

**DEPARTMENT OF STATE HEALTH SERVICES
CONTRACT NO. HHS000284500001
AMENDMENT NO. 1**

The Department of State Health Services ("**DSHS**" or "**System Agency**") and Tarrant County ("**Grantee**"), each a "**Party**" and collectively the "**Parties**," to that certain grant contract effective January 1, 2019, and denominated DSHS Contract No. HHS000284500001 (the "**Contract**"), now desire to amend the Contract.

Whereas, the Parties want to extend the term of the Contract to allow for successful completion of the project;

Whereas, the Parties want to increase the not-to-exceed amount of the Contract; and

Whereas, the Parties want to revise the Statement of Work and the Budget.

Now, therefore, the Parties hereby amend and modify the Contract as follows:

1. **Section III** of the Signature Document, **Duration**, is hereby amended to reflect a revised termination date of December 31, 2020.
2. **Section IV** of the Signature Document, **Budget**, is hereby amended to add **\$152,080.00** for the period beginning January 1, 2020, through December 31, 2020 (the "2020 Contract year"). The total not-to-exceed amount of the Contract is increased to **\$304,160.00**. Expenditures for the 2020 Contract year shall be in accordance with **Attachment B-1, 2020 Budget**, which is attached to this Amendment and incorporated herein.
3. **Attachment A** of the Contract, **Statement of Work**, is hereby amended and replaced in its entirety with **Attachment A-1, Revised Statement of Work**.
4. This Amendment shall be effective as of January 1, 2020.
5. Except as amended and modified by this Amendment, all terms and conditions of the Contract shall remain in full force and effect.
6. Any further revisions to the Contract shall be by written agreement of the Parties.

SIGNATURE PAGE FOLLOWS

**SIGNATURE PAGE FOR AMENDMENT NO. 1
DEPARTMENT OF STATE HEALTH SERVICES
CONTRACT NO. HHS000284500001**

DEPARTMENT OF STATE HEALTH SERVICES GRANTEE

DocuSigned by:
Imelda Garcia
87AFD32AD9D24A9...

Name: Imelda Garcia

Title: Associate Commissioner

Date of Execution: November 9, 2019

DocuSigned by:
B. Glen Whitley
A76BD50BB72941A...

Name: B. Glen Whitley

Title: County Judge

Date of Execution: November 7, 2019

**THE FOLLOWING ATTACHMENTS TO SYSTEM AGENCY CONTRACT NO. HHS000284500001 ARE
HEREBY INCORPORATED BY REFERENCE:**

**ATTACHMENT A-1 REVISED STATEMENT OF WORK
ATTACHMENT B-1 2020 BUDGET**

ATTACHMENTS FOLLOW

ATTACHMENT A-1 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 provide documentation to System Agency that all project staff (i.e., working on activities under this Contract) have received annual 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 (Grantee will submit these training documents to System Agency within thirty (30) days of beginning work on this Contract, and protected health information will not be viewed until training is completed); and
 - iii. Annual refresher training course on confidentiality requirements/confidential information security, to be completed within one year of having taken the previous confidentiality and security course (Grantee will submit appropriate documentation to the System Agency HIV/STD Surveillance Coordinator within ten (10) days of completing each course).
- b. Within thirty (30) days of the effective date of this Contract, provide 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, 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 project staff working on activities under this Contract have completed all HIV Surveillance Modules, located at <https://www.dshs.texas.gov/hivstd/training/surveillance.shtm>. New staff should complete these trainings within their first two weeks of employment.

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 (Tarrant 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, at minimum, quarterly, 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 corrections to case report forms are made 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 data entering labs in the current HIV Surveillance reporting

database by the 30th day of each month (reference Texas HIV Surveillance Procedure Manual) all lab results received directly from any laboratory and/or medical facilities. If no laboratory results were received locally in a given month, Grantee must notify System Agency Electronic Laboratory Report (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 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 reporting 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 make 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 make 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 shall 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. Conduct abstraction, the process of collecting and identifying important data required for a secondary use, on 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) Manual. As needed, maintain an efficient tracking mechanism, either by paper or electronic file, to record outcomes for all laboratory reports received by local site (including all laboratory reports received through Electronic Laboratory Report and all paper laboratory reports received directly from providers or labs). With the

use of THISIS and if needed, the use of an efficient tracking mechanism, Grantee should be able to readily produce surveillance site standings at any given time (i.e., number of cases reported for the month, number of medical record abstractions completed, cases with incomplete algorithms, type of cases completed (new), update to AIDS, perinatal exposure, pregnancy update and number of cases pending along with estimated dates of completion).

- x. In support of molecular HIV surveillance (MHS), Grantee will complete or obtain HIV Testing and Treatment History information from the reporting provider to complete the testing and treatment history data elements on the Adult Case Report Form (ACRF).
- 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 forty-five (45) 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 make 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 HIV status determined by eighteen (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).
 - iii. Review every collected pediatric HIV case at least once to identify AIDS-defining conditions and update registry.
 - 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. Enter the required data

elements in the current HIV Surveillance reporting database in a timely manner (reference Texas HIV Surveillance Procedure Manual).

- 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. Enter the required data elements in the current HIV Surveillance reporting database in a timely manner (reference Texas HIV Surveillance Procedure Manual).

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 Texas HIV Surveillance Procedure Manual for COPHI cases 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.

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, but if Grantee uses its own, these cannot be less restrictive than the System Agency policies and procedures).
 - 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 appropriate 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 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 one (1) business day of the identification of need for account termination.
- d. Grantee will have procedures to ensure transfer of secure data electronically using the Public Health Information Network 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 that enhanced HIV/AIDS Reporting System (eHARS) user password changes are verified by the LRP at least every ninety (90) days. Additionally, LRP will verify THISIS users are updating passwords every ninety (90) days as required.
- g. Grantee will have procedures to ensure confidential data and documents are:
 - i. Maintained in a secured area;
 - ii. Locked when not in use;
 - iii. Not left in plain sight; and
 - iv. Shredded before disposal.
- h. Grantee will complete Local Responsible Party (LRP) biannual security checklist provided by System Agency by the deadlines given and submit proof of completion to System Agency.
- i. 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.
- j. Grantee shall provide a list to System Agency of personnel with access to all network drives where confidential information is stored.
- k. Ensure confidential data transmissions to System Agency or other approved partners are encrypted and transmitted via secured means.
- l. Ensure files are scanned to a secure network drive (not email or any other unsecure directory).
- m. Ensure all flash drives used by surveillance staff are encrypted.
- n. Ensure confidential data is stored on stand-alone computers or on a secure drive of computers on a secure network.
- o. Ensure a list of authorized users with access to confidential data is maintained and limited to those approved by the LRP.

- p. 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.
- q. If surveillance-issued laptops are used, all have updated virus protection software.
- r. Computers with confidential information have power-on and screensaver passwords with time out setting of ten (10) minutes or less.
- s. Surveillance staff computer passwords are not shared or visible to other users.
- t. Shredders, printers and fax machines for confidential data are housed in a secured area limited to those approved by the LRP.
- u. If shredding is outsourced, the shredder is bonded for working with health information.
- v. HIV/STD terminology usage is excluded from outgoing faxes, including cover sheet, header and footer.

II. PERFORMANCE MEASURES

The System Agency will monitor the Grantee's performance of the requirements in Attachment A-1 and compliance with the Contract's terms and conditions.

Grantee will:

A. ACCURACY

- 1. Diligently work to ensure eighty percent (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 ten (10) data elements for each HIV/AIDS case report ninety-seven percent (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. Residence at diagnosis;
 - i. Vital Status (alive or deceased); and
 - j. Valid date of death for vital status indicated as "dead."

- 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 that ninety-seven percent (97%) of cases were CDC eligible and had no required fields missing.
4. Provide complete and legitimate document source information on ninety-seven percent (97%) of case report forms.
5. Report eighty-five percent (85%) of expected number of new cases for the diagnosis year.
6. Contact one hundred percent (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. Enter into THISIS one hundred percent (100%) of HIV-related laboratory results received by Grantee locally.
9. Ensure 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 seventy percent (70%) of newly diagnosed cases have prior antiretroviral use history.
11. Ensure that seventy percent (70%) of newly diagnosed cases have a known value for previous negative HIV test.
12. Ensure that fifty percent (50%) of newly diagnosed cases have a known value for previous negative HIV test date.
13. Ensure that eighty-five percent (85%) of newly diagnosed cases had a CD4 result within one (1) month of diagnosis.
14. Ensure that eighty-five percent (85%) of newly diagnosed cases had a viral load result within one (1) month of diagnosis.
15. Ensure that sixty percent (60%) of newly diagnosed cases have a genotype test performed.
16. Ensure that one hundred percent (100%) of perinatal cases had mother's Stateno (or comments indicating surveillance efforts taken for not found cases).
17. Ensure that eighty-five percent (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 that all pregnant women living with HIV were monitored at estimated delivery date. Submit quarterly line lists of pregnant women to System Agency that contain prenatal care provider information and expected due date.
19. Ensure that ninety percent (90%) of the responses to the antiretroviral (ARV) usage during pregnancy question were not blank or unknown.
20. Ensure that ninety percent (90%) of the responses to the ARV usage during labor and delivery questions were not blank or unknown.
21. Ensure that ninety percent (90%) of the responses to the neonatal ARV usage question were not blank or unknown.
22. Ensure that ninety percent (90%) of the responses to the prenatal care question were not blank or unknown.
23. Ensure that eighty-five percent (85%) of labor and delivery records were reviewed for all newly reported exposed infants.
24. Ensure that ninety percent (90%) of PCRFS are 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.
 - a. 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 eighty-five percent (85%) of eligible cases.
2. Ensure appropriate follow-up of all AIDS cases in accordance with the HIV Surveillance Procedure Manual.
 - a. Conduct and enter a medical record abstraction into the current HIV Surveillance reporting database on all AIDS cases within six (6) months of an AIDS-defining laboratory result indication of opportunistic infection (OI) for ninety percent (90%) of cases.
3. Ensure that eighty-five percent (85%) of infants born to women diagnosed with HIV have an HIV status determined (i.e. not be coded as indeterminate) within eighteen (18) months after the birth.
4. Ensure that eighty-five percent (85%) of newly diagnosed cases were reported within six (6) months of diagnosis and all CDC required fields were completed.

5. Ensure that one hundred percent (100%) of potential cases of public health importance (COPHI) were reported to System Agency within three (3) days.
6. Ensure newly identified cases were referred to Public Health Follow-Up within three (3) days of receipt of confirmatory lab report.
7. Ensure that ninety percent (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.
8. Ensure that one hundred percent (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) found at <http://www.texas.gov/grants/forms/b13form.doc>. 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-1 of this Contract.
- C. 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-1
2020 BUDGET
Contract No. HHS000284500001

2020 CATEGORICAL BUDGET	
PERSONNEL	\$96,825.00
FRINGE BENEFITS	\$49,487.00
TRAVEL	\$3,621.00
EQUIPMENT	\$0.00
SUPPLIES	\$2,107.00
CONTRACTUAL	\$0.00
OTHER	\$40.00
TOTAL DIRECT CHARGES	\$152,080.00
INDIRECT CHARGES	\$0.00
TOTAL	\$152,080.00