



**Office of
Mental Health**

OMH Community Mental Health Loan Repayment Program (Round 4)

2024-25 PROGRAM OVERVIEW

August 2024

Questions? Comments? OMH.CMHLRP@omh.ny.gov



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Overview

The FY 2022-23 Office of Mental Health Budget included \$9 million annually to support a new program to support licensed community mental health programs in the recruitment and retention of psychiatrists and psychiatric nurse practitioners (NPs). The Office of Mental Health (OMH) established: The **OMH Community Mental Health Loan Repayment Program (OMH CMHLRP)** to support designated community programs in this effort. During the FY 2023-24, Round 2 continued to fund additional awards to eligible psychiatrists and NPs in designated community mental health settings throughout New York State and expanded to include eligible psychiatric physician assistants (PAs). For the FY 2024-25, \$3 million annually remains available to fund additional awards. These funds will support a minimum of 120 awards (60 psychiatrists/60 psychiatric NPs/PAs). Round 4 of the OMH CMHLRP will continue to award State Aid grants for loan repayment for psychiatrists, psychiatric nurse practitioners (NPs), and psychiatric physician assistants (PAs), eligible professionals hereafter, as follows:

- For psychiatrists, the OMH CMHLRP provides up to \$120,000 in loan repayment over a three-year period.
- For psychiatric NPs, the OMH CMHLRP provides up to \$30,000 in loan repayment over a three-year period.
- For psychiatric PAs, the OMH CMHLRP provides up to \$30,000 in loan repayment over a three-year period.

This guidance provides information on the OMH CMHLRP only for prospective programs considering applying on behalf of existing employees or new prospective staff.

Background

By 2030, growth in demand for all physicians in New York State will likely outpace growth in the supply of physicians, particularly psychiatrists. Using forecasting models adapted to include data specific to New York, in 2010, the Center for Health Workforce Studies concluded that between 2006 and 2030, growth in the demand for physicians in New York would likely outpace growth in the supply of physicians. The forecasts suggested that New York was likely to face a physician shortage in 2030, and, in the case of areas and populations already experiencing shortages, the intensification of current shortages. The forecasted gap between supply and demand would result in a **shortage of between 2,500 and 17,000 additional physicians by 2030.**^[1]

The greatest gap between supply and demand statewide is projected in specialties that are forecasted to lose physicians over the period of forecast (2006-2030), including psychiatry, the primary care discipline targeted by the OMH CMHLRP. The supply of psychiatrists is forecasted to decrease between 11.6% and 17.5%, depending on the specific assumptions behind the forecasts. Demand is projected to increase between 4.1% and 28%, resulting in a potential shortage of between 1,182 and 2,653 psychiatrists by 2030.

Table 1: Projected Differences Between Supply and Demand in New York State for Psychiatrists in 2030

Physician Specialty	Baseline Supply (2006)	Projected Supply (2030)	Projected Demand (2030)	Projected Surplus/(Shortage) (2030)
Psychiatry	6,166	5,236 – 6,166	6,420 – 7,891	(1,182) – (2,653)

In addition to psychiatrists, psychiatric NPs can play a critical role in addressing shortages of mental health practitioners in eligible programs. In states with full practice, such as New York State, psychiatric NPs can offer critical expertise and capacity to assist in filling the gaps in supply as under current scope of practice they are able to “evaluate patients; diagnose, order and interpret diagnostic tests; and initiate and manage treatments, including prescribing medications and controlled substances, under the exclusive licensure authority of the state board of nursing.”^[iii]

Psychiatric NPs represent critical capacity to assist in the psychiatrist physician shortage. This is evidenced in recent trends in Medicare claims data researched from 2011 to 2019, examining how the supply and use of psychiatrists and psychiatric NPs changed over time as practice patterns were compared.^[iii]

- NPs treating psychiatric Medicare beneficiaries grew 162% while there was a 6% relative decrease in MDs doing the same.
- Total annual mental health office visits per 100 beneficiaries decreased 11.5% from 27.4 to 24.2, the net result of a 29% drop in MD visits being offset by a 111.3% increase in NP visits.
- The proportion of all mental health prescriber visits provided by NPs increased from 12.5% to 29.8%, exceeding 50% in rural, full-scope-of-practice regions.

Another pragmatic strategy to address the growing demand for mental health services and alleviate the psychiatrist shortage is the involvement of psychiatric physician assistants (PAs). Being a profession that follows the generalist model of education, PAs can quickly change specialties with proper training and supervision. As a result, PAs can quickly adapt to fluctuations in the labor market, coupled with projected growth of the profession, psychiatric PAs could become significant contributors to the growing demand for mental health services and offer additional capacity to assist in the psychiatrist physician shortage.^[iv]

Definitions

For purposes of this overview, the following definitions will apply:

- **Applicant:** The licensed program applying who will be responsible for executing and implementing the contract(s) with New York State for entering into agreements with eligible participants for loan repayment.
- **OMH CMHLRP:** The Office of Mental Health Community Mental Health Loan Repayment Program, administered by OMH.
- **Eligible Professional:** The eligible staff, whether newly hired or existing, that can be

nominated by the licensed program (applicant) for receipt of the award. This can be either a psychiatrist, psychiatric nurse practitioner, or physician assistant.

- **Full-Time Clinical Capacity:** Providing at least 40 hours of service (with a *minimum of 32 clinical hours*) per week for at least 45 weeks per year. Unless otherwise approved in writing by OMH, the 40 hours per week may be compressed into no less than four days per week, with no more than 12 hours of work performed in any 24-hour period. Time spent in on-call status should not be applied toward the 40-hour week. Hours worked in excess of 40 hours per week shall not be applied to any other workweek.
- **Part-Time Clinical Capacity:** Providing less than 40 hours of service (with a *minimum of 80% of those hours of service being clinical hours*) per week for at least 45 weeks per year. Unless otherwise approved in writing by OMH, part-time schedules should not be compressed to the point of shifts greater than 12 hours in any 24-hour period. Time spent in on-call status should not be applied toward part-time schedule for purposes of determining a prorated award. Awards will be prorated based on the minimum part-time schedule of the eligible professional in the case of a variable schedule; hours worked in excess of the eligible professional's minimum part-time schedule shall not be applied to any other workweek or averaged. For examples and further details on prorated awards, see the [Prorated Awards](#).
- **Clinical Hours:** Time spent on direct-care with clients, as well as time spent on documentation and follow-up of these encounters.
- **Inpatient/CPEP:** Licensed providers of Article 28 hospital inpatient psychiatric units, Article 31 freestanding inpatient hospital programs and Comprehensive Psychiatric Emergency Programs (CPEPs).
- **Licensed Program:** Any existing or prospective mental health provider, subject to the jurisdiction of OMH, that has obtained an operating certificate (License) from the Commissioner prior to the operation of such facilities and programs. They are the applicant (see above).
- **OMH:** The New York State Office of Mental Health, a State entity authorized to administer the OMH CMHLRP.
- **Outpatient:** Licensed providers of Article 31 outpatient programs including Assertive Community Treatment (ACT) teams, Continuing Day Treatment (CDT), Children's Day Treatment, Partial Hospitalization (PH), Personalized Recover Oriented Services (PROS), and Mental Health Outpatient treatment and Rehabilitative Services (MHOTRS).
- **Psychiatrist (MD):** Any graduate of an osteopathic or allopathic medical school who possesses an MD or DO degree, who has been licensed to practice medicine in New York State, and who is board-eligible or board-certified in psychiatry.
- **Psychiatric Nurse Practitioner (NP):** is a Registered Nurse (RN) who has earned a separate certification as a Nurse Practitioner (NP) through advanced clinical nursing education (usually a master's degree) in a distinct specialty area of practice, in this case Psychiatry. NPs may diagnose, treat, and prescribe for a patient's condition that falls within their specialty area of practice.



- **Psychiatric Physician Assistant (PA):** is a medical professional licensed by the New York State Education Department (NYSED) to provide direct patient care delegated by and within the scope of practice of a supervising physician (MD), who works at a community mental health program licensed by OMH (see [Eligible Applicant Agencies](#)).
- **Qualified educational loans/debt:** Any student loan that was used to pay graduate or undergraduate tuition or related educational expenses, made by or guaranteed by the federal or state government, or made by a lending or educational institution approved under Title IV of the federal Higher Education Act.
- **Qualifying loan payments:** Participating professionals must continue to make their monthly loan payments, unless in forbearance/deferment. Participating professionals will become ineligible if they enter delinquency or default on student loan payments. Any CMHLRP award funds received must be applied to the balance of the participating professional's student loan debt.

Program Information 2024-25

Eligible Applicant Agencies

Providers of licensed community mental health programs in one of the two below specified program categories may apply on behalf of eligible professionals:

- **Inpatient/CPEP:** Licensed providers of Article 28 hospital inpatient psychiatric units, Article 31 freestanding inpatient hospital programs, Comprehensive Psychiatric Emergency Programs (CPEPs), and Residential Treatment Facility - Children & Youth.
- **Outpatient/Crisis Residence:** Licensed providers of Article 31 outpatient programs including Assertive Community Treatment (ACT) teams, Continuing Day Treatment (CDT), Children's Day Treatment, Partial Hospitalization (PH), Personalized Recover Oriented Services (PROS), Mental Health Outpatient Treatment and Rehabilitative Services (MHOTRS), and Crisis Stabilization Centers (Intensive & Supportive) or licensed providers of crisis residence programs including Children's Crisis Residence, Intensive Crisis Residence, and Residential Crisis Support.

Eligible Professionals

Licensed programs will be able to apply on behalf of eligible professionals for the full award amount, (over a three-year period, up to the balance of total student loan debt, not to exceed \$120,000 for psychiatrists and \$30,000 for psychiatric NPs/PAs) who meet **all** of the following criteria:

- A U.S. citizen or permanent resident alien holding an I-155 or I-551 card (green card);
- Licensed to practice in New York State by the time the service obligation begins;
- Still has student loan expenses that can be repaid;
- Not fulfilling any other loan repayment program obligation where the obligation period of that repayment program would overlap or coincide with the OMH CMHLRP obligation period;

- In good standing with:
 - For psychiatrist and psychiatric nurse practitioners – the Department of Health^v
 - For physician assistants – the Department of Education^{vi};
- Not in breach of a health professional service obligation to federal, state, or local government, or have any judgment liens arising from federal or state debt; and must not be delinquent in child support payments;
- Working or planning to work full time clinical capacity as a psychiatrist/psychiatric nurse practitioner/psychiatric physician assistant within eligible OMH licensed community mental health programs in New York State.
 - Providers may apply for a prorated award on behalf of eligible professionals who work or plan to work part time clinical capacity as a psychiatrist/NP/PA within eligible OMH licensed community mental health programs in New York State. For examples and further details on prorated awards, see [Prorated Awards](#).
 - Employees contracted via academic affiliation will be subject to OMH approval and additional information should be provided where requested.

Please note: Other consultants/contractors are ineligible for the OMH CMHLRP.

Application Submission and Review Process

Applications are currently being accepted by eligible programs for the OMH CMHLRP. An eligible program is required to apply on behalf of the eligible professional for funds to be used to repay qualified educational loans, over a three-year period, up to the balance of total student loan debt, not to exceed \$120,000 for psychiatrists and \$30,000 for psychiatric NPs/PAs. Eligible programs applying on behalf of multiple eligible professionals must include a priority order for applications to be considered.

Eligible programs **should submit their applications electronically** to OMH.CMHLRP@omh.ny.gov. Applications will be accepted by eligible programs until funds are exhausted and all awards have been made. OMH will advise on the application process going forward from this date based on the availability of additional slots to ensure full resources are utilized.

OMH will review all applications by eligible programs on behalf of current or prospective employees in the order in which they are received and in a timely manner. An eligible program shall be notified in writing by OMH whether the application is accepted, rejected, or waitlisted. Applications may be waitlisted due to either (1) unavailability of awards in requested region/setting or (2) applicant award maximum met due to criteria utilized to ensure fair allocation amongst eligible programs. Regardless of whether the minimum 120 awards have been made, if funding remains, OMH will continue to make awards within available capacity through January 31, 2025. Eligible programs with applications that were rejected for being incomplete will be able to resubmit.

Eligible professionals cannot participate in both the OMH CMHLRP and any other loan repayment programs simultaneously, including, but not limited to: Doctors Across New York (DANY), Public Service Loan Forgiveness (PSLF), or employee-sponsored loan repayment programs.

An eligible program may withdraw an application at any time by notifying OMH in writing to OMH.CMHLRP@omh.ny.gov. An eligible program who receives an award but has staff who

are subsequently unable to fulfill the requirements of the award or resulting contract also must notify OMH in writing to OMH.CMHLRP@omh.ny.gov. Any licensed program who submits an application that is deemed ineligible or who withdraws an application may resubmit a new application. When funding has been depleted to a level such that the eligible program's total requested funding amount cannot be met, at the sole discretion of the Commissioner of the Office of Mental Health, the program will be offered a reduced award amount.

Award Notifications

OMH will support a minimum of 120 OMH CMHLRP awards (60 psychiatrists/60 psychiatric NPs/PAs). Applications by eligible programs will be selected for an award on a first-come first-served basis if their applications are complete and meet the minimum threshold for an award, as described in the application instructions, and funding remains available by region and/or program category. It is anticipated that approximately 120 OMH CMHLRP awards will be made during FY 2024-2025. The funds will be provided **directly** to the licensed community mental health program, who will enter into loan repayment agreements with each individual eligible professional and distribute payments as obligated by each agreement. All eligible programs awarded funding under the OMH CMHLRP will be notified by email and/or U.S. mail within a reasonable time following the conclusion of the application approval.

Allocation of Funding

Each OMH region listed below shall be allocated the specified number of OMH CMHLRP awards by program category for FY 2024-25. In addition to criteria by region/setting that will be utilized to ensure fair allocation amongst eligible programs, there will also be a \$120,000 total annual award maximum applied by provider of eligible programs prior to waitlist to ensure equitable access to all eligible programs. If unallocated awards remain in a region after the January 31st, 2025 application deadline, OMH reserves the right to re-allocate authorized capacity based on those regions with the greatest need at the sole discretion of the Commissioner of the Office of Mental Health. These allocations are based on a composite of information including: existing licensed capacity and staffing; number of locations; and anticipated staffing needs. Once a region and category has exhausted all their allocated awards, a waitlist of additional applicants will be kept.

If all awards have not been made by January 31st, 2025 at the sole discretion of the Commissioner of the Office of Mental Health, awards may be reallocated to any other region/applicant with a waitlist. OMH reserves the right to prioritize applications waitlisted from eligible programs that either (1) have non-operational or offline licensed hospital inpatient psychiatric beds, (2) have not been awarded any funding in previous rounds of OMH CMHLRP, or (3) were waitlisted due to unavailability of awards in any region/setting. Waitlisted applications prioritized for the same reason will be reviewed on a first come, first served basis, and criteria utilized for priority will be clearly defined by OMH. The Commissioner will revisit distribution and reallocation of any available awards at least once each fiscal year. Allocations are subject to change as psychiatrist, psychiatric nurse practitioner, and psychiatric physician assistant shortages and other program needs are identified.



Allocation of Awards (by Region/Setting)

Region	Setting	Psychiatrist		Psychiatric NP / Psychiatric PA	
		Funding	Awards Available	Funding	Awards Available
Central	Inpatient/CPEP	\$160,000	4	\$30,000	3
	Outpatient/Crisis Residence	\$80,000	2	\$30,000	3
	Subtotal	\$240,000	6	\$60,000	6
Hudson River	Inpatient/CPEP	\$240,000	6	\$40,000	4
	Outpatient/Crisis Residence	\$120,000	3	\$50,000	5
	Subtotal	\$360,000	9	\$90,000	9
Long Island	Inpatient/CPEP	\$160,000	4	\$30,000	3
	Outpatient/Crisis Residence	\$80,000	2	\$30,000	3
	Subtotal	\$240,000	6	\$60,000	6
New York City	Inpatient/CPEP	\$720,000	18	\$150,000	15
	Outpatient/Crisis Residence	\$480,000	12	\$150,000	15
	Subtotal	\$1,200,000	30	\$300,000	30
Western	Inpatient/CPEP	\$240,000	6	\$40,000	4
	Outpatient/Crisis Residence	\$120,000	3	\$50,000	5
	Subtotal	\$360,000	9	\$90,000	9
Total	Inpatient/CPEP	\$1,440,000	36	\$300,000	30
	Outpatient/Crisis Residence	\$960,000	24	\$300,000	30
	Total	\$2,400,000	60	\$600,000	60

Payment Instructions

Eligible programs may receive up to \$120,000 per participating psychiatrist over 3 years, payable upon award execution, periodic educational debt level verification reports and periodic employment verification reports. Eligible programs may receive up to \$30,000 over 3 years per participating psychiatric NP/PA, payable upon the same above-mentioned criteria. Payments will be made in yearly increments as follows:

- Payment 1 (Year 1): 1/3 of total qualified debt not to exceed \$40,000 for psychiatrist or \$10,000 for psychiatric NP/PA.
- Payment 2 (Year 2): 1/3 of total qualified debt not to exceed \$40,000 for psychiatrist or \$10,000 for psychiatric NP/PA.
- Payment 3 (Year 3): 1/3 of total qualified debt not to exceed \$40,000 for psychiatrist or \$10,000 for psychiatric NP/PA.

The first payment will be made in full (100%) upon approval of the award and the successful completion of **all** the following:

- Execution of the award between OMH and eligible program
- Employer Verification of Employment Attestation
- Employer Verification of Employee Qualifying Loan Attestation
- Employer Verification of Employee Eligibility

Please be advised that execution of the award between OMH and eligible program will not be made until such time the contract is approved by both the NYS Office of the Attorney General and Office of the New York State Comptroller. The contracting process will not begin prior to January 31st, 2025.

Payment 2 will be made in full (100%) eighteen (18) months after the award start date with Payment 3 will be made in full (100%) twelve (12) months after that, both pending employer attestation to the participating professional's:

- Continued employment and full or part-time clinical capacity schedule;
- Qualifying student loan debt and qualifying loan repayment (as defined in [Definitions](#));
 - Participating professionals who enter loan forbearance and/or deferment periods may still be eligible for CMHLRP. If a participating professional is in loan forbearance and/or deferment, please reach out to OMH.CMHLRP@omh.ny.gov
 - Participating professionals who enter loan delinquency and/or default will become ineligible for CMHLRP.
- Continued eligibility for CMHLRP.

Prorated Awards

Providers may apply for a prorated award on behalf of eligible professionals who work or plan to work part time clinical capacity as a psychiatrist/NP/PA within eligible OMH licensed community mental health programs in New York State. Part-time clinical capacity is defined as a schedule of less than 40 hours of service (with a *minimum of 80% of those hours of service being clinical hours*) per week for at least 45 weeks per year.

The CMHLRP requires approval in writing by OMH for compressed schedules that result in shifts of greater than 12 hours in any 24-hour period.

Awards will be prorated based on the minimum part-time schedule of the eligible professional in the case of a variable schedule; hours worked in excess of the eligible professional's minimum part-time schedule shall not be applied to any other workweek or averaged.

For example:

- An NP works 22 hours per week with 18 clinical hours. The clinical capacity of at least 80% is met; this employee could be eligible for a prorated total award up to \$16,500 over a three-year period, (22 hours being 55% of the 40 hours/week required for full-time clinical capacity and \$16,500 being 55% of the full award amount of up to \$30,000 over a three-year period).
- A psychiatrist works 35 hour/week schedule with 24 clinical hours. As 24 is less than 80% of 35, this award would be prorated instead based on 30 hours (24/30 = 80%). This



employee could be eligible for a prorated total award of up to \$90,000 over a three-year period, (30 hours being 75% of the 40 hours/week required for full-time capacity and \$90,000 being 75% of the full award amount of up to \$120,000 over three years for PAs).

- A PA works different schedules throughout the year – between 10 and 15 hours/week, consistently meeting the 80% clinical capacity requirement. This employee could be eligible for a prorated total award up to \$7,500 over a three-year period, (10 hours being 25% of the 40 hours/week required for full-time clinical capacity and \$7,500 being 25% of the full award amount of up to \$30,000 over a three-year period).

Change in Location of Obligation

Eligible participating professionals will be expected to fulfill their three (3) year service obligation pursuant to the agreement with the eligible program in which the award was made. The eligible program must notify OMH CMHLRP of changes in such agreements including reassignment or changes in their service location for approval of continuation in the program at the discretion of the Commissioner of the Office of Mental Health. Changes in location that result in a change in setting type or a change in OMH Region will be considered on a case-by-case basis. Requests for changes should be sent to OMH.CMHLRP@omh.ny.gov.

Deferral of Obligation

Eligible programs are permitted to authorize participating professionals to defer their service obligations for parental leave, military service, Family and Medical Leave (FMLA), or disability. The eligible programs shall notify OMH in writing, and any deferral periods will be added to the term specified in the award. Requests for deferrals for any other reason, excluding any reason that would otherwise make a professional ineligible, should be sent to OMH.CMHLRP@omh.ny.gov for approval.

Tax Issues

Section 10908 of the Patient Protection and Affordable Care Act (PL 111-148) addresses federal taxability of state loan repayment programs that are not part of the Federal State Loan Repayment (SLRP) program. This section puts the state loan repayment programs on par with the federal/state SLRP programs in terms of federal taxability. The relevant text is as follows:

SEC. 10908. EXCLUSION FOR ASSISTANCE PROVIDED TO PARTICIPANTS IN STATE STUDENT LOAN REPAYMENT PROGRAMS FOR CERTAIN HEALTH PROFESSIONALS.

(a) IN GENERAL. —Paragraph (4) of section 108(f) of the Internal Revenue Code of 1986 is amended to read as follows:

"(4) PAYMENTS UNDER NATIONAL HEALTH SERVICE CORPS LOAN REPAYMENT PROGRAM AND CERTAIN STATE LOAN REPAYMENT PROGRAMS.—In the case of an individual, gross income shall not include any amount received under section 338B(g) of the Public Health Service Act, under a State program described in section 338I of such Act, or under any other State loan repayment or loan forgiveness program that is intended

to provide for the increased availability of healthcare services in underserved or health professional shortage areas (as determined by such State)."

(b) EFFECTIVE DATE — The amendment made by this section shall apply to amounts received by an individual in taxable years beginning after December 31, 2008.

Based on the above text, loan repayment funds under the OMH CMHLRP should be exempt from federal taxes. However, the above should not be construed as binding tax or legal advice. Please consult your tax professional for more information about your specific tax situation, particularly as it relates to New York State taxes.

Administrative Requirements

Issuing agency

This State Aid funding opportunity for eligible programs is issued by the Office of Mental Health (OMH). OMH is responsible for the requirements specified herein and for the evaluation of all applications. This funding opportunity has been posted on the OMH public website at: <https://omh.ny.gov/omhweb/rfp/>.

Frequently asked questions and answers, example boilerplate, as well as any updates and/or modifications, may also be posted on the above website.

Questions

Questions regarding this funding opportunity and application materials should be submitted to: OMH.CMHLRP@omh.ny.gov.

Prospective eligible program applicants should note that all clarifications and exceptions, including those relating to the terms and conditions of the contract, should be requested prior to the submission of an application.

To the degree possible, each inquiry requiring additional clarification should cite the application section, paragraph, or numbered item to which it refers. OMH will make every attempt to answer all questions and respond and, as appropriate, post updates to in the Frequency Asked Questions (FAQs) for the OMH CMHLRP funds.

Questions and Answers will be updated as necessary (i.e.; as they are posed by interested applicants) on a weekly basis. Please make sure to monitor OMH's website (<https://omh.ny.gov/omhweb/rfp/>) for any/all updates and/or announcements.

Issuing Officer/Designated Contact

OMH has assigned an Issuing Officer for this project. The Issuing Officer or a designee shall be the sole point of contact regarding the RFA from the date of issuance of the RFA until the issuance of the Notice of Conditional Award. To avoid being deemed non-responsive, an applicant is restricted from making contact with any other personnel of OMH regarding the RFA. Certain findings of non-responsibility can result in rejection for a contract award. The Issuing Officer for this RFP is:



Carol Swiderski
Contract Management Specialist 3
New York State Office of Mental Health
Contracts and Claims
44 Holland Avenue, 7th Floor
Albany, NY 12229

carol.swiderski@omh.ny.gov

Term of Award

OMH will process State Aid payments directly to eligible programs under the OMH CMHLRP to cover the cost of agreements with the eligible participating professionals resulting from the approved application. The effective date will be specified in the award upon approval of a completed application.

General Specifications

1. By signing the application each employer attests to the truth of all statements on the application.
2. The eligible participating professionals in such program will possess, at no cost to the State, all qualifications, licenses, and permits to engage in the required business as may be required within the jurisdiction where the work specified is to be performed. Workers to be employed in performance of this contract will possess the qualifications, training, licenses and permits as may be required within such jurisdiction.
3. Submission of an application indicates the applicant's acceptance of all conditions and terms contained in this funding opportunity, including the terms and conditions of the agreement between the eligible program and designated staff.
4. An eligible program may be disqualified from receiving an award if such eligible program has previously failed to perform satisfactorily in connection with public bidding or contracts.
5. Provisions Upon Default:
 1. The services to be performed by the eligible program shall be at all times subject to the direction and control of the OMH as to all matters arising in connection with or relating to the contract resulting from this funding opportunity.
 2. In the event that the eligible program, through any cause, fails to perform any of the terms, covenants or promises of any contract resulting from this funding opportunity, the OMH acting for and on behalf of the State, shall thereupon have the right to terminate the contract by giving notice in writing of the fact and date of such termination to the eligible program.
 3. If, in the judgment of the OMH, the eligible program acts in such a way which is likely to or does impair or prejudice the interests of the State, the OMH acting on behalf of the State, shall thereupon have the right to terminate any contract resulting from this funding opportunity by giving notice in writing of the fact and date of such termination to the eligible program. In such case the eligible program shall receive equitable compensation for such services as shall, in the judgment of the State Comptroller, have been satisfactorily performed by the eligible program up to the date of the termination of this agreement, which such compensation shall not



exceed the total cost incurred for the work which the Eligible program was engaged in at the time of such termination, subject to audit by the State Comptroller.

4. Specific Provisions of this application:

If the employee of the OMH CMHLRP eligible program defaults on his/her service obligation, the eligible program shall notify OMH in writing. The employee would no longer be eligible and additional payments would not be made to the Eligible program.

Reservation of Rights

OMH reserves the right to:

1. Reject any or all applications received in response to this funding opportunity.
2. Withdraw the funding opportunity any time, at the sole discretion of OMH.
3. Make an award under the funding opportunity in whole or in part.
4. Disqualify any applicant whose conduct and/or proposal fails to conform to the requirements of the funding opportunity.
5. Seek clarifications and revisions of applications.
6. Use application information obtained through site visits, management interviews and the state's investigation of an applicant's qualifications, experience, ability or financial standing, and any material or information submitted by the applicant in response to the agency's request for clarifying information in the course of evaluation and/or selection under the funding opportunity.
7. Amend the funding opportunity specifications to correct errors or oversights, or to supply additional information, as it becomes available.
8. Direct applicants to submit proposal modifications addressing subsequent funding opportunity amendments.
9. Change any of the scheduled dates.
10. Waive any requirements that are not material.
11. Award more than one contract resulting from this funding opportunity.
12. Conduct contract negotiations with the next responsible applicant, should OMH be unsuccessful in negotiating with the selected applicant.
13. Utilize any and all ideas submitted with the applications received.
14. Waive or modify minor irregularities in applications received after prior notification to the applicant.
15. Require clarification at any time during the procurement process and/or require correction of apparent errors for the purpose of assuring a full and complete understanding of an Offerer's application and/or to determine an offerer's compliance with the requirements of the funding opportunity.
16. Negotiate with successful applicants within the scope of the funding opportunity in the best interests of the State.
17. Eliminate any mandatory, non-material specifications that cannot be complied with by all applicants; and
18. Award grants based on geographic or regional considerations to serve the best interests of the state and at the Commissioner's discretion.

Freedom of Information Law

All eligible programs may be disclosed or used by OMH to the extent permitted by law. OMH

may disclose an application to any person for the purpose of assisting in evaluating the application or for any other lawful purpose. All applications will become State agency records, which will be available to the public in accordance with the Freedom of Information Law. Any portion of the application that an eligible program believes constitutes proprietary information entitled to confidential handling, as an exception to the Freedom of Information Law, must be clearly and specifically designated in the application. If OMH agrees with the proprietary claim, the designated portion of the application will be withheld from public disclosure. Blanket assertions of proprietary material will not be accepted, and failure to specifically designate proprietary material may be deemed a waiver of any right to confidential handling of such material.

Protests Related to the Solicitation Process

Protests based on errors or omissions in the solicitation process or protests of an award decision must be filed within fifteen (15) business days after receipt of the award/non-award letter. The Commissioner or their designee will review the matter and issue a written decision within twenty (20) business days of receipt of protest.

All protests must be in writing and must clearly and fully state the legal and factual grounds for the protest and include all relevant documentation. The written documentation should clearly state reference to the RFA title and due date. Such protests must be submitted to:

New York State Office of Mental Health
Commissioner Ann Marie T. Sullivan, M.D.
44 Holland Avenue
Albany, NY 12229

Prequalification

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reform initiatives to the grant contract process which require not-for-profits to register in the Grants Gateway and complete the Prequalification process in order for applications to be evaluated and any resulting contracts executed.

Applications received from eligible not-for-profit applicants who have not been Prequalified by the application due date of January 31st, 2025, cannot be evaluated; therefore, such Applications will be disqualified from further consideration. For-Profit applicants are exempt from Prequalification but must still Register with the Grants Gateway in order to submit applications and receive a contract if an award is made.

Please do not delay in beginning and completing the Prequalification process. The State reserves five (5) days to review submitted prequalification applications. Prequalification applications submitted to the State for review less than five (5) days prior to the RFA due date and time may not be considered. Applicants should not assume their prequalification information will be reviewed if they do not adhere to this timeframe.



Sexual Harassment Certification

State Finance Law Section 139_I requires applicants on state procurements to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training (that meets the Department of Labor’s model policy and training standards) to all its employees. Bids that do not contain the certification may not be considered for award; provided, however, that if the applicant cannot make the certification, the applicant may provide a statement with their bid detailing the reasons why the certification cannot be made. A template certification document is being provided as part of this RFA. Applicants must complete and return the certification with their application or provide a statement detailing why the certification cannot be made.

ⁱ Center for Health Workforce Studies, New York Physician Supply and Demand Through 2030. See: <http://www.chwsny.org/our-work/reports-briefs/r-2010-7/>.

ⁱⁱ American Association of Nurse Practitioners (AANP) – State Practice Environment. See: <https://www.aanp.org/advocacy/state/state-practice-environment>.

ⁱⁱⁱ Health Affairs – Trends In Mental Health Care Delivery By Psychiatrists And Nurse Practitioners In Medicare, 2011–19. See: <https://www.healthaffairs.org>.

^{iv} Mauldin, Sheila G. MNM; Morton-Rias, Dawn EdD, PA-C; Barnhill, Grady C. Med; Kozikowski, Andrzej PhD; Hooker, Roderick S. PhD, MBA, PA. The role of PAs in providing mental health care. JAAPA 33(12):p 34-41, December 2020. | DOI: 10.1097/01.JAA.0000694988.35913.1a

^v i.e., not excluded from, or terminated by, the federal Medicare or Medicaid programs (see <https://omig.ny.gov/medicaid-fraud/medicaid-exclusions>); not subject to Orders of the State Board for Professional Medical Conduct (see <http://w3.health.state.ny.us/opmc/factions.nsf/physiciansearch?openform>); or under indictment for, or convicted of, any crime as defined by the New York State Penal Code, (see: <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO> - Click PEN for Penal Code).

^{vi} New York State Education Department Office of the Professions, Article 131-A, Definitions of Professional Misconduct Applicable to Physicians. (see: <https://www.op.nysed.gov/professions/physicians/laws-rules-regulations/article-131a>)