National Monitoring Standards
Ryan White HIV/AIDS Program Part B
Administrative Reverse Site Visit Meeting
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National Monitoring Standards

• The Purpose of the National Monitoring Standards (NMS)

• The Implementation of the NMS

• Resources for Implementation
  • 45 CFR 75 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards
National Monitoring Standards

Purpose

• Compilation of all major Ryan White HIV/AIDS Program documents used for COMPLIANCE, OVERSIGHT, and EXPECTATIONS

• Set of minimum expectations for use by all RWHAP Part A & Part B (including ADAP) recipients and subrecipients for administration, program, and fiscal monitoring

• Developed by: HRSA/HAB and expert fiscal and program consultants
National Monitoring Standards

Purpose

• To *aid* recipients in meeting expectations for:
  • Fiscal and Program Management
  • Monitoring subrecipients
  • Reporting

• To *streamline, standardize, and improve program efficiency and responsiveness.*

• Location: HRSA HIV/AIDS Programs – Grantee Basics
National Monitoring Standards

Purpose

• Clear Source Citations for Requirements:
  • Ryan White HIV/AIDS Program Legislation
  • 45 CFR 75 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards
  • HHS Grants Policy Statement
  • HRSA/HAB Policies
  • RWHAP Parts A and B Program Guidance
  • RWHAP Part A and Part B Manuals (clarification, best practice)
  • Program Terms and Conditions of Award
National Monitoring Standards Implementation

• National Monitoring Standards Packet for Ryan White HIV/AIDS Program Part B contains:
  • Universal Monitoring Standards
  • Fiscal Monitoring Standards
  • Program Monitoring Standards
  • Frequently Asked Questions

• Each individual monitoring standard
  • Performance Measure/Method
  • Recipient Responsibility
  • Subrecipient Responsibility
  • Source Citation
National Monitoring Standards Implementation

- Review the NMS
- Share the NMS and supporting materials with program and fiscal staff who have monitoring responsibilities
- Review current monitoring systems, written procedures, and tools for potential revision
- Meet with legal, contracts, procurement, finance and other support offices to familiarize them with the NMS
- Review RFPs and subrecipient contract language to assure that they specify services to be provided, data to be collected and reported, and compliance requirements in accordance with the NMS
National Monitoring Standards Implementation

- Implement recipient and subrecipient responsibilities (*make sure alternate approaches meet standards*)
- Integrate the NMS into subrecipient contracting and monitoring efforts – monitoring tools, site visit schedules and scopes as needed
- Hold meetings with subrecipients to review the NMS and clarify compliance issues
- Make the NMS easily accessible to subrecipients
- Fully implement any needed changes in your subrecipient monitoring (*policies, written procedures, tools, management and reporting*)
National Monitoring Standards Implementation

• Work with your HAB Project Officer

• Technical Assistance
  • Consultant, Peer to Peer, HAB staff
  • Cooperative Agreements
  • Target Center Resources (tools, samples, presentations)

• Individualized conference calls

• National webinars/conference calls
National Monitoring Standards Implementation

• 2016 Highlights – Two Updates to be Released
  • Initial Release
    • All Components of the Packet Updated to Reflect:
      • Policy Clarification Notices (PCN)
      • Affordable Care Act (ACA)
      • Clinical Quality Management (CQM)
      • Rebates and Program Income
    • 45 CFR 75 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards
  • Second Release
    • Revised service category definitions
National Monitoring Standards Resources

2 CFR 200 OMB Uniform Guidance: Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) was implemented by the Department of Health and Human Services (HHS) as 45 CFR Part 75 on December 26, 2014.
National Monitoring Standards Resources

GOALS

- Streamline guidance for Federal awards to ease administrative burden
- Strengthen oversight over Federal funds to reduce risks of waste, fraud, and abuse
- Increase efficiency and effectiveness of Federal awards

45 CFR 75
National Monitoring Standards
Resources

• **Administrative Requirements**
  • A-102 (45 CFR 92) State, Local and Tribal Governments

• **Cost Principles**
  • A-122 Nonprofits (2 CFR 230)
  • A-21 Institutions of Higher Education (2 CFR 220)
  • A-87 State, Local, Tribal Governments (2 CFR 225)

• **Single Audit**
  • A-133 – Single Audit
  • A-50 – Single Audit Follow-up

• **A-89 – Catalog of Federal Domestic Assistance**
National Monitoring Standards Resources

45 CFR 75 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards

Subparts

• A – Acronyms and Definition
• B – General Provisions
• C – Pre-Federal Award Requirements and Contents of Federal Awards
• D – Post Federal Award Requirements
• E – Cost Principles
• F – Audit Requirements
National Monitoring Standards Resources

- Applicable to all RWHAP grants and cooperative agreement issued on or after December 26, 2014
  - New “Type 1” awards
  - Competing Continuation “Type 2” awards
  - Non-competing Continuations “Type 5” awards
  - Supplements
  - Carry over funds re-obligated after 12/26/14
For nonprofits and institutions of higher education, there is a one full fiscal-year grace period for the implementation of the new provisions in the procurement standards.
National Monitoring Standards Resources

• **Indirect cost rates** will remain in place until they are due to be renegotiated
  • Adjustments may be required if unallowable costs were included (see §75.411)

• **Subpart F, Audit requirements**, are applicable to fiscal years beginning on or after December 26, 2014
National Monitoring Standards Resources

45 CFR 75 - Vocabulary

• **Recipient** instead of grantee
• **Subrecipient** instead of subgrantee or subcontractor
• **Contractor** – no longer using the term Vendor
  • Subrecipient carries out programmatic activities to meet the goals and objectives of the funded project
  • Contractor provides goods and services within normal business operations for the benefit of the recipient (ancillary to the operation of the State DOH)
National Monitoring Standards Resources

45 CFR 75 – Subrecipient Monitoring
• Subrecipient and contractor determinations §75.351
• Requirement for pass-through entities §75.352
• Risk-based monitoring of subrecipients §75.352
• Also see Appendix II to Part 75 – Contract Provisions for Non Federal Entity Contracts Under Federal Awards

A recipient’s failure to monitor their subrecipients is the #2 Single Audit finding
National Monitoring Standards
Resources

45 CFR 75 – Subpart E, Cost Principles

• Per 45 CFR §75.413(c), may direct charge admin staff, if
  • Necessary and allocable to the project
  • Not recovered as indirect costs

• Recipients remain responsible for negotiating indirect cost rates for subrecipients. New option per 45 CFR §75.414(f), any subrecipient that has never received a Federal negotiated indirect cost rate may charge a de minimis rate of 10% of modified total direct costs (MTDC)
  • RWHAP Statutory limit on administrative costs trump negotiated indirect cost rates
National Monitoring Standards Resources

- **RWHAP Statutory limit on administrative costs trump negotiated indirect cost rates**
  - Part B recipients: Up to 10% of the total award (direct and indirect) for administration 2618(b)(3)(A)
  - Part B subrecipients: the AGGREGATE total of direct administration costs and ALL indirect costs may not exceed 10%
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45 CFR 75 – Subpart F, Audit Requirements

- The threshold for single audits raised from $500,000 to **$750,000**
- Federal agencies are prohibited from granting an extension to the single audit deadline
- Threshold for questioned costs – raised from $10,000 to **$25,000**
National Monitoring Standard Resources

• 45 CFR 75
• Council on Financial Assistance Reform FAQs re. 2 CFR 200
• Preamble and original Federal Register Notice (12/26/13) for Uniform Guidance
• Federal Register Notice (12/19/14) Final Rule Implementing 45 CFR 75
Questions
Contact Information

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