

CHAPTER 7

CONTRACT COMPLIANCE

REFERENCE CODE	GUIDELINES	CRITERIA	INFORMATION SOURCES
7.1 Scope of Work	7.1 The Agency will perform the work described in the Scope of Work set out in the attachments of the Contract. The Agency will maintain accurate documentation of services rendered and billed.	7.1 (a) The Agency will perform all RWGA services in accordance with the contract.	<ul style="list-style-type: none"> Review of client records Review of contractor expense report Review of other documentation Refer to the HAB Part A Monitoring Standards & Part I: Universal Standards Section B
		7.1 (b) The Agency will comply with applicable Standards of Care.	<ul style="list-style-type: none"> Review of client records Review of contractor expense report Review of other documentation
7.2 HIV+ Documentation	7.2 (a) The agency will maintain documentation of clients' HIV+ status.	7.2 (a) Agency will maintain documentation of HIV+ status in client record.	<ul style="list-style-type: none"> Review of client records Refer to the RWGA Policy and Procedure for Eligibility for Ryan White Part A
	7.2 (b) If a service is provided to non-HIV+ individuals, the agency will maintain documentation of non-HIV+ clients' relationship to an HIV+ individual and the HIV+ person's HIV diagnosis.	7.2 (b) Agency will maintain documentation in client record of client's relationship to an HIV+ individual, the HIV+ person's HIV diagnosis, and date of death if the HIV+ individual is deceased.	<ul style="list-style-type: none"> Review of client records Review of Agency P&P Refer to the RWGA Policy and Procedure for Eligibility for Ryan White Part A Refer to the HAB Universal Standards Section B for Eligibility Determination/Screening
7.3 Documentation of Client Identity	7.3 The Agency will maintain documentation of clients' identity.	7.3 Agency will maintain documentation of client identity in client record.	<ul style="list-style-type: none"> Review of client records Refer to RWGA Policy and Procedure for Eligibility for Ryan White Part A Refer to the HAB Universal Standards Section B for Eligibility Determination/Screening
7.4 Documentation of Client Residency	7.4 All agencies who are record owners will maintain source documentation of clients' residency within the Houston EMA. Any exceptions to this must have prior written approval from the Ryan White Grant Administration.	7.4 Agency will maintain verification of client residency within the Houston EMA in client record. Recertification of client's residency will be done every six (6) months.	<ul style="list-style-type: none"> Refer to RWGA Policy and Procedure for Eligibility for Ryan White Part A Review of client records Review of valid CPCDMS client verification form (Record Owning Agency) Review of residency documentation (Non-Record Owning Agency) Refer to the HAB Universal Standards Section B for Eligibility Determination/Screening

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7.5 Documentation of Financial Screening and Service Eligibility	7.5 All agencies who are record owners will maintain source documentation of clients' income and will screen clients for financial eligibility for services based upon current Federal Poverty Guidelines.	7.5 Agency will maintain verification of client income and determination of poverty level based on Health and Human Services-HHS Poverty Guidelines in the federal register. Recertification of client's income will be done every six (6) months.	<ul style="list-style-type: none"> Refer to the RWGA Policy and Procedure for Eligibility for Ryan White Part A Review of client records Review of valid CPCDMS verification form (Agency On-line) Review of financial documentation (Agency Off-line) Refer to the HAB Universal Standards Section B for Eligibility Determination/Screening
7.6 Documentation of HIV Stage of Illness	7.6 Only Record Owners (Primary Care providers) will track HIV Stage of Illness.	7.6 Primary Care providers will update Stage of Illness in CPCDMS when it changes.	<ul style="list-style-type: none"> Refer to the RWGA Policy and Procedure for Eligibility for Ryan White Part A Review of client records Review of Agency P&P
7.7 Ryan White Payer of Last Resort	7.7 For service categories that are Medicare/Medicaid or third party reimbursable, the agency will obtain documentation that clients are not Medicare/Medicaid or third party eligible, at every visit or monthly (whichever is less frequent). Clients eligible for Department of Veterans Affairs (VA) benefits are eligible for Ryan White services and therefore exempted from the payer of last resort requirement.	7.7 The Agency will maintain verification of client eligibility/ineligibility for Medicaid/Medicare or other Third party reimbursement in the client record.	<ul style="list-style-type: none"> Refer to the RWGA Policy and Procedure for Eligibility for Ryan White Part A Review of client records Review of Agency P&P re: Medicaid/Medicare Review of financial documentation Refer to the HAB Part A Fiscal Monitoring Standards Section C: Income for Fees for Services Per #1 and #2 Refer to HRSA/HAB Policy Clarification Notice (PCN) #13-03 (Rev. 9/13/13)
7.8 Financial Management System	7.8 The Agency will maintain financial management and control systems that meet or exceed the requirements established by OMB CIRCULAR #A-110. These requirements will include, but not be limited to, the items listed in the Criteria Section.	7.8 (a) The Agency will maintain accurate and complete payroll, accounting and financial reporting records. An accounting system will be in place.	<ul style="list-style-type: none"> Refer to the RWGA Policy and Procedure for Eligibility for Ryan White Part A Review of client records Review of Agency P&P Review of financial documentation
		7.8 (b) The Agency will maintain cost source documentation and documentation of all expense reports.	<ul style="list-style-type: none"> Refer to the RWGA Policy and Procedure for Eligibility for Ryan White Part A Review of client records Review of Agency P&P Review of financial documentation

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<p>7.8 Financial Management System</p>	<p>7.8 The Agency will maintain financial management and control systems that meet or exceed the requirements established by OMB CIRCULAR #A-110. These requirements will include, but not be limited to, the items listed in the Criteria Section.</p>	<p>7.8 (c) The Agency will maintain accurate documentation that ensures that Ryan White Part A funds are utilized as payer of last resort.</p>	<ul style="list-style-type: none"> Review of client records Review of Agency P&P Review of financial documentation Refer to the RWGA Policy and Procedure for Eligibility for Ryan White Part A
		<p>7.8 (d) The Agency will maintain effective internal budgetary controls and abide by the budget guidelines set forth in the contract.</p>	<ul style="list-style-type: none"> Review of client records Review of Agency P&P Review of financial documentation Refer to the RWGA Policy and Procedure for Eligibility for Ryan White Part A
		<p>7.8 (e) If an Agency expends \$500,000 or more of federal awards in a year, the Office of Management and Budget Circular A-133 requires the Agency to have an independent accountant perform a single or program-specific audit for that year.</p>	<ul style="list-style-type: none"> Review of Agency P&P Interviews with staff Review of financial documentation Review of other documentation
		<p>7.8 (f) Agency will submit a copy of the audit to the Harris County Auditor's Office within 30 days of receipt.</p>	<ul style="list-style-type: none"> Review of Agency P&P Interviews with staff Review of financial documentation Review of other documentation
		<p>7.8 (g) The Agency will ensure the following:</p> <ul style="list-style-type: none"> if fees are charged, a system for discounting or adjusting charges based on a person's income and family size; a mechanism for billing and making reasonable efforts to collect allowable fees. 	<ul style="list-style-type: none"> Review of Agency P&P Interviews with staff Review of financial documentation Review of other documentation
		<p>7.8 (h) The Agency will ensure that records will be maintained for 5 years from the date of the last expenditure report submitted under the Contract.</p>	<ul style="list-style-type: none"> Review of Agency P&P Interviews with staff Review of financial documentation Review of other documentation

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7.8 Financial Management System	7.8 The Agency will maintain financial management and control systems that meet or exceed the requirements established by OMB CIRCULAR #A-110. These requirements will include, but not be limited to, the items listed in the Criteria Section.	7.8 (i) The Agency will submit a written notification to RWGA at least 6 months prior to the contract termination date that the Agency will not be able to expend 100% of the funds allocated for the service.	<ul style="list-style-type: none"> Review of Agency's contract file Review of Agency's expenditure ratio per month Review of other documentation
7.9 Indemnity and Bonding	7.9 Each staff member who handles funds under the Contract(s), including persons authorizing payment of such funds, will during the term of the Contract(s) be covered by a Fidelity Bond.	7.9 The Agency will maintain a copy of the Fidelity Bond (also known as Crime Bond or Indemnity Bond) or appropriate level of Indemnification.	<ul style="list-style-type: none"> Review of copy of fidelity bond
7.10 Monthly Reports	7.10 The Agency will submit to RWGA a Monthly Administrative Report and a Monthly Administrative Cost Report with accurate data no later than the 10 th day of the month following the month being reported upon.	7.10 The Agency will ensure that accurate data is identified on the Monthly Administrative Reports and Monthly Administrative Cost Reports that are submitted to RWGA no later than the 10th day of each month.	<ul style="list-style-type: none"> Review of monthly administrative report Review of monthly administrative cost report Review of other documentation Review of client records
7.11 Notification of Service Delays	7.11 The Agency will promptly notify RWGA of any problems, delays or adverse conditions which will affect the Agency's ability to perform its obligations under the Contract(s). The Agency will provide a written statement of actions taken or contemplated to be taken.	7.11 The Agency will provide a written statement of actions taken or contemplated to be taken.	<ul style="list-style-type: none"> Review of written statements Interviews with staff Review of other documentation
7.12 Contract on-site	7.12 The Agency will maintain a copy of its Contract(s) in a central location that is accessible to the managerial staff.	7.12 The Agency will maintain a copy of its Contract(s) on the premises at all times.	<ul style="list-style-type: none"> Review of copy of Contract Interviews with staff
7.13 Equipment and Supplies	7.13 The Agency will maintain an annual inventory of equipment and other property purchased with Ryan White Part A funds. The list will be readily available for review during the RWA site visit.	7.13 The Agency will maintain documentation of an annual inventory of equipment that has a useful life of more than one year and an acquisition cost over \$500.	<ul style="list-style-type: none"> Review of annual inventory listing Review of Agency's file
7.14 Statutory Prohibition	7.14 The Agency understands and agrees that the funds will not be used to provide individuals with hypodermic needles or syringes unless needed to legally treat a medical condition.	7.14 The Agency will use funds to provide individuals with hypodermic needles or syringes only to legally treat medical conditions.	<ul style="list-style-type: none"> Interviews with staff Review of Expense Reports Review of client records
7.15 Workers' Compensation Insurance	7.15 The Agency will maintain insurance coverage for Worker's Compensation (with Waiver of subrogation to Harris County) Employer's Liability (including all states, US Longshoremen, Harbor Workers and other endorsements, if applicable to the Project).	7.15 The coverage is as follows: <ul style="list-style-type: none"> Statutory, and Bodily Injury by Accident must be \$100,000 for each employee. Bodily Injury by Disease must be \$100,000 for each employee. Policy Limit, must be \$500,000. 	<ul style="list-style-type: none"> Review of Agency's insurance policy Refer to the HAB Part A Fiscal Monitoring Standards Section B: Unallowable Costs #4