



Lori A. Shibinette  
Commissioner

Katja S. Fox  
Director

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
*DIVISION FOR BEHAVIORAL HEALTH*

105 PLEASANT STREET, CONCORD, NH 03301  
603-271-5000 1-800-852-3345 Ext. 5000  
Fax: 603-271-5058 TDD Access: 1-800-735-2964 www.dhhs.nh.gov

March 18, 2022

The Honorable Karen Umberger, Chairman  
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

1. Pursuant to the provisions of RSA 14:30-a, VI authorize the Department of Health and Human Services, Division for Behavioral Health to accept and expend funds from the Substance Abuse and Mental Health Services Administration (SAMHSA), entitled Block Grants for Community Mental Health Services, in the amount of \$129,600 effective upon Fiscal Committee and Governor and Executive Council approvals through June 30, 2023. Funding source: 100% Federal Funds.
2. Pursuant to the provisions of RSA 124:15 and contingent upon approval of Requested Action #1, authorize the Department of Health and Human Services, Division for Behavioral Health to establish one (1) temporary full-time position, titled Program Specialist II (LG 21), to assist the BMHS Community Mental Health Block Grant State Planner to manage the new funding received via three (3) new mental health block grants due to COVID-19 effective upon Fiscal Committee and Governor and Executive Council approvals through June 30, 2023. Funding source: 100% Federal Funds.

**05-95-92-922010-41200000 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS DEPT,  
HHS: BEHAVIORAL HEALTH DIV, BUREAU OF MENTAL HEALTH SERVICES, MENTAL HEALTH  
BLOCK GRANT**

Class	Description	SFY22 Current Adjusted Authorized	Requested Action	Revised SFY22 Adjusted Authorized
000 – 404551 - 16	Federal Funds	\$11,032,086	\$129,600	\$11,161,686
	General Funds	\$0	\$0	\$0
<b>Total Revenue</b>		<b>\$11,032,086</b>	<b>\$129,600</b>	<b>\$11,161,686</b>
010 - 500100	Personal Services Perm	\$95,917	\$0	\$95,917
020 - 500200	Current Expenses	\$4,009	\$0	\$4,009
021 - 500211	Food Institutions	\$4,000	\$0	\$4,000

The Honorable Karen Umberger, Chairman  
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301  
Page 2 of 4

022 - 500248	Rents-Leases Other Than State	\$1,500	\$0	\$1,500
030 - 500301	Equipment	\$5,000	\$0	\$5,000
039 - 500190	Telecommunications	\$1,736	\$0	\$1,736
041 - 500801	Audit Fund Set Aside	\$11,363	\$0	\$11,363
042 - 500620	Additional Fringe Benefits	\$14,602	\$10,307	\$24,909
046 - 500464	Consultants	\$1,000	\$0	\$1,000
057 - 500531	Book Periodicals Subscript	\$2,322	\$0	\$2,322
059 - 500117	Temp Full Time	\$0	\$74,984	\$74,984
060 - 500601	Benefits	\$48,200	\$44,309	\$92,509
066 - 500546	Employee Training	\$1,500	\$0	\$1,500
067 - 500557	Training of Providers	\$6,000	\$0	\$6,000
068 - 500561	Renumeration	\$4,350	\$0	\$4,350
070 - 500700	In State Travel Reimbursement	\$5,075	\$0	\$5,075
074 - 500585	Grants for Pub Asst and Rel	\$8,045,639	\$0	\$8,045,639
080 - 500710	Out of State Travel Reimb	\$11,000	\$0	\$11,000
085 - 588546	Interagency Transfer Out of Fed Funds	\$88,301	\$0	\$88,301
102 - 500731	Contracts for Program Services	\$2,680,572	\$0	\$2,680,572
<b>Total Expenses</b>		<b>\$11,032,086</b>	<b>\$129,600</b>	<b>\$11,161,686</b>

### **EXPLANATION**

The US Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) has awarded American Rescue Plan Act (ARPA) of 2021 funding to assist states in responding to the COVID-19 pandemic. The funds were awarded through the Block Grants for Community Mental Health Services program. The Bureau of Mental Health Services (BMHS) has received approximately \$13 million in new funding since April 2020 via three (3) new mental health block grants. This item is to accept and expend the funds associated with a position approved as part of the grant plan, as well as request authorization to establish. The position is an allowable expense under these grants and will be paid for using set-aside administrative funds. The grant award was accepted into Department appropriations with Fiscal Item FIS 21-271 approved by the Fiscal Committee on September 17, 2021, and item #16H approved by the Governor and Executive Council on September 15, 2021. The funding for the position was held out until appropriate position establishment approvals were obtained within the Department and from the Division of Personnel.

The Program Specialist II position will serve in the capacity of assisting the BMHS Community Mental Health Block Grant State Planner to manage these new grants. The position will ensure grant funds are expended as

The Honorable Karen Umberger, Chairman  
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301  
Page 3 of 4

described in the grant application, coordinate efforts across the Division for Behavioral Health for projects that address multiple populations, collect and submit required quarterly federal grant reports, lead the procurement process to ensure funds are spent via contract(s) with the provider community, and monitor those contracts to ensure successful implementation.

The funds are to be budgeted as follows:

Funds in class 042, Additional Fringe Benefits, for payments to retiree's health insurance.

Funds in class 059, Temp Full Time, are needed to pay for one (1) full-time temporary position titled Program Specialist II (LG 21), to assist the BMHS Community Mental Health Block Grant State Planner to manage the new funding received via three (3) new mental health block grants due to COVID-19.

Funds in class 060, Benefits, are needed to pay benefits costs associated with the full-time temporary staffing.

The following information is provided in accordance with the comptroller's instructional memorandum dated September 21, 1981.

*1) List of personnel involved:* One (1) full-time temporary position titled Program Specialist II (LG 21), position # 9T3209, to assist the BMHS Community Mental Health Block Grant State Planner to manage the new funding received via three (3) new mental health block grants due to COVID-19.

*2) Nature, Need, and Duration:* The position will ensure grant funds are expended as described in the grant application, will coordinate efforts across the division for projects that address multiple populations, will collect and submit required quarterly federal grant reports, lead the procurement process to ensure funds are spent via contract(s) with the provider community, and will monitor those contracts to ensure successful implementation. The proposed grant funding for this position ends in September 2024.

*3) Relationship to existing agency programs:* The Program Specialist II position will serve in the capacity of assisting the BMHS Community Mental Health Block Grant State Planner to manage these new grants.

*4) Has a similar program been requested of the legislature and denied?* No.

*5) Why wasn't funding included in the agency's budget request?* These funds were unanticipated at the time the budget was created.

*6) Can portions of the grant funds be utilized?* Grant funds are being utilized for this position.

*7) Estimate the funds required to continue this position:* Funds for this position are estimated at \$246,542 for the life of the grant.

Area served: Statewide.

Source of Funds: 100% Federal Funds

The Honorable Karen Umberger, Chairman  
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301  
Page 4 of 4

In the event that Federal Funds become no longer available, general funds will not be requested to support the program expenditures.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lori Shibinette". The signature is written in dark ink and is positioned above the printed name and title.

Lori A. Shibinette  
Commissioner



*State Of New Hampshire*  
**DIVISION OF PERSONNEL**  
Department of Administrative Services  
54 Regional Drive, Suite 5  
Concord, New Hampshire 03301

**CHARLES M. ARLINGHAUS**  
Commissioner  
(603) 271-3201

**LORRIE A. RUDIS**  
Director of Personnel  
(603) 271-3261

2/16/22

Ms. Christine Alexander—Director  
Bureau of Human Services - DHHS  
129 Pleasant Street  
Concord, NH 03301

Regarding: Request to establish a full-time temporary Program Specialist II, LG 21, pay schedule A000 – position # 9T3209

Dear Ms. Alexander:

The Division of Personnel approves your request received on 1/19/2022 for the Department of Health and Human Services to establish position # 9T3209 as a full-time, temporary Program Specialist II, LG 21, pending funding approval.

This position is being established to assist the Community Mental Health Block Grant State Planner in ensuring that grant funds are expended as defined by the grant application at the Division of Public Health Services, Bureau of Mental Health Services. The position will be funded through three new mental health block grants of approximately \$13M received since April 2020 due to the COVID-19 pandemic. The role will assist in the management and oversight of the Substance Abuse and Mental Health Service Administrations (SAMHSA) federally funded Community Mental Health Services Block Grants by planning and monitoring Grant activities, including contract planning, monitoring, implementation, and reporting. Further, this position will provide oversight of Crisis Expansion, Suicide Prevention Public Outreach & Education, Peer Workforce Development, Peer Support Services Infrastructure, and Co-Occurring Mental Health Disorder Training contracts. Providing technical assistance, including the coordination and collaboration with other staff, provider agencies, peer/family constituents, and stakeholders for projects, programs, research, development, implementation, and monitoring of grant activities and compliance.

This position number will be inactive until you receive funding approval from the Fiscal Committee per RSA 124:15.

It will be your responsibility to bring the request for funding before the Fiscal Committee. You may use this letter as confirmation of our decision. Once you have obtained Fiscal Committee approval, please notify the Division of Personnel Operations Section at [CentralHRProcessing@nh.gov](mailto:CentralHRProcessing@nh.gov).

Sincerely,

Marianne Rechy  
Classification & Compensation Administrator

Cc: Lorrie Rudis, Director of Personnel  
Laurie Spring, Assistant Director of Human Services

**Division of Behavioral Health**  
**Block Grants for Community Mental Health Services**

**Fiscal Situation: Account 05-95-92-922010-41200000**

**Agency Income:**

Grant Award B09SM082617	\$2,585,401.00
Grant Award B09SM083816	\$2,534,678.00
Grant Award B09SM083987	\$2,912,959.00
Grant Award B09SM085371	\$5,031,475.00

<b>Total Funds Available</b>	<b>\$13,064,513.00</b>
------------------------------	------------------------

SFY 21 Expenses	(\$1,107,885.31)
-----------------	------------------

<b>Prior Fiscal Year Expenses</b>	<b>(\$1,107,885.31)</b>
-----------------------------------	-------------------------

SFY 2022 Adjusted Authorized Appropriations	(\$11,032,086.00)
---	-------------------

Allocated Indirect Costs	\$0.00
--------------------------	--------

<b>Total Appropriations</b>	<b>(\$11,032,086.00)</b>
-----------------------------	--------------------------

Net Grant Funds Remaining	\$924,541.69
---------------------------	--------------

<b>This Request</b>	<b>\$129,600.00</b>
---------------------	---------------------



### Recipient Information

**1. Recipient Name**

HEALTH AND HUMAN SERVICES, NEW  
HAMPSHIRE DEPT OF  
129 PLEASANT ST

CONCORD, NH 03301

**2. Congressional District of Recipient**  
02

**3. Payment System Identifier (ID)**  
1026000618B3

**4. Employer Identification Number (EIN)**  
026000618

**5. Data Universal Numbering System (DUNS)**  
011040545

**6. Recipient's Unique Entity Identifier**

**7. Project Director or Principal Investigator**  
Julianne Carbin

**8. Authorized Official**

### Federal Agency Information

**9. Awarding Agency Contact Information**

Wendy Pang  
Grants Management Specialist  
Center for Mental Health Services  
wendy.pang@samhsa.hhs.gov  
(240) 276-1419

**10. Program Official Contact Information**  
Deborah Rose

Center for Mental Health Services  
Deborah.Rose@samhsa.hhs.gov  
(240) 276-0300

### Federal Award Information

**11. Award Number**

1B09SM083987-01

**12. Unique Federal Award Identification Number (FAIN)**

B09SM083987

**13. Statutory Authority**

Subparts I&III,B,Title XIX,PHS Act/45 CFR Part96

**14. Federal Award Project Title**

Block Grants for Community Mental Health Services

**15. Assistance Listing Number**

93.958

**16. Assistance Listing Program Title**

Block Grants for Community Mental Health Services

**17. Award Action Type**

New Competing

**18. Is the Award R&D?**

No

### Summary Federal Award Financial Information

**19. Budget Period Start Date 03/15/2021 – End Date 03/14/2023**

<b>20. Total Amount of Federal Funds Obligated by this Action</b>	\$2,912,959
20 a. Direct Cost Amount	\$2,912,959
20 b. Indirect Cost Amount	\$0

**21. Authorized Carryover**

**22. Offset**

**23. Total Amount of Federal Funds Obligated this budget period** \$2,912,959

**24. Total Approved Cost Sharing or Matching, where applicable** \$0

**25. Total Federal and Non-Federal Approved this Budget Period** \$2,912,959

**26. Project Period Start Date 03/15/2021 – End Date 03/14/2023**

**27. Total Amount of the Federal Award including Approved Cost  
Sharing or Matching this Project Period** \$2,912,959

**28. Authorized Treatment of Program Income**

Additional Costs

**29. Grants Management Officer - Signature**

Odessa Crocker

**30. Remarks**

Acceptance of this award, including the "Terms and Conditions," is acknowledged by the recipient when funds are drawn down or otherwise requested from the grant payment system.



MHBG  
Department of Health and Human Services  
Substance Abuse and Mental Health Services Administration

Notice of Award

Issue Date: 03/11/2021

Center for Mental Health Services

**Award Number:** 1B09SM083987-01

**FAIN:** B09SM083987-01

**Contact Person:** Julianne Carbin

**Program:** Block Grants for Community Mental Health Services

HEALTH AND HUMAN SERVICES, NEW HAMPSHIRE DEPT OF  
129 PLEASANT ST

CONCORD, NH 03301

**Award Period:** 03/15/2021 – 03/14/2023

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$2,912,959 (see "Award Calculation" in Section I) to HEALTH AND HUMAN SERVICES, NEW HAMPSHIRE DEPT OF in support of the above referenced project. This award is pursuant to the authority of Subparts I&III,B, Title XIX, PHS Act/45 CFR Part96 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,  
Odessa Crocker  
Grants Management Officer  
Division of Grants Management

See additional information below

---

**SECTION I – AWARD DATA – 1B09SM083987-01**

**FEDERAL FUNDS APPROVED:** \$2,912,959

**AMOUNT OF THIS ACTION (FEDERAL SHARE):** \$2,912,959

**CUMULATIVE AWARDS TO DATE:** \$2,912,959

**UNAWARDED BALANCE OF CURRENT YEAR'S FUNDS:** \$0

**Fiscal Information:**

**CFDA Number:** 93.958  
**EIN:** 1026000618B  
3  
**Document** 21B1NHCM  
**Number:** HSC5  
**Fiscal Year:** 2021

IC	CAN	01
SM	C96D450	\$2,912,959

**PCC:** CMHS / **OC:** 4115

---

**SECTION II – PAYMENT/HOTLINE INFORMATION – 1B09SM083987-01**

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

---

**SECTION III – TERMS AND CONDITIONS – 1B09SM083987-01****REMARKS**

**Correspondence Notice**

**Please Note:** A letter from Acting Assistant Secretary for Mental Health and Substance Use, Tom Coderre, will be sent via eRA Commons.

## **STANDARD TERMS AND CONDITIONS**

### **MHBG FY2021 COVID emergency funding**

#### **Remarks:**

This Notice of Award (NoA) provides COVID emergency relief funding for the Community Mental Health Services (MHBG) Block Grant Program, in accordance with the Coronavirus Response and Relief Supplement Appropriations Act, 2021 [P.L. 116-260]. The awarded funds must be used for activities consistent with the MHBG program requirements.

A proposal of the state's spending plan must be submitted by April 5, 2021 via the Web Block Grant Application System (WebBGAS). Further information on this is included in the letter from Acting Assistant Secretary for Mental Health and Substance Use, Tom Coderre.

#### **Standard Terms of Award:**

##### **1) Acceptance of the Terms of an Award**

By drawing or otherwise obtaining funds from the HHS Payment Management System, the recipient acknowledges acceptance of the terms and conditions of the award and is obligated to perform in accordance with the requirements of the award. Except for any waiver granted explicitly elsewhere in this section, this award does not constitute approval for waiver of any Federal statutory/regulatory requirements for a MHBG. Once an award is accepted by a recipient, the contents of the Notice of Award (NoA) are binding on the recipient unless and until modified by a revised NoA signed by the GMO.

**Certification Statement:** By drawing down funds, The recipient agrees to abide by the statutory requirements of all sections of the Mental Health Block Grant (MHBG) (Public Health Service Act, Sections 1911-1920 and sections 1941-1957) (42 U.S.C. 300x-1-300x-9 and 300x-51-300x-67, as amended), and other administrative and legal requirements as applicable for the duration of the award.

##### **2) Official Form Designee**

The States Chief Executive Officer, or authorized designee is considered the official form designee for this grant. The SAMHSA GMS and the MHBG Program Officer must be notified immediately before any changes in this key position are made. Please note that individuals that are suspended or debarred are prohibited from serving on Federal grant awards.

##### **3) Availability of Funds**

Funds provided under this grant must be obligated and expended by March 14, 2023. However, SAMHSA will consider extensions to this period of funding upon request.

#### **4) Administrative Requirements**

This award is subject to the administrative requirements for HHS block grants under 45 CFR Part 96, Subpart C, and 45 CFR Part 75, as specified. Except for section 75.202 of Subpart C, and sections 75.351 through 75.353 of Subpart D, the requirements in Subpart C, Subpart D, and Subpart E do not apply to this program (reference 45 CFR Part 75 Subpart B, 75.101(d)).

#### **5) Flow-down of requirements to sub-recipients**

The grantee, as the awardee organization, is legally and financially responsible for all aspects of this award including funds provided to sub-recipients, in accordance with 45 CFR 75.351 75.353, Sub-recipient monitoring and management.

#### **6) Early Serious Mental Illness Set-Aside**

The 21st Century Cures Act, P.L. 114-255 amended Section 1920(c) of the Public Health Service Act (42 U.S.C. 300x 9(c)). States must set-aside not less than 10 percent of their total MHBG allocation amount for each fiscal year to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset. In lieu of expending 10 percent of the amount, the State receives for a fiscal year, states have the flexibility to expend not less than 20 percent of such amount by the end of the succeeding fiscal year.

#### **7) Crisis Services 5% set-aside**

The Consolidated Appropriations Act, 2021 and the Coronavirus Response and Relief Supplement Appropriations Act, 2021 [P.L. 116-260] requires states to set-aside not less than 5 percent of their total MHBG allocation amount for each fiscal year to support evidence-based crisis care programs addressing the needs of individuals with serious mental illnesses and children with serious mental and emotional disturbances. The set-aside must be used to fund some or all of a set of core crisis care elements including: centrally deployed 24/7 mobile crisis units, short-term residential crisis stabilization beds, evidence-based protocols for delivering services to individuals with suicide risk, and regional or State-wide crisis call centers coordinating in real time.

#### **8) Executive Pay**

The Consolidated Appropriations Act, 2021 (Public Law 116-260), signed into law on December 27, 2020 restricts the amount of direct salary to Executive Level II of the Federal Executive Pay scale. Effective January 3, 2021, the salary limitation for Executive Level II is \$199,300.

For awards issued prior to this change, if adequate funds are available in active awards, and if the salary cap increase is consistent with the institutional base salary, recipients may re-budget to accommodate the current Executive Level II salary level. However, no additional funds will be provided to these grant awards.

#### **9) Marijuana Restriction:**

Grant funds may not be used, directly or indirectly, to purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Grant funds also cannot be provided to any individual

who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders. See, e.g., 45 C.F.R. 75.300(a) (requiring HHS to ensure that Federal funding is expended . . . in full accordance with U.S. statutory . . . requirements.); 21 U.S.C. 812(c) (10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana). This prohibition does not apply to those providing such treatment in the context of clinical research permitted by the DEA and under an FDA-approved investigational new drug application where the article being evaluated is marijuana or a constituent thereof that is otherwise a banned controlled substance under federal law.

#### **10) SAM and DUNS Requirements**

THIS AWARD IS SUBJECT TO REQUIREMENTS AS SET FORTH IN 2 CFR 25.110 CENTRAL CONTRACTOR REGISTRATION CCR) (NOW SAM) AND DATA UNIVERSAL NUMBER SYSTEM (DUNS) NUMBERS. 2 CFR Part 25 - Appendix A4

##### System of Award Management (SAM) and Universal Identifier Requirements

###### **A. Requirement for System of Award Management:**

Unless you are exempted from this requirement under 2 CFR 25.110, you, as the recipient, must maintain the currency of your information in the SAM, until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

###### **B. Requirement for unique entity identifier** If you are authorized (reference project description) to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you, unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity, unless the entity has provided its unique entity identifier to you.

###### **C. Definitions.** For purposes of this award term:

1. System of Award Management (SAM) means the federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at: <http://www.sam.gov>).
2. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.
3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR Part 25, Subpart C:
  - a. A governmental organization, which is a state, local government, or Indian Tribe; b. A foreign public entity; c. A domestic or foreign nonprofit organization; d. A domestic or foreign for-profit organization; and e. A Federal agency, but only as a sub-recipient under an award or sub-award to a nonfederal entity.
4. Sub-award:
  - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible sub-recipient. b. The term does not

include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330). c. A sub-award may be provided through any legal agreement, including an agreement that you consider a contract.

5. Sub-recipient means an entity that: a. Receives a sub-award from you under this award; and b. Is accountable to you for the use of the federal funds provided by the sub-award.

## **11) Federal Financial Accountability and Transparency Act (FFATA)**

Reporting Subawards and Executive Compensation, 2 CFR, Appendix A to Part 170

### **a. Reporting of first tier subawards.**

1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

### **2. Where and when to report.**

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. What to report. You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

### **b. Reporting Total Compensation of Recipient Executives.**

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>.)

2. Where and when to report. You must report executive total compensation described in paragraph b. 1. of this award term:

i. As part of your registration profile at <https://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if

i. in the subrecipient's preceding fiscal year, the subrecipient received (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c. 1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards, and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization;

v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.

3. Subaward:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_. 210 of the attachment to OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations).

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that: i. Receives a subaward from you (the recipient) under this award; and ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

i. Salary and bonus.

ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives and are available generally to all salaried employees.

iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.

v. Above-market earnings on deferred compensation which is not tax-qualified. vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000. [75 FR 55669, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014]

## **12) Mandatory Disclosures**

Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the HHS Office of Inspector General (OIG), all information related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Subrecipients must disclose, in a timely manner, in writing to the prime recipient (pass through

entity) and the HHS OIG, all information related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Disclosures must be sent in writing to the awarding agency and to the HHS OIG at the following addresses:

U.S. Department of Health and Human Services Office of Inspector General

ATTN: Mandatory Grant Disclosures, Intake Coordinator 330 Independence Avenue, SW, Cohen Building Room 5527 Washington, DC 20201

Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or email: [MandatoryGranteeDisclosures@oig.hhs.gov](mailto:MandatoryGranteeDisclosures@oig.hhs.gov)

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371 remedies for noncompliance, including suspension or debarment (see 2 CFR parts 180 & 376 and 31 U.S.C. 3321).

**13) The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(G)), as amended, and 2 C.F.R. PART 175**

The Trafficking Victims Protection Act of 2000 authorizes termination of financial assistance provided to a private entity, without penalty to the Federal government, if the recipient or subrecipient engages in certain activities related to trafficking in persons. SAMHSA may unilaterally terminate this award, without penalty, if a private entity recipient, or a private entity subrecipient, or their employees: a) Engage in severe forms of trafficking in persons during the period of time that the award is in effect; b) Procure a commercial sex act during the period of time that the award is in effect; or, c) Use forced labor in the performance of the award or subawards under the award. The text of the full award term is available at 2 C.F.R. 175.15(b). See <http://www.gpo.gov/fdsys/pkg/CFR-2012-title2-vol1/pdf/CFR-2012-title2-vol1-sec175-15.pdf>.

**14) Drug-Free Workplace Requirements**

The Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.) requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. When the AR signed the application, the AR agreed that the recipient will provide a drug-free workplace and will comply with the requirement to notify SAMHSA if an employee is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. Government wide requirements for Drug-Free Workplace for Financial Assistance are found in 2 CFR part 182; HHS implementing regulations are set forth in 2 CFR part 382.400. All recipients of SAMHSA grant funds must comply with the requirements in Subpart B (or Subpart C if the recipient is an individual) of Part 382.

**15) Lobbying**

No funds provided under the attached Notice of Award (NoA) may be used by you or any sub-recipient under the grant to support lobbying activities to influence proposed or pending federal or state legislation or appropriations. The prohibition relates to the use of federal grant funds and is not intended to affect your right or that of any other organization, to petition Congress or any other level of government, through the use of other nonfederal resources. Reference 45 CFR Part 93.

## 16) Accessibility Provisions

Grant recipients of Federal financial assistance (FFA) from HHS must administer their programs in compliance with Federal civil rights law. This means that recipients of HHS funds must ensure equal access to their programs without regard to a person's race, color, national origin, disability, age, and in some circumstances, sex and religion. This includes ensuring your programs are accessible to persons with limited English proficiency. The HHS Office for Civil Rights also provides guidance on complying with civil rights laws enforced by HHS. Please see <http://www.hhs.gov/ocr/civilrights/understanding/section1557/index.html>. Recipients of FFA also have specific legal obligations for serving qualified individuals with disabilities. Please see <http://www.hhs.gov/ocr/civilrights/understanding/disability/index.html>. Please contact the HHS Office for Civil Rights for more information about obligations and prohibitions under Federal civil rights laws at <https://www.hhs.gov/civil-rights/index.html> or call 1-800-368-1019 or TDD 1-800-537-7697. Also note that it is an HHS Departmental goal to ensure access to quality, culturally competent care, including long-term services and supports, for vulnerable populations. For further guidance on providing culturally and linguistically appropriate services, recipients should review the National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care at <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=1&lvlid=6>.

## 17) Audits

Non-Federal recipients that expend \$750,000 or more in federal awards during the recipient's fiscal year must obtain an audit conducted for that year in accordance with the provisions of 45 CFR 96.31.

Recipients are responsible for submitting their Single Audit Reports and the Data Collections Forms (SF-FAC) electronically to the Federal Audit Clearinghouse Visit disclaimer page (FAC) within the earlier of 30 days after receipt or nine months after the FY's end of the audit period. The FAC operates on behalf of the OMB.

For specific questions and information concerning the submission process: Visit the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb> or Call FAC at the toll-free number: (800) 253-0696

## **Reporting Requirements:**

### **Federal Financial Report (FFR)**

The recipient is required to submit a Federal Financial Report (FFR) 90 days after the close of the performance period (project period). The SF-425 shall report total funds obligated and total funds expended by the grantee.

Effective January 1, 2021, award recipients are required to submit the SF-425 Federal Financial Report (FFR) via the Payment Management System (PMS). If the individual responsible for FFR submission does not already have an account with PMS, please contact PMS to obtain access.

Recipients must liquidate all obligations incurred under an award not later than ninety

(90) days after the end of the award obligation and expenditure period (i.e., the project period) which also coincides with the due date for submission of the FINAL SF-425, *Federal Financial Report* (FFR). After ninety (90) days, letter of credit accounts are locked. SAMHSA does not approve extensions to the ninety (90) day post-award reconciliation/liquidation period. Therefore, recipients are expected to complete all work and reporting within the approved project period and the aforementioned 90-day post-award reconciliation/liquidation period. Recipients (late) withdrawal requests occurring after the aforementioned periods are denied. In rare instances, SAMHSA may approve an extension to submit a FINAL SF-425 FFR report, but this is *not* an extension of the 90-day post award reconciliation/liquidation period, but rather only an extension to submit the Final SF-425 report (FFR).

### **Annual Report**

Reporting on the COVID emergency relief funding is required. States must prepare and submit their respective reports utilizing WebBGAS. Failure to comply with these requirements may cause the initiation of enforcement actions that can culminate in discontinuation of MHBG grants.

Your assigned MHBG Program Official (PPO) will provide further guidance and additional submission information.

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

### **Staff Contacts:**

Deborah Rose, Program Official

**Phone:** (240) 276-0300 **Email:** Deborah.Rose@samhsa.hhs.gov **Fax:** (240) 276-1770

Wendy Pang, Grants Specialist

**Phone:** (240) 276-1419 **Email:** wendy.pang@samhsa.hhs.gov **Fax:** (240) 276-1430



MHBG  
Department of Health and Human Services  
Substance Abuse and Mental Health Services Administration  
Center for Mental Health Services

Notice of Award

Issue Date: 09/25/2020

**Grant Number:** 6B09SM082617-01M004  
**FAIN:** B09SM082617-01  
**Contact Person:** Julianne Carbin

**Program:** Block Grants for Community Mental Health Services

NH STATE DEPT/HLTH STATISTICS/DATA MGMT  
Julianne Carbin  
Division of Behavioral Health  
105 Pleasant Street  
Concord, NH 03276

**Award Period:** 10/01/2019 – 09/30/2021

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$181,052 (see "Award Calculation" in Section I) to NH STATE DEPT/HLTH STATISTICS/DATA MGMT in support of the above referenced project. This award is pursuant to the authority of Subparts I&III,B, Title XIX, PHS Act/45 CFR Part96 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,  
Odessa Crocker  
Grants Management Officer  
Division of Grants Management

See additional information below

---

**SECTION I – AWARD DATA – 6B09SM082617-01M004**

**FEDERAL FUNDS APPROVED:** \$2,585,402  
**AMOUNT OF THIS ACTION (FEDERAL SHARE):** \$181,052  
**CUMULATIVE AWARDS TO DATE:** \$2,585,401  
**UNAWARDED BALANCE OF CURRENT YEAR'S FUNDS:** \$1

**Fiscal Information:**

**CFDA Number:** 93.958  
**EIN:** 1026000618B3  
**Document Number:** 20B1NHCMHS  
**Fiscal Year:** 2020

IC	CAN	01
SM	C96J662	\$181,052

**PCC:** CMHS / OC: 4115

---

**SECTION II – PAYMENT/HOTLINE INFORMATION – 6B09SM082617-01M004**

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

---

**SECTION III – TERMS AND CONDITIONS – 6B09SM082617-01M004****REMARKS**

-

**MHBG TA supplement**

A supplement to your FY 2020 Community Mental Health Services Block Grants (MHBG) allotment is being made for providing and/or obtaining training and technical assistance. The authorized amount of the supplement is reflected in Section I – Award Data as AMOUNT OF THIS ACTION (FEDERAL SHARE). Set-aside requirements and administrative limitations do not apply to the supplement amount.

This funding may only be used for technical assistance and training activities, and can range in scope from technical assistance to the state, technical assistance to block grant providers, workforce development meetings and activities. Funds cannot be used for service delivery;

they are strictly limited to training and TA. Funds must be used for technical assistance and training activities related to serving the MHBG target population - adults with Serious Mental Illness and children with Serious Emotional Disturbances.

Funds awarded under this supplement must be obligated and expended by September 30, 2021. Supplement funding must be reported as part of the total FY 2020 allotment on the Federal Financial Report due by December 29, 2021 and MHBG Report due by December 1, 2021.

All prior terms, conditions, and reporting requirements for the FY 2020 allotment are still in effect.

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

**Staff Contacts:**

Deborah Rose, Program Official

**Phone:** (240) 276-0300 **Email:** Deborah.Rose@samhsa.hhs.gov **Fax:** (240) 276-1770

Wendy Pang, Grants Specialist

**Phone:** (240) 276-1419 **Email:** wendy.pang@samhsa.hhs.gov **Fax:** (240) 276-1430



### Recipient Information

**1. Recipient Name**

HEALTH AND HUMAN SERVICES, NEW  
HAMPSHIRE DEPT OF  
129 PLEASANT ST

CONCORD, NH 03301

**2. Congressional District of Recipient**  
02

**3. Payment System Identifier (ID)**  
1026000618B3

**4. Employer Identification Number (EIN)**  
026000618

**5. Data Universal Numbering System (DUNS)**  
011040545

**6. Recipient's Unique Entity Identifier**

**7. Project Director or Principal Investigator**  
Julianne Carbin

julianne.carbin@dhhs.nh.gov  
(603) 271-8378

**8. Authorized Official**

### Federal Agency Information

**9. Awarding Agency Contact Information**

Wendy Pang  
Grants Management Specialist  
Center for Mental Health Services  
wendy.pang@samhsa.hhs.gov  
(240) 276-1419

**10. Program Official Contact Information**  
Deborah Rose

Center for Mental Health Services  
Deborah.Rose@samhsa.hhs.gov  
(240) 276-0300

### Federal Award Information

**11. Award Number**

6B09SM083816-01M001

**12. Unique Federal Award Identification Number (FAIN)**

B09SM083816

**13. Statutory Authority**

Subparts I&III,B,Title XIX,PHS Act/45 CFR Part96

**14. Federal Award Project Title**

Block Grants for Community Mental Health Services

**15. Assistance Listing Number**

93.958

**16. Assistance Listing Program Title**

Block Grants for Community Mental Health Services

**17. Award Action Type**

Amendment

**18. Is the Award R&D?**

No

### Summary Federal Award Financial Information

**19. Budget Period Start Date 10/01/2020 – End Date 09/30/2022**

<b>20. Total Amount of Federal Funds Obligated by this Action</b>	\$2,060,300
20 a. Direct Cost Amount	\$2,060,300
20 b. Indirect Cost Amount	\$0

**21. Authorized Carryover**

**22. Offset**

<b>23. Total Amount of Federal Funds Obligated this budget period</b>	\$2,060,300
---	-------------

<b>24. Total Approved Cost Sharing or Matching, where applicable</b>	\$0
--	-----

<b>25. Total Federal and Non-Federal Approved this Budget Period</b>	\$2,060,300
--	-------------

**26. Project Period Start Date 10/01/2020 – End Date 09/30/2022**

<b>27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period</b>	\$2,534,678
--	-------------

**28. Authorized Treatment of Program Income**

Additional Costs

**29. Grants Management Officer - Signature**

Odessa Crocker

**30. Remarks**

Acceptance of this award, including the "Terms and Conditions," is acknowledged by the recipient when funds are drawn down or otherwise requested from the grant payment system.



MHBG  
Department of Health and Human Services  
Substance Abuse and Mental Health Services Administration

Notice of Award

Issue Date: 02/03/2021

Center for Mental Health Services

**Award Number:** 6B09SM083816-01M001

**FAIN:** B09SM083816-01

**Contact Person:** Julianne Carbin

**Program:** Block Grants for Community Mental Health Services

HEALTH AND HUMAN SERVICES, NEW HAMPSHIRE DEPT OF  
129 PLEASANT ST

CONCORD, NH 03301

**Award Period:** 10/01/2020 – 09/30/2022

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$2,060,300 (see "Award Calculation" in Section I) to HEALTH AND HUMAN SERVICES, NEW HAMPSHIRE DEPT OF in support of the above referenced project. This award is pursuant to the authority of Subparts I&III,B, Title XIX, PHS Act/45 CFR Part96 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,  
Odessa Crocker  
Grants Management Officer  
Division of Grants Management

See additional information below

---

**SECTION I – AWARD DATA – 6B09SM083816-01M001**

**FEDERAL FUNDS APPROVED:** \$2,534,678

**AMOUNT OF THIS ACTION (FEDERAL SHARE):** \$2,060,300

**CUMULATIVE AWARDS TO DATE:** \$2,534,678

**UNAWARDED BALANCE OF CURRENT YEAR'S FUNDS:** \$0

**Fiscal Information:**

**CFDA Number:** 93.958  
**EIN:** 1026000618B  
3  
**Document** 21B1NHCM  
**Number:** HS  
**Fiscal Year:** 2021

IC	CAN	01
SM	C96J610	\$2,060,300

**PCC: CMHS / OC: 4115**

---

**SECTION II – PAYMENT/HOTLINE INFORMATION – 6B09SM083816-01M001**

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

---

**SECTION III – TERMS AND CONDITIONS – 6B09SM083816-01M001****REMARKS**

**MHBG FY2021**

This Notice of Award (NoA) approves the remaining balance of FY 2021 MHBG allotment.

All prior Terms and Conditions remain in effect.

**SPECIAL TERM OF AWARD:**

**(Crisis Services 5% set-aside)**

The Consolidated Appropriations Act, 2021 and the Coronavirus Response and Relief Supplement Appropriations Act, 2021 [P.L. 116-260] requires states to set-aside not less than 5 percent of their total MHBG allocation amount for each fiscal year to support evidence-based crisis care programs addressing the needs of individuals with serious mental illnesses and children with serious mental and emotional disturbances. The set-aside must be used to fund some or all of a set of core crisis care elements including: centrally deployed 24/7 mobile crisis units, short-term residential crisis stabilization beds, evidence-based protocols for delivering services to individuals with suicide risk, and regional or State-wide crisis call centers coordinating in real time.

**Please reference the attached Crisis Services Set-aside Guidance. This resource and additional instructions will also be provided via WebBGAS.**

**FEDERAL FINANCIAL REPORT (SF-425) UPDATES:**

Effective January 1, 2021, award recipients are required to submit the SF-425 Federal Financial Report (FFR) via the Payment Management System (PMS). If a recipient or recipient staff responsible for FFR submission does not already have an account with PMS, please [Contact PMS](#) to obtain access.

This change is applicable to the FFR due in December 2021 for the FY 2020 Award Period; and all reports thereafter.

Recipients must liquidate all obligations incurred under an award not later than ninety (90) days after the end of the award obligation and expenditure period (i.e., the project period) which also coincides with the due date for submission of the FINAL SF-425, *Federal Financial Report* (FFR). After ninety (90) days, letter of credit accounts are locked. SAMHSA does not approve extensions to the ninety (90) day post-award reconciliation/liquidation period. Therefore, recipients are expected to complete all work and reporting within the approved project period and the aforementioned 90-day post-award reconciliation/liquidation period. Recipients (late) withdrawal requests occurring after the aforementioned periods are denied. In rare instances, SAMHSA may approve an extension to submit a FINAL SF-425 FFR report, but this is *not* an extension of the 90-day post award reconciliation/liquidation period, but rather only an extension to submit the Final SF-425 report (FFR).

**Guidance for the revision of the FY 2020-2021 for the Mental**

## Health

### Block Grant Application for the new Crisis Services 5% set-aside

Substance Abuse and Mental Health Services Administration (SAMHSA) is directed by Congress through the Consolidated Appropriations Act, 2021 and the Coronavirus Response and Relief Supplement Appropriations Act, 2021 [P.L. 116-260], to set aside 5 percent of the Mental Health Block Grant (MHBG) allocation for each state to support evidence-based crisis systems. Congress specifically provided an increase to federal fiscal year (FY) 2021 MHBG appropriation over the FY 2020 level to help states meet this new requirement without losing funds for existing services. The appropriation bill has the following requirement for the new 5 percent set-aside.

*Furthermore, the Committee directs a new five percent set-aside of the total for evidence-based crisis care programs addressing the needs of individuals with serious mental illnesses and children with serious mental and emotional disturbances. The Committee directs SAMHSA to use the set-aside to fund, at the discretion of eligible States and Territories, some or all of a set of core crisis care elements including: centrally deployed 24/7 mobile crisis units, short-term residential crisis stabilization beds, evidence-based protocols for delivering services to individuals with suicide risk, and regional or State-wide crisis call centers coordinating in real time.*

A fully developed crisis response system is responsive any time and any place. What does a person in crisis need? Someone to talk to, or someone to respond, or a safe place to go for evaluation, stabilization and follow up. SAMHSA expects that states will build on the emerging and growing body of evidence for effective community-based crisis-intervention and response systems. SAMHSA recognizes that the development of fully accessible and responsive crises services involves complex problem solving with multiple entities and systems. We also recognize that strategic crisis services implementation can result in better care and cost savings through the reduction in avoidable emergency department visits, psychiatric admissions, police engagement, arrests, incarcerations and 911 calls.

SAMHSA recently developed Crisis Services: Meeting Needs, Saving Lives, which includes “National Guidelines for Behavioral Health Crisis Care: Best Practice Toolkit” as well as other related National Association of State Mental Health Programs Directors (NASMHPD) papers on crisis services. Please note that this set aside funding is dedicated for the core set of crisis services as directed by Congress. Nothing precludes states from utilizing more than 5 percent of its MHBG funds for crisis services for individuals with serious mental illness or children with serious emotional disturbances. If states have other investments for crisis services, they are encouraged to coordinate those programs with programs supported by this new 5 percent set aside. This coordination will help ensure services for individuals are swiftly identified and are

engaged in the core crisis care elements.

SAMHSA is requesting states to implement this 5 percent set-aside through a “request for revision of the 2020-21 MHBG plan” within the Environmental Factors, Section 15. Crisis Services. States are encouraged to fund programs to meet the needs of persons with crisis services, specifically utilizing the SAMHSA’s *National Guidelines for Behavioral Health Crisis Care*, tool kit. States may address the three core services either through enhancing existing program activities or through developing a set of new activities based on the tool kit.

It is expected that the states’ capacity to implement crisis services will vary based on the actual funding from the 5% allocation. It is also recognized that with the timing of the allocation distribution, states may need to dedicate the rest of the current fiscal year to planning, training, and/or infrastructure development while targeting program implementation to the following year. Additionally, many states have begun implementing such models or similar approaches and can build on these existing efforts through their proposed MHBG plan revision. States must submit their plan revision request proposal into the FY 2020-2021 MHBG Behavioral Health Assessment and Plan in Section C. Environmental Factors and Plan, 15. Crisis Services. This section initially requested to report how states and local communities identify and effectively respond to, prevent, manage and help individuals, families, and communities recover from crises. States should also complete line 10, Crisis Services (5%) in Table 2 State Agency Planned Expenditures [MH] under Section B: MHBG.

SAMHSA requests states to submit the following with the proposal.

- Update the checkboxes and add any comments in the comment boxes in Section C. Environmental Factors and Plan, 15. Crisis Services
- Update Table 2 to reflect the 5% set-aside funds

Include a description of the current status of your states crisis program as well as proposed plan for expenditure of the 5% set aside. We recommend the following information when submitting the proposals.

- Description of the status of the state’s current crisis system. Please describe in terms of the following three elements: current access to local crisis call centers, the availability of mobile crisis behavioral health first responder services and the availability and or utilization of short-term crisis receiving and stabilization centers. The suggested framework for describing your states current system capacity is below. Receipt of this data will enable us to track national development and utilization of each of the crisis components over time.
- Stages of Implementation terms:
  - a) The ***Exploration-Planning*** stage: is the stage when states identify their communities’ needs, assess organizational capacity, identify how crisis services meet community needs, and understand program requirements and adaptation.

- b) The **Installation** stage: occurs once the state has proposed a plan and begins making the changes necessary to implement the service based on the SAMHSA guidance.  
This includes coordination, training and community outreach and education activities.
- c) **Early Implementation**: occurs when the state has the core crisis service implemented in some parts of the state, about 25% or less persons have access to that service.
- d) **Middle Implementation** stage: occurs when the state has the core crisis service implemented such that about half of the people in your state have access to that service.
- e) **Majority Implementation**: occurs when the state has the core crisis service implemented in most parts of the state so that most people have access.
- f) **Program Sustainment** stage: occurs when implementation is statewide and has a clear funding plan.

We request that you indicate what stage each of the three elements is in your state and submit this back to us in your application.

	Exploration Planning	Installation	Early implementation Less than 25% of people in state	Middle Implementation About 50% of people in state	Majority Implementation At least 75% of people in state	Program Sustainment
Someone to talk to						
Someone to respond						
Place to go						

Other program implementation data that might be useful to characterize crisis services system development. These are included for your consideration only and we recognize that some of these are not readily available. These are based on data components that some states and localities have found useful in measuring impact and outcome of crisis services.

1. Someone to talk to: Call Center Capacity
  - a. Number of locally based crisis call Centers in state
    - i. In the Suicide lifeline network
    - ii. Not in the suicide lifeline network
  - b. Number of Crisis Call Centers with follow up Protocols in place
  - c. Total number of calls statewide and by local crisis call center
  - d. Percent of 911 calls that are identified as MH related

2. Someone to respond: mobile behavioral health crisis capacity
  - a. Number of mobile responders that are independent of first responder structures (police, paramedic, fire)
  - b. Number of mobile responders that are integrated with first responder structures (police, paramedic, fire)
  - c. Number of mobile responders that employ peers
  - d. Number of police responses to mental health crises
3. Place to Go: Available resources in the state
  - a. Number of Emergency Departments
  - b. Number of Emergency Departments that operate a specialized behavior health component.
  - c. Number of Crisis Receiving and Stabilization Centers (short term, 23 hr units that can diagnose and stabilize individuals in crisis)
  - d. Number of hours of overtime by law enforcement related to accompaniment of persons with MH conditions in ED or other settings.
  - e. Number of persons boarded in ED (In ED longer than 24 hours and waiting for psychiatric admission.)
- Clearly describe the proposed/planned activities utilizing the 5% set aside for FY 21, including an estimated budget. States may be at different stages for different geographic locations. States will be required to report on what activities have been completed throughout the grant with this set-aside funding.
- Via the revision request, upload the document (word or pdf) using the upload tab into Section C. Environmental Factors and Plan, 15. Crisis Services. Please title this document "Crisis Services in FY 21". Upon submission, SAMHSA will review the revision proposals to ensure they are complete and responsive. Once the revision proposal is approved by SAMHSA, the allotment for the 5 percent set aside will be awarded to the state.

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

**Staff Contacts:**

Deborah Rose, Program Official

**Phone:** (240) 276-0300 **Email:** Deborah.Rose@samhsa.hhs.gov **Fax:** (240) 276-1770

Wendy Pang, Grants Specialist

**Phone:** (240) 276-1419 **Email:** wendy.pang@samhsa.hhs.gov **Fax:** (240) 276-1430



**Department of Health and Human Services**  
Substance Abuse and Mental Health Services Administration  
Center for Mental Health Services

**Notice of Award**  
FAIN# B09SM085371  
**Federal Award Date**  
05/17/2021

**Recipient Information**

- 1. Recipient Name**  
HEALTH AND HUMAN SERVICES, NEW HAMPSHIRE DEPT OF  
129 PLEASANT ST  
  
CONCORD, NH 03301
- 2. Congressional District of Recipient**  
02
- 3. Payment System Identifier (ID)**  
1026000618B3
- 4. Employer Identification Number (EIN)**  
026000618
- 5. Data Universal Numbering System (DUNS)**  
011040545
- 6. Recipient's Unique Entity Identifier**
- 7. Project Director or Principal Investigator**  
Julianne Carbin  
  
julianne.carbin@dhhs.nh.gov
- 8. Authorized Official**

**Federal Agency Information**

- 9. Awarding Agency Contact Information**  
Wendy Pang  
Grants Management Specialist  
Center for Mental Health Services  
wendy.pang@samhsa.hhs.gov  
(240) 276-1419
- 10. Program Official Contact Information**  
Deborah Rose  
  
Center for Mental Health Services  
Deborah.Rose@samhsa.hhs.gov  
(240) 276-0300

**Federal Award Information**

- 11. Award Number**  
1B09SM085371-01
- 12. Unique Federal Award Identification Number (FAIN)**  
B09SM085371
- 13. Statutory Authority**  
Subparts I&III,B,Title XIX,PHS Act/45 CFR Part96
- 14. Federal Award Project Title**  
Block Grants for Community Mental Health Services
- 15. Assistance Listing Number**  
93.958
- 16. Assistance Listing Program Title**  
Block Grants for Community Mental Health Services
- 17. Award Action Type**  
New Competing
- 18. Is the Award R&D?**  
No

**Summary Federal Award Financial Information**

<b>19. Budget Period Start Date 09/01/2021 – End Date 09/30/2025</b>	
<b>20. Total Amount of Federal Funds Obligated by this Action</b>	\$5,031,475
20 a. Direct Cost Amount	\$5,031,475
20 b. Indirect Cost Amount	\$0
<b>21. Authorized Carryover</b>	
<b>22. Offset</b>	
<b>23. Total Amount of Federal Funds Obligated this budget period</b>	\$5,031,475
<b>24. Total Approved Cost Sharing or Matching, where applicable</b>	\$0
<b>25. Total Federal and Non-Federal Approved this Budget Period</b>	\$5,031,475
<hr/>	
<b>26. Project Period Start Date 09/01/2021 – End Date 09/30/2025</b>	
<b>27. Total Amount of the Federal Award including Approved Cost Sharing or Matching this Project Period</b>	\$5,031,475

- 28. Authorized Treatment of Program Income**  
Additional Costs
- 29. Grants Management Officer - Signature**  
Odessa Crocker

**30. Remarks**

Acceptance of this award, including the "Terms and Conditions," is acknowledged by the recipient when funds are drawn down or otherwise requested from the grant payment system.



MHBG  
Department of Health and Human Services  
Substance Abuse and Mental Health Services Administration

Notice of Award

Issue Date: 05/17/2021

Center for Mental Health Services

**Award Number:** 1B09SM085371-01

**FAIN:** B09SM085371-01

**Contact Person:** Julianne Carbin

**Program:** Block Grants for Community Mental Health Services

HEALTH AND HUMAN SERVICES, NEW HAMPSHIRE DEPT OF  
129 PLEASANT ST

CONCORD, NH 03301

**Award Period:** 09/01/2021 – 09/30/2025

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$5,031,475 (see "Award Calculation" in Section I) to HEALTH AND HUMAN SERVICES, NEW HAMPSHIRE DEPT OF in support of the above referenced project. This award is pursuant to the authority of Subparts I&III,B, Title XIX, PHS Act/45 CFR Part96 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,  
Odessa Crocker  
Grants Management Officer  
Division of Grants Management

See additional information below

---

**SECTION I – AWARD DATA – 1B09SM085371-01**

**FEDERAL FUNDS APPROVED:** \$5,031,475

**AMOUNT OF THIS ACTION (FEDERAL SHARE):** \$5,031,475

**CUMULATIVE AWARDS TO DATE:** \$5,031,475

**UNAWARDED BALANCE OF CURRENT YEAR'S FUNDS:** \$0

**Fiscal Information:**

**CFDA Number:** 93.958  
**EIN:** 1026000618B  
3  
**Document** 21B1NHCM  
**Number:** HSC6  
**Fiscal Year:** 2021

IC	CAN	01
SM	C96D540	\$5,031,475

**PCC: CMHS / OC: 4115**

---

**SECTION II – PAYMENT/HOTLINE INFORMATION – 1B09SM085371-01**

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

---

**SECTION III – TERMS AND CONDITIONS – 1B09SM085371-01****STANDARD TERMS AND CONDITIONS**

**MHBG FY2021 ARPA funding**

**Remarks:**

This Notice of Award (NoA) provides American Rescue Plan Act of 2021 (ARPA) funding for the Community Mental Health Services (MHBG) Block Grant Program, in accordance with H.R. 1319 – American Rescue Plan Act of 2021 the ARPA Act, 2021 [P.L. 117-2]. Consistent with HHS Disaster Relief Flexibilities, SAMHSA may waive requirements with respect to allowable activities, timelines, or reporting requirements for the MHBG, as deemed necessary to facilitate a grantee's response to coronavirus.

A proposal of the state's spending plan must be submitted by July 2, 2021 via the Web Block Grant Application System (WebBGAS).

Using the WebBGAS Revision Request for the FFY 2021 Block Grant Application, grantees are required to upload the Plan document (Microsoft Word or pdf), using the associated tab in the State Information Section, Chief Executive Officer's Funding Agreement – Certifications and Assurances/Letter Designating Signatory Authority [MH]. Please title this document "ARPA Funding Plan 2021-MH". States must upload separate proposals based on MHBG and SABG guidance into the WebBGAS system.

Further information on this is included in the letter from Acting Assistant Secretary for Mental Health and Substance Use, Tom Coderre

### **Standard Terms of Award:**

#### **1) Acceptance of the Terms of an Award**

By drawing or otherwise obtaining funds from the HHS Payment Management System, the recipient acknowledges acceptance of the terms and conditions of the award and is obligated to perform in accordance with the requirements of the award. Except for any waiver granted explicitly elsewhere in this section, this award does not constitute approval for waiver of any Federal statutory/regulatory requirements for a MHBG. Once an award is accepted by a recipient, the contents of the Notice of Award (NoA) are binding on the recipient unless and until modified by a revised NoA signed by the GMO.

**Certification Statement:** By drawing down funds, The recipient agrees to abide by the statutory requirements of all sections of the Mental Health Block Grant (MHBG) (Public Health Service Act, Sections 1911-1920 and sections 1941-1957) (42 U.S.C. 300x-1-300x-9 and 300x-51-300x-67, as amended), and other administrative and legal requirements as applicable for the duration of the award.

#### **2) Official Form Designee**

The States Chief Executive Officer, or authorized designee is considered the official form designee for this grant. The SAMHSA GMS and the MHBG Program Officer must be notified immediately before any changes in this key position are made. Please note that individuals that are suspended or debarred are prohibited from serving on Federal grant awards.

#### **3) Availability of Funds**

Funds provided under this grant must be obligated and expended by September 30, 2025.

#### **4) Fiscal and administrative requirements**

This award is subject to the administrative requirements for HHS block grants under 45 CFR Part 96, Subpart C, and 45 CFR Part 75, as specified. Except for section 75.202 of Subpart C, and sections 75.351 through 75.353 of Subpart D, the requirements in Subpart C, Subpart D, and Subpart E do not apply to this program (reference 45 CFR Part 75 Subpart B, 75.101(d)).

**Fiscal control and accounting procedures** - Fiscal control and accounting procedures must be sufficient to (a) permit preparation of reports required by the statute authorizing the block grant and (b) permit the tracing of funds to a level of expenditure adequate to establish that such funds have not been used in violation of the restrictions and prohibitions of the statute authorizing the block grant.

ARPA funding is being issued under a separate grant award number and has a unique subaccount in the Payment Management System. Accordingly, ARPA funds must be tracked and reported separately from other FY 2021 awarded funds, including COVID-19 Supplemental funding and the Annual Block Grant Allotment.

**Audits** - Grantees and subgrantees are responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507) and revised OMB Circular A-133, "Audits of State, Local Governments, and Non-Profit Organizations." The audits shall be made by an independent auditor in accordance with generally accepted Government auditing standards covering financial audits.

#### **5) Flow-down of requirements to sub-recipients**

The grantee, as the awardee organization, is legally and financially responsible for all aspects of this award including funds provided to sub-recipients, in accordance with 45 CFR 75.351-75.353, Sub-recipient monitoring and management.

#### **6) Early Serious Mental Illness Set-Aside**

The 21st Century Cures Act, P.L. 114-255 amended Section 1920(c) of the Public Health Service Act (42 U.S.C. 300x 9(c)). States must set-aside not less than 10 percent of their total MHBG allocation amount for each fiscal year to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset. In lieu of expending 10 percent of the amount, the State receives for a fiscal year, states have the flexibility to expend not less than 20 percent of such amount by the end of the succeeding fiscal year.

#### **7) Executive Pay**

The Consolidated Appropriations Act, 2021 (Public Law 116-260), signed into law on December 27, 2020 restricts the amount of direct salary to Executive Level II of the Federal Executive Pay scale. Effective January 3, 2021, the salary limitation for Executive Level II is \$199,300.

For awards issued prior to this change, if adequate funds are available in active awards, and if the salary cap increase is consistent with the institutional base salary, recipients may re-budget to accommodate the current Executive Level II salary level. However, no additional funds will be provided to these grant awards.

#### **8) Marijuana Restriction:**

Grant funds may not be used, directly or indirectly, to purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Grant funds also cannot be provided to any individual who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders. See, e.g., 45 C.F.R. 75.300(a) (requiring HHS to ensure that Federal funding is expended . . . in full accordance with U.S. statutory . . . requirements.); 21 U.S.C. 812(c) (10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana). This prohibition does not apply to those providing such treatment in the context of clinical research permitted by the DEA and under an FDA-approved investigational new drug application where the article being evaluated is marijuana or a constituent thereof that is otherwise a banned controlled substance under federal law.

#### **9) SAM and DUNS Requirements**

THIS AWARD IS SUBJECT TO REQUIREMENTS AS SET FORTH IN 2 CFR 25.110 CENTRAL CONTRACTOR REGISTRATION CCR) (NOW SAM) AND DATA UNIVERSAL NUMBER SYSTEM (DUNS) NUMBERS. 2 CFR Part 25 - Appendix A4

##### System of Award Management (SAM) and Universal Identifier Requirements

###### **A. Requirement for System of Award Management:**

Unless you are exempted from this requirement under 2 CFR 25.110, you, as the recipient, must maintain the currency of your information in the SAM, until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

###### **B. Requirement for unique entity identifier** If you are authorized (reference project description) to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you, unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity, unless the entity has provided its unique entity identifier to you.

###### **C. Definitions.** For purposes of this award term:

1. System of Award Management (SAM) means the federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at: <http://www.sam.gov>).
2. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.
3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR Part 25, Subpart C:
  - a. A governmental organization, which is a state, local government, or Indian Tribe; b. A foreign public entity; c. A domestic or foreign nonprofit organization; d. A domestic or foreign for-profit organization; and e. A Federal agency, but only as a sub-recipient under an award or sub-award to a nonfederal entity.
4. Sub-award:

a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible sub-recipient. b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330). c. A sub-award may be provided through any legal agreement, including an agreement that you consider a contract.

5. Sub-recipient means an entity that: a. Receives a sub-award from you under this award; and b. Is accountable to you for the use of the federal funds provided by the sub-award.

## **10) Federal Financial Accountability and Transparency Act (FFATA)**

Reporting Subawards and Executive Compensation, 2 CFR, Appendix A to Part 170

### **a. Reporting of first tier subawards.**

1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

### **2. Where and when to report.**

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. What to report. You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

### **b. Reporting Total Compensation of Recipient Executives.**

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation

information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report executive total compensation described in paragraph b. 1. of this award term:

i. As part of your registration profile at <https://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if

i. in the subrecipient's preceding fiscal year, the subrecipient received (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c. 1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards, and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

- iii. A domestic or foreign nonprofit organization;
  - iv. A domestic or foreign for-profit organization;
  - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
2. Executive means officers, managing partners, or any other employees in management positions.
3. Subaward:
- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_. 210 of the attachment to OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations).
  - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. Subrecipient means an entity that: i. Receives a subaward from you (the recipient) under this award; and ii. Is accountable to you for the use of the Federal funds provided by the subaward.
5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
- i. Salary and bonus.
  - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives and are available generally to all salaried employees.
  - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
  - v. Above-market earnings on deferred compensation which is not tax-qualified.
  - vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000. [75 FR 55669, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014]

## **11) Mandatory Disclosures**

Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the HHS Office of Inspector General (OIG), all information

related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Subrecipients must disclose, in a timely manner, in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Disclosures must be sent in writing to the awarding agency and to the HHS OIG at the following addresses:

U.S. Department of Health and Human Services Office of Inspector General

ATTN: Mandatory Grant Disclosures, Intake Coordinator 330 Independence Avenue, SW, Cohen Building Room 5527 Washington, DC 20201

Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or email: [MandatoryGranteeDisclosures@oig.hhs.gov](mailto:MandatoryGranteeDisclosures@oig.hhs.gov)

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371 remedies for noncompliance, including suspension or debarment (see 2 CFR parts 180 & 376 and 31 U.S.C. 3321).

#### **12) The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(G)), as amended, and 2 C.F.R. PART 175**

The Trafficking Victims Protection Act of 2000 authorizes termination of financial assistance provided to a private entity, without penalty to the Federal government, if the recipient or subrecipient engages in certain activities related to trafficking in persons. SAMHSA may unilaterally terminate this award, without penalty, if a private entity recipient, or a private entity subrecipient, or their employees: a) Engage in severe forms of trafficking in persons during the period of time that the award is in effect; b) Procure a commercial sex act during the period of time that the award is in effect; or, c) Use forced labor in the performance of the award or subawards under the award. The text of the full award term is available at 2 C.F.R. 175.15(b). See <http://www.gpo.gov/fdsys/pkg/CFR-2012-title2-vol1/pdf/CFR-2012-title2-vol1-sec175-15.pdf>.

#### **13) Drug-Free Workplace Requirements**

The Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.) requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. When the AR signed the application, the AR agreed that the recipient will provide a drug-free workplace and will comply with the requirement to notify SAMHSA if an employee is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. Government wide requirements for Drug-Free Workplace for Financial Assistance are found in 2 CFR part 182; HHS implementing regulations are set forth in 2 CFR part 382.400. All recipients of SAMHSA grant funds must comply with the requirements in Subpart B (or Subpart C if the recipient is an individual) of Part 382.

#### **14) Lobbying**

No funds provided under the attached Notice of Award (NoA) may be used by you or any sub-recipient under the grant to support lobbying activities to influence proposed or pending federal or state legislation or appropriations. The prohibition relates to the

use of federal grant funds and is not intended to affect your right or that of any other organization, to petition Congress or any other level of government, through the use of other nonfederal resources. Reference 45 CFR Part 93.

### **15) Accessibility Provisions**

Grant recipients of Federal financial assistance (FFA) from HHS must administer their programs in compliance with Federal civil rights law. This means that recipients of HHS funds must ensure equal access to their programs without regard to a person's race, color, national origin, disability, age, and in some circumstances, sex and religion. This includes ensuring your programs are accessible to persons with limited English proficiency. The HHS Office for Civil Rights also provides guidance on complying with civil rights laws enforced by HHS. Please see <http://www.hhs.gov/ocr/civilrights/understanding/section1557/index.html>. Recipients of FFA also have specific legal obligations for serving qualified individuals with disabilities. Please see <http://www.hhs.gov/ocr/civilrights/understanding/disability/index.html>. Please contact the HHS Office for Civil Rights for more information about obligations and prohibitions under Federal civil rights laws at <https://www.hhs.gov/civil-rights/index.html> or call 1-800-368-1019 or TDD 1-800-537-7697. Also note that it is an HHS Departmental goal to ensure access to quality, culturally competent care, including long-term services and supports, for vulnerable populations. For further guidance on providing culturally and linguistically appropriate services, recipients should review the National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care at <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=1&lvlid=6>.

### **16) Audits**

Non-Federal recipients that expend \$750,000 or more in federal awards during the recipient's fiscal year must obtain an audit conducted for that year in accordance with the provisions of 45 CFR 96.31.

Recipients are responsible for submitting their Single Audit Reports and the Data Collections Forms (SF-FAC) electronically to the Federal Audit Clearinghouse Visit disclaimer page (FAC) within the earlier of 30 days after receipt or nine months after the FY's end of the audit period. The FAC operates on behalf of the OMB.

For specific questions and information concerning the submission process: Visit the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb> or Call FAC at the toll-free number: (800) 253-0696

### **Reporting Requirements:**

#### **Federal Financial Report (FFR)**

The recipient is required to submit a Federal Financial Report (FFR) 90 days after the close of the performance period (project period). The SF-425 shall report total funds obligated and total funds expended by the grantee.

Effective January 1, 2021, award recipients are required to submit the SF-425 Federal Financial Report (FFR) via the Payment Management System (PMS). If the individual

responsible for FFR submission does not already have an account with PMS, please contact PMS to obtain access.

Recipients must liquidate all obligations incurred under an award not later than ninety (90) days after the end of the award obligation and expenditure period (i.e., the project period) which also coincides with the due date for submission of the FINAL SF-425, *Federal Financial Report* (FFR). After ninety (90) days, letter of credit accounts are locked. SAMHSA does not approve extensions to the ninety (90) day post-award reconciliation/liquidation period. Therefore, recipients are expected to complete all work and reporting within the approved project period and the aforementioned 90-day post-award reconciliation/liquidation period. Recipients (late) withdrawal requests occurring after the aforementioned periods are denied. In rare instances, SAMHSA may approve an extension to submit a FINAL SF-425 FFR report, but this is *not* an extension of the 90-day post award reconciliation/liquidation period, but rather only an extension to submit the Final SF-425 report (FFR).

### **Annual Report**

Reporting on the ARPA funding is required. States must prepare and submit their respective reports utilizing WebBGAS. Failure to comply with these requirements may cause the initiation of enforcement actions that can culminate in discontinuation of MHBG grants.

Your assigned MHBG Program Official will provide further guidance and additional submission information.

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75.

### **Staff Contacts:**

Deborah Rose, Program Official

**Phone:** (240) 276-0300 **Email:** Deborah.Rose@samhsa.hhs.gov **Fax:** (240) 276-1770

Wendy Pang, Grants Specialist

**Phone:** (240) 276-1419 **Email:** [wendy.pang@samhsa.hhs.gov](mailto:wendy.pang@samhsa.hhs.gov) **Fax:** (240) 276-1430