

**DEPARTMENT OF STATE HEALTH SERVICES
CONTRACT NO. 537-18-0007-00001
AMENDMENT NO. 3**

The **DEPARTMENT OF STATE HEALTH SERVICES** ("System Agency") and **SAN ANTONIO METROPOLITAN HEALTH DISTRICT** ("Grantee"), each a "Party" and collectively as the "Parties," to that certain Grantee Contract effective September 1, 2017 and denominated DSHS Contract No. 537-18-0007-00001 (the "Contract"), as amended, now desire to further amend the Contract.

WHEREAS, the Parties desire to revise the Scope of Work, the Budget and extend the term of the Contract to allow for successful completion of the Project; and

WHEREAS, System Agency has chosen to exercise its option to renew the Contract in accordance with Section III of the Contract, Duration.

NOW, THEREFORE, the Parties hereby amend and modify the Contract as follows:

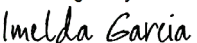
1. **SECTION III, DURATION**, is hereby amended to reflect a revised termination date of August 31, 2021.
2. **SECTION IV, BUDGET** is hereby amended to add **\$178,966.00** to the contract for period of September 1, 2020 through August 31, 2021 ("FY2021") for a revised total amount not to exceed **\$728,422.00**. All expenditures for FY2021 shall be in accordance with **ATTACHMENT B-3, FY2021 BUDGET**.
3. **ATTACHMENT A-2, STATEMENT OF WORK** is hereby amended and restated with **ATTACHMENT A-3, REVISED STATEMENT OF WORK**.
4. **ATTACHMENT B-2**, of the Contract, **BUDGET** is hereby amended and restated with **ATTACHMENT B-3, FY2021 BUDGET**.
5. This Amendment shall be effective as of September 1, 2020.
6. Except as amended and modified by this Amendment, all terms and conditions of the Contract, shall remain in full force and effect.
7. Any further revisions to the Contract shall be by written agreement of the Parties.

SIGNATURE PAGE FOLLOWS

**SIGNATURE PAGE FOR AMENDMENT NO. 3
DEPARTMENT OF STATE HEALTH SERVICES
CONTRACT NO. 537-18-0007-00001**

SYSTEM AGENCY

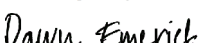
GRANTEE

DocuSigned by:

87AFD32AD9D24A9...

Name- Imelda Garcia

Title: Associate Commissioner

Date of Execution: March 10, 2020

DocuSigned by:

BB298761161644B...

Name: Dawn Emerick

Title: Metro Health Director

Date of Execution: March 10, 2020

**THE FOLLOWING ATTACHMENTS TO SYSTEM AGENCY CONTRACT NO. 537-18-0007-00001 ARE
HEREBY INCORPORATED BY REFERENCE:**

**ATTACHMENT A-3 - REVISED STATEMENT OF WORK
ATTACHMENT B-3 - FY2021 BUDGET**

ATTACHMENT A-3 REVISED STATEMENT OF WORK

I. GRANTEE RESPONSIBILITIES

Grantee will:

- A. Provide System Agency with active surveillance and reporting activities for Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS).

Grantee will perform all activities under this Contract in accordance with the terms of this Contract and detailed budget, as approved by System Agency. Grantee must receive advance written approval from System Agency before varying from any of these requirements and must notify all staff working on activities of any such changes under this Contract within forty-eight (48) hours of System Agency approval of changes.

For the purpose of this Contract, “HIV infection” and “AIDS” are as defined by the Centers for Disease Control and Prevention (CDC) of the United States Public Health Service, MMWR Recommendations and Reports, April 11, 2014 / 63(RR3), 1-10, located at <http://www.cdc.gov/mmwr/pdf/rr/rr6303.pdf>.

- B. Grantee will perform the following:

1. STAFF

- a. Grantee will document to System Agency that all project staff (i.e., working on activities under this Contract) have received training on:
 - i. Grantee’s employees’ standard of conduct (Grantee will submit these training documents to System Agency within fourteen (14) days of the effective date of this Contract);
 - ii. System Agency security and confidentiality training course within thirty (30) days of beginning work on this Contract; and
 - iii. Annual refresher training course on confidentiality requirements/confidential information security (i.e., within one year of having taken the previous confidentiality and security course) and submit appropriate documentation to the DSHS HIV Surveillance Coordinator and TB/HIV/STD Section Security Officer within ten (10) days of completing each course.
 - iv. Grantee will ensure that all project staff working on activities under this Contract have completed all HIV Surveillance Modules located at <http://www.dshs.texas.gov/hivstd/training/surveillance.shtm>. New staff should complete these trainings within their first two weeks of employment and bi-annually thereafter.
 - v. Existing staff will be required to take the HIV Surveillance Modules bi-annually.
- b. Within thirty (30) days of the effective date of this Contract, supply System Agency with a copy of each job description for which a portion or all of the salary is paid under this Contract.
- c. Require at least one staff member to attend training, conferences, symposiums and meetings, as directed by System Agency.

- d. Notify the System Agency Program within forty-eight (48) hours of any personnel actions, including the details and outcome of such actions, involving project staff. A written report will be submitted, to back up the oral report, within seventy-two (72) hours. Such personnel actions include, but are not limited to:
 - i. Counseling for misconduct regarding violations of personnel, project, state, and/or federal policies, procedures, requirements, and laws;
 - ii. Terminations (voluntary or involuntary); and/or
 - iii. Employee grievances.
- e. Fill any surveillance staff vacancy within ninety (90) days.
- f. Submit complete and accurate travel support documentation to System Agency when submitting vouchers for reimbursement. Support documentation must list the employee who traveled, date of travel, purpose of travel, all receipts and a breakdown of the costs associated with travel.
- g. Provide at least one surveillance staff person to participate in standing monthly HIV Surveillance conference calls held by System Agency, as directed.
- h. Ensure all funded surveillance staff participate in the annual HIV Surveillance workshop, when provided by System Agency.
- i. Grantee agrees to read System Agency Grant Technical Assistance Guide (GTAG) located at <http://www.dshs.texas.gov/contracts/gtag.aspx>, and work with System Agency staff regarding the management of funds received under this Contract.

2. CASE REPORTING

- a. Reporting and Registry
 - i. Active Surveillance and Provider Education
 - a. Maintain a current list of key reporting sources in Grantee's designated Service Area (Bexar County) and document at minimum monthly active surveillance for major providers/facilities as outlined in the HIV Surveillance Manual. Active surveillance must be conducted by phone or in person to identify newly diagnosed HIV/AIDS cases and complete an HIV/AIDS case report form.
 - b. Maintain a current list of key reporting sources in Grantee's designated Service Area and document provider education to at least ten providers/facilities deemed by the Grantee or the System Agency to be in need of education on reporting requirements, current lab tests, recommended testing algorithm, or data collected and used by HIV surveillance. Provider education should establish and maintain communication about reporting requirements (including Molecular HIV Surveillance and Perinatal HIV Surveillance) and any changes in any relevant surveillance procedures, requirements, and recommendations.
 - ii. Manager will review Monthly Data Quality Reports and the Quarterly Progress Report provided by System Agency or available through the current reporting database to ensure case report forms are corrected and additional missing case information is collected.
 - iii. Manager will discuss and review Quarterly Progress Report findings with all surveillance staff.
 - iv. Be knowledgeable of any reference laboratories or medical facilities conducting in-house HIV laboratory testing within Grantee's designated Service Area. Grantee

is responsible for identifying any testing facilities that are not reporting their laboratory results electronically to System Agency and shall accordingly arrange a method for retrieving any non-electronic, paper-based labs. Grantee is responsible for manually entering the labs in the current Texas HIV Surveillance reporting database(s). If no laboratory results were received locally in a given month, Grantee must notify System Agency ELR Program Specialist via email indicating there were no laboratory results received for that month.

- v. Provide information, feedback, and clarification, as directed by System Agency Central Office staff by requested timeframe or within ten (10) working days of an inquiry.
- b. Completeness
- i. Ensure completeness of case reporting provided to System Agency by conducting the following activities at least monthly: fully reviewing monthly data quality reports and regularly reviewing surveillance systems to identify any inconsistencies or gaps in laboratory reporting. Grantee is encouraged to implement additional methods of evaluating completeness of key source reporting, after first receiving System Agency written approval.
 - ii. Ensure HIV/AIDS case report forms are accurate and complete in accordance with guidance provided in the Texas HIV Surveillance Procedure Manual.
 - iii. Collect reports of HIV and AIDS cases diagnosed and/or treated, which health care providers (e.g., physicians, HIV service providers, etc.) are required to complete under TAC Title 25, Part 1, Chapter 97, Subchapter F, Rule §97.132.
 - iv. Collect reports of pediatric HIV and AIDS cases diagnosed and/or treated, infants born exposed to HIV, and pregnant women living with HIV diagnosed and/or treated, which health care providers (e.g., physicians, HIV service providers, etc.) and laboratories are required to complete under TAC Title 25, Part 1, Chapter 97, Subchapter F, Rule §97.132. Grantee is responsible for collecting the reports within Grantee's designated Service Area. For each perinatal exposure investigated, Grantee will complete a pediatric case report form (PCRF), along with an updated adult case report form for infant's mother.
 - v. Collect all required data elements to conduct HIV surveillance follow-up activities, including conducting medical record abstractions within three months of diagnosis for all patients seen in Grantee's designated Service Area to properly report all HIV and AIDS cases diagnosed and/or treated within Grantee's designated Service Area.
 - vi. Abstract medical records requested by another jurisdiction in Texas within the timeframes outlined in the HIV Surveillance Manual.
 - vii. Conduct an investigation to verify any reported adult and/or pediatric HIV or AIDS deaths and abstract medical chart when appropriate within Grantee's designated Service Area.
 - viii. Follow procedures as outlined in Texas HIV Surveillance Procedure Manual to conduct out-of-state record searches.
 - ix. Manage all laboratory reports in TB/HIV/STD Integrated System (THISIS) in accordance with the Texas HIV Surveillance Procedure Manual.
- c. Timeliness

- i. A case report form is completed, entered into the current HIV Surveillance reporting database and submitted to System Agency for all confirmatory Laboratory Reports within sixty (60) days of collection date of the initial laboratory or morbidity report (required for all cases) and within six (6) months for cases transitioned to AIDS since HIV diagnosis.
 - ii. Ensure a case report form is entered into the current HIV Surveillance reporting database within six (6) months of initial notification for all suspected HIV cases not confirmed through receipt of an algorithm diagnosing HIV (e.g. probable cases ascertained through matches with other databases, routine viral loads, medications, etc.).
- d. Pediatric
 - i. Collect copies of reports of pediatric HIV and AIDS cases of diagnosed and/or treated infants born exposed to HIV, and copies of reports for HIV-positive pregnant women diagnosed and/or treated in Grantee's designated Service Area, which health care providers (e.g., physicians, HIV service providers, etc.) and laboratories are required to complete under TAC Title 25, Part 1, Chapter 97, Subchapter F, Rule §97.132. If provider does not complete a case report form or does not provide sufficient information on the case report form, Grantee is responsible for abstracting the required case report form information from the provider's medical records.
 - ii. Follow up on perinatal HIV exposed infants every six (6) months to ensure that all infants born to women living with HIV have an HIV status determined by 18 months of age and enter the pediatric case report forms in the current HIV Surveillance reporting database in a timely manner (reference Texas HIV Surveillance Procedure Manual). For each perinatal exposure investigated, Grantee will complete a pediatric case report form (PCRF), along with an updated adult case report form for infant's mother.
 - iii. Review every collected pediatric HIV case in THISIS, birth match, and other sources, at least once to identify AIDS-defining conditions and update registry with a medical record abstraction.
 - iv. Abstract medical charts for pediatric case reports both at the birth hospital and at the mother's and infant's health providers' offices. Maintain an electronic list of negative Polymerase Chain Reaction (PCR) tests for infants, to include name of laboratory and doctor ordering the test and maintain copies of all reporting laboratory test results for pediatric cases. Assist System Agency staff, as directed, in the development of prevention plans and the implementation of prevention activities to reduce the perinatal transmission of HIV.
 - v. Collect all required data elements to conduct Perinatal HIV surveillance activities, including reviewing and conducting medical record abstractions of the mother's and child's medical records in Grantee's designated Service Area to properly report all perinatally-exposed cases diagnosed and/or treated within Grantee's designated Service Area.

3. EPIDEMIOLOGIC INVESTIGATIONS

- a. Inform System Agency of newly reported cases of public health importance (COPHI), within three (3) business days of receipt of case report. Initiate epidemiologic investigations through contact with appropriate health care providers and a review of patients' medical records. Refer to the HIV Surveillance manual for COPHI case definitions.
- b. Determine the need for public health follow-up on all HIV-positive test results within three (3) business days of receipt of the test results. If no clear determination can be made within the three (3) business days, the HIV test results should be sent to a Disease Intervention Specialist (DIS) for investigation.
- c. Perform continuous epidemiological follow-up on all cases missing key pieces of information.
- d. Assist DSHS Program with other epidemiologic investigations, as directed by System Agency Program. Adhere to all deadlines set by System Agency for other epidemiologic investigations including but not limited to cluster investigations, special perinatal activities, and data to care activities.

4. SECURITY

- a. Grantee shall designate, from its staff, a Local Responsible Party (LRP) who has the overall responsibility for ensuring the security of the HIV/STD confidential information maintained by Grantee as part of activities under this Contract. The LRP must:
 - i. Ensure appropriate policies/procedures are in place for handling confidential information, for the release of confidential HIV/STD data, and for the rapid response to suspected breaches of protocol and/or confidentiality. These policies and procedures must comply with System Agency policies and procedures (Grantee may choose to adopt those System Agency policies and procedures as its own).
 - ii. Ensure security policies are reviewed periodically for efficacy, and that Grantee monitors evolving technology (e.g., new methods that may be used to illegally access confidential data; new technologies for keeping confidential data protected from security breaches) on an ongoing basis to ensure that the program's data remain as secure as possible.
 - iii. Approve any Grantee staff requiring access to HIV/STD confidential information. LRP will grant authorization to Grantee staff who have a work-related need (i.e., work under this Contract) to view HIV/STD confidential information.
 - iv. Maintain a list of authorized Grantee staff persons who are authorized to view and work with HIV/STD confidential information. The LRP will review the authorized user list ten (10) days from the effective date of this Contract to ensure it is current. All Grantee staff with access to confidential information will have a signed copy of a confidentiality agreement on file and it must be updated once during the term of this Contract.
 - v. Ensure that all Grantee staff with access to confidential information will be trained on security policies and procedures before access to confidential information is granted and that this training will be renewed once during the term of this Contract.

- vi. Thoroughly and quickly investigate all suspected breaches and violations of protocol and/or privacy incidences of confidentiality in consultation with the System Agency LRP, all in compliance with the System Agency TB/HIV/STD Section Breach of Confidentiality Response Policy located at <http://www.dshs.texas.gov/hivstd/policy/security.shtm>.
- b. Grantee will have procedures to ensure computers and networks meet System Agency security standards, as certified by System Agency IT staff.
- c. Grantee will have procedures to ensure termination requests for the current HIV Surveillance reporting database user account are sent to System Agency within 1 business day of the identification of need for account termination.
- d. Grantee will have procedures to ensure transfer of secure data electronically using GlobalScape or current secure file transfer system.
- e. Grantee will have procedures to ensure a visitor log for individuals entering the secured areas is maintained and reviewed quarterly by the LRP.
- f. Grantee will have procedures to ensure confidential data and documents are:
 - i. Maintained in a secured area;
 - ii. Locked away when not in use;
 - iii. Not left in plain sight; and
 - iv. Shredded before disposal.
- g. Grantee will complete Local Responsible Party (LRP) security checklist provided by System Agency bi-annually. The LRP reports are found at [TB/HIV/STD Section Bi-Annual Report](#). The most up to date information for reporting guidelines can be found at <https://www.dshs.texas.gov/hivstd/policy/security.shtm>
- h. Grantee will provide a list to System Agency of personnel with access to secured areas and of all identified personnel who have received security training.
- i. Grantee shall provide a list to System Agency of personnel with access to all network drives where confidential information is stored.
- j. Ensure confidential data transmissions to System Agency or other approved partners are encrypted and transmitted via secured means.
- k. Ensure files are scanned to a secure network drive (not scanned to email or any other unsecure directory).
- l. Ensure all flash drives used by surveillance staff are encrypted.
- m. Ensure confidential data is stored on stand-alone computers or on a secure drive of computers on a secure network.
- n. Ensure a list of authorized users with access to confidential data is maintained and limited to those approved by the LRP.
- o. Have systems in place to ensure confidential data taken out of the surveillance secured area are: minimized to essential data required, stored in secure devices, and encrypted.
- p. If surveillance-issued laptops are used, all have updated virus protection software.
- q. Computers with confidential information have power-on and screensaver passwords with time out setting of 10 minutes or less.
- r. Surveillance staff computer passwords are not shared or visible to other users.
- s. Shredders, printers and fax machines for confidential data are housed in a secured area limited to those approved by the LRP.

- t. If shredding is outsourced, the shredder is bonded for working with health information.
- u. HIV/STD terminology usage is excluded from outgoing faxes, including cover sheet, header and footer.
- v. Computers and networks meet System Agency security standards, as certified by System Agency IT staff.

II. PERFORMANCE MEASURES

The System Agency will monitor the Grantee's performance of the requirements in Attachment A-3 and compliance with the Contract's terms and conditions.

Grantee will:

A. ACCURACY

- 1. Diligently work to ensure 80% of case report forms had no major discrepancies (missing, unknown or drastically different) when compared to information found during chart re-abstractions (based on a random case sample).

B. COMPLETENESS

- 1. Provide complete and legitimate information for the following 10 data elements for each HIV/AIDS case report 97% of the time:
 - a. Legal name;
 - b. Race/ethnicity;
 - c. Sex;
 - d. Facility of Diagnosis;
 - e. Date of Diagnosis;
 - f. Date of Birth;
 - g. Diagnostic Status;
 - h. Valid date of death for vital status indicated as "dead";
 - i. Residence at diagnosis; and
 - j. Vital Status (alive or deceased).
- 2. Provide complete and legitimate risk information in accordance with the Texas HIV Surveillance Procedure Manual for eighty percent (80%) of cases at minimum.
- 3. Ensure 97% of cases were CDC eligible and had no required fields missing.
- 4. Provide complete and legitimate document source information on 97% of case report forms.
- 5. Report 95% of expected number of new cases for the diagnosis year.

6. Contact 100% of major HIV reporting facilities monthly for active surveillance.
7. Ensure at least ten (10) HIV reporting facilities receive in-person provider education annually.
8. Ensure the transfer of 100% of HIV-related laboratory results received by Grantee locally to System Agency ELR Coordinator or provide written notification that there were no laboratory results received for the month, by the close of business on 30th day of each month. Grantee may send a written request to System Agency Program to extend the timetable for transferring laboratory reports, which must be received at least 24 hours in advance of the deadline at issue. Any such request shall be submitted by email.
9. Grantee's policy outlines how public health follow-up will be made within three (3) business days of the receipt of the test results. If no clear determination can be made within the three (3) business days, the HIV test results must be sent to a Disease Intervention Specialist (DIS) for investigation.
10. Ensure that 70% of newly diagnosed cases have prior antiretroviral use history.
11. Ensure that 70% of newly diagnosed cases have a known value for previous negative HIV test.
12. Ensure that 50% of newly diagnosed cases have a known value for previous negative HIV test date.
13. Ensure 85% of newly diagnosed cases had a CD4 result within 1 month of diagnosis.
14. Ensure 85% of newly diagnosed cases had a viral load result within 1 month of diagnosis.
15. Ensure 60% of newly diagnosed cases have a genotype (nucleotide sequence) test performed.
16. Ensure 100% of perinatal cases had mother's Stateno (or comments indicating surveillance efforts taken for not found cases).
17. Ensure 85% of prenatal care records were reviewed for all newly reported exposed infants (if it is indicated that the mother received prenatal care).
18. Ensure all HIV-positive pregnant women were monitored and followed-up with at the estimated delivery date.
19. Ensure 90% of the responses to the ARV usage during pregnancy question were not blank or unknown.

20. Ensure 90% of the responses to the ARV usage during labor and delivery questions were not blank or unknown.
21. Ensure 90% of the responses to the neonatal ARV usage question were not blank or unknown.
22. Ensure 90% of the responses to the prenatal care question were not blank or unknown.
23. Ensure 85% of labor and delivery records were reviewed for all newly reported exposed infants.
24. Ensure 90% of PCRFS were completed by Grantee staff.

C. TIMELINESS

1. Ensure appropriate follow-up of all new adult HIV cases (newly diagnosed and eligible cases not previously captured in the current HIV Surveillance reporting database) in accordance with the HIV Surveillance Procedure Manual.
2. Conduct and enter a medical record abstraction into the current HIV Surveillance reporting database within three (3) months of diagnosing laboratory result for at least 85% of eligible cases.
3. Ensure appropriate follow-up of all AIDS cases in accordance with the HIV Surveillance Procedure Manual.
4. Conduct and enter a medical record abstraction, into the current HIV Surveillance reporting database, on all AIDS cases within six (6) months of AIDS-defining laboratory result or indication of opportunistic infection (OI) for 90% of cases.
5. Ensure that all infants born to HIV-positive women have an HIV status determined (i.e. not be coded as indeterminate) within 18 months after the birth at least 85% of the time.
6. Ensure 85% of newly diagnosed cases were reported within six (6) months of diagnosis and all CDC required fields were completed.
7. Ensure 100% of potential cases of public health importance (COPHI) were reported to Central Office within three (3) days.
8. Ensure 100% newly identified cases were referred to Public Health Follow-Up within three (3) days of receipt of confirmatory lab report.
9. Ensure 90% of newly diagnosed Out of Jurisdiction (OOJ) cases were completed and entered into the current HIV Surveillance reporting database within ninety (90) days of diagnosis.

10. Ensure 100% of “potential” exposed infants were investigated within three (3) months through timely completion of birth certificate match.

III. INVOICE AND PAYMENT

- A. Grantee will request payments using the State of Texas Purchase Voucher (Form B-13) at <http://www.dshs.texas.gov/grants/forms.shtm>. Voucher and any supporting documentation will be mailed or submitted by fax or electronic mail to the address/number below.

Department of State Health Services
Claims Processing Unit, MC 1940
1100 West 49th Street
P.O. Box 149347
Austin, TX 78714-9347
FAX: (512) 458-7442
EMAIL: invoices@dshs.texas.gov and cmsinvoices@dshs.texas.gov

- B. Grantee will be paid on a cost reimbursement basis and in accordance with the Budget in Attachment B-3 of this Contract.

System Agency reserves the right, where allowed by legal authority, to redirect funds in the event of financial shortfalls. System Agency Program will monitor Grantee’s expenditures on a quarterly basis. If expenditures are below the amount in Grantee’s total Contract, Grantee’s budget may be subject to a decrease for the remainder of the Contract term. Vacant positions existing after ninety (90) days may result in a decrease in funds.

ATTACHMENT B-3
FY2021 BUDGET
Contract No. 537-18-0007-00001

BUDGET CATEGORIES	September 1, 2020 – August 31, 2021
PERSONNEL	\$130,796.00
FRINGE BENEFITS	\$47,744.00
TRAVEL	\$0.00
EQUIPMENT	\$0.00
SUPPLIES	\$426.00
CONTRACTUAL	\$0.00
OTHER	\$0.00
TOTAL DIRECT CHARGES	\$178,966.00
INDIRECT CHARGES	\$0.00
TOTAL	\$178,966.00