the County Mayor or designee to approve acceptance of any additional funding received under this grant during the period of August 31, 2020 through August 30, 2025

ACTION REQUESTED: Approval to accept the Orange County Substance Abuse and HIV Prevention Navigator Program for Racial/Ethnic Minorities Grant Number: 1H79SP082221-01 for the Project Period of August 31, 2020 through August 30, 2025 in the estimated amount of \$1,000,000, including the grant award amount of \$200,000 for the Budget Period of August 31, 2020 through August 30, 2021 and authorization for the County Mayor or designee to approve any increases or decreases in the award amount. No county match is required. **(Fiscal and Operational Support Division)**

C: Danny Banks, Deputy County Administrator, County Administrator's Office
John Goodrich, Deputy Director, Health Services Department



BCC Mtg. Date: July 7, 2020

Notice of Award

Prevention Navigator

Issue Date: 06/09/2020

Department of Health and Human Services

Substance Abuse and Mental Health Services Administration

Center for Substance Abuse Prevention

Grant Number: 1H79SP082221-01

FAIN: H79SP082221

Program Director: Claudia Yabrudy

Project Title: Orange County Substance Abuse and HIV Prevention Navigator Program for Racial/Ethnic Minorities

Organization Name: COUNTY OF ORANGE

Business Official: Auria Oliver

Business Official e-mail address: OMBGrantsInfo@ocfl.net

Budget Period: 08/31/2020 – 08/30/2021

Project Period: 08/31/2020 – 08/30/2025

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$200,000 (see "Award Calculation" in Section I and "Terms and Conditions" in Section III) to COUNTY OF ORANGE in support of the above referenced project. This award is pursuant to the authority of Section 516 of the Public Health Service Act, as amend and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Award recipients may access the SAMHSA website at www.samhsa.gov (click on "Grants" then SAMHSA Grants Management), which provides information relating to the Division of Payment Management System, HHS Division of Cost Allocation and Postaward Administration Requirements. Please use your grant number for reference.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,
Eileen Bermudez
Grants Management Officer
Division of Grants Management

See additional information below

SECTION I – AWARD DATA – 1H79SP082221-01

Award Calculation (U.S. Dollars)

Contractual	\$168,871
Other	\$15,000
Direct Cost	\$183,871
Indirect Cost	\$16,129
Approved Budget	\$200,000
Federal Share	\$200,000
Cumulative Prior Awards for this Budget Period	\$0
AMOUNT OF THIS ACTION (FEDERAL SHARE)	\$200,000

SUMMARY TOTALS FOR ALL YEARS	
YR	AMOUNT
1	\$200,000
2	\$200,000
3	\$200,000
4	\$200,000
5	\$200,000

*Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

Fiscal Information:

CFDA Number: 93.243
 EIN: 1596000773A1
 Document Number: 20SP82221A
 Fiscal Year: 2020

IC	CAN	Amount
SP	C96V048	\$200,000

IC	CAN	2020	2021	2022	2023	2024
SP	C96V048	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000

SP Administrative Data:

PCC: MAIP20 / OC: 4145

SECTION II – PAYMENT/HOTLINE INFORMATION – 1H79SP082221-01

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

SECTION III – TERMS AND CONDITIONS – 1H79SP082221-01

This award is based on the application submitted to, and as approved by, SAMHSA on the above-title project and is subject to the terms and conditions incorporated either directly or by reference in the following:

- a. The grant program legislation and program regulation cited in this Notice of Award.
- b. The restrictions on the expenditure of federal funds in appropriations acts to the extent those restrictions are pertinent to the award.
- c. 45 CFR Part 75 as applicable.
- d. The HHS Grants Policy Statement.
- e. This award notice, INCLUDING THE TERMS AND CONDITIONS CITED BELOW.

Treatment of Program Income:

Use of program income – Additive: Recipients will add program income to funds committed to the project to further eligible project objectives. Sub-recipients that are for-profit commercial organizations under the same award must use the deductive alternative and reduce their subaward by the amount of program income earned.

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

SECTION IV – SP Special Terms and Conditions – 1H79SP082221-01

REMARKS

New Award

1. This Notice of Award (NoA) is issued to inform your organization that the application submitted through the funding opportunity, FY 2020 Substance Abuse and HIV Prevention Navigator Program for Racial/Ethnic Minorities (Short Title: Prevention Navigator), FOA # SP-20-001, has been selected for funding.

This award reflects **conditional** approval of the budget submitted **December 27, 2019** as part of the application by your organization.

2. Recipients are expected to plan their work to ensure that funds are expended within the 12-month budget period reflected on this Notice of Award. If activities proposed in the approved budget cannot be completed within the current budget period, SAMHSA cannot guarantee the approval of any request for carryover of remaining unobligated funding.

3. All responses to award terms and conditions and post award amendment requests must be submitted as .pdf documents in eRA Commons. For more information on how to respond to tracked terms and conditions or how to submit a post award amendment request please refer to <https://www.samhsa.gov/grants/grants-training-materials> under heading Grant Management Reference Materials for Grantees.

4. Register Program Director/Project Director (PD) in eRA Commons:
If you have not already done so, you must register the PD listed on the HHS Checklist in eRA

Commons to assign a Commons ID. Once the PD has received their Commons ID, please send this information to your Grants Management Specialist. You can find additional information about the eRA Commons registration process at https://era.nih.gov/reg_accounts/register_commons.cfm.

5. Key Staff

Key staff (or key staff positions, if staff has not been selected) are listed below:

John Goodrich, Project Director @ 25% level of effort

TBD, Lead Navigator @ 100% level of effort

Organizations receiving Federal Funds may not exceed 100% level of effort for any program staff member (Key Staff or otherwise) across all federally funded sources.

Any changes to key staff—including level of effort involving separation from the project for more than three months or a 25 percent reduction in time dedicated to the project—requires prior approval and must be submitted as a post-award amendment in eRA Commons.

For additional information on how to submit a post-award amendment, please visit the SAMHSA website: <https://www.samhsa.gov/grants/grants-management/post-award-changes>. Any technical questions regarding the submission process should be directed to the eRA Service Desk: <http://grants.nih.gov/support/>.

SPECIAL TERMS

Disparity Impact Statement (DIS)

By **October 31, 2020**, submit via eRA Commons.

The DIS should be consistent with information in your application regarding access, *service use and outcomes for the program and include three components as described below. Questions about the DIS should be directed to your GPO. Examples of DIS can be found on the SAMHSA website at: <https://www.samhsa.gov/grants/grants-management/disparity-impact-statement>

*Service use is inclusive of treatment services, prevention services as well as outreach, engagement, training, and/or technical assistance activities.

The disparity impact statement consists of three components:

1. Proposed number of individuals to be served and/or reached by subpopulations in the grant implementation area should be provided in a table that covers the entire grant period. The disparate population(s) should be identified in a narrative that includes a description of the population and rationale for how the determination was made.
2. A quality improvement plan for how you will use your program (GPRA) data on access, use and outcomes to monitor and manage program outcomes by race, ethnicity and LGBT status, when possible. The quality improvement plan should include strategies for how processes and/or programmatic adjustments will support efforts to reduce disparities for the identified subpopulations.
3. The quality improvement plan should include methods for the development and implementation of policies and procedures to ensure adherence to the Enhanced Culturally and Linguistically Appropriate Services (CLAS) Standards and the provision of effective care and services that are responsive to:
 - a. Diverse cultural health beliefs and practices;
 - b. Preferred languages; and
 - c. Health literacy and other communication needs of all sub-populations within the

proposed geographic region.

All responses to award terms and conditions must be submitted as .pdf documents in eRA Commons. For more information on how to respond to tracked terms and conditions please refer to <https://www.samhsa.gov/grants/grants-training-materials> under heading **How to Respond to Terms and Conditions.**

SPARS

SPARS can be accessed at <https://spars.samhsa.gov/>.

All SAMHSA recipients are expected to collect and report certain data so that SAMHSA can meet its obligations under the Government Performance and Results (GPRA) Modernization Act of 2010. These data are gathered and reported using SAMHSA's Performance Accountability and Reporting System (SPARS). Prevention Navigator grant recipients will be expected to:

- (1) complete SPARS trainings no later than November 30, 2020;
- (2) enter annual progress report information into SPARS no later than December 31, 2021 (for the time period covering September 1, 2020 – September 30, 2021); and
- (3) enter biannual participant data into SPARS no later than May 1, 2021 (for the time period covering September 1, 2020 – March 31, 2021) and no later than November 1, 2021 (for the time period covering April 1, 2021 - September 30, 2021).

Training and technical assistance will be provided post-award.

Marijuana Term

Grant funds may not be used, directly or indirectly, to purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Grant funds also cannot be provided to any individual who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders. See, e.g., 45 C.F.R. § 75.300(a) (requiring HHS to “ensure that Federal funding is expended . . . in full accordance with U.S. statutory . . . requirements.”); 21 U.S.C. §§ 812(c)(10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana). This prohibition does not apply to those providing such treatment in the context of clinical research permitted by the DEA and under an FDA-approved investigational new drug application where the article being evaluated is marijuana or a constituent thereof that is otherwise a banned controlled substance under federal law.

Please email any related questions to MJQuestions@SAMHSA.HHS.GOV

Risk Assessment

The Office of Financial Advisory Services (OFAS), SAMHSA may perform an administrative review of your organization's financial management system. If the review discloses material weaknesses or other financial management concerns, grant funding may be restricted in accordance with 45 CFR 75/2 CFR 200, as applicable. The restriction will affect your organization's ability to withdraw funds from the Payment Management System account, until the concerns are addressed.

SPECIAL CONDITIONS

Revised Detailed Budget with Narrative Justification and SF-424A

By **September 30, 2020**, submit via eRA Commons:

1. CONTRACT:

- a. **Key staff position of Lead Navigator** – This position is budgeted in the Contract

category under the Miracle of Love contract. Indicate the individual who will be providing Lead Navigator services, their level of effort, and include a resume/CV and position description.

- b. **Miracle of Love** (Community Health Workers – Navigator @\$153,871 and Hepatitis A/B/C Testing @\$15,000) – Provide a detailed breakdown including a description of items, materials, quantities, number of persons, cost per unit/hour or annual salary, number of hours/level of effort, and other relevant basis to show how you arrived at costs for these 2 line items. Also, Miracle of Love is listed as a contractor for the Lead Navigator, a key staff position. If the Lead Navigator position is not being filled by an employee of your organization, there must be in place a formal written agreement with the contracted individual or organization that specifies an official relationship between the parties which addresses performance of all the required duties and responsibilities of the Lead Navigator (even if the relationship does not involve a salary or other form of remuneration). Therefore, please provide us a copy the contract/agreement.
2. **OTHER: Marketing Ads (\$15,000)** – Provide a detailed breakdown including a description of items, materials, quantities, number of persons, cost per unit/hour or annual salary, number of hours/level of effort, and other relevant basis to show how you arrived at \$15,000.
3. **FUNDING LIMITATIONS/RESTRICTIONS:** Identify in your budget the expenses that show no more than 15 percent of the total grant award will be used for data collection, performance measurement, and performance assessment, including any incentives for participating in the required data collection follow-up. Refer to the FOA for a sample narrative and separate budget for each year of the grant showing the percent of the total grant award that will be used in the area where there is a limitation.

Submit a **Revised Detailed Budget with narrative justification and SF-424A** incorporating the above revisions with reasonable, allowable, and necessary grant costs/activities **equal to but not exceeding your requested amount of \$200,000**.

All responses to award terms and conditions must be submitted as .pdf documents in eRA Commons. For more information on how to respond to tracked terms and conditions please refer to <https://www.samhsa.gov/grants/grants-training-materials> under heading **How to Respond to Terms and Conditions**.

Indirect Cost Rate Agreement

By **September 30, 2020**, submit via eRA Commons:

Please submit a copy of your organization's approved negotiated Indirect Cost (IDC) rate agreement with HHS or any other federal agency as it is required to support the charge of indirect costs to this grant. If your organization applied for an IDC rate agreement that has yet to be negotiated or approved, please attach supporting documentation.

Revised HHS-5161 Checklist Form

By **September 30, 2020**, submit via eRA Commons:

Project Director (PD) on the HHS-5161 Checklist Form (John Goodrich) is different from the PD (Claudia Yabrudy) identified in our records in eRA. Please submit a revised HHS-5161 Checklist form to reflect the correct PD.

Key Personnel Post Award Amendment

By **September 30, 2020**, submit via eRA Commons:

The FOA requires the key personnel positions of Project Director (PD) & Lead Navigator (LN). The LN position in your budget is shown as Vacant. Once the LN has been identified, submit a

post award amendment request for change in key personnel via eRA Commons. For key personnel post award amendments, refer to the following link for Post Award Amendment Resources: <https://www.samhsa.gov/grants/grants-management/post-award-amendments#Change in Key Personnel>.

Marijuana Special Condition (States)

By no later than **September 30, 2020**, please submit an attestation statement confirming compliance with the language below.

For state grantees, language in attestation should read, "I certify that all sub recipients comply with the following language:

Grant funds may not be used, directly or indirectly, to purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Grant funds also cannot be provided to any individual who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders. See, e.g., 45 C.F.R. § 75.300(a) (requiring HHS to "ensure that Federal funding is expended . . . in full accordance with U.S. statutory . . . requirements."); 21 U.S.C. §§ 812(c)(10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana). This prohibition does not apply to those providing such treatment in the context of clinical research permitted by the DEA and under an FDA-approved investigational new drug application where the article being evaluated is marijuana or a constituent thereof that is otherwise a banned controlled substance under federal law.

*The attestation statement must be on letterhead and signed by the **Authorized Representative or Business Official**.*

Please email any related questions to [MJQuestions@SAMHSA.HHS.GOV](mailto: MJQuestions@SAMHSA.HHS.GOV)

All responses to award terms and conditions must be submitted as .pdf documents in eRA Commons. For more information on how to respond to tracked terms and conditions please refer to <https://www.samhsa.gov/grants/grants-training-materials> under heading **How to Respond to Terms and Conditions.**

All previous terms and conditions remain in effect until specifically approved and removed by the Grants Management Officer.

STANDARD TERMS AND CONDITIONS

Annual Federal Financial Report (SF-425)

By **November 28, 2021**, submit via eRA Commons.

The Federal Financial Report (FFR) (SF-425) is required on an annual basis and should reflect only cumulative actual Federal funds authorized and disbursed; any non-Federal matching funds (if identified in the Funding Opportunity Announcement (FOA)), unliquidated obligations incurred, the unobligated balance of the Federal funds for the award, as well as program income generated during the timeframe covered by the report. Additional guidance to complete the FFR can be found at <http://www.samhsa.gov/grants/grants-management/reporting->

requirements.

FFR reporting must be entered directly into the eRA Commons system. Instructions on how to submit a Federal Financial Report (FFR) via the eRA Commons is available at <https://www.samhsa.gov/sites/default/files/how-to-submit-a-samhsa-ffr.pdf>.

Annual Programmatic Progress Report

By **November 28, 2021**, submit via eRA Commons.

The Programmatic Report is required on an annual basis and must be submitted as a .pdf to the View Terms Tracking Details page in the eRA Commons System no later than 90 days after the end of each 12-month budget period.

The Annual Programmatic Report must, at a minimum, include the following information:

- Data and progress for performance measures as reflected in your application regarding goals and evaluation activities.
- A summary of key program accomplishments to-date.
- Description of the changes, if any, that were made to the project that differ from the application for this incremental period.
- Description of any difficulties and/or problems encountered in achieving planned goals and objectives including barriers to accomplishing program objectives, and actions to overcome barriers or difficulties.

Note: Recipients must also comply with the GPRA requirements that include the collection and periodic reporting of performance data as specified in the FOA or by the Grant Program Official (GPO). This information is needed in order to comply with PL 102-62, which requires that Substance Abuse and Mental Health Services Administration (SAMHSA) report evaluation data to ensure the effectiveness and efficiency of its programs.

The response to this term must be submitted as .pdf documents in eRA Commons. Please contact your Government Program Official (GPO) for program specific submission information.

For more information on how to respond to tracked terms and conditions please refer to <https://www.samhsa.gov/grants/grants-training-materials> under heading **How to Respond to Terms and Conditions**.

Additional information on reporting requirements is available at <https://www.samhsa.gov/grants/grants-management/reporting-requirements>.

Standard Terms for Awards

Your organization must comply with the Standard Terms and Conditions for the Fiscal Year in which your grant was awarded. The Fiscal Year for your award is identified on Page 2 of your Notice of Award. SAMHSA's Terms and Conditions Webpage is located at:

<https://www.samhsa.gov/grants/grants-management/notice-award-noa/standard-terms->

conditions.

Compliance with Award Terms and Conditions

FAILURE TO COMPLY WITH THE ABOVE STATED TERMS AND CONDITIONS MAY RESULT IN ACTIONS IN ACCORDANCE WITH 45 CFR 75.371, REMEDIES FOR NON-COMPLIANCE AND 45 CFR 75.372 TERMINATION. THIS MAY INCLUDE WITHHOLDING PAYMENT, DISALLOWANCE OF COSTS, SUSPENSION AND DEBARMENT, TERMINATION OF THIS AWARD, OR DENIAL OF FUTURE FUNDING.

All previous terms and conditions remain in effect until specifically approved and removed by the Grants Management Officer.

Staff Contacts:

Wilma A Pinnock, Program Official

Phone: 240-276-2421 **Email:** wilma.pinnock@samhsa.hhs.gov **Fax:** 240-276-2410

Salvador Ortiz, Grants Specialist

Phone: (240) 276-1421 **Email:** salvador.ortiz@samhsa.hhs.gov **Fax:** (240) 276-1430