

# SCIOTO COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

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## POLICY 1.11 CONTRACTS

- A. The County Board may enter into contracts with other county boards and with public or private nonprofit or profit-making agencies or organizations or with an individual to provide the facilities, programs, services and supports authorized or required in Chapters 3323 and 5126 of the Ohio Revised Code and rules adopted thereunder.
- B. When services and supports are contracted, it shall be the responsibility of the County Board to assure that the services and supports being provided are in accordance with the rules of the applicable state-level department. The County Board shall monitor contractors on an ongoing basis to assure compliance with these rules.
- C. All contracts entered into by the Board with any other board, individual, agency or organization to provide the services authorized in Chapters 3323 and 5126, Revised Code, must be between the contractor and the County Board.
- D. A contract entered into by the Board must be in writing and formally executed. It should be clear and definite regarding each item, including the duties of all parties, the amount of each payment to be made (or the bases upon which each payment is to be calculated), the total amount to be expended under the contract, any preconditions to payment and the time at which payments are to be made. If any other documents, programs, or plans are incorporated by reference into the contract, they should be clearly identified and, if they cannot be attached to the contract, their location should be clearly stated in the contract.
- E. Payment and reimbursement shall only be provided for contracted services and supports when individuals receiving such contracted services meet eligibility requirements established by rule or law.
- F. All contracts should be approved as to form by the Board's legal advisor (county prosecutor). If it proves impractical to have contracts approved individually, consideration should be given to preparation of a standard contract, approved by the Board's legal advisor, which may be used in most instances. Deviations from this standard contract may then be approved by the legal advisor on an individual basis.
- G. Direct service contracts shall comply with the Ethics Council Policy and ORC Sections 5126.03 through 5126.034.
- H. When an entity enters into a contract with the Scioto Board of DD it must agree to comply with all federal, state and local laws, rules and regulations against discrimination in employment and service provision on the basis of race, color, national origin, disability, age, sex, religion, creed, genetic information, veteran

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status or political affiliation in any facet of its operation except where such discrimination is a bona fide documented business necessity.

Contract entities must also prohibit any form of work place or service location harassment based on race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, veteran status or political affiliation.

Contract entities must follow all tenets of federal and state confidentiality laws with regards to service provision, including, aspects of HIPAA as applicable.

- I. All contract entities must also agree to follow OAC 5123:2-1-12 regarding the resolution of complaints and as well as other applicable provisions of OAC 5123:2.
- J. Contracts must be signed by authorized representatives of all parties to the contract. An executed copy of the contract should be retained by all parties. The Board shall retain the original copies of all contracts in the Business Office.
- K. The County Board shall ensure that employees of entities under contract with the County Board receive information about revisions to the Ohio Revised Code and administrative rules of the Ohio Department of DD that are pertinent to their roles.

Ref: OAC 5123:2-1-02(R); Auditor of State Handbook