

Nicholas A. Toumpas Commissioner

> Carol E. Sideris Director

STATE OF NEW HAMPSHIRE

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF HUMAN SERVICES

DIVISION OF CLIENT SERVICES

129 PLEASANT STREET, CONCORD, NH 03301 603-271-9404 1-800-852-3345 Ext. 9404 Fax: 603-271-4232 TDD Access: 1-800-735-2964 www.dhhs.nh.gov

February 8, 2013

Her Excellency, Governor Margaret Wood Hassan and the Honorable Council State House Concord, NH 03301

Sale Source

REQUESTED ACTION

Authorize the Department of Health and Human Services, Division of Client Services, Disability Determination Unit, to amend an agreement, Purchase Order number 1024119, with Herbert W. Crosby, Ph.D. (157515-R001), to provide services as a Medical Disability Determination Reviewer by increasing the price limitation by an amount not to exceed \$9,000 from \$20,000 to \$29,000, effective March 6, 2013 or date of Governor and Executive Council approval, whichever is later, through June 30, 2013. This agreement was originally approved by Governor and Executive Council on May 9, 2012, item number 40. Funds are available in the following account.

05-95-958110-5193 HEALTH AND SOCIAL SERVICES, DEPT. OF HEALTH AND HUMAN SERVICES, HHS: COMMISSIONER, DCBCS DISABILITY DETERMINATION UNIT, MEDICAL AND CLIENT SERVICES

	Current Modified		Increase	Revised Modified
Class/Object	Class Title	<u>Amount</u>	Amount	Amount
046-500462	Consultants	\$20,000	\$9,000	\$ 29,000

EXPLANATION

The purpose of this request is to amend an existing Agreement with Herbert W. Crosby, Ph.D. by increasing the price limitation to provide additional contract hours as a Medical Disability Determination Reviewer. Additional hours are needed to cover the unanticipated extended absence of another contract reviewer. The Division of Client Services' Disability Determination Unit engages medical consultants to provide a wide range of medical and related expertise for assessing, determining and reviewing applicant eligibility for disability benefits under Medicaid. The Federal Centers for Medicare and Medicaid Services requires appropriate medical consultants to be available in order to complete these medical determinations. The Division of Client Services has chosen to utilize contracted medical consultants in this capacity. This was determined to be in the best interest of the State.

Her Excellency, Governor Margaret Wood Hassan and the Honorable Council February 8, 2013 Page 2

Funding in this agreement will be used to provide a psychologist who shall be responsible for reviewing medical records used in case development to include written sequential evaluation summary and making the final determination as to eligibility for disability benefits.

An advertisement for multiple physicians and psychologists was placed in the New Hampshire Union Leader on February 6, 7 and 8, 2012. A letter of interest and resume were submitted by Dr. Crosby for consideration. Given federal requirements that disability determinations be made within 90 days and the increasing number of new applications, he was selected as a contracted medical disability determination reviewer. The salary rate is \$60 an hour for SFY 2013. The rate is based on historical schedules pursuant to the Division of Personnel guidelines and is sufficiently less than prevailing rates for similarly credentialed physicians in the marketplace.

Should Governor and Executive Council determine not to approve this request the Disability Determination Unit will not have sufficient clinical staff to make medical disability decisions within 90 days as mandated by federal and state regulations. This could subject the Department to legal action for noncompliance as has happened in the past.

The total agreement price is \$29,000 representing salary only.

The requirement for insurance has been deleted and approved by the Attorney General's Office.

Area served: statewide.

Source of funds: 75% federal and 25% general.

In the event that the federal funds become no longer available, general funds will not be requested to support disability determination work.

Carol E. Sideris

Respectfulty

Director

Nicholas A. Toumpas

Commissioner

Approved by

AMENDMENT

This Agreement (hereinafter called the "Amendment") dated this 1st day of February 2013, by and between the State of New Hampshire acting by and through its Division of Client Services of the Department of Health & Human Services (hereinafter referred to as the "Division") and Herbert W. Crosby Jr., Ph.D., an individual contractor, organized under the laws of the State of New Hampshire, with a place of business at 36 Wood Avenue, Concord, NH (hereinafter referred to as the "Provider").

WHEREAS, pursuant to an agreement (hereinafter called the "Agreement"), dated 9th day of May 2012, the Provider agreed to perform certain services upon the terms and conditions specified in the Agreement and in consideration of payment by the Division of certain sums as specified therein;

WHEREAS, pursuant to the provisions of Section 18 of the Agreement, the Agreement may be modified or amended only by a written instrument executed by the parties thereto and only after approval of such modification by the Governor & Executive Council, or amendment;

WHEREAS, the Provider and the Division have agreed to amend the Agreement in certain respects;

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the Agreement and set forth herein, the parties hereto do hereby agree as follows;

1. Amendment and modification of Agreement:

The Agreement is hereby amended as follows:

- 1.1. Amend Section 1.8 of the General Provisions by replacing \$20,000 with \$29,000.
- 1.2. Replace Exhibit B, Methods and Conditions of Payment, paragraph 1 with the following: The Contract Price shall not exceed \$29,000. Payments shall be made during FY 2013 in accordance with the Budget. Notwithstanding anything to the contrary herein, the Contractor agrees that funding under this agreement may be withheld, in whole or in part, in the event of non-compliance with any Federal or State law, rule or regulation applicable to the services provided, or if the said services or products have not been satisfactorily completed in accordance with the terms and conditions of this agreement.
- 1.3. Replace Exhibit B, Methods and Conditions of Payment, paragraph 5 with the following: The Contractor shall be paid only for the total number of hours actually worked at the hourly rate of \$60, effective upon approval by Governor and the Executive Council. The total of all payments made to the Contractor for costs and expenses incurred in the performance of the Services during the period of the contract shall not exceed twenty nine thousand dollars (\$29,000).
- 1.4. Replace Budget Form with the attached Amended Budget Form.

2. **Effective Date of Amendment:**

This Amendment shall take effect on the 6^{th} day of March 2013, or the date of Governor & Executive Council approval, whichever is later.

3. Continuance of Agreement:

Except as specifically amended and modified by the terms and conditions of this Amendment, the Agreement and the obligation of the parties thereunder shall remain in full force and effect in accordance with the terms and conditions set forth therein.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

STATE OF NEW HAMPSHIRE

Division of Client Services

By

Carol E. Sideris

Director

By

Contractor Initials / //
Date 2/14/13

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State of New Hampshire		
County of Merrimack		
On this the 7th day of February , 2 undersigned officer, personally appeared Herbert W. C.		fore me, Donna E. Walker, the (Notary Public or Justice of the Peace) Ph.D., who executed the foregoing instrument by
signing his name.		
IN WITNESS WHEREOF, I hereunto set my h	and and	official seal.
(SEAL)		Notary Public/Justice of the Peace
My Commission expires: DONNA E. WALKER Notary Public, State of New Ham My Commission Expires April 18	enidaqu	
Approved by the Department of Administration	ı:	
	Ву	DIVISION OF PERSONNEL Karen D. Hutchins, Director
	Date	2-15-13,2013
Approved as to form, execution and substance:		OFFICE OF THE ATTORNEY GENERAL
	Ву	Jeanne P. Herrick, Attorney
	Date	

AMENDED BUDGET (July 1, 2012 through June 30, 2013)

Herbert W. Crosby Jr., Ph.D.	Current FY 2013	Increase	Modified FY 2013
\$50 per hour x 400 hours	\$20,000		\$20,000
\$60 per hour x 150 hours		\$9,000	\$9,000
TOTALS	\$20,000	\$9,000	\$29,000



Nicholas A. Toumpas Commissioner

Nancy L. Rollins Associate Commissioner

STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF COMMUNITY BASED CARE SERVICES

DISABILITY DETERMINATION UNIT

29 HAZEN DRIVE, CONCORD, NH 03301-6504 603-271-4445 1-800-852-3345 Ext. 4445 Fax: 603-271-4376 TDD Access: 1-800-735-2964

March 29, 2012

Approved by 6+C

Dete 5-9-12

Item # 40

1024119

His Excellency, Governor John H. Lynch and the Honorable Executive Council State House Concord, NH 03301

REQUESTED ACTION

Authorize the Department of Health and Human Services, Division of Community Based Care Services, Disability Determination Unit, to enter into an agreement with Herbert W. Crosby Jr., Ph.D., (vendor code 157515-R001), 36 Wood Avenue, Concord, NH 03301, to provide services as a Medical Disability Determination Reviewer in an amount not to exceed \$20,000, effective July 1, 2012, or date of Governor and Executive Council approval, whichever is later, through June 30, 2013. Funds are available the following account.

05-95-958110-5193 HEALTH AND SOCIAL SERVICES, DEPT. OF HEALTH AND HUMAN SERVICES, HHS: COMMISSIONER, DCBCS DISABILITY DETERMINATION UNIT, MEDICAL AND CLIENT SERVICES

<u>Appropriation</u> 05-95-95-958110-5193

Class/Object 046-500462

Class Title
Consultants

Amount \$20,000

EXPLANATION

The Division of Community Based Care Services, Disability Determination Unit engages physicians to provide medical expertise for assessing, determining and reviewing applicant eligibility for disability benefits under Medicaid. The Federal Centers for Medicare and Medicaid Services requires appropriate medical consultants to be available in order to complete these medical determinations. The Division of Community Based Care Services has chosen to utilize contracted physiciant and psychologist consultants in this capacity. This was determined to be in the best interest of the State.

Funding in this Agreement will be used to provide a psychologist who shall be responsible for reviewing medical records used in case development to include written sequential evaluation summary and making the final determination as to eligibility for disability.

His Excellency, Governor John H. Lynch and the Honorable Executive Council March 29, 2012 Page 2

An advertisement for multiple physicians and psychologists was placed in the New Hampshire Union Leader on February 6, 7 and 8, 2012. A letter of interest and resume were submitted by Dr. Crosby for consideration. Given federal requirements that disability determinations be made within 90 days, the increasing number of new applications, he was selected as a contracted disability determination reviewer.

Should Governor and Executive Council determine not to approve this request the Disability Determination Unit will not have sufficient clinical staff to make medical disability decisions within 90 days as mandated by federal and state regulations. This could subject the Department to legal action for noncompliance as has happened in the past.

The satary rate is \$50 per hour for SFY 2013. The rate is based on historical schedules pursuant to the Division of Personnel guidelines and prevailing rates for nurses in the marketplace. These rates are lower than rates of equivalent positions in the private sector and do not exceed public sector salaries and fringe benefits.

The total agreement price is \$20,000 representing salary only.

The requirement for insurance has been deleted and approved by the Attorney General's Office.

Area served: statewide.

Source of funds: 75% federal and 25% general.

In the event that the federal funds become no longer available, general funds will not be requested to support disability determination work.

Respectfully submitted,

Nancy L. Rollins

Mancyd

Associate Commissioner

Approved by:

Nicholas A. Toumpas

Commissioner

Herbert W. Crosby Jr., Ph.D.

Licensure

Psychologist (NO. 410), State of New Hampshire

Professional Experience

2010 - Present

New Hampshire Hospital

Concord, NH

Consulting Psychologist

- Provide individual, family and group therapy, psychological screening and evaluations for children, adolescents and adults
- Consultation to attending psychiatrist and ARNP Team Leaders

1996 - Present

Warren Street Family Counseling Associates

Concord, NH

Psychologist / Partner

- Provide individual, family and couples therapy, group therapy and psychological evaluations for adolescents and adults
- Participate in all facets of building and maintaining a community based multi-disciplinary group practice.

2007 - 2010, 1996 - 1988

Anna Philbrook Center - Children's Services Unit, N.H. Hospital

Concord, NH

Psychologist

- Provided individual, family and group therapy, psychological screening and evaluations and case consultations with outpatient care providers, schools, residential placements, and the Division of Children, Youth and Families
- Coordinator of Psychology Training for the Department of Psychology

1998 - 2007

Transitional Housing Services, N.H. Hospital

Concord, NH

Psychologist and Team Leader

- Provided Treatment planning and coordination of multidisciplinary services to adults with severe and persisting mental illnesses
- Provided individual and family therapy as well as daily therapy groups and informal transactions if Restorative Partial Hospitalization Program

1989 - 1996

Acute Psychiatric Services - D Unit, N.H. Hospital

Concord, NH

Psychologist

- Provided individual, couples and family therapy, daily therapy groups and psychological screenings and evaluations for the adult population
- Acted as staff liaison for "Therapeutic Community"
- Coordinator of Psychology Training for the Department of Psychology
- Served as a member of committees within the department and hospital such as the Privileging Committee, Ethics Committee and Quality Council

1989 - 1996

Private Practitioner

Concord, NH

Psychologist

- Provided individual, couples and family therapy and psychological evaluations for adolescents and adults
- Collaborated with two psychiatrists to provide comprehensive outpatient services

1980 - 1989

Central New Hampshire Community Mental Health Services -

Concord, NH

Adult Services / Children's Services,

Psychologist

- Provided family and couples therapy, group therapy with adolescents, and individual therapy representation, adolescents and adults
- Responsible for case consultation in the courts and schools, intellectual and learning disabilities dissessments, psychological evaluations, supervision of doctoral interns and quality assurance review

Appointments

1997 - 2009

Adjunct Assistant Professor of Psychiatry, Dartmouth Medical School

1993 - 1994, 1997 - 1998

Adjunct Clinical Faculty Member, Antioch New England Graduate School

Education-

1977 - 1980

California School of Professional Psychology

Fresno, CA

Doctor of Philosophy in Clinical Psychology

"The Consensus Rorschach and Personal Constructs: Couples Transactions and Change" Ph.D. Dissertation

1975 - 1977 University of Nevada

Las Vegas, NV

Master of Arts in Pre-Clinical Psychology

1971 - 1975 University of Maine at Portland-Gorham

Portland, ME

Bachelor of Arts Degree in Psychology



NEW HAMPSHIRE Online Licensing

Person Information
Name: HERBERT W CROSBY, PHD
License Information
License No: 410 Profession: Mental Health Practice License Type: Psychologist
License Status: Active Issue Date: 5/1/1987 Expiration Date: 6/30/2013
Discipline Information
No Discipline Information
Board Disciplinary Action
No Related Documents