Washington State Health Care Authority	CONTRACT AMENDMENT BEHAVIORAL HEALTH – ADMINSTRATIVE SERVICES ORGANIZATION		HCA Contract No.: K6896 Amendment No.: 01	
THIS AMENDMENT TO THE BEHAV				
and is effective as of the date set fort		h Care Authority and	the party whose name appears below,	
CONTRACTOR NAME		CONTRACTOR D	DING BUSINESS AS (DBA)	
Kitsap County		Salish Behavioral Health Administrative Services		
		Organization		
CONTRACTOR ADDRESS		WASHINGTON UN	VIFORM BUSINESS IDENTIFIER (UBI)	
614 Division Street, MS23		182-002-345		
Port Orchard, WA 98366-4676				
AMENDMENT START DATE	AMENDMENT	END DATE	CONTRACT END DATE	
July 1, 2023 June 30, 2025			June 30, 2025	
PRIOR MAXIMUM CONTRACT	AMOUNT OF	DECREASE	TOTAL MAXIMUM CONTRACT	
\$11,513,074.00	\$2,377,010.00		\$9,136,064.00	

WHEREAS, HCA and Contractor previously entered into a Contract for behavioral health services, and;

WHEREAS, HCA and Contractor wish to amend the Contract to 1) Exhibit A, Non-Medicaid Funding Allocation, to increase CJTA Therapeutic Drug Court funds, decrease SABG funds, and remove Behavioral Health Housing 3 ASO pilot funds; 2) revise Exhibit F, Federal Subaward Identification; 3) add Exhibit H, Federal Compliance, Certifications, and Assurances; 4) add Exhibit I, Substance Abuse and Mental Health Services Administration (SAMHSA) Federal Fiscal Year 2021 Award Standard Terms; 5) add Exhibit J, SAMHSA Federal Fiscal Year 2022 Award Standard Terms; 6) add Exhibit K, SAMHSA Federal Fiscal Year 2023 Award Standard Terms.

NOW THEREFORE, the parties agree the Contract is amended as follows:

- 1. The Total Maximum Contract Amount for this Contract is decreased by \$2,377,010.00, from \$11,513,074.00 to \$9,136,064.00.
- 2. Exhibit A-1, Non-Medicaid Funding Allocation, supersedes and replaces Exhibit A and is attached hereto and incorporated herein.
- 3. Exhibit F-1, Federal Subaward Identification, supersedes and replaces Exhibit F and is attached hereto and incorporated herein.
- 4. A new Exhibit H, Federal Compliance, Certifications, and Assurances is attached hereto and incorporated herein.
- 5. A new Exhibit I, SAMHSA Federal Fiscal Year 2021 Award Standard Terms is attached hereto and incorporated herein.
- 6. A new Exhibit K, SAMHSA Federal Fiscal Year 2023 Award Standard Terms is attached hereto and incorporated herein.

- 7. This Amendment will be effective July 1, 2023 ("Effective Date").
- 8. All capitalized terms not otherwise defined herein have the meaning ascribed to them in the Contract.
- 9. All other terms and conditions of the Contract remain unchanged and in full force and effect.

The parties signing below warrant that they have read and understand this Amendment and have authority to execute the Amendment. This Amendment will be binding on HCA only upon signature by both parties.

CONTRACTOR SIGNATURE PRINTED NAME AND TITLE		DATE SIGNED
Katherine T. Waltur	Kathenire Walters, Chair	4/22/24
HCA SIGNATURE DocuSigned by:	PRINTED NAME AND TITLE Annette Schuffenhauer	DATE SIGNED
Annette Schuffenhauer	Chief Legal Officer	11/20/2023

Exhibit A-1: Non-Medicaid Funding Allocation Salish BH-ASO

This Exhibit addresses non-Medicaid funds in the Salish RSA for the provision of crisis services and non-crisis behavioral health services for July 1, 2023, through December 31, 2023, of state fiscal year (SFY) 2024. Amounts can be utilized during SFY ending June 30, 2024, unless otherwise noted.

MHBG and SABG funds will be administered by the BH-ASO in accordance with the plans developed locally for each grant. Block grant funding in Table 2 is shown for the full SFY 2024.

Fund Source	Monthly	Total 6 Months	Amended 6 Month Amount
Flexible GF-S	\$430,185.00	\$2,581,110.00	
РАСТ	\$15,788.00	\$94,728.00	
Assisted Outpatient Tx	\$5,147.00	\$30,882.00	
Flexible GF-S (ASO)- Begin FY2021- Proviso (7B)	\$16,342.00	\$98,052.00	
Jail Services	\$9,318.00	\$55,908.00	
ITA - Non-Medicaid funding	\$13,605.00	\$81,630.00	
Detention Decision Review	\$2,291.00	\$13,746.00	
Crisis Triage/Stabilization	\$37,167.00	\$223,002.00	
Long-Term Civil Commitment Court Costs	\$1,562.00	\$9,372.00	
Trueblood Misdemeanor Diversion	\$10,940.00	\$65,640.00	
DCA - Dedicated Cannabis Account	\$18,880.00	\$113,280.00	
CITA	\$21,817.00	\$130,902.00	
CJTA Therapeutic Drug Court	\$21,892.00	\$131,352.00	\$17,502.00
CJTA State Drug Court	\$17,573.00	\$105,438.00	
Secure Detox	\$8,466.00	\$50,796.00	
Behavioral Health Advisory Board	\$3,333.00	\$19,998.00	
New Journey First Episode Psychosis	\$4,264.00	\$25,584.00	1
Room & Board	\$1,163.00	\$6,978.00	
Kitsap crisis triage services BHASO	One-Time payment (Six months)	\$125,000.00	
Discharge Planners	One-Time payment (Six months)	\$53,647.00	
BH Service Enhancements	One-Time payment (Six months)	\$114,952.00	
5092(65) Added Crisis Teams/child crisis teams	One-Time payment (Six months)	\$299,914.00	
Recovery Navigator Program	One-Time payment (Six months)	\$619,917.00	
Recovery Navigator Lead Admin	One-Time payment (Six months)	\$70,000.00	
HB 1773 AOT LRA/LRO FTE Coordinator to ASO	One-Time payment (Six months)	\$70,000.00	
HB 1773 AOT LRA/LRO Service and Hearing cost	One-Time payment (Six months)	\$95,974.00	
Youth Inpatient Navigators	One-Time payment (Six months)	\$202,250.00	

Table 1: Salish RSA July - December SFY 2024 GF-S Funding

Total	\$639,733.00	\$5,490,052.00	\$17,502.00
Table 2: Salish RSA SFY 2024 Block Gr	ant Funding (12 mc	onths)	
Fund Source	and the second sec	Total FY2024	Amended 6 Month Amount
MHBG (Full Year SFY2024)		\$329,354.00	
MHBG Co-Responder (Full year SFY2024)		\$75,000.00	
Peer Bridger (Full Year SFY2024)		\$160,000.00	
SABG (Full Year SFY2024)		\$1,132,110	-\$77,512.00
SABG Co-Responder (Full Year SFY2024)		\$25,000.00	
Total		\$1,721,464.00	-\$77,512.00

Table 3: Salish RSA ARPA Grant Funding (Utilization until September 30, 2025)

Fund Source	Total FY2024	Amended 6 Month Amount
MHBG ARPA General Allocation	\$501,140.00	
MHBG ARPA (BH-ASO) Treatment -Crisis Services	\$165,296.00	
MHBG ARPA Mobile Crisis CPCs	\$190,900.00	
MHBG ARPA Peer Pathfinders Transition from Incarceration	\$79,000.00	
MHBG ARPA Peer Bridger Participant Support Funds	\$8,201.00	
SABG ARPA General Allocation	\$383,011.00	
SABG ARPA Peer Pathfinders Transition from Incarceration	\$79,000.00	
MHBG ARPA Youth Inpatient Navigator	\$330,000.00	
Total	\$1,736,548.00	

Table 4: Salish RSA -SFY 2024 Budgeted Program funds to be Reimbursement via A-19

Fund Source	Total FY2024	Amended 6 Month Amount
FYSPRT (Full Year SFY2024)	\$75,000.00	
5071 - Full FY amount available provider cost of monitoring CR/LRA State Hospital discharged individual	\$63,000.00	
Governor's Housing/Homeless Initiative -Rental Voucher and Bridge Program	\$50,000.00	
Behavioral Health Housing 3 ASO pilots funds available in FY 2024	\$0.00	-\$2,317,000.00
Total	\$188,000.00	-\$2,317,000.00

Explanations

All proviso dollars are GF-S funds. Outlined below, are explanations of the provisos and dedicated accounts applicable to all regions that receive the specific proviso:

- Juvenile Drug Court: Funding to provide alcohol and drug treatment services to juvenile offenders who are under the supervision of a juvenile drug court.
- State Drug Court: Funding to provide alcohol and drug treatment services to offenders who are under the supervision of a drug court.
- Jail Services: Funding to provide mental health services for mentally ill offenders while confined in a county or city jail. These services are intended to facilitate access to programs that offer mental health service upon mentally ill offenders' release from confinement. This includes efforts to expedite applications for new or re-instated Medicaid benefits.
- WA Program for Assertive Community Treatment (WA PACT)/Additional PACT/1109: Funds received per the budget proviso for development and initial operation of high-intensity programs for active community treatment WA- PACT teams.
- **Detention Decision Review:** Funds that support the cost of reviewing a DCR's decision whether to detain or not detain an individual under the State's involuntary commitment statutes.
- Criminal Justice Treatment Account (CITA): Funds received, through a designated account in the State treasury, for expenditure on: a) SUD treatment and treatment support services for offenders with an addition of a SUD that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington State; b: the provision of drug and alcohol treatment services and treatment support services for nonviolent offenders within a drug court program.
- **CJTA Therapeutic Drug Court:** Funding to set up of new therapeutic courts for cities or counties or for the expansion of services being provided to an already existing therapeutic court that engages in evidence-based practices, to include medication assisted treatment in jail settings pursuant to RCW 71.24.580.
- Assisted Outpatient Treatment: Funds received to support Assisted Outpatient Treatment (AOT). AOT is an order for Less Restrictive Alternative Treatment for up to ninety days from the date of judgment and does not include inpatient treatment.
- Dedicated Cannabis Account (DCA): Funding to provide a) outpatient and residential SUD treatment for youth and children; b) PPW case management, housing supports and residential treatment program; c) contracts for specialized fetal alcohol services; d) youth drug courts; and e) programs that support intervention, treatment, and recovery support services for middle school and high school aged students. All new program services must direct at least eighty-five percent of funding to evidence-based on research-based programs and practices.
- ITA Non-Medicaid Mobile Crisis (5480 Proviso): Funding that began in 2013, to provide additional local mental health services to reduce the need for hospitalization under the Involuntary Treatment Act in accordance with regional plans approved by DBHR.
- Secure Detoxification: Funding for implementation of new requirements of RCW 71.05, RCW 71.34 and RCW 71.24 effective April 1, 2018, such as evaluation and treatment by a SUDP, acute and subacute detoxification services, and discharge assistance provided by a SUDP in accordance with this Contract.
- Crisis Triage/Stabilization and Step-Down Transitional Residential: Funding originally allocated under SSB 5883 2017, Section 204(e) and Section 204(r) for operational costs and services provided within these facilities.
- Behavioral Health Enhancements (one-time payment): Funding for the implementation of regional enhancement plans

originally funded under ESSB 6032 and continued in ESHB 1109.SL Section 215(23).

- Discharge Planners (one-time payment): These are funds received for a position solely responsible for discharge planning.
- Trueblood Misdemeanor Diversion Funds: These are funds for non-Medicaid costs associated with serving individuals in crisis triage, outpatient restoration, Forensic PATH, Forensic HARPS, or other programs that divert individuals with behavioral health disorders from the criminal justice system.
- Behavioral Health Advisory Board (BHAB): Specific General Fund allocation to support a regional BHAB.
- SB 5092(65) Added Crisis Teams/including Child Crisis Teams: Funds to support the purchase of new mobile crisis team capacity or enhancing existing mobile crisis staffing and to add or enhance youth/child Mobile crisis teams.
- SB 5476 Blake Recovery Nav Admin. SUD Regional Administrator: Funds to support the regional administrator position responsible for assuring compliance with the recovery navigator program standards, including staffing standards.
- SB 5476 Blake decision Navigator Program Funds available to implement the recovery navigator plan that meets program requirements including demonstrating the ability to fully comply with statewide program standards.
- SB 5071 Full FY amount available Provider cost of monitoring CR/LRA State Hospital discharged individual Funds to support the treatment services for individuals released from a state hospital in accordance with RCW 10.77.086(4), competency restoration. BH-ASOs may submit an A-19, not to exceed \$9,000 per Individual. Amounts are statewide pooled funds and are limited to funds available.
- MHBG ARPA (BH-ASO) Peer Pathfinders Transition from Incarceration Pilot Funds to support the Peer Pathfinders Transition from Incarceration Pilot Program intended to serve individuals exiting correctional facilities in Washington state who have either a serious mental illness or co-occurring conditions.
- MHBG ARPA Enhancement Treatment Crisis Services Funds to supplement non-Medicaid individuals and non-Medicaid crisis services and systems.
- MHBG ARPA Enhancement Mental Health Services non Medicaid services and individuals Funds to supplement non-Medicaid individuals and non-Medicaid mental health services that meet MHBG requirements.
- MHBG Co-Responder funds Funds to support grants to law enforcement and other first responders to include a mental health professional on the team of personnel responding to emergencies within regions.
- **SABG Co-Responder funds** Funds to support grants to law enforcement and other first responders to include a mental health professional on the team of personnel responding to emergencies within regions.
- MHBG ARPA Enhancement Peer Bridger Participant Relief Funds Peer Bridger Participants Relief Funds to assist Individual's with engaging, re-engaging, and supporting service retention aligned/associated with continuing in treatment for mental health and/or SUD.
- MHBG ARPA Enhancement Addition of Certified Peer Counselor to BHASO Mobile Crisis Response Teams FBG stimulus funds for Contractor to enhance mobile crisis services by adding certified peer counselors.
- SABG ARPA Enhancement BH-ASO Treatment Funding Funds to supplement non-Medicaid individuals and non-Medicaid Substance Use Disorder services that meet federal block grant requirements.
- SABG ARPA Enhancement Peer Pathfinders Transition from Incarceration Pilot Funds to support Funds to support the Peer
 Pathfinders Transition from Incarceration Pilot Program intended to serve Individuals who are exiting correctional facilities in
 Washington state who have a substance use disorder or co-occurring condition.

- HB 1773 AOT LRA/LRO FTE Coordinator to ASO Funds for each BH-ASO to employ or subcontract an assisted outpatient treatment program coordinator. The Contractor will use funding provided in FY2023 to hire and train the BH-ASO assisted outpatient treatment coordinator to oversee system coordination and legal compliance for assisted outpatient treatment under RCW 71.05.148 and RCW 71.34.755.
- HB 1773 AOT LRA/LRO Service and Hearing funds Added funding for Treatment and Hearing costs specific to enhanced AOT LRA/LRO Program.
- **Governor's Housing/Homeless Initiative** Rental Vouchers and Bridge Program Funds To create a rental voucher and bridge program and implement strategies to reduce instances where an individual leaves a state operated behavioral or private behavioral health facility directly into homelessness. Contractors must prioritize this funding for individuals being discharged from state operated behavioral health facilities.
- Behavioral Health Housing: Funds are provided solely for a targeted grant program to three behavioral health administrative services organizations to transition persons who are either being diverted from criminal prosecution to behavioral health treatment services or are in need of housing upon discharge from crisis stabilization services. The authority must provide an opportunity for all of the behavioral health administrative service organizations to submit plans for consideration.
- Room & Board: Funding is provided solely for the authority to increase resources for behavioral health administrative service organizations and managed care organizations for the increased costs of room and board for behavioral health inpatient and residential services provided in nonhospital facilities.

Outlined below are explanation for provisos or new funding applicable to specific regions:

- ITA 180 Day Commitment Hearings: Funding to conduct 180-day commitment hearings.
- Assisted Outpatient Treatment (AOT) Pilot: Funding for pilot programs in Pierce and Yakima counties to implement AOT.
- **Spokane: Acute Care Diversion:** Funding to implement services to reduce the utilization and census at Eastern State Hospital.
- MH Enhancement Mt Carmel (Alliance): Funding for the Alliance E&T in Stevens County.
- MH Enhancement-Telecare: Funding for Telecare E&T in King County.
- Long-Term Civil Commitment Beds: This funding is for court costs and transportation costs related to the provision of long-term inpatient care beds as defined in RCW 71.24.025 through community hospitals or freestanding evaluation and treatment centers.
- Trueblood Enhanced Crisis Stabilization/Crisis Triage Spokane, Carelon, and King Trueblood funding Amounts are for enhancing services in Stabilization/Crisis Triage facility for identified Trueblood population. Includes Emergency Housing Vouchers for King County
- King County ASO CCORS -Funding to maintain children's crisis outreach response system services previously funded through DCYF.
- King County King County BHASO medication opioid. King county behavioral health administrative services organization to expand medication for opioid 5use disorder treatment services in King County.
- Youth Inpatient Navigators 8 Regions: Salish, Greater Columbia, and Carelon (SW, NC,) Great Rivers, Spokane. Pierce is direct contract and Thurston Mason is ARPA funds only. Funds to contract for Youth Inpatient Navigator Services in 8 regions of the state.

- Homeless Outreach Stabilization and Transition (HOST) programs in SW, Pierce, North Sound, Thurston Mason, and Spokane. Funds for The Homeless Outreach Stabilization and Transition (HOST) program provides outreach-based treatment services to individuals with serious behavioral health challenges including substance use disorder (SUD). Multidisciplinary teams can provide SUD, medical, rehabilitative, and peer services in the field to individuals who lack consistent access to these vital services.
- New Journey First Episode Psychosis: Funds provided to support Non-Medicaid client's portion of provider team costs offering the New Journey First Episode Psychosis Program.
- MRSS-Mobile Response and Stabilization Services Federal Grant: This federal grant funding is provided for the enhancement of existing Mobile Crisis Response (MCR) services already contracted through Carelon (Pierce) & Spokane BH-ASOs to help align current systems with the Mobile Response and Stabilization Services (MRSS) model.
- Kitsap Crisis Triage Services: Funding is provided solely for the authority to contract on a one-8time basis with the Salish behavioral health administrative services 9organization serving Kitsap County for crisis triage services in the 10county that are not being reimbursed through the Medicaid program.
- Snohomish county BHASO crisis 32 bed: Funds are provided solely for the authority to contract on a one-time basis with the North Sound behavioral health 1administrative services organization serving Snohomish County for start-up costs in a new 32-bed community recovery center in Lynnwood that will provide crisis services to Medicaid and other low-income residents.

Exhibit F-1 Federal Subaward Identification K6896-01

1.	Federal Awarding Agency	Dept. of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA)	
2.	Federal Award Identification Number (FAIN)	B09SM087386	
3.	Federal Award Date	3/22/2023	
4.	Assistance Listing Number and Title	93.958 Block Grants for Community Mental Health Services	
5.	Is the Award for Research and Development?	🗌 Yes 🖾 No	
6.	Contact Information for HCA's Awarding Official	Keri Waterland, Assistant Director WA State Health Care Authority Division of Behavioral Health and Recovery <u>keri.waterland@hca.wa.gov</u> 360-725-5252	
7.	Subrecipient name (as it appears in SAM.gov)	Salish Behavioral Health Administrative Services Organization	
8.	Subrecipient's Unique Entity Identifier (UEI)	LD6MNJ62JQD1	
9.	Subaward Project Description	Behavioral Health Administrative Service Organization	
10.	Primary Place of Performance	98366-4676	
11.	Subaward Period of Performance	7/1/2023 – 6/30/2025	
12.	Amount of Federal Funds Obligated by this Action	\$564,354.00	
13.	Total Amount of Federal Funds Obligated by HCA to the Subrecipient, including this Action	\$564,354.00	
14.	Indirect Cost Rate for the Federal Award (including if the de minimis rate is charged)	de minimus (10%)	

This Contract is subject to 2 CFR Chapter 1, Part 170 Reporting Sub-Award and Executive Compensation Information. The authorized representative for the Subrecipient identified above must answer the questions below. If you have questions or need assistance, please contact <u>subrecipientmonitoring@hca.wa.gov</u>.

1. Did the Subrecipient receive (1) 80% or more of its annual gross revenue from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements; <u>and</u> (2) \$25,000,000 or more in annual gross revenues from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements?



2. Does the public have access to information about the compensation of the executives in your business or organization 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?

YES NO

1.	Federal Awarding Agency	Dept. of Health and Human Services
		Substance Abuse and Mental Health Services Administration (SAMHSA)
2.	Federal Award Identification Number (FAIN)	B09SM085384
3.	Federal Award Date	5/17/2021
4.	Assistance Listing Number and Title	93.958 Block Grants for Community Mental Health Services
5.	Is the Award for Research and Development?	🗋 Yes 🖾 No
6.	Contact Information for HCA's Awarding Official	Keri Waterland, Assistant Director
		WA State Health Care Authority
		Division of Behavioral Health and Recovery
		keri.waterland@hca.wa.gov
		360-725-5252
7.	Subrecipient name (as it appears in SAM.gov)	Salish Behavioral Health Administrative Services Organization
8.	Subrecipient's Unique Entity Identifier (UEI)	LD6MNJ62JQD1
9.	Subaward Project Description	Behavioral Health Administrative Service Organization
10.	Primary Place of Performance	98366-4676
11.	Subaward Period of Performance	7/1/2023 – 6/30/2025
12.	Amount of Federal Funds Obligated by this Action	\$1,274,537.00
13.	Total Amount of Federal Funds Obligated by HCA to the Subrecipient, including this Action	\$1,274,537.00
14.	Indirect Cost Rate for the Federal Award (including if the de minimis rate is charged)	de minimus (10%)

Federal Subaward Identification K6896

This Contract is subject to 2 CFR Chapter 1, Part 170 Reporting Sub-Award and Executive Compensation Information. The authorized representative for the Subrecipient identified above must answer the questions below. If you have questions or need assistance, please contact <u>subrecipientmonitoring@hca.wa.gov</u>.

1. Did the Subrecipient receive (1) 80% or more of its annual gross revenue from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements; <u>and</u> (2) \$25,000,000 or more in annual gross revenues from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements?



 Does the public have access to information about the compensation of the executives in your business or organization 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?



Federal Subaward Identification K6896-01

1.	Federal Awarding Agency	Dept. of Health and Human Services	
		Substance Abuse and Mental Health Services Administration (SAMHSA)	
2.	Federal Award Identification Number (FAIN)	B08TI085843	
3.	Federal Award Date	2/16/2023	
4.	Assistance Listing Number and Title	93.959 Block Grants for Prevention and Treatment of Substance Abuse	
5.	Is the Award for Research and Development?	🗌 Yes 🛛 No	
6.	Contact Information for HCA's Awarding Official	Michael Langer, Deputy Division Director WA State Health Care Authority Division of Behavioral Health and Recovery <u>Michael.langer@hca.wa.gov</u> 360-725-9821	
7.	Subrecipient name (as it appears in SAM.gov)	Salish Behavioral Health Administrative Services Organization	
8.	Subrecipient's Unique Entity Identifier (UEI)	LD6MNJ62JQD1	
9.	Subaward Project Description	Behavioral Health Administrative Service Organization	
10.	Primary Place of Performance	98366-4676	
11.	Subaward Period of Performance	7/1/2023 - 6/30/2025	
12.	Amount of Federal Funds Obligated by this Action	\$1,157,110.00	
13.	Total Amount of Federal Funds Obligated by HCA to the Subrecipient, including this Action	\$1,157,110.00	
14.	Indirect Cost Rate for the Federal Award (including if the de minimis rate is charged)	de minimus (10%)	

This Contract is subject to 2 CFR Chapter 1, Part 170 Reporting Sub-Award and Executive Compensation Information. The authorized representative for the Subrecipient identified above must answer the questions below. If you have questions or need assistance, please contact <u>subrecipientmonitoring@hca.wa.gov</u>.

1. Did the Subrecipient receive (1) 80% or more of its annual gross revenue from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements; <u>and</u> (2) \$25,000,000 or more in annual gross revenues from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements?



 Does the public have access to information about the compensation of the executives in your business or organization 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?



Federal Subaward Identification K6896-01

1.	Federal Awarding Agency	Dept. of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA)
2.	Federal Award Identification Number (FAIN)	B08TI083977
3.	Federal Award Date	5/17/2021
4.	Assistance Listing Number and Title	93.959 Block Grants for Prevention and Treatment of Substance Abuse
5.	Is the Award for Research and Development?	🗌 Yes 🖾 No
6.	Contact Information for HCA's Awarding Official	Michael Langer, Deputy Division Director WA State Health Care Authority Division of Behavioral Health and Recovery <u>Michael.langer@hca.wa.gov</u> 360-725-9821
7.	Subrecipient name (as it appears in SAM.gov)	Salish Behavioral Health Administrative Services Organization
8.	Subrecipient's Unique Entity Identifier (UEI)	LD6MNJ62JQD1
9.	Subaward Project Description	Behavioral Health Administrative Service Organization
10.	Primary Place of Performance	98366-4676
11.	Subaward Period of Performance	7/1/2023 - 6/30/2025
12.	Amount of Federal Funds Obligated by this Action	\$462,011.00
13.	Total Amount of Federal Funds Obligated by HCA to the Subrecipient, including this Action	\$462,011.00
14.	Indirect Cost Rate for the Federal Award (including if the de minimis rate is charged)	de minimus (10%)

This Contract is subject to 2 CFR Chapter 1, Part 170 Reporting Sub-Award and Executive Compensation Information. The authorized representative for the Subrecipient identified above must answer the questions below. If you have questions or need assistance, please contact <u>subrecipientmonitoring@hca.wa.gov</u>.

1. Did the Subrecipient receive (1) 80% or more of its annual gross revenue from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements; <u>and</u> (2) \$25,000,000 or more in annual gross revenues from federal contracts, subcontracts, grants, loans, subgrants, and/or cooperative agreements?



 Does the public have access to information about the compensation of the executives in your business or organization 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?



Exhibit H Federal Compliance, Certifications, and Assurances

- I. **FEDERAL COMPLIANCE** The use of federal funds requires additional compliance and control mechanisms to be in place. The following represents the majority of compliance elements that may apply to any federal funds provided under this contract. For clarification regarding any of these elements or details specific to the federal funds in this contract, contact: **Ruth Leonard.**
 - a. Source of Funds: MHBG: This Contract is being funded partially or in full through Cooperative Contract number B09SM087386, the full and complete terms and provisions of which are hereby incorporated into this Contract. Federal funds to support this Contract are identified by the Catalog of Federal Domestic Assistance (CFDA) number 93.104 in the amount of \$564,354.00. The Contractor or Subrecipient is responsible for tracking and reporting the cumulative amount expended under HCA Contract K6896 & K6896-01.
 - b. **Period of Availability of Funds: MHBG**: Pursuant to 45 CFR 92.23, Contractor or Subrecipient may charge to the award only costs resulting from obligations of the funding period specified in **B09SM087386** unless carryover of unobligated balances is permitted, in which case the carryover balances may be charged for costs resulting from obligations of the subsequent funding period. All obligations incurred under the award must be liquidated no later than 90 days after the end of the funding period.
 - c. Source of Funds: MHBG ARPA: This Contract is being funded partially or in full through Cooperative Contract number B09SM085384, the full and complete terms and provisions of which are hereby incorporated into this Contract. Federal funds to support this Contract are identified by the Catalog of Federal Domestic Assistance (CFDA) number 93.958 in the amount of \$1,274,537.00. The Contractor or Subrecipient is responsible for tracking and reporting the cumulative amount expended under HCA Contract K6896 & K6896-01.
 - d. **Period of Availability of Funds: MHBG ARPA**: Pursuant to 45 CFR 92.23, Contractor or Subrecipient may charge to the award only costs resulting from obligations of the funding period specified in **B09SM085384** unless carryover of unobligated balances is permitted, in which case the carryover balances may be charged for costs resulting from obligations of the subsequent funding period. All obligations incurred under the award must be liquidated no later than 90 days after the end of the funding period.
 - e. Source of Funds: SABG: This Contract is being funded partially or in full through Cooperative Contract number B08TI085843, the full and complete terms and provisions of which are hereby incorporated into this Contract. Federal funds to support this Contract are identified by the Catalog of Federal Domestic Assistance (CFDA) number 93.959 in the amount of \$1,157,110.00. The Contractor or Subrecipient is responsible for tracking and reporting the cumulative amount expended under HCA Contract K6896 & K6896-01.
 - f. **Period of Availability of Funds: SABG**: Pursuant to 45 CFR 92.23, Contractor or Subrecipient may charge to the award only costs resulting from obligations of the funding period specified in **B08T1085843** unless carryover of unobligated balances is permitted, in which case the carryover balances may be charged for costs resulting from obligations of the subsequent funding period. All obligations incurred under the award must be liquidated no later than 90 days after the end of the funding period.
 - g. Source of Funds: SABG ARPA: This Contract is being funded partially or in full through Cooperative Contract number B08TI083977, the full and complete terms and provisions of which are hereby incorporated into this Contract. Federal funds to support this Contract are identified by the Catalog of Federal Domestic Assistance (CFDA) number 93.959 in the amount of \$462,011.00. The Contractor or Subrecipient is responsible for tracking and reporting the cumulative amount expended under HCA Contract K6896 & K6896-01.
 - h. Period of Availability of Funds: SABG ARPA: Pursuant to 45 CFR 92.23, Contractor or Subrecipient may charge to the award only costs resulting from obligations of the funding period specified in B08TI083977 unless carryover of unobligated balances is permitted, in which case the carryover balances may be charged for costs resulting from obligations of the subsequent funding period. All obligations incurred under the award must be liquidated no later than 90 days after the end of the funding

period.

- Single Audit Act: This section applies to subrecipients only. Subrecipient (including private, for-profit hospitals and non-profit institutions) shall adhere to the federal Office of Management and Budget (OMB) Super Circular 2 CFR 200.501 and 45 CFR 75.501. A Subrecipient who expends \$750,000 or more in federal awards during a given fiscal year shall have a single or program-specific audit for that year in accordance with the provisions of OMB Super Circular 2 CFR 200.501 and 45 CFR 75.501.
- j. **Modifications:** This Contract may not be modified or amended, nor may any term or provision be waived or discharged, including this particular Paragraph, except in writing, signed upon by both parties.
 - 1. Examples of items requiring Health Care Authority prior written approval include, but are not limited to, the following:
 - i. Deviations from the budget and Project plan.
 - ii. Change in scope or objective of the Contract.
 - iii. Change in a key person specified in the Contract.
 - iv. The absence for more than one (1) months or a 25% reduction in time by the Project Manager/Director.
 - v. Need for additional funding.
 - vi. Inclusion of costs that require prior approvals as outlined in the appropriate cost principles.
 - vii. Any changes in budget line item(s) of greater than twenty percent (20%) of the total budget in this Contract.
 - 2. No changes are to be implemented by the Sub-awardee until a written notice of approval is received from the Health Care Authority.
- k. Sub-Contracting: The Contractor or Subrecipient shall not enter into a sub-contract for any of the work performed under this Contract without obtaining the prior written approval of the Health Care Authority. If sub-contractors are approved by the Health Care Authority, the subcontract, shall contain, at a minimum, sections of the Contract pertaining to Debarred and Suspended Vendors, Lobbying certification, Audit requirements, and/or any other project Federal, state, and local requirements.
- Condition for Receipt of Health Care Authority Funds: Funds provided by Health Care Authority to the Contractor or Subrecipient under this Contract may not be used by the Contractor or Subrecipient as a match or cost-sharing provision to secure other federal monies without prior written approval by the Health Care Authority.
- m. **Unallowable Costs**: The Contractor or Subrecipient's expenditures shall be subject to reduction for amounts included in any invoice or prior payment made which determined by HCA not to constitute allowable costs on the basis of audits, reviews, or monitoring of this Contract.
- n. **Supplanting Compliance**: **SABG**: If SABG funds support this Contract, the Block Grant will not be used to supplant State funding of alcohol and other drug prevention and treatment programs. (45 CFR section 96.123(a)(10)).
- Federal Compliance: The Contractor or Subrecipient shall comply with all applicable State and Federal statutes, laws, rules, and regulations in the performance of this Contract, whether included specifically in this Contract or not.
- p. Civil Rights and Non-Discrimination Obligations: During the performance of this Contract, the Contractor or Subrecipient shall comply with all current and future federal statutes relating to nondiscrimination. These include but are not limited to: Title VI of the Civil Rights Act of 1964 (PL 88-352), Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681-1683 and 1685-1686), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101- 6107), the Drug Abuse Office and Treatment Act of 1972 (PL 92-255), the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (PL 91-616), §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290dd-3 and 290ee-3), Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), and the Americans with Disability Act (42 U.S.C., Section 12101 et seq.) http://www.hhs.gov/ocr/civilrights.

HCA Federal Compliance Contact Information

Washington State Health Care Authority

Post Office Box 42710 Olympia, Washington 98504-2710

II. CIRCULARS 'COMPLIANCE MATRIX' - The following compliance matrix identifies the OMB Circulars that contain the requirements which govern expenditure of federal funds. These requirements apply to the Washington State Health Care Authority (HCA), as the primary recipient of federal funds and then follow the funds to the sub-awardee, Kitsap County DBA Salish Behavioral Health Administrative Services Organization The federal Circulars which provide the applicable administrative requirements, cost principles and audit requirements are identified by sub-awardee organization type.

	OMB CIRCULAR		
ΕΝΤΙΤΥ ΤΥΡΕ	ADMINISTRATIVE REQUIREMENTS	COST PRINCIPLES	AUDIT REQUIREMENTS
State. Local and Indian Tribal Governments and Governmental Hospitals	OMB Super Circular	2 CFR 200.501	and 45 CFR 75.501
Non-Profit Organizations and Non-Profit Hospitals	×		
Colleges or Universities and Affiliated Hospitals			
For-Profit Organizations			

- III. STANDARD FEDERAL CERTIFICATIONS AND ASSURANCES Following are the Assurances, Certifications, and Special Conditions that apply to all federally funded (in whole or in part) Contracts administered by the Washington State Health Care Authority.
 - a. **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**: The undersigned (authorized official signing for the contracting organization) certifies to the best of his or her knowledge and belief, that the contractor, defined as the primary participant in accordance with 45 CFR Part 76, and its principals: are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency have not within a 3-year period preceding this contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in Section 2 of this certification; and have not within a 3-year period preceding this contract had one or more public transactions (Federal, State, or local) terminated for cause or default.

Should the Contractor or Subrecipient not be able to provide this certification, an explanation as to why should be placed after the assurances page in the contract.

The contractor agrees by signing this contract that it will include, without modification, the clause above certification in all lower tier covered transactions (i.e., transactions with sub-grantees and/or contractors) and in all solicitations for lower tier covered transactions in accordance with 45 CFR Part 76.

b. **CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS:** The undersigned (authorized official signing for the contracting organization) certifies that the contractor will, or will continue to, provide a drug-free workplace in accordance with 45 CFR Part 76 by:

- 1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition; Establishing an ongoing drug-free awareness program to inform employees about
 - i. The dangers of drug abuse in the workplace;
 - ii. The contractor's policy of maintaining a drug-free workplace;
 - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- 2. Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (I) above;
- 3. Notifying the employee in the statement required by paragraph (I), above, that, as a condition of employment under the contract, the employee will
 - i. Abide by the terms of the statement; and
 - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction;
- 4. Notifying the agency in writing within ten calendar days after receiving notice under paragraph (III)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every contract officer or other designee on whose contract activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- 5. Taking one of the following actions, within thirty (30) calendar days of receiving notice under paragraph (III) (b), with respect to any employee who is so convicted
 - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- 6. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (I) through (V).

For purposes of paragraph (V) regarding agency notification of criminal drug convictions, Authority has designated the following central point for receipt of such notices:

Legal Services Manager WA State Health Care Authority PO Box 42700 Olympia, WA 98504-2700

c. **CERTIFICATION REGARDING LOBBYING:** Title 31, United States Code, Section 1352, entitled "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," generally prohibits recipients of Federal grants and cooperative Contracts from using Federal (appropriated) funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a SPECIFIC grant or cooperative Contract. Section 1352 also requires that each person who requests or receives a Federal grant or cooperative Contract must disclose lobbying undertaken with non-Federal (nonappropriated) funds. These requirements apply to grants and cooperative Contracts EXCEEDING \$100,000 in total costs (45 CFR Part 93).

The undersigned (authorized official signing for the contracting organization) certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative Contract, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative Contract.

- 2. If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative Contract, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. (If needed, Standard Form-LLL, "Disclosure of Lobbying Activities," its instructions, and continuation sheet are included at the end of this application form.)
- 3. The undersigned shall require that the language of this certification be included in the award documents for all subcontracts at all tiers (including subcontracts, subcontracts, and contracts under grants, loans and cooperative Contracts) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

- d. CERTIFICATION REGARDING PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA): The undersigned (authorized official signing for the contracting organization) certifies that the statements herein are true, complete, and accurate to the best of his or her knowledge, and that he or she is aware that any false, fictitious, or fraudulent statements or claims may subject him or her to criminal, civil, or administrative penalties. The undersigned agrees that the contracting organization will comply with the Public Health Service terms and conditions of award if a contract is awarded.
- e. CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE: Public Law 103-227, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law also applies to children's services that are provided in indoor facilities that are constructed, operated, or maintained with such Federal funds. The law does not apply to children's services provided in private residence, portions of facilities used for inpatient drug or alcohol treatment, service providers whose sole source of applicable Federal funds is Medicare or Medicaid, or facilities where WIC coupons are redeemed.

Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity.

By signing the certification, the undersigned certifies that the contracting organization will comply with the requirements of the Act and will not allow smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

The contracting organization agrees that it will require that the language of this certification be included in any subcontracts which contain provisions for children's services and that all sub-recipients shall certify accordingly.

The Public Health Services strongly encourages all recipients to provide a smoke-free workplace and promote the non-use of tobacco products. This is consistent with the PHS mission to protect and advance the physical and mental health of the American people.

f. CERTIFICATION REGARDING OTHER RESPONSIBILITY MATTERS

- The inability of a person to provide the certification required below will not necessarily result in denial
 of participation in this covered transaction. The prospective contractor shall submit an explanation of
 why it cannot provide the certification set out below. The certification or explanation will be considered
 in connection with the department or agency's determination whether to enter into this transaction.
 However, failure of the prospective contractor to furnish a certification or an explanation shall disqualify
 such person from participation in this transaction.
- 2. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the

prospective contractor knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.

- 3. The prospective contractor shall provide immediate written notice to the department or agency to whom this contract is submitted if at any time the prospective contractor learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- 4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the person to whom this contract is submitted for assistance in obtaining a copy of those regulations.
- 5. The prospective contractor agrees by submitting this contract that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by Authority.
- 6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- 7. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, HCA may terminate this transaction for cause or default.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL:	TITLE:
Au	Administrator
PLEASE ALSO PRINT OR TYPE NAME:	
Jolene Kron	
ORGANIZATION NAME: (if applicable)	DATE:
Salish BH-ASO	4/3/2024

CONTRACTOR SIGNATURE REQUIRED

Exhibit I

Substance Abuse and Mental Health Services Administration (SAMHSA) Federal Fiscal Year 2021 – Award Standard Terms

As identified in the Federal Subaward Identification attachment/s, this Contract includes funds HCA received through a grant from SAMHSA, a branch of the United States Department of Health and Human Services (HHS), awarded in Federal Fiscal Year 2021 and HCA intends this Contract to conform with the requirements of the SAMHSA grant. Contractor agrees to comply with the following pass-through terms and conditions, in addition to the terms and conditions of the Contract, for contract activities funded by the SAMHSA grant.

	Name	Language									
1	Acceptance of the Terms of an Award	This Subaward is subject to the SAMHSA Fiscal Year 2021 – Award Standard Terms, included directly, or incorporated by reference on the Notice of Award (NoA) support the grant.									
2	Non-Supplanting	Federal award funds must supplement, not supplant, nonfederal funds. All recipients who receive awards under programs that prohibit supplanting by law must ensure that federal funds do not supplant funds that have been budgeted for the same purpose through non-federal sources. Applicants or award recipients may be required to demonstrate and document that a reduction in non-federal resources occurred for reasons other than the receipt of expected receipt of federal funds.									
		Block grant funds (SABG and MHBG) will not be used to supplant state funding of alcohol and other drug prevention programs. See 45 CFR § 98.123									
3	Unallowable Costs	All costs incurred prior to the award issue date and costs not consistent with the funding opportunity, 45 CFR Part 75, and the HHS Grants Policy Statement, are not allowable under this subaward.									
4	Marijuana Restrictions	Grant funds may not be used, directly or indirectly, to purchase, prescribe, or provide marijuana treatment using marijuana. Treatment in this context includes the treatment or 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. <i>See, e.g.</i> , 45 CFR 75.300(a); 21 USC 812(c)(10) and 841. 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 substances under the federal law.									
5	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 .									
6	Promotional Items	SAMHSA grant funds may not be used for Promotional Items. Promotional Items include but are not limited to: Clothing and commemorative items such as pens, mugs/cups, folders/folios, lanyards, and conference bags.									

		The second se
7	Acknowledgment of Federal Funding at	When a conference is funded by a grant or cooperative agreement, the recipient must include the following statement in all conference materials (including promotional materials, agenda, and internet sites):
	Conferences and Meetings	Funding for this conference was made possible 9in part) by (insert grant or cooperative agreement award number) from SAMHSA. The views expressed in written conference materials or publications and by speakers and moderators do not necessarily reflect the official policies of the Department of Health and Human Services; nor does mention of trade names, commercial practices, or organizations imply endorsements by the U.S. Government.
8	Rights in Data and Publications	As applicable, recipients agree to the requirements for intellectual property, rights in data, access to research data, publications, and sharing research tools, and intangible property and copyrights as described in 45 CFR 75.322 and the HHS Grants Policy Statement.
		HCA may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal Award. SAMHSA reserves a royalty- free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so.
9	Mandatory Disclosures	Consistent with 45 CFR 75.113, Subrecipients must disclose, in a timely manner, in writing to HCA and 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. Disclosures must be sent in writing to HCA and 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
		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 USC 3321)
10	Lobbying Restrictions	Per 45 CFR §75.215, Subrecipients are subject to the restrictions on lobbying as set forth in 45 CFR part 93.
		U.S.C. > Title 18 > Part I > Chapter 93 > Section 1913, No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his/her request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with

		the conduct of foreign policy, counter-intelligence, intelligence, or national security activities.								
		Violations of this section shall constitute as a violation of section 1352 (a) of Title 31.								
11	Drug Free Workplace	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. By signing this Contract, you agree that the grantee will provide a drug-free workplace and will comply with the requirement to notify NIH 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 NIH grant funds must comply with the requirements in Subpart B (or Subpart C if the recipient is an individual) of part 382.								
12	Trafficking Victims Protection Act of 2000 (22 USC	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.								
	7104(G)), as amended, and 2 CFR Part 175	SAMHSA or HCA 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	Confidentiality of Alcohol and Drug Abuse Patient Records	The regulations (42 CFR 2) are applicable to any information about alcohol and other drug abuse patients obtained by a "program" (42 CFR 2.11), if the program is federally assisted in any manner (42 CFR 2.12b). Accordingly, all project patient records are confidential and may be disclosed and used only in accordance with 42 CFR Part 2. The Subrecipient is responsible for assuring compliance with these regulations and principles, including responsibility for assuring the security and confidentiality of all electronically transmitted patient material.								
14	Healthy People 2020	Healthy People 2020 is a national initiative led by HHS that set priorities for all SAMHSA programs. The initiative has two major goals: (1) increase the quality and years of a healthy life; and (2) eliminate our country's health disparities. The program consists of 28 focus areas and 467 objectives. SAMHSA has actively participated in the work groups of all the focus areas and is committed to the achievement of the Healthy People 2020 goals. Healthy People 2010 and the conceptual framework for the forthcoming Healthy People 2020 process can be found online at: <u>http://www.healthypeople.gov/</u>								
15	Accessibility Provisions	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 Legislative Mandates	Certain statutory provisions under P.L. 115-245, Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, Division B, Title V, Title II, General Provisions limit the use of funds on SAMHSA grants, cooperative agreements, and contract awards. Such provisions are subject to change annually based on specific appropriation language that restricts the use of grant funds. The full text of P.L. 115-245 is available at https://www.congress.gov/bill/115th- congress/housebill/6157/text? Format=txt.
17 Ad Hoc Submissions	 Throughout the project period, SAMHSA may determine that a grant requires submission of additional information beyond the standard deliverables. This information may include, but is not limited to, the following: Payroll
	Purchase orders Contract documentation
	 Purchase orders Contract documentation Proof of project implementation

Exhibit K Substance Abuse and Mental Health Services Administration (SAMHSA) Federal Fiscal Year 2023 – Award Standard Terms

As identified in the Federal Subaward Identification Exhibit F, this Contract includes funds HCA received through a grant from SAMHSA, a branch of the United States Department of Health and Human Services (HHS), awarded in Federal Fiscal Year 2023 and HCA intends this Contract to conform with the requirements of the SAMHSA grant. Contractor agrees to comply with the following pass-through terms and conditions, in addition to the terms and conditions of the Contract, for contract activities funded by the SAMHSA grant.

1. Future Spending

As indicated in the NoA, recommended future support reflects total costs (direct plus indirect). Funding is subject to the availability of Federal funds, satisfactory progress and continued funding is in the best interest of the Federal government.

2. Non-Supplant

Federal award funds must supplement, not replace (supplant) non-federal funds. Contractor must ensure that federal funds do not supplant funds that have been budgeted for the same purpose through non- federal sources. HCA may require Contractor to demonstrate and document that a reduction in non-federal resources occurred for reasons other than the receipt of expected receipt of federal funds.

3. Unallowable Costs

Any costs incurred by Contractor prior to the start date of the Contract and/or costs not consistent with the terms and conditions of the Contract, including terms and conditions incorporated by reference, <u>45 CFR § 75</u>, and the <u>HHS Grants Policy Statement</u>, are not allowable under this Contract.

4. Conflicts of Interest Policy

Consistent with <u>45 CFR § 75.112</u>, Contractor must establish and maintain written policies and procedures to prevent employees, consultants, and others (including family, business, or other ties) involved in activities supported by this Contract with HCA, from involvement in actual or perceived conflicts of interest.

The policies and procedures must:

- A. address conditions under which outside activities, relationships, or financial interest are proper or improper;
- B. provide for advance disclosure of outside activities, relationships, or financial interest to a responsible organizational official;
- C. include a process for notification and review by the responsible official of potential or actual violations of the standards; and
- D. specify the nature of penalties that may be imposed for violations.

5. Administrative and National Policy Requirements

Public policy requirements are requirements with a broader national purpose than that of the Federal sponsoring program or award that an applicant/recipient must adhere to as a prerequisite to and/or condition of an award. Public policy requirements are established by statute, regulation, or Executive order. In some cases, they relate to general activities, such as preservation of the environment, while, in other cases they are integral to the purposes of the award-supported activities. An application funded with the release of federal funds through a grant award does not constitute or imply compliance with federal statute and regulations. Funded organizations are responsible for ensuring that their activities comply with all applicable federal regulations, refer to Part II of the <u>HHS Grants Policy Statement</u>.

6. Marijuana Restriction

SAMHSA grant funds may not be used to purchase, prescribe, or provide marijuana or treatment using marijuana. See, e.g., <u>45 CFR § 75.300(a)</u> (requiring HHS to ensure that Federal funding is expended in full accordance with U.S. statutory and public policy requirements); 21

U.S.C. 812(c)(10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana).

7. Executive Pay

The Consolidated Appropriations Act, 2023 (Public Law No: 117-328), signed into law on December 29, 2022, restricts the amount of direct salary to Executive Level II of the Federal Executive Pay scale. Effective January 1, 2023, the salary limitation for Executive Level II is \$212,100.

8. Promotional Items

SAMHSA grant funds may not be used for Promotional Items. Promotional items include but are not limited to clothing and commemorative items such as pens, mugs/cups, folders/folios, lanyards, and conference bags.

HHS policy on the Use of Appropriated Funds for Promotional Items: <u>https://www.hhs.gov/grants/contracts/contract-policies-regulations/spending-on-promotional-items/index.html</u>

9. Acknowledgement of Federal Funding in communications and contracting

For each publication that results from SAMHSA grant-supported activities, Contractor must include an acknowledgment of grant support using one of the following statements:

"This publication was made possible by Grant Number ______ from SAMHSA."

"The project described was supported by Grant Number ______ from SAMHSA."

Contractor also must include a disclaimer stating the following:

"Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the SAMHSA."

Contractor must use the grant number from the applicable Federal Subaward Identification attachment to this Contract. Contractor should work with the HCA Contract Manager to ensure the statements required by this clause include the correct grant number.

10. Acknowledgement of Federal Funding at Conferences and Meetings

A conference is defined as a meeting, retreat, seminar, symposium, workshop or event whose primary purpose is the dissemination of technical information beyond the non-Federal entity and is necessary and reasonable for successful performance under the SAMHSA grant.

Disclaimer for Conference/Meeting/Seminar Materials: If a conference/meeting/seminar is funded by SAMHSA funds under this Contract, the Contractor must include the following statement on conference materials, including promotional materials, agenda, and internet sites:

"Funding for this conference was made possible (in part) by SAMHSA. The views expressed in written conference materials or publications and by speakers and moderators do not necessarily reflect the official policies of the Department of Health and Human Services, nor does the mention of trade names, commercial practices, or organizations imply endorsement by the U.S. Government."

11. Rights in Data and Publications

As applicable, Contractor agrees to the requirements for intellectual property, rights in data, access to research data, publications, and sharing research tools, and intangible property and copyrights as described in <u>45 CFR § 75.322</u> and the <u>HHS Grants Policy Statement</u>.

SAMHSA reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so.

12. Mandatory Disclosures

Consistent with <u>45 CFR § 75.113</u>, Contractor must disclose in a timely manner in writing to the HCA Contract Manager and 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. Contractor must disclose, in a timely manner, in writing to the HCA Contract Manager, HHS and the HHS OIG, all information related to violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations, or suspected violations, of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting a Federal award identified in this Contract with HCA. Disclosures must be sent in writing to HCA according to the Notice requirements of the Contract 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: <u>MandatoryGranteeDisclosures@oig.hhs.gov</u>

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

13. Lobbying Restrictions

Per <u>45 CFR §75.215</u>, Contractor is subject to the restrictions on lobbying as set forth in <u>45 CFR § 93</u>.

Lobbying with appropriated moneys, <u>U.S. Code 18 § 1913 (2021)</u>, No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his/her request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities.

Violations of this section shall constitute as a violation of section 1352 (a) of Title 31.

14. Drug-Free Workplace

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. This requirement passes through HCA to the Contractor. The Contractor must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of part 382, which adopts the Governmentwide implementation (2 CFR §182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701-707).

Contractor will provide a drug-free workplace and will notify the HCA Contract Manager 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 <u>2 CFR § 182</u>; HHS implementing regulations are set forth in <u>2 CFR § 382.400</u>.

15. Civil Right Laws that prohibit discrimination

Contractor must perform all work under the Contract in compliance with federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, disability, age and, in some circumstances, religion, conscience, and sex (including gender identity, sexual orientation, and pregnancy). This includes taking reasonable steps to provide meaningful access to persons with limited English proficiency and providing programs that are accessible to and usable by persons with disabilities. The HHS Office for Civil Rights provides guidance on complying with civil rights laws enforced by HHS. See https://www.hhs.gov/civil-rights/for-provider-obligations/index.html and https://www.hhs.gov/civil-rights/for-provider-obligations/index.html.

This includes taking reasonable steps to ensure that your project provides meaningful access to persons with limited English proficiency. For guidance on meeting your legal obligation to take reasonable steps to ensure meaningful access to your programs or activities by limited English proficient individuals, see <u>https://www.hhs.gov/civil- rights/for-individuals/special-topics/limited-english-proficiency/fact-sheet- guidance/index.html and https://www.lep.gov.</u>

For information on your specific legal obligations for serving qualified individuals with disabilities, including providing program access, reasonable modifications, and taking appropriate steps to provide effective communication, see http://www.hhs.gov/ocr/civilrights/understanding/disability/index.html.

HHS funded health and education programs must be administered in an environment free of sexual harassment, see <u>https://www.hhs.gov/civil-rights/for-individuals/sex-</u><u>discrimination/index.html</u>.

For guidance on administering your project in compliance with applicable federal religious nondiscrimination laws and applicable federal conscience protection and associated antidiscrimination laws, see <u>https://www.hhs.gov/conscience/conscience-protections/index.html</u> and <u>https://www.hhs.gov/conscience/religious-freedom/index.html</u>.

16. Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(G)), as amended, and 2 CFR § 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 (HCA) or subrecipient (Contractor) 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 (Contractor), 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 <u>2 CFR § 175.15(b)</u>.

17. Confidentiality of Alcohol and Drug Abuse Patient Records

The regulations ($42 \text{ CFR } \S 2$) are applicable to any information about alcohol and other drug abuse patients obtained by a "program" ($42 \text{ CFR } \S 2.11$), if the program is federally assisted in any manner ($42 \text{ CFR } \S 2.12b$). Accordingly, all project patient records are confidential and may be disclosed and used only in accordance with $42 \text{ CFR } \S 2$. Contractor is responsible for assuring compliance with these regulations and principles, including responsibility for assuring the security and confidentiality of all electronically transmitted patient material.

18. Accessibility Provisions

Contractor must perform all work under this Contract in compliance with Federal civil rights law. This means that Contractor must ensure equal access to programs funded by the SAMHSA grant without regard to a person's race, color, national origin, disability, age, and in some circumstances, sex and religion. This includes ensuring the 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.

Contractor also has specific legal obligations for serving qualified individuals with disabilities. Please see- <u>http://www.hhs.gov/ocr/civilrights/understanding/disability/index.html</u>. Please contact the HHS Office for Civil Rights for more information about obligations and prohibitions under Federal civil rights laws at <u>https://www.hhs.gov/civil-rights/index.html</u> or call 1-800-368-1019 or TDD 1-800-537-7697.

For further guidance on providing culturally and linguistically appropriate services, Contractor 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.

19. Legislative Mandates

Certain statutory provisions under P.L. 115-245, Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, Division B, Title V, Title II, General Provisions limit the use of funds on SAMHSA grants, cooperative agreements, and contract awards, including this Contract with HCA. Such provisions are subject to change annually based on specific appropriation language that restricts the use of grant funds. The full text of P.L. 115-245 is available at https://www.congress.gov/bill/115th-congress/house-bill/6157/text?Format=txt.

20. Executive Order 13410: Promoting Quality and Efficient Health Care in Federal Government Administered or Sponsored Health Care Programs

This EO promotes efficient delivery of quality health care through the use of health information technology, transparency regarding health care quality and price, and incentives to promote the widespread adoption of health information technology and quality of care. Accordingly, if Contractor electronically exchanges patient level health information to external entities where national standards exist, Contractor must:

- A. Use recognized health information interoperability standards at the time of any HIT system update, acquisition, or implementation, in all relevant information technology systems supported, in whole or in part, through this agreement/contract. Please consult www.healthit.gov for more information, and
- B. Use Electronic Health Record systems (EHRs) that are certified by agencies authorized by the Office of the National Coordinator for Health Information Technology (ONC), or that will be certified during the life of the grant.

21. Audits

If Contractor expends \$750,000 or more in federal awards during the Contractor's fiscal year Contractor must have a single or program-specific audit conducted for that year in accordance with the provisions of <u>45 CFR § 75.501</u>. Guidance on determining Federal awards expended is provided in <u>45 CFR §75.502</u>.

Contractor is responsible for submitting their Single Audit Reports and the Data Collections Forms (SF-FAC) electronically to the 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 <u>https://harvester.census.gov/facweb</u> or call FAC at the toll-free number: (800) 253-0696.

22. Ad Hoc Submissions

Throughout the Contract term, SAMHSA may determine that a grant requires submission of additional information beyond the standard deliverables. Contractor agrees to provide accurate, timely information if requested by HCA. This information may include, but is not limited to, the following:

- A. Payroll
- B. Purchase orders
- C. Contract documentation
- D. Proof of project implementation

23. Cancel Year

<u>31 U.S.C. 1552(a)</u> Procedure for Appropriation Accounts Available for Definite Periods states the following: On September 30th of the 5th fiscal year after the period of availability for obligation of a fixed appropriation account ends, the account shall be closed and any remaining balances

(whether obligated or unobligated) in the account shall be canceled and thereafter shall not be available for obligation or expenditure for any purpose.

24. Prohibition on certain tele-communications and video surveillance services or equipment

As described in <u>2 CFR § 200.216</u>, Contractor is prohibited to obligate or spend grant funds received through this Contract (to include direct and indirect expenditures as well as cost share and program) to:

- A. Procure or obtain;
- B. Extend or renew a contract to procure or obtain; or
- C. Enter into contract (or extend or renew contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Pub. L. 115- 232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
- D. For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
- E. Telecommunications or video surveillance services provided by such entities or using such equipment.
- F. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise, connected to the government of a covered foreign country.

Debarred Contractors List

A debarred contractor may not bid on; or have a bid considered on, any public works contract. You can search and filter this list using the options presented below.

Company Name:	Wasl	hington	State Health	Principal:						From	: 03/2	20/2023	то: 03/20	/2024
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