

CITY COUNCIL

The City of Orange Township, New Jersey

DATE April 7, 2020

NUMBER 145-2020

TITLE: RESOLUTION AUTHORIZING THE CITY OF ORANGE TOWNSHIP TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF EAST ORANGE DEPARTMENT OF HEALTH AND HUMAN SERVICES REGARDING ACTIVITIES RELATED TO THE DELIVERY OF HIV TESTING AND COUNSELING SERVICES.

WHEREAS, The City of Orange Township is dedicated to providing quality health services to the residents of the City; and

WHEREAS, The City is also committed to partnering with local area community organizations to meet these goals; and

WHEREAS, The City of Orange Health Department and the East Orange Department of Health and Human Services share common priorities and interests in primary and preventive care services delivery; and

WHEREAS, The City of Orange Health Department and the East Orange Health Department recognize by forming a strategic partnership, they can capitalize on the individual strengths of each organization to achieve the established goals and objectives for public health services; and

WHEREAS, The East Orange Department of Health and Human Services is a grant funded agency of the New Jersey Department of Health and Senior Services (NJDHSS) HIV Testing and Counseling Program and has agreed to expand their service jurisdictions to nearby municipalities/counties for the provision of HIV Testing and Counseling in accordance with N.J.A.C.8:51; and

WHEREAS, This MOU between the City of Orange Health Department and the East Orange Health and Human Services' Department shall be in effect from April 1, 2020 to March 31, 2021; and

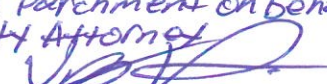
WHEREAS, The NJDHSS can cancel the agreement upon thirty (30) days written notification to both the local departments of health.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Orange Township authorizes the Mayor to enter into a Memorandum of Understanding with the City of East Orange Health and Human Services for HIV testing and counseling services.

Adopted:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

Vaughn Parchment
On behalf of
the City Attorney


CITY ATTORNEY

Memorandum of Understanding

Between

City of Orange Township Health Department

And

The City of East Orange Department of Health and Human Services

HIV TESTING AND COUNSELING SERVICES

This Memorandum of Understanding (MOU) is made and entered into between the City of Orange Township Health Department and the East Orange Department of Health and Human Services regarding activities related to the delivery of HIV testing and counseling services from the East Orange Department of Health and Human Services located at 143 New Street, East Orange, New Jersey 07017, for residents whose jurisdiction is covered by the City of Orange Township Health Department located at 29 North Day Street, Orange, New Jersey 07050.

I. Purpose

The purpose of this MOU is to provide a framework for cooperation between the City of Orange Township Health Department and the East Orange Department of Health and Human Services in developing a collaborative relationship for the delivery of HIV Testing and Counseling services in the jurisdictions covered by the City of Orange Township Health Department.

II. Background

The City of Orange Township Health Department and East Orange Department of Health and Human Services share common priorities and interests in primary and preventive care services delivery. Each organization has unique competencies through which it addresses this goal. The City of Orange Township Health Department and the East Orange Department of Health and Human Services recognize that by forming strategic partnership, they can capitalize on the individual strengths of each organization to

achieve the established goals and objectives for public health services delivered and those of related interest.

- The City of Orange Township Health Department is a state certified, local health department which provides public health services to the residents of the City of Orange, New Jersey. In the course of providing such care, the City of Orange Township Health Department is mandated under N.J.A.C. 8:51.
- The East Orange Department of Health and Human Services is a state certified, local health department located in the City of East Orange, New Jersey which provides public health services to the residents of the City of East Orange. The East Orange Department of Health and Human Services is also a grant funded agency of the New Jersey Department of Health and Senior Services' (NJDHSS) HIV Testing and Counseling Program and has agreed to expand their service jurisdictions to nearby municipalities/counties for the provision of HIV Testing and Counseling in accordance with N.J.A.C. 8:51 between April 1, 2020 and March 31, 2021.

The City of Orange Township Health Department and the East Orange Department of Health and Human Services are uniquely positioned to provide leadership in both the City of Orange Township and the City of East Orange through its mission to serve the interests of individuals in accessing quality public health services, to expand health access, reduce health disparities, increase health outcomes, and improve the quality of life of residents.

III. Statement of Responsibilities

In consideration of the above stated mutual interest and objectives, the parties agree to the following:

The City of Orange Township Health Department will:

1. Permit the East Orange Department of Health and Human Services to provide HIV Testing and Counseling pursuant to N.J.A.C. 8:51 for residents living in jurisdictions covered by the City of Orange Township Health Department;
2. Provide an appropriate location to conduct HIV Testing and Counseling with privacy rooms to ensure confidentiality of information be conveyed.

The East Orange Department of Health and Human Services will;

1. Comply with rules and regulations set forth in jurisdictions covered by the City of Orange Township Health Department;

2. Ensure the HIV Testing and Counseling staff will communicate with the local Department regarding scheduling of services;
3. Ensure confidentiality, privacy, and security of information in accordance with HIPAA and other applicable federal and/or state laws.

IV. General Provisions

A. Mandatory General Provisions

1. During the term of this Agreement, both parties shall comply with all federal, state and municipal laws, rules and regulations generally applicable to the activities performed pursuant to this Agreement and adhere to all New Jersey Department of Health reporting requirements under N.J.A.C. 8:57-2 for HIV Infection and AIDS.
2. Each of the parties is an independent entity and neither party shall hold itself as an agent, partner, or representative of the other.
3. Failure by either party to exercise any right or demand performance of any obligation under this Agreement shall not be deemed a waiver of such right or obligation.
4. If any provisions of this Agreement are or should become invalid to any extent, the other provisions of this Agreement shall not be affected thereby.
5. This Agreement may not be assigned without the prior written consent of the New Jersey Department of Health and Senior Services (NJDHSS).
6. The laws of the State of New Jersey govern this agreement.

V. Duration of the Agreement

It is mutually agreed upon and understood by the parties that:

1. This MOU will expire on March 31, 2021 and the parties will meet prior to consider renewing or modifying the MOU after receiving guidance from NJDHSS;
2. This MOU shall not restrict the parties from participating in similar activities or arrangement with other public or private agencies, organizations, or individuals;
3. This agreement shall become effective upon signature by authorized officials from the City of Orange Township Health Department and the East Orange Department of Health and Human Services and will remain in effect until modified or terminated by one or all of the parties, by mutual consent, or upon sixty (60) days prior written notice.

The NJDHSS can cancel the agreement upon thirty (30) days written notification to both the local departments of health.

VI. Principal Contacts

The principal contact for all notifications required or otherwise necessary under this Agreement shall be as follows:

City of Orange Township Health Department

Name: Vincent DeFilippo, Health Officer
Address: 29 North Day Street
Orange, New Jersey 07050
Phone: 973-266-4073
Email: vdefilippo@ci.orange.nj.us

The City of East Orange Department of Health and Human Services

Name: Victor Kuteyl, Health Officer
Address: 143 New Street
East Orange, New Jersey 07017
Phone: 973-266-5100
Email:

Vincent DeFilippo, Health Officer

Victor Kuteyl, Health Officer

Attest:

City of Orange Township

Joyce L. Lanier
City Clerk

Dwayne D. Warren, Esq.
Mayor

Attest:

City of East Orange

Cynthia Brown
City Clerk

Ted R. Green
Mayor

Approved as to Form and Sufficiency

Gracia Robert Montilus, Esq.
City of Orange Township City Attorney