

**STATE OF NEW JERSEY
DEPARTMENT OF CHILDREN AND FAMILIES**

DEPARTMENT POLICY: DCF.P1.06-2007

EFFECTIVE DATE: August 31, 2007

SUBJECT: **Standardized Board Resolution Form**

I. PURPOSE

The purpose of this policy circular is to standardize the content of the Provider Agency Board Resolutions across all Department of Children and Families (DCF) Departmental Components to assure that all of the required obligations are identified and committed to by the Provider Agency Board.

II. SCOPE

This policy applies to all DCF Third Party incorporated contracted Provider Agencies.

III. POLICY

Periodically, Boards of Directors, in conducting the business of their organizations, attest to their actions or decisions by way of written resolutions. The DCF requires incorporated Contract Providers to file the attached standard board resolution when executing a DCF Third Party Social Service Contract.

Requirements for completion, updating and submission

The Attachment 1, Pages 1 and 2 are to be completed by the Agency.

When any changes occur that would affect the contents of the form, the Board is to convene and complete a new Board Resolution and submit it to the Departmental Component within 10 business days of the change unless otherwise specified in the DCF policy.

The completed form is to be returned to the Departmental Component with all other required contract documents as part of the contract package. (See policy DCF.P1.01, Documents and Conditions Required for Processing, Executing and Documenting a DCF Third Party Contract.)

Commissioner

DEPARTMENT OF CHILDREN AND FAMILIES (DCF)

Standardized Board Resolution Form

Supporting Information for Contract # _____ for Contract

Period _____ to _____.

Agency: _____

Certification:

We certify that the information contained in, or included with, this contract document is accurate and complete.

Chairperson, Board of Directors

Date

Executive Director

Date

Authorized Signatories for Contract documents, checks and invoices are: (List full name and title)

Name

Title

Name

Title

Name

Title

STANDARDIZED BOARD RESOLUTION

The Board endorses the following commitments as defined in this document:

1. Health Insurance Portability and Accountability Act (HIPAA)*

Specific to HIPAA (Health Insurance Portability and Accountability Act), the above noted Provider Agency is either (check A or B):

A) A covered entity (as defined in 45 CFR 160.103)

B) A non-covered entity and has executed a DCF Business Associate Agreement (BAA) last dated _____.

C) A non-covered entity that will not be receiving or sharing personal health information.

Once executed, the BAA will be included in the Departmental Component's official contract file. The BAA *will be considered applicable indefinitely* unless there is a change in the Provider Agency's status, information or the content of the BAA, in which case it is the responsibility of the contracted Provider Agency to revise the BAA.

The Board agrees that if there is *any change* in their BAA Status, the Departmental Component will be immediately notified and the appropriate information provided within 10 business days.

*** This section is not applicable for DCF Office of Education Contracts.**

2. Legal Advice

The Board acknowledges that the Department of Children and Families does not and will not provide legal advice regarding the contract or about any facet of the relationship between the Department of Children and Families and the Provider Agency. The Board further acknowledges that any and all legal advice must be sought from the Provider Agency's own attorneys and not from the Department of Children and Families.

3. Public Law 2005, Chapter 51 (N.J.S.A. 19:44A-20.13-20.25, superseding Executive Order 134 (2004))

The Board agrees that the Public Law.2005, Chapter 51 compliance forms submitted with the contract are accurate.

4. Public Law 2005, Chapter 92 (N.J.S.A. 52:34-13.2, formerly Executive Order 129)

The Board agrees that the Public Law 2005, Chapter 92 compliance forms submitted with the contract are accurate.