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Bureau of Behavioral Health Wellness and Prevention

Program Manual

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Mission

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Acronyms

Acronym	Term
1. BBHWP	Bureau of Behavioral Health Wellness and Prevention
2. CFDA	Catalog of Federal Domestic Assistance
3. CFR	Code of Federal Regulations
4. F&A	Facilities and Administration
5. FAC	Federal Audit Clearinghouse
6. FAIN	Federal Award Identification Number
7. FAPIIS	Federal Awardee Performance and Integrity Information System
8. FAR	Federal Acquisition Regulation
9. FFATA	Federal Funding Accountability and Transparency Act of 2006
10. FR	Federal Register
11. FTE	Full-time equivalent
12. GAAP	Generally Accepted Accounting Principles
13. GAGAS	Generally Accepted Government Auditing Standards
14. GAO	Government Accountability Office
15. GOCO	Government owned, contractor operated
16. GSA	General Services Administration
17. IHE	Institutions of Higher Education
18. MTC	Modified Total Cost
19. MTDC	Modified Total Direct Cost
20. OMB	Office of Management and Budget
21. PII	Personally Identifiable Information
22. PMS	Payment Management System

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- 23. PTE Pass-through Entity
- 24. SAM System for Award Management (accessible at <https://www.sam.gov>)
- 25. SNAP Supplemental Nutrition Assistance Program
- 26. SPOC Single Point of Contact
- 27. U.S.C. United States Code

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Definitions

Definitions:

These are the definitions for terms used in the Bureau of Behavioral Health Wellness and Prevention (BBHWP) Program Manual. Additional definitions may be found in Federal statutes and regulations, and State laws and administrative regulations which are not included in this manual. These definitions may be supplemented by additional instructional information provided by Bureau in association with changes in this manual.

Acquisition cost: Acquisition cost means the cost of the asset including the cost to ready the asset for its intended use. Acquisition cost for equipment, for example, means the net invoice price of the equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired.

Acquisition costs for software includes those development costs capitalized in accordance with Generally Accepted Accounting Principles (GAAP). Ancillary charges, such as taxes, duty, freight, and installation may be included in or excluded from the acquisition cost in accordance with the subrecipient regular accounting practices.

Administrative Program: Administrative program means a program that provides services which support prevention and treatment programs, including, without limitation, a program which serves as a clearinghouse for information relating to the prevention or treatment of substance-related disorders, a program which provides services relating to training to assist persons with substance-related disorders and a program which provides information or support to assist in the recovery of a person with a substance-related disorder.

Advance payment: Advance payment means any payment that the State provides to a subgrantee that is not supported by a documented expenditure or service that will need to be repaid to the State.

Allocation: Allocation means the process of assigning a cost, or a group of costs, to one or more cost objective(s), in reasonable proportion to the benefit provided or other equitable relationship.

Audit finding: Audit finding means deficiencies which the auditor is required by federal regulation to report in the schedule of findings and questioned costs.

Auditee: Auditee means any subrecipient that expends Federal awards which must be audited under federal regulations.

Auditor: Auditor means an auditor who is a public accountant or a Federal, state, local government, or Indian tribe audit organization, which meets the general standards specified for external auditors in generally accepted government auditing standards (GAGAS). The term auditor does not include internal auditors of nonprofit organizations.

Awarding Agency: A Federal, state, local government, Indian tribe, private or non-profit organization that has made a subaward to a subrecipient.

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Budget: Budget means the financial plan for the project or program that the awarding agency or pass-through entity approves during the award process or in subsequent amendments to the subaward. The budget may include the federal and non-federal share or only the federal share, as determined by the awarding agency or pass-through entity.

Budget Amendment: Budget amendment is the vehicle to modify a previously approved budget of a subaward that has already been executed. The budget amendment must be done for any budget modification or series of modifications that exceeds 10% of the total subaward annually.

Budget adjustment: Budget adjustment is an informal process in which the Bureau may allow a subrecipient to exceed the line item authority of a previously approved budget without using a budget amendment. The Budget adjustment is limited to any budget modification or series of modifications that is less than 10% of the total subaward on an annual basis.

Bureau of Behavioral Health Wellness and Prevention: Means the Division's entity that is responsible for the administration of the federal programs that are covered by this Program Manual.

Catalog of Federal Domestic Assistance (CFDA) number: CFDA number means the number assigned to a Federal program in the CFDA.

CFDA program title: CFDA program title means the title of the program under which the Federal award was funded in the CFDA.

Capital assets: Capital assets means tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with GAAP. Capital assets include, but is not limited to:

1. Land, buildings (facilities), equipment, automobiles, and intellectual property (including software) whether acquired by purchase, construction, manufacture, lease-purchase, exchange, or through capital leases; and
2. Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance).

Capital expenditures: Capital expenditures means an expenditures to acquire capital assets or expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life.

Claim: Claim means, depending on the context, either:

1. A written demand or written assertion by one of the parties to a Federal award seeking as a matter of right:
 - a. The payment of money in a sum certain;
 - b. The adjustment or interpretation of the terms and conditions of the Federal award;
or
 - c. Other relief arising under or relating to a Federal award.

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- d. A request for payment that is not in dispute when submitted.

Class of Federal awards: Class of Federal awards means a group of Federal awards either awarded under a specific program or group of programs or to a specific type of subgrantee or group of non-Federal entities to which specific provisions or exceptions may apply.

Client: Client means a person who meets the criteria of the Division for having a substance-related disorder and who is receiving a service from a program for that disorder.

Closeout: Closeout means the process by which the Federal awarding agency or pass-through entity determines that all applicable administrative actions and all required work of the Federal award have been completed.

Coalition Program: Coalition program means a program that is operated by a nonprofit organization consisting of individuals, organizations and agencies to develop strategies and identify programs which address the needs of a community or of a racial, ethnic, religious or social group regarding the use of, misuse of and dependence on alcohol and other drugs in that community or group.

Coordination of Care: Coordination of care means the exchange of information between two or more parties providing a necessary service to a client to ensure that:

1. The client receives such service; and
2. The efforts of the parties are coordinated with one another in providing service to the client.

Counseling: Counseling means interaction with a client to provide treatment for a substance-related disorder.

Cognizant agency: Cognizant agency means the Federal agency responsible for indirect costs. The Cognizant agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals developed in accordance with federal regulations on behalf of all Federal agencies.

Commingling of Funds: Commingling of Funds means that funding from one award or subaward are intertwined with funds from other awards or subawards within a subrecipients financial systems.

Computing devices: Computing devices means machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or “peripherals”) for printing, transmitting and receiving, or storing electronic information.

Compliance supplement: Compliance supplement means Appendix XI to Part 200— Compliance Supplement (previously known as the Circular A-133 Compliance Supplement).

Contract: Contract means a legal instrument by which a subgrantee purchases property or services needed to carry out the project or program under a Federal award.

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Contractor: Contractor means an entity that receives a contract as defined in federal regulation.

Corrective Action Plan (CAP): Corrective Action Plan (CAP) means the action taken by the subrecipient that:

1. Corrects identified deficiencies;
2. Produces recommended improvements; or
3. Demonstrates that monitoring deficiencies are either invalid or do not warrant subrecipient action.

Cost allocation plan: Cost allocation plan means central service cost allocation plan or public assistance cost allocation plan.

Cost objective: Cost objective means a program, function, activity, award, organizational subdivision, contract, or work unit for which cost data are desired and for which provision is made to accumulate and measure the cost of processes, products, jobs, etc. A cost objective may be a major function of the subrecipient, a particular service or project, a subaward, or an indirect (Facilities & Administrative (F&A)) cost activity.

Cost sharing or matching: Cost sharing or matching means the portion of project costs not paid by Federal funds (unless otherwise authorized by Federal regulation).

Criteria of the Division: Criteria of the Division means the criteria adopted by the Division in the *Program Manual* of the Division for the prevention or treatment of a substance-related disorder, including, without limitation:

1. The policies and procedures established by the Division in the *Program Manual* to monitor compliance of programs with certification requirements;
2. The criteria outlined in the *ASAM Criteria: Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions*, which is adopted by reference pursuant to [NAC 458.095](#); and
3. The criteria outlined in the *Diagnostic and Statistical Manual of Mental Disorders*, which is adopted by reference pursuant to [NAC 458.095](#).

Detoxification: Detoxification means the process of eliminating the toxic effects of alcohol and drugs from the body.

Disallowed or unallowable costs: Disallowed or unallowable costs means those charges to an award that the state or pass-through entity determines to be unallowable, in accordance with the applicable Federal statutes, regulations, or the terms and conditions of the award. Also see Questioned Costs.

Division: Division means the Nevada Division of Public and Behavioral Health.

Drug Court Program: Drug court program means a program which provides treatment assessment services and referral services for persons assigned by a court to the program.

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Evaluation Center Program: Evaluation center program means a program which evaluates a person pursuant to [NRS 484C.350](#) in a facility certified by the Division to determine whether the person is an abuser of alcohol or another drug through evaluations conducted by:

1. An alcohol and drug abuse counselor who is licensed or certified, or a clinical alcohol and drug abuse counselor who is licensed, pursuant to [chapter 641C](#) of NRS to conduct such evaluations; or
2. A physician who is certified to conduct such evaluations by the Board of Medical Examiners.

Equipment: Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost of \$5,000. Although some information technology systems may not exceed the per-unit acquisition cost of \$5,000, this equipment should be inventoried and tracked as if they were the same.

Expenditures: Expenditures means charges made by a subrecipient to a project or program for which a subaward was received.

Federal agency: Federal agency means an “agency” as defined at 5 U.S.C. 551(1) and further clarified by 5 U.S.C. 552(f).

Federal Audit Clearinghouse (FAC): FAC means the clearinghouse designated by OMB as the repository of record where subrecipients are required to transmit the reporting packages required by 2 CFR Part 200.

1. The mailing address of the FAC is Federal Audit Clearinghouse, Bureau of the Census, 1201 E. 10th Street, Jeffersonville, IN 47132.

Federal awarding agency: Federal awarding agency means the Federal agency that provides a Federal award directly to a nonfederal entity.

Federal award: Federal Award means the federal financial assistance that a subrecipients receive directly from a Federal awarding agency or indirectly from a pass-through entity.

Federal award date: Federal award date means the date when the Federal award is signed by the authorized official of the Federal awarding agency.

Federal financial assistance: Federal financial assistance means assistance that non-Federal entities receives or administers in the form of Grants and subgrants.

1. Federal financial assistance does not include amounts received as reimbursement for services rendered to individuals, such as Medicaid payments paid to a treatment provider for services provided to a client.

Federal program: Federal program means; all Federal awards which are assigned a single number in the CFDA.

Federal share: Federal share means the portion of the total project costs that are paid by Federal funds.

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General purpose equipment: General purpose equipment means equipment which is not limited to research, medical, scientific or other technical activities. Examples include office equipment and furnishings, modular offices, telephone networks, information technology equipment and systems, reproduction and printing equipment.

Generally Accepted Accounting Principles (GAAP): GAAP has the meaning specified in accounting standards issued by the Government Accounting Standards Board (GASB) and the Financial Accounting Standards Board (FASB).

Generally Accepted Government Auditing Standards (GAGAS): GAGAS, also known as the Yellow Book, means generally accepted government auditing standards issued by the Comptroller General of the United States.

Grant agreement: Grant agreement means a legal instrument of financial assistance between a Federal awarding agency and a pass-through entity or grantee.

Grantee: Grantee means a nonfederal entity that receives financial assistance in the form of a grant agreement from a Federal awarding agency.

Hospital: Hospital means a facility licensed as a hospital under the law of any state or a facility operated as a hospital by the United States, a state, or a subdivision of a state.

Improper payment: Improper payment means any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements; improper payment includes any payment to an ineligible party, any payment for an ineligible good or service, any duplicate payment, any payment for a good or service not received (except for such payments where authorized by law), any payment where insufficient or lack of documentation prevents a reviewer from discerning whether a payment was proper.

Indian tribe (or “federally recognized Indian tribe”): Indian tribe means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. Chapter 33), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians (25 U.S.C. 450b (e)).

Institutions of Higher Education (IHEs): IHE is defined at 20 U.S.C. 1001.

Indirect (facilities & administrative (F&A)) costs: Indirect (F&A) costs means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved.

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Indirect cost rate proposal: Indirect cost rate proposal means the documentation prepared by a grantee, pass-through entity or subrecipient to substantiate their request for the establishment of an indirect cost rate for federal awards.

Information technology systems: Information technology systems means computing devices, ancillary equipment, software, firmware, and similar procedures, services (including support services), and related resources.

Intangible property: Intangible property means property having no physical existence, such as trademarks, copyrights, patents and patent applications and property, such as loans, notes and other debt instruments, lease agreements, and other instruments of property ownership (whether the property is tangible or intangible).

Intermediate cost objective: Intermediate cost objective means a cost objective that is used to accumulate indirect costs or service center costs that are subsequently allocated to one or more indirect cost pools or final cost objectives.

Internal controls: Internal controls means a process, implemented by a grantee, pass-through entity or subrecipient, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

1. Effectiveness and efficiency of operations;
2. Reliability of reporting for internal and external use; and
3. Compliance with applicable laws and regulations.

Internal control over compliance requirements for awards: Internal control over compliance requirements for subawards means a process implemented by a by a grantee, pass-through entity or subrecipient, designed to provide reasonable assurance regarding the achievement of the following objectives for awards:

1. Transactions are properly recorded and accounted for, in order to:
 - a. Permit the preparation of reliable financial statements and Federal reports;
 - b. Maintain accountability over assets; and
 - c. Demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;
 - d. Transactions are executed in compliance with:
 - i. Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal program; and
 - ii. Any other Federal statutes and regulations that are identified in the Compliance Supplement; and
 - iii. Funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

Local government: Local government means any unit of government within a state, including a:

1. County;
2. Borough;
3. Municipality;

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4. City;
5. Town;
6. Township;
7. Parish;
8. Local public authority
9. Special district;
10. School district

Management decision: Management decision means the evaluation by the state or pass-through entity of the audit findings and corrective action plan and the issuance of a written decision to the auditee as to what corrective action is necessary.

Micro-purchase: Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold. Micro-purchase procedures comprise a subset of a subrecipients small purchase procedures. The subrecipient uses such procedures in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost. The micro-purchase threshold is set by the Federal Acquisition Regulation (48 CFR Subpart 2.1 (Definitions)) at \$3,000.

Nonprofit organization: Nonprofit organization means any corporation, trust, association, cooperative, or other organization, not including IHEs, that operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest and is not organized primarily for profit; and use net proceeds to maintain, improve, or expand the operations of the organization.

Notice of subaward: Notice of subgrant award means a written agreement signed by the Division and a subrecipient which specifies the amount of any public assistance funding awarded to support a program, clearly defines the scope of work and objectives expected to be achieved and outlines the terms and conditions on the funding which must be satisfied for the program to remain eligible to receive the funding.

Operator: Operator means the owner of a private entity which operates a program; the governing body of a corporation which operates a program; the governing body of a nonprofit organization which is responsible for a program, or a designee authorized by the governing body in writing to be responsible for a program; or a governmental entity which operates a program.

Obligations: Obligations means orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the subgrantee during the same or a future period.

Office of Management and Budget (OMB): OMB means the Executive Office of the President, Office of Management and Budget.

Participant: Participant means a person who receives or participates in a service provided by a prevention program.

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Pass-through entity: Pass-through entity means a subgrantee that provides a subaward to a subrecipient to carry out services to benefit the objectives of a program or run a program.

Participant support costs: Participant support costs means direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences, or training projects, if allowable under federal regulation.

Performance goal: Performance goal means a target level of performance expressed as a tangible, measurable objective, against which actual achievement can be compared, including a goal expressed as a quantitative standard, value, or rate.

Period of performance: Period of performance means the time during which the subrecipient may incur new obligations to carry out the work authorized under an award. The Federal awarding agency or pass-through entity must include start and end dates of the period of performance in all awards and subawards.

Personal property: Personal property means property other than real property. It may be tangible, having physical existence, or intangible.

Prevention Program: Prevention program means a program that provides services, strategies and activities to the general public and to persons who are at a high risk of having a substance-related disorder which:

1. Are comprehensively structured to reduce individual or environmental risk factors for substance-related disorders;
2. Increase resiliency to substance-related disorders; and
3. Establish protections against substance-related disorders.

Program: Program means any program certified by the Division to address substance-related disorders, including, without limitation:

1. An administrative program;
2. A coalition program;
3. A drug court program;
4. An evaluation center program;
5. A prevention program; and
6. A treatment program.

Program income: Program income means income earned by the subrecipient that is directly generated by a supported activity or earned as a result of a function of a federal or state subaward during the period of performance.

Property: Property means real property or personal property.

Project cost: Project cost means total allowable costs incurred under a subaward and all required cost sharing and voluntary committed cost sharing, including third-party contributions.

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Questioned cost: Questioned cost means a cost that is questioned by the monitor/reviewer which resulted from a violation or possible violation of a statute, regulation, or the terms and conditions of an subaward, including for funds used to match Federal funds; where the costs, at the time of the monitor, or are not supported by adequate documentation; or where the costs incurred appear unreasonable and do not reflect the actions a prudent person would take in the circumstances. Also see Disallowed or unallowable costs.

Real property: Real property means land, including land improvements, structures and appurtenances thereto, but excludes moveable machinery and equipment.

Recipient: Recipient means a subgrantee that receives an award directly from the State to carry out an activity under a program. The term recipient does not include subrecipient.

Self-pay client: Means any client that elects to cover the cost of services personally. This includes clients that have existing insurance and choose not to use their insurance benefits to cover or augment the costs for treatment services and the uninsured clients that elect not sign up for insurance under the Affordable Care Act (ACA) as required by law.

Service: Service means an activity that is directed toward the prevention, intervention or treatment of a substance or mental health related disorder; and certified by the Division.

Simplified acquisition threshold: Simplified acquisition threshold means the dollar amount below which a subrecipient may purchase property or services using small purchase methods. Subrecipients adopt small purchase procedures in order to expedite the purchase of items costing less than the simplified acquisition threshold. The simplified acquisition threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. 1908.

Staff: Staff means the paid employees, including, without limitation, paid employees hired on a temporary basis; such as, but not limited to; volunteers; independent contractors; and consultants of a program.

State: State means refers to a Department or Division of the State of Nevada.

Subaward: Subaward means an award provided by a pass-through entity to a recipient for the recipient to carry out part of an award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal or State program. See also Grant Award.

Subgrantee: Subgrantee means a state, local government, Indian tribe, institution of higher education (IHE), or nonprofit organization that carries out a Federal award as a recipient or subrecipient.

Subrecipient: Subrecipient means a subgrantee that receives a subaward from a pass-through entity to carry out part of a Federal or State program; but does not include an individual that is a

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beneficiary of such program. A subrecipient may also be a recipient of other awards directly from the state.

Substance or Mental Health-related disorder: Substance or Mental Health-related disorder has the meaning ascribed to it in the *Diagnostic and Statistical Manual of Mental Disorders*, which is adopted by reference pursuant to [NAC 458.095](#).

Supplies: Supplies means all tangible personal property other than those described in Equipment. A computing device is a supply if the acquisition cost is less than \$5,000. However, computing device are required to be inventoried and tracked as if they were equipment regardless of the length of its useful life.

Termination: Termination means the ending of a subaward, in whole or in part at any time prior to the planned end of period of performance.

Third-party in-kind contributions: Third-party in-kind contributions means the value of non-cash contributions (i.e., property or services) that;

1. Benefit a federally or state assisted project or program; and
2. Are contributed by non-Federal third parties, without charge, to a subrecipient under a Federal or State award.

Treatment assessment: Treatment assessment means a thorough collection of data concerning a client, including, without limitation, data concerning any life impairments of a client, to determine:

1. The existence of a substance or mental health-related disorder;
2. The appropriate services to be provided; and
3. The appropriate plan of treatment based on the criteria of the Division.

Treatment program: Treatment program means a program that provides services for the treatment of a substance or mental health-related disorder in the manner set forth in the criteria of the Division, including, without limitation:

1. Comprehensive evaluations;
2. Early intervention services;
3. Outpatient counseling;
4. Intensive outpatient counseling;
5. Residential treatment;
6. Transitional housing;
7. Residential detoxification;
8. Civil protective custody; and
9. Opioid treatment services.

Unliquidated obligations: Unliquidated obligations means, for financial reports prepared on a cash basis, obligations incurred by the subrecipient that have not been paid (*liquidated*). For reports prepared on an accrual expenditure basis, these are obligations incurred by the subrecipient for which an expenditure has not been recorded.

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Unobligated balance: Unobligated balance means the amount of funds under a Federal or State subaward that the subrecipient has not obligated. The amount is computed by subtracting the cumulative amount of the subrecipient unliquidated obligations and expenditures of funds under the Federal or State subaward from the cumulative amount of the funds that the awarding agency or pass-through entity authorized the subrecipient to obligate.

Volunteer: Volunteer means a person who, without compensation, provides a service or conducts a task similar to a service or task provided by a member of the staff.

Voluntary committed cost sharing: Voluntary committed cost sharing means cost sharing specifically pledged on a voluntary basis in the proposal's budget or the award on the part of the subrecipient and that becomes a binding requirement of the subaward.

Adoption by reference of certain publications: The Division hereby adopts by reference the following:

1. *Diagnostic and Statistical Manual of Mental Disorders*, 5th Edition, published by the American Psychiatric Association. A copy of the manual may be obtained from American Psychiatric Publishing at 1000 Wilson Boulevard, Suite 1825, Arlington, Virginia 22209-3901, at the Internet address <http://www.appi.org> or by telephone at (800) 368-5777, for the price of \$119.20 for members and \$149.00 for nonmembers.
2. *ASAM Criteria: Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions*, published by the American Society of Addiction Medicine. A copy of the publication may be obtained from the Change Companies at 5221 Sigstrom Drive, Carson City, Nevada 89706, at the Internet address <http://www.changecompanies.net> or by telephone at (888) 889-8866, for the price of \$85 for members and \$95 for nonmembers.
3. The Division will periodically review the publications adopted by reference pursuant to subsection 1 and determine within 30 days after the review whether any change made to that publication is appropriate for application in this State. If the Division does not disapprove a change to the adopted publication within 30 days after the review, the change is deemed to be approved by the Division.

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Governing Regulations

The Bureau issues subawards using federal and State financial assistance funding to nonprofit, for profit organizations and other governmental agencies to provide community education, outreach, prevention and treatment services to the citizens of the State of Nevada. All non-federal entities are required to be compliant with all applicable Federal, State laws, regulations, grant requirements and the terms and conditions for the administration of federal and state awards and subawards.

Applicability of requirements for Bureau of Behavioral Health, Wellness and Prevention (BBHWP) awards.

All non-federal entities, herein after referred to as recipients or subrecipients that receive federal or state assistant funds from a Bureau authorized award or subaward are required to be in compliance with all applicable federal and state laws, regulations, grant guidance terms and conditions governing the use of federal and state funds. All terms and conditions contained within this program manual flow down with all awards and subawards and to all recipients and subrecipients unless a particular section of this guidance specifically indicates otherwise.

All recipients and subrecipients must comply with requirements contained in this program manual if they receive funding authorized by the Bureau of Behavioral Health Wellness and Prevention (BBHWP). All requirements contained within this manual applies to all awards and subawards funded by both Federal funds and State funds awarded by the Bureau.

Determining the Relevant Standards

In determining the relevant standards for the conduct of grant operations, recipients and subrecipients should consider the following, in precedential order:

1. Public Laws
2. Regulations
3. Executive Orders
4. OMB Circulars
5. Departmental Policy
6. Division Policy
7. Bureau Requirements
8. Terms and Conditions

Laws, Regulations and Administrative Requirements:

The following list identifies some of the State laws and Federal regulations that contribute to the governance for the administration of all Bureau programs. Other regulatory statues and regulations may apply that have not been identified below. The following regulations are applicable to all non-federal entities receiving awards and subawards from Bureau.

NEVADA REVISED STATUTE:

Title 39 - Chapter 433 General Provisions

<https://www.leg.state.nv.us/NRS/NRS-433.html>

Title 39 - Chapter 433A - Admission to Mental Health Facilities or Programs of Community-Based or Outpatient Services; Hospitalization

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<https://www.leg.state.nv.us/NRS/NRS-433A.html>

Title 39 - Chapter 433B - Additional Provisions Relating to Children

<https://www.leg.state.nv.us/NRS/NRS-433B.html>

Title 39 - Chapter 433C - Community Mental Health Programs

<https://www.leg.state.nv.us/NRS/NRS-433C.html>

Title 40 - Chapter 458 – Abuse of Alcohol and Drugs

<https://www.leg.state.nv.us/NRS/NRS-458.html>

Title 40 - Chapter 458A – Prevention and Treatment of Problem Gambling

<https://www.leg.state.nv.us/NRS/NRS-458A.html>

Title 53 – 616A-D - Industrial Insurance

<https://www.leg.state.nv.us/NRS/NRS-616A.html>

NEVADA ADMINISTRATIVE CODE:

Chapter 433 - Administration of Mental Health and Mental Retardation Programs

<https://www.leg.state.nv.us/NAC/NAC-433.html>

Chapter 436 - Community Programs for Mental Health

<https://www.leg.state.nv.us/NAC/NAC-436.html>

Chapter 439 - Administration of Public Health

<https://www.leg.state.nv.us/NAC/NAC-439.html>

Chapter 449 – Medical and Other Related Facilities

<https://www.leg.state.nv.us/NAC/NAC-449.html>

Chapter 458 - Abuse of Alcohol and Drugs

<https://www.leg.state.nv.us/NAC/NAC-458.html>

NEVADA STATE ADMINISTRATIVE MANUAL:

Chapters - All

<http://budget.nv.gov/uploadedFiles/budgetnv.gov/content/Governance/SAM.pdf>

DIVISION OF PUBLIC AND BEHAVIORAL HEALTH:

Policies and Procedures – All sections as they apply.

Available upon request.

BUREAU OF BEHAVIORAL HEALTH WELLNESS AND PREVENTION:

The Bureau of Behavioral Health Prevention and Wellness - This Program Manual

Terms and Conditions - Subgrant Awards

CODE OF FEDERAL REGULATIONS:

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Title 2 - Grants and Agreements, Part 200—Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards

https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

Title 42 - Public Health

<https://www.gpo.gov/fdsys/pkg/CFR-2002-title42-vol1/content-detail.html>

Title 45 – Public Welfare

https://www.ecfr.gov/cgi-bin/text-idx?gp=&SID=489e87e55a9411725054b0890167d453&mc=true&tpl=/ecfrbrowse/Title45/45tab_02.tpl

Title 45 Part 75 - Uniform Administrative Requirements, Cost Principles and Audit Requirements for HHS Awards

<https://www.ecfr.gov/cgi-bin/text-idx?SID=d18df5d784e86d30636abc1ab04b1738&node=pt45.1.75&rgn=div5>

Title 45 Part 96 – Block Grants

<https://www.ecfr.gov/cgi-bin/text-idx?SID=8c58639de6643057c9cbef1d14a12ff7&mc=true&node=pt45.1.96&rgn=div5#sp45.1.96.1>

U.S. General Services Administration - Federal Travel Regulation (FTR)

<https://www.gsa.gov/portal/content/104790>

FEDERAL ACTS:

Federal Funding Accountability and Transparency Act of 2006

Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148)

Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708)

Clean Air Act (42 U.S.C. 7401-7671q.)

Federal Water Pollution Control Act (33 U.S.C. 1251-1387)

Debarment and Suspension (Executive Orders 12549 and 12689)

Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)

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Audit Requirements

Title 2 of the Code of Federal Regulations (2 CFR), Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards requires that all non-federal entities that expend \$750,000 or more in federal awards during their fiscal year must have a Single or Program Specific Audit conducted for that fiscal year.

Any audit of Subgrantee's expenditures will be performed in accordance with generally accepted government auditing standards to determine there is proper accounting for and use of subgrant funds. It is the policy of the Bureau of Behavioral Health Wellness and Prevention (BBHWP), as well as federal requirement as specified in the Office of Management and Budget (2 CFR § 200.501(a)), revised December 26, 2013, that each grantee annually expending \$750,000 or more in federal funds have an annual audit prepared by an independent auditor in accordance with the terms and requirements of the appropriate circular.

A COPY OF THE FINAL AUDIT REPORT MUST BE SENT TO:

Nevada State Division of Public and Behavioral Health
Attn: Contract Unit
4150 Technology Way, Suite 300
Carson City, NV 89706-2009

This copy of the final audit must be sent to the Division within nine (9) months of the close of the non-federal entities fiscal year. To acknowledge this requirement, Section E of any subaward must be completed.

In addition to the federal requirement listed above, it is the policy of the Bureau to require all sub-recipients that expend \$750,000 or more in combined federal and state funds during their fiscal year to have a Limited Scope Audit (*Agreed Upon Procedures Audit*) scheduled and performed by a Bureau contracted CPA conducted for that fiscal year as required.

Further, should the sub-recipient expend less than \$750,000 in combined federal and state funds in their fiscal year, it is the policy of BHPT that the sub-recipient must issue a Year-End Financial Report completed for that fiscal year.

- 1. Single or Program Specific Audit:** The Single or Program Specific Audit must be performed in accordance with all governing requirements of 2 CFR Part 200, Sub Part F-Audit Requirements.
- 2. Limited Scope Audit (*Agreed Upon Procedures Audit*):** At a minimum the auditor must;
 - a.** Cover all funding that the non-federal entity, either directly or indirectly, receives from BHPT.
 - b.** Perform an audit of the financial statement(s) for the non-federal entity in accordance with Generally Accepted Government Auditing Standards (GAGAS);
 - c.** Obtain an understanding of the non-federal entity's internal controls and perform tests on internal controls over the federal program consistent with the

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requirements for a federal program and issue an opinion on their effectiveness to ensure the safe guarding of federal and state funds.

- d. Perform procedures to determine whether the auditee has complied with federal and State statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on the federal program consistent with the requirements of the federal program;
 - e. Follow up on prior audit findings, perform procedures to assess the reasonableness of the summary schedule of prior audit findings prepared by the auditee in accordance with the requirements of 2 CFR Part 200, §200.511 Audit Findings Follow-up. Report, as a current year audit finding, when the auditor concludes that the summary schedule of prior audit findings materially misrepresents the status of any prior audit finding; and
 - f. Report any audit findings consistent with the requirements of 2 CFR Part 200, §200.516 Audit findings.
 - g. The auditor's report(s) may be in the form of either combined or separate reports and may be organized differently from the manner presented in this section. The auditor's report(s) must state that the audit was conducted in accordance with this part and include the following:
 - i. An opinion as to whether the financial statement(s) of the federal program is presented fairly in all material respects in accordance with the stated accounting policies;
 - ii. A report on internal controls related to the federal program, which must describe the scope of testing of internal controls, the results of the tests and an opinion on the effectiveness of the internal controls;
 - iii. A report on compliance which includes an opinion as to whether the auditee complied with laws, regulations, and the terms and conditions of the awards which could have a direct and material effect on the program; and
 - iv. A schedule of findings and questioned costs for the federal program that includes a summary of the auditor's results relative to the federal program in a format consistent with 2 CFR Part 200, §200.515 Audit reporting, paragraph (d)(1), and findings and questioned costs consistent with the requirements of 2 CFR Part 200, §200.515 Audit reporting, paragraph (d)(3).
 - h. The Limited Scope Audit must be submitted within the earlier of thirty (30) calendar days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. Unless restricted by federal law or regulation, the auditee must make report copies available for public inspection. Auditees and auditors must ensure that their respective parts of the reporting package do not include protected personally identifiable information.
- 3. Year End Financial Report:** The recipient/subrecipient must prepare financial statements that reflect its financial position, results of operations or changes in net assets, and, where appropriate, cash flows for the fiscal year.
- a. The recipient/subrecipient financial statements may also include departments, agencies, and other organizational units.

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- b.** The Year-End Financial Report must be signed by the Chief Executive Officer (CEO) or the Board of Directors Executive Chairman.
- c.** The Year-End Financial Report must include a schedule of expenditures of federal and State awards. At a minimum, the schedule must:
 - i.** List individual federal and State programs by agency and provide the applicable federal and or state agency name.
 - ii.** Provide a total of federal and State awards expended for each individual program.
 - iii.** Must identify the CFDA number as applicable to the federal awards or other identifying number when the CFDA information is not available.
 - iv.** Include applicable state sub-grant numbers for state awards.
 - v.** Include the total amount provided to the non-federal entity from each federal and State program.

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General Requirements

Applicability: The recipient of awards from the Bureau and all organizations or individuals to whom the recipient passes through funding to (subrecipients) must be in compliance with all applicable rules, federal and state laws, regulations, requirements, guidelines, and policies and procedures. The terms and conditions of this subaward flow down to all subrecipients at all levels unless a particular section specifically indicate otherwise. This section is applicable to all recipients and subrecipients and must agree to abide by and remain in compliance with the following:

Back Ground Checks: The recipient/subrecipient is required maintain a Central Repository for Nevada Records of Criminal History and FBI background checks every 3 to 5 years were conducted on all staff, volunteers, and consultants occupying clinical and supportive roles, if the subgrantee serves minors with funds awarded through the Bureau.

Conflict of Interest: The recipient/subrecipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts which includes, but is not limited to;

1. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.
 - a. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
2. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
3. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.
4. If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest.
 - a. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.
 - b. Organizational conflicts of interest means that because of relationships with other organizational boards, parent companies, affiliate, or subsidiary organizations, the recipient/subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

Enforcement of Scope of Work: The recipient/subrecipient acknowledges that if the scope of work is NOT being met, the recipient/subrecipient will be provided a chance to develop an action plan on how the scope of work will be met and technical assistance will be provided by Bureau

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staff or specified sub-contractor. The recipient/subrecipient will have 60 days to improve the scope of work and carry out the approved action plan. If performance has not improved, the Bureau will provide a written notice identifying the reduction of funds and the necessary steps.

Enforcement of Terms: The recipient/subrecipient acknowledges that to better address the needs of Nevada, funds identified in this subgrant may be reallocated if ANY terms of the subgrant are not met, including failure to meet the scope of work. The BBHWP may reallocate funds to other programs to ensure that gaps in service are addressed.

Fund Raising: All recipient/subrecipients acknowledge that costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions, are unallowable and may not be charged either as direct or indirect costs against a federal or State subaward. Neither shall the salary of persons engaged in such activities nor indirect costs associated with those salaries may be charged to the award.

1. A recipient/subrecipient may accept donations (i.e., goods, space, services) as long as the value of the donations are not charged as a direct or indirect cost to the award.
2. Nothing in this program manual should be read to prohibit a recipient/subrecipients from engaging in fund raising activities as long as such activities are not financed through funding provided by the Bureau.

Hold Harmless: To the fullest extent permitted by law, recipient/subrecipient shall indemnify, hold harmless and defend, not excluding the State's right to participate, the State from and against all liability, claims, actions, damages, losses, and expenses, including, without limitation, reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts or omissions of Subgrantee, its officers, employees and agents.

Incident Reporting: The recipient/subrecipient will report within 24 hours the occurrence of an incident, following BHPT policy, which may cause imminent danger to the health or safety of the clients, participants, staff of the program, or a visitor to the program, per NAC 458.

Insurance: The recipient/subrecipient shall carry and maintain commercial general liability coverage for bodily injury and property damage as provided for by NRS 41.038 and NRS 334.060.

1. The recipient/subrecipient shall maintain coverage for its employees in accordance with NRS Chapter 616A.
2. The recipient/subrecipient is self-insured for workers' compensation liability.

Liability insurance: A recipient or subrecipient shall ensure that the program is insured:

1. For liability in an amount sufficient to protect the clients, participants and staff of the program, and the visitors to the program.
 - a. The policy of insurance must, at a minimum, provide coverage for professional liability and, if the operator receives state or federal money for an alcohol or drug abuse program and is the governing body of a corporation or of a nonprofit organization, the policy of insurance must include liability insurance for directors and officers.

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- b. The recipient or subrecipient shall submit a copy of the policy of insurance to the Bureau with any application for initial certification or recertification.
- c. The policy of insurance must provide that notice be given to the Bureau not later than 30 days after cancellation of the policy or after an operator does not renew the policy.
- d. Upon request, a recipient or subrecipient shall make a copy of the policy of insurance available to the Bureau for review.
- e. For all liabilities arising out of the acts or omissions of a consultant while providing a service for the program. The policy of insurance may be provided by the program or the consultant.
 - i. If the policy of insurance is provided by the consultant, the operator must obtain a copy of the policy and place the copy in the personnel file of the consultant.

Lobbying: All recipient/subrecipients must comply with the provisions of the government-wide Common Rule on Restrictions on Lobbying, as appropriate. The use of Federal or State awards for the purpose of lobbying is unallowable.

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 federal or State agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal or State agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all recipients and subrecipients shall certify and disclose accordingly.

Nevada 211: As of October 1, 2017, the any recipient/subrecipient receiving funding from the Bureau will be required to submit an application to register with the Nevada 211 system.

Research and Data Projects: The recipient/subrecipient agrees to fully cooperate with all Bureau sponsored studies including, but not limited to, utilization management reviews, program compliance monitoring, reporting requirements, complaint investigations, and evaluation studies.

Requests for additional information: The Bureau, in accordance with 2 CFR Part 200, has the authority to request any additional information from a recipient and/or a subrecipient in relation to requests for qualification, requests for proposal, applications, certifications, subawards and requests for reimbursement. Bureau requests for additional information can come from any

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Bureau staff at any time for multiple reasons. A request for additional support information can be requested pertaining to budgets, scope of work and requests for reimbursement based on many factors i.e. lack of supporting documentation or RFR contains errors, the subrecipient expended funds outside the approved budget categories, scope of work, performance periods or lack budget authority related to any Federal or State subawards.

1. The recipient or subrecipient must respond to all requests for additional information from the Bureau.
2. The Bureau will make three attempts to gather the necessary information to process the document in question.
3. The Bureau will give the recipient or subrecipient three working days on each attempt to collect the information.
 - a. In the event that the documentation cannot be obtained, the Bureau will reject the item in question with an e-mail stating why the rejection has occurred.
 - b. The item in question will be returned to the recipient or subrecipient via e-mail correspondence.
 - i. The Bureau will keep a copy of the e-mail correspondence in the recipient or subrecipient file.
4. The recipient or subrecipient may resubmit the item in question to the Bureau with written justification for why they were unable to provide the information earlier.

State Licensure and certification: All recipients or subrecipients are required to be in compliance with all State licensure and/or certification requirements. The recipient/subrecipient certification must be current and fees paid prior to release of certificate in order to receive funding from the Bureau. No subaward can be issued to a recipient/subrecipient if certifications are not current.

Supplanting: Recipients or subrecipients of subaward shall not replace funding appropriated from nonfederal or non-state funds with their subgranted funding. It is the purpose of these subawards to increase the overall amount of resources available to any nonfederal organization to assist in the expansion of increased services and opportunities. Current levels of activities or programs funded by nonfederal resources should only be increased by the receipt of Bureau funding. Recipients and subrecipients therefore must ensure that they do not reduce the current overall level of nonfederal funds or non-state funding support to meet the community's service needs.

Supplanting Example: if a recipient or subrecipient pays the salaries of three community organizers with non-subgranted funds (donations, fees or program income), the recipient or subrecipient cannot begin to pay the salary of one of them after receiving a subgrant from the Bureau. It could, however, hire a fourth community organizers with the subgranted funding.

The potential of supplanting will be the subject of application review, as well as pre-award review, post-award monitoring, and audit. If there is a potential presence of supplanting, the recipient or subrecipient will be required to supply documentation demonstrating that the reduction in other financial resources occurred for reasons other than the receipt or expected receipt of subgranted funds. A confirmation during the application process may be requested by the Bureau stating that Federal and State funds will not be used to supplant local or revenue funding.

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Certification of Non-supplanting: This certification affirms that grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or grantees may be required to supply documentation certifying that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

System Award Management (SAM): The recipient/subrecipient must be enrolled in System Award Management (SAM) as required by the Federal Funding Accountability and Transparency Act.

Tobacco, Alcohol, and Drug Free Environment: The recipient/subrecipient agrees to be a “tobacco, alcohol, and other drug free” environment in which the use of tobacco products, alcohol, and illegal drugs will not be allowed.

Workers Compensation: The recipient and subrecipient shall provide proof of workers’ compensation insurance as required by Chapters 616A through 616D inclusive Nevada Revised Statutes at the time of their certification.

Restrictions on the expenditures of subawards: The recipients and subrecipients shall not expend their subawards on the following activities:

1. To provide inpatient hospital services;
2. To make cash payments to intended recipients of health services;
3. To purchase or improve land, purchase, construct, or permanently improve (other than minor remodeling) any building or other facility, or purchase major medical equipment;
4. To satisfy any requirement for the expenditure of non-Federal funds as a condition for the receipt of Federal funds;
5. To provide financial assistance to any entity other than a public or nonprofit private entity; or
6. To provide individuals with hypodermic needles or syringes so that such individuals may use illegal drugs, unless the Surgeon General of the Public Health Service determines that a demonstration needle exchange program would be effective in reducing drug abuse and the risk that the public will become infected with the etiologic agent for AIDS.
7. To provide treatment services in penal or correctional institutions of the State.

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Certification of Programs

Division Criteria for the Certification of Programs: In accordance with chapter 458 of NRS and with NAC 458, a program must be certified by the Division to be eligible for any state or federal money administered by the Division for the prevention or treatment of substance-related disorders.

Applications for Certifications: An operator (includes recipients and subrecipients) may apply for the initial certification of a program by submitting to the Division:

1. A completed application for initial certification on a form provided by the Division;
2. Documentation evidencing that the applicant is in compliance with all applicable local, state and federal laws, regulations and ordinances;
3. All names used by the applicant in its operation of the program or practice of business;
4. A copy of the manual containing the policies and procedures of the program.
5. A nonrefundable fee in the amount set forth in NAC 458 and
6. A copy of the policy of insurance evidencing the insurance coverage required pursuant to NAC 458.

Recertification: An operator may apply for recertification of the program by submitting to the Division, within 60 days before the expiration of the initial certification or any previous recertification:

1. A completed application for recertification on a form provided by the Division;
2. Documentation evidencing that the applicant is in compliance with all applicable local, state and federal laws, regulations and ordinances;
3. All names used by the applicant in the operation of the program or practice of business;
4. A copy of the manual containing the policies and procedures of the program.
5. A nonrefundable fee in the amount set forth in [NAC 458.138](#); and
6. A copy of the policy of insurance evidencing the insurance coverage required pursuant to NAC 458.

Expired Certifications: If the certification of a program expires without recertification in accordance with the requirements set forth under recertification and the operator wishes to certify the program, the operator must apply for initial certification of the program in the manner set forth under Applications for Certifications of this program manual.

Criteria for certification and receipt of funding: The Division may only certify and provide funding for programs that provide services are in accordance with the criteria of the Division.

Operators (includes recipients and subrecipients) and Staff of Program: A program must have a specified operator who is responsible for the program. The operator may designate another responsible party to implement and supervise the responsibilities of the operator pursuant to these requirements. The operator remains responsible for any actions of his or her designee.

The operator (includes recipients and subrecipients) shall:

1. Adopt written bylaws or policies that define any reimbursement to be provided to its members and the powers and duties of the governing body and its committees;

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2. Meet at least quarterly and keep written minutes that indicate:
 - a. The date of the meeting;
 - b. The names of the persons present at the meeting;
 - c. Any decisions made by the governing body at the meeting;
 - d. Any other actions taken by the governing body at the meeting; and
 - e. The review and approval of budgets by the governing body; and
 - f. Make available for review by the Division the minutes of meetings, the articles of incorporation and the bylaws of the governing body.
3. Develop and maintain a manual containing the policies and procedures of the program which meets the requirements set forth in NAC 458.
4. Review any changes to the manual containing the policies and procedures of the program and have those changes approved by the Bureau as required pursuant to NAC 458;
5. Comply with the provisions of the manual containing the policies and procedures of the program in operating the program;
6. Make a copy of the manual containing the policies and procedures of the program available for review to any person who requests to review it;
7. Maintain all licensure and certifications required by the Division and comply with all local, state and federal laws, regulations and ordinances.
8. Document that paid staff are on the premises where the program is providing services at all times when a client or participant is present on the premises; and
9. If the operator receives a report from a governmental agency or certifying agency relating to the program, the physical plant on the premises where the program is providing services or the operations of the program, provide a copy of the report to the Division:
 - a. At the time of an inspection by the Division of the premises where the program is providing services; or
 - b. If the report requires the operator to take corrective action, not more than 30 days after the operator receives the report.
10. The Operator must notify the Division within 24 hours after the occurrence of an incident that may cause imminent danger to the health or safety of the clients, participants or staff of the program, or a visitor to the program.

The Operator (includes recipients and subrecipients) must establish a plan for:

1. Improving the quality of the services provided by the program which addresses, without limitation, operational services, human resources, fiscal services and clinical outcome measures; and
2. Ensuring that the integrity of the program will be maintained;
3. Make a copy of the plan available to the Division at the time of an inspection by the Division of the premises where the program is providing services.

The Operator understands that the Division shall report any known violation of any local, state or federal law, regulation or ordinance by an operator to the appropriate regulatory agencies which govern the licensure or certification of the program and to the appropriate agencies responsible for investigating the violation.

The Operators (includes recipients and subrecipients) manual of policies, procedures and services: An operator shall maintain a manual containing the policies and procedures of the

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program and the services to be provided by the program, including, without limitation, the policies and procedures:

1. To be followed in the event of a medical emergency.
2. For the registration and disposition of complaints by clients, participants and staff and the right to appeal without threat of reprisal.
3. For the staff, including, without limitation, an accurate job description, signed by the applicable employee, for each position held by an employee of the program that describes:
 - a. The title of the position;
 - b. The duties and responsibilities of the position; and
 - c. The qualifications for the position.
4. To be used by the operator to:
 - a. Claim funds or bill for services;
 - b. Receive and record funds;
 - c. Record expenditures;
 - d. Prepare financial reports;
 - e. Maintain information for the support of claims for funds or to bill for services; and
 - f. Implement internal controls and audits, as necessary.
5. To be used to maintain financial records of clients or participants when a client or participant is billed for services. The policies and procedures must include, without limitation, requirements that an operator shall:
 - a. Inform prospective clients and participants of financial arrangements concerning a service before providing the service;
 - b. Maintain accurate records of:
 - i. Any fees charged to a client or participant; and
 - ii. Any payments made by a client or participant; and
 - c. Make the records available to the client or participant for review upon request.

The Operators (includes recipients and subrecipients) responsibilities concerning confidentiality and recordkeeping: An operator shall ensure that:

1. The program complies with all applicable confidentiality and recordkeeping provisions set forth in 42 C.F.R. Part 2, 45 C.F.R. Parts 160, 162 and 164, NRS 458.055 and any other applicable confidentiality laws pertaining to the services provided by the program.
 - a. In the event of a conflict in the confidentiality requirements set forth in 42 C.F.R. Part 2, 45 C.F.R. Parts 160, 162 and 164, NRS 458.055 and any other applicable confidentiality laws, the more restrictive law will apply.
 - b. A client or participant provides separate and explicit consent to allow the operator or a designee thereof to release information which identifies the client or participant and his or her human immunodeficiency virus seropositive status.
 - c. The program allows a consultant to have access to confidential information concerning clients or participants only if the confidentiality agreements required by 42 C.F.R. Part 2 and 45 C.F.R. Parts 160, 162 and 164 are satisfied. Such agreements must be maintained in the personnel file of the consultant.

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Programs:

Administrative Programs: The operator (includes recipients and subrecipients) of an administrative program shall:

1. Submit a request for funding to the Bureau to provide a service in the support of the prevention or treatment of a substance-related disorder.
2. Meet all the requirements as specified by the Division in the notice of subgrant award.
3. Keep all records required by the Bureau, and any documents to support those records, for at least 6 years after the end of the year in which a grant was awarded to the administrative program.
4. Meet the applicable requirements of NAC 458.103 to 458.183, inclusive.

Coalition Programs: The operator (includes recipients and subrecipients) of a coalition program shall:

1. Ensure that the governing body of the nonprofit organization which operates the coalition program meets at least quarterly, keeps minutes of the meetings and makes copies of the minutes available for review by the Division upon request.
2. Meet the applicable requirements of NAC 458.103 to 458.183, inclusive.
3. Ensure that all records of the coalition program are kept for at least 4 years after the close of the Bureau's federal award, including, without limitation, fiscal records, information reported to the Bureau, records which substantiate any information reported to the Bureau and records which substantiate any claims for funds from the Bureau.

Drug Court Programs: The operator (includes recipients and subrecipients) of a drug court program shall maintain a manual containing the policies and procedures of the drug court program which includes, without limitation, the policies and procedures. The policies and procedures of the drug court program must include, without limitation, evidence of implementation of:

1. A restorative justice model of treatment for criminal justice clients;
2. Incentives and sanctions;
3. Motivation enhancement approaches;
4. Activities that encourage behavior that is designed to benefit other persons;
5. Phasing of programs; and
6. Modeling of behavior by staff.
7. Drug Court - Assessments of clients: The operator of a drug court program shall perform an assessment in accordance with the requirements for a treatment program.
8. Drug Court - Provision of counseling for groups: If a drug court program provides counseling for groups, the operator shall ensure that any session for counseling for a group includes not more than 15 clients.
9. Drug Court - Records regarding clients. The operator of a drug court program records shall meet the requirements in accordance with the requirements for a treatment program.

Information and Referral Services Programs: An organization which provides information and referral services to persons with substance-related disorders must operate 24 hours each day and provide such persons with information regarding prevention programs and treatment programs for substance-related disorders. The organization shall maintain an updated record of

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all available prevention programs and treatment programs to provide specific information or referral services to assist persons with substance-related disorders.

Prevention Programs: Purpose and scope of program of a prevention program will ensure that the prevention program operates to prevent the initial onset of a substance-related disorder and to eliminate or reduce the harmful effects of alcohol, tobacco and other drugs in individuals, families and communities. The operator of a prevention program may direct the activities of the prevention program toward specific individuals, selected communities or the general public.

1. The operator of a prevention program shall submit to the Bureau a written statement signed by the operator of the prevention program assuring the Bureau that the prevention program promotes the message to minors not to use alcohol, tobacco or other drugs.
2. Meet the applicable requirements of NAC 458.103 to 458.183, inclusive.
3. In accordance with the criteria of the Division, include in the manual containing the policies and procedures of the prevention program a written process for evaluating the outcomes of the program and for participating in an evaluation of the program.

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Treatment

Applicability: This section applies to all recipients and subrecipients that receives funding to provide treatment services, including fee for Service (FFS), from the Bureau.

Funded Treatment Programs must adhere to the following criteria for Treatment Levels of Service adopted by the Bureau:

Priority Populations: The recipients and subrecipients shall submit a detailed description on the extent to which the availability of prevention and treatment activities is insufficient to meet the need for the activities and the manner in which such services are to be so available. Special attention should be provided to the following groups:

1. Pregnant addicts;
2. Women who are addicted and who have dependent children;
3. Injecting drug addicts; and
4. Substance abusers infected with HIV or who have tuberculosis.

Utilization Management Criteria for Treatment Programs:

Division Criteria adopts ASAM 6 Dimensional Assessment to determine recommendations for initial level of care placement. Division Criteria adopts ASAM Continued Service Criteria, Transfer Criteria and Discharge Criteria for utilization review for ASAM levels of service, non-ASAM or modified-ASAM levels of service and endorsed levels of service, excluding Transitional Housing.

The Division Criteria adopts The American Society of Addiction Medicine (ASAM)

Criteria: Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions (Third Edition, 2013) for the specific program descriptions for the ASAM specific levels of service. The Providers will be required to have policy & procedures (P&P) / program descriptions for each level offered and these will be noted in the P&P section of the certification report.

Level 3.5 Clinically Managed Medium-Intensity Residential (Adolescent)

1. In addition to the description in ASAM, Clinically managed medium intensity residential includes no less than 25 hours per week of structured interventions. A minimum of 7 hours of structured activities must be provided on each day. A minimum of 10 hours of clinical counseling services must be provided each week. Types of therapies are noted within ASAM Level 3.5 services.

Level 3.5 Clinically Managed High-Intensity Residential (Adult)

1. In addition to the description in ASAM, Clinically managed high intensity residential includes no less than 25 hours per week of structured interventions. A minimum of 7 hours of structured activities must be provided on each day. A minimum of 10 hours of clinical counseling services must be provided each week. Types of therapies are noted within ASAM Level 3.5 services.

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Withdrawal Management for Level 3.2 WM and Level 3.7 WM only

1. Required Services in addition to ASAM:
 - a. During intake, a Blood Alcohol Content (BAC) and/or urine screen will be administered.
 - b. The person's vital signs must be monitored at least once every 2 hours during the person's waking hours by a staff member with a nursing license, physician license or a SAPTA certified Detoxification Technician.

Civil Protective Custody (controlled substance) (NRS 458.175)

1. Intoxication management for persons taken into Civil Protective Custody (CPC) by a peace officer for being unlawfully under the influence of drugs in a public place, and unable to provide for the health or safety of self or others (NRS 458.175). Civil Protective Custody is not provided in a jail.
2. CPC facility must be a Provider that is SAPTA certified for Withdrawal Management: Level 3.2 WM Clinically Managed Residential Withdrawal Management or Level 3.7 WM Medically Monitored Inpatient Withdrawal Management.
3. Required Services
 - a. During intake, a Blood Alcohol Content (BAC) and/or urine screen will be administered.
 - b. The person's vital signs must be monitored at least once every 2 hours during the person's waking hours by a staff member with a nursing license, physician license or be certified as a Detoxification Technician.
4. Upon release from the withdrawal management unit, the person must immediately be remanded to the custody of the apprehending peace officer.

Civil Protective Custody (alcohol) (NRS 458.270)

1. Intoxication management for persons taken into Civil Protective Custody (CPC) by a peace officer for being under the influence of alcohol in a public place, and unable to provide for the health or safety of self or others. Civil Protective Custody is not provided in a jail.
2. CPC facility must be a Provider that is SAPTA certified for Withdrawal Management: Level 3.2 WM Clinically Managed Residential Withdrawal Management or Level 3.7 WM Medically Monitored Inpatient Withdrawal Management.
3. Required Services
 - a. During intake, a Blood Alcohol Content (BAC) and/or urine screen will be administered.
 - b. At the earliest practical time the person's family or next of kin must be advised they are in CPC if they can be located.
 - c. The person's vital signs must be monitored at least once every 2 hours during the person's waking hours by a staff member with a nursing license, physician license or be certified as a Detoxification Technician.
 - d. Prior to discharge, a good faith effort must be made to advise the person of his/her treatment options.
4. If the person was taken into custody for a public offense, the person must be remanded to the custody of the apprehending peace officer upon release from the withdrawal management unit. (NRS 458.270 (4)).

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5. The person may not be required against his or her will to remain in a licensed facility or detention facility longer than 48 hours. (NRS 458.270 (3)).

Transitional Housing:

1. Definition: Transitional Housing services consist of a supportive living environment for individuals who are receiving substance abuse treatment in an SAPTA Certified Intensive Outpatient, or Outpatient program and who are without appropriate living alternatives.
 - a. Admission Criteria:
 - i. Individuals admitted to Transitional Housing services must be concurrently admitted to a Level 1 Outpatient or Level 2.1 Intensive Outpatient program per an assessment.
 - ii. The ASAM 6 dimensional assessment must be reviewed to ensure there is sufficient risk in Dimension 6: Recovery Environment.
 - b. Continued Service Criteria:
 - i. The individual remains in Level 1 or Level 2.1 and ASAM Dimensional reviews reveal continued risk in the Recovery Environment.
 - ii. The individual does not require a higher level of care.
 - c. Transfer / Discharge Criteria:
 - i. The individual needs a higher level of care per ASAM Dimensional review and is transferred.
 - ii. The individual has gained stable/supportive housing / recovery environment and no longer needs Transitional Housing.

TB Requirements: Recipients and Subrecipients requirements regarding tuberculosis.

1. All recipients and subrecipients receiving amounts from the grant for operating a program of treatment for substance abuse to follow procedures developed by the principal agency of a State for substance abuse, in consultation with the State Medical Director for Substance Abuse Services, and in cooperation with the State Department of Health/Tuberculosis Control Officer, which address how the program—
 - a. Will, directly or through arrangements with other public or nonprofit private entities, routinely make available tuberculosis services as defined 45 CFR Part 96 to each individual receiving treatment for such abuse;
 - b. In the case of an individual in need of such treatment who is denied admission to the program on the basis of the lack of the capacity of the program to admit the individual, will refer the individual to another provider of tuberculosis services; and
 - c. Will implement infection control procedures established by the principal agency of a State for substance abuse, in cooperation with the State Department of Health/Tuberculosis Control Officer, which are designed to prevent the transmission of tuberculosis, including the following:
 - i. Screening of patients;
 - ii. Identification of those individuals who are at high risk of becoming infected; and
 - iii. Meeting all State reporting requirements while adhering to Federal and State confidentiality requirements, including 42 CFR part 2; and

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- d. Will conduct case management activities to ensure that individuals receive such services.

HIV Requirements: Recipients and Subrecipients requirements regarding human immunodeficiency virus.

1. With respect to individuals undergoing treatment for substance abuse, the recipients and subrecipients shall, make available to the individuals early intervention services for HIV disease as defined in 45 CFR Part 96 at the sites at which the individuals are undergoing such treatment;
 - a. the State shall require the recipients and subrecipients receiving funding to establish linkages with a comprehensive community resource network of related health and social services organizations to ensure a wide-based knowledge of the availability of these services; and
 - b. Any recipients and subrecipients receiving amounts from the Block Grant for operating a substance abuse treatment program to follow procedures developed by the Bureau.

Service Endorsements:

Providers with Service Endorsements are certified for specific treatment levels of service and receive an endorsement for Co-Occurring Disorder services.

1. Co-Occurring Disorder Services
 - a. The Division adopts the Dual Diagnosis Capability in Addiction Treatment (DDCAT) Rating Scale:
 - i. The DDCAT rating scale is an evidence-based benchmark instrument for measuring a Provider's capacity to deliver services for persons with co-occurring mental health and substance use disorders. The DDCAT scale is designed to guide both programs and system authorities in assessing and developing dual diagnosis capacity for integrated service delivery.

The Provider (recipient/subrecipient) must adhere to the following requirements in the delivery of services on behalf of the Bureau:

1. The subrecipient, as applicable, if identifying as Faith-Based Organizations must comply with 42 CFR part 54, Charitable Choice provisions and regulations.
 - a. The subrecipient must post a notice to advise all clients and potential clients that if the client objects to the religious character of the organization, the client has the right to be referred to another Bureau-funded provider that is not faith-based or that has a different religious orientation.
2. The recipient/subrecipient agrees to prioritize and expedite access to appropriate treatment, except for Civil Protective Custody Services, for the priority populations in the following order:
 - a. Pregnant injecting drug users;
 - b. Pregnant substance abusers;
 - c. Injection drug users;
 - d. Substance using females with dependent children and their families, including females who are attempting to regain custody of their children; and
 - e. All others.

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3. The recipient/subrecipient agrees to report, within 24 hours, to the Bureau when any level of service reaches 90 percent capacity or greater in accord with the Division's Wait List and Capacity Management policy.
 - a. To download the [Wait List and Capacity Management policy](#) click on the link.
4. A recipient/subrecipient who provides residential services agrees to report bed capacity in the HavBed system or a successor system for residential services daily in accord with the Division's Wait List and Capacity Management policy.
 - a. To download the [Wait List and Capacity Management policy](#) click on the link.
5. The recipient/subrecipient must make continuing education in alcohol and other drug treatment available to all employees who provide services.
6. The recipient/subrecipient is required post a notice, where clients, visitors, and persons requesting services may easily view it, that no persons may be denied services due to inability to pay.
 - a. This notice may stipulate that the organization is authorized to deny services to those who are able to pay but refuse to do so.
7. The recipient/subrecipient is required to implement the National Institute of Drug Abuse (NIDA) 13 principles of treatment.
8. The recipient/subrecipient is required to participate, if selected to be reviewed by the Nevada Alliance for Addictive Disorders, Advocacy, Prevention and Treatment Services (AADAPTS) annual peer review process.

Capacity of Treatment for Intravenous Substance Abusers

1. The recipient/subrecipient must admit an individual who requests and needs treatment for intravenous drug use to a treatment program. If unable to provide services, the subrecipient must contact the Bureau according to the Division's Capacity Management and Wait List policy.
 - a. To download the [Wait List and Capacity Management policy](#) click on the link.
2. The recipient/subrecipient who treats persons who inject drugs agrees to carry out activities to encourage individuals in need of treatment for injection drug use to undergo such treatment.
 - a. The recipient/subrecipient must use outreach models that are scientifically sound or an alternate outreach method that is reasonably expected to be effective and has been approved by the BBHWP. All outreach activities will be reported to the Division quarterly. The model shall require that outreach efforts include the following at a minimum:
 - i. Selecting, training and supervising outreach workers;
 - ii. Contacting, communicating and following-up with high risk substance abusers, their associates, and neighborhood residents, within the constraints of Federal and State confidentiality requirements, including 42 CFR part 2;
 - iii. Promoting awareness among injecting drug abusers about the relationship between injecting drug abuse and communicable diseases such as HIV;
 - iv. Recommend steps that can be taken to ensure that HIV transmission does not occur; and
 - v. Encouraging entry into treatment.

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Treatment services for pregnant women (45 CFR § 96.131): All recipient/subrecipient who treat women must provide immediate comprehensive treatment services to pregnant women, or if the recipient/subrecipient is unable to do so, the recipient/subrecipient must immediately contact the Bureau in accordance to the Divisions Capacity Management and Wait List policy. To download the [Wait List and Capacity Management policy](#) click on the link.

1. Any recipient/subrecipient that does not treat women and who receive a request for treatment services from a pregnant woman must provide a referral to an appropriate treatment provider within 48 hours of the request for services and must immediately notify the Bureau of Behavioral Health Wellness and Prevention of the need for such services.
2. Any recipient/subrecipient who provides services to women agrees to publicize the availability of services to women in priority populations and the admission priority granted to pregnant women. The publication of services for women in priority populations may be achieved by means of street outreach programs, ongoing public service announcements, regular advertisements, posters placed in target areas, and frequent notification of availability of such treatment services distributed to the network of community based organizations, health care providers, and social services agencies.\

Interim services at a minimum include the following:

1. Counseling and education about HIV and tuberculosis (TB),
2. Counseling and education about the risks of needle-sharing;
3. Counseling and education about the risks of transmission to sexual partners and infants;
4. Counseling and education about steps that can be taken to ensure that HIV and TB transmission does not occur;
5. Referral for HIV or TB treatment services if necessary;
6. Counseling on the effects of alcohol and drug use on the fetus;
7. And must include a referral for prenatal care.

Eligibility: The recipient and subrecipient must establish policies, procedures, and the systems for eligibility determination, billing, and collection to:

1. Ensure that all eligible clients are insured and/or enrolled in Medicaid in accord with the requirements of the Affordable Care Act (ACA);
2. Collect reimbursement for the costs of providing such services to persons who are entitled to insurance benefits under the Social Security Act, including programs under Title XVIII and Title XIX, any State compensation program, any other public assistance program for medical assistance, any grant program, any private health insurance, or any other benefit program; and secure from client's payment for services in accordance with their ability to pay; and
3. Prohibits billing the Division for a service that is covered by Medicaid or any other insurance carrier.
4. The provider understands and agrees, in certain circumstances and upon written request to the Bureau, some services may be covered if an undue barrier to treatment exists and is prior approved in writing.

Sliding Fee Scale

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Treatment Fee for Service billing requirements: Recipient and subrecipient that have been awarded a fee for service subaward must comply with the Bureau's Utilization Management policy and the following billing and eligibility rules for processing billing claims to the Bureau.

1. The service must be delivered at a Bureau certified facility.
2. The certifications must cover the service levels under which the qualified service was delivered.
3. The service must be provided by an appropriately licensed and/or certified staff member.
4. The service must be medically necessary.
5. The service delivered must be a Bureau qualified service which is NOT reimbursable by Medicaid or any other third party insurance carrier or organization.
6. The rate of reimbursement will be based on the Bureau approved rates (available upon request).
7. The recipient and subrecipient must agree to accept the Bureau reimbursement rate as full payment for any program eligible services provided.
8. The recipient and subrecipient is responsible for ensuring that all third party liabilities are billed and collected from the third party payers and are **NOT** billed to the Bureau.
9. It is the responsibility of the recipient and subrecipient to ensure that Bureau funds are **NOT** be used to fund the services of self-pay clients or clients who elect not to use their insurance coverages. This includes clients that elect not sign up for insurance under the Affordable Care Act (ACA) or clients that have existing insurance and choose not to use their insurance for treatment services.
10. It is the responsibility of the recipient and subrecipient to ensure that Bureau funds are **NOT** be used to reimburse Medicare claims.
11. It is the responsibility of the recipient and subrecipient to ensure that Bureau funds are **NOT** be used to reimburse claims for which the client is pending eligible for insurance coverage.
12. It is the responsibility of the recipient and subrecipient to ensure that Bureau funds are Bureau funds are **NOT** be used to reimburse for claims denied by Medicaid or other insurance carriers unless the claim was denied as "not a covered benefit".
 - a. Claims denied as "not a covered benefit" and billed to the Bureau must have the accompanying Medicaid denial attached in order to guarantee payment.
13. It is the responsibility of the recipient and subrecipient to ensure that Bureau funds are **NOT** be used to cover any unpaid costs that Medicaid and/or other insurance carriers may not reimburse (i.e. copayments, deductibles).
14. The recipient and subrecipient agrees to use Bureau funds as the "payer of last resort" for all services provided to clients. If an undue barrier to treatment exist, a written request to the Bureau may be submitted for review and some services may be covered upon prior written approval from the Bureau.
15. Upon written notification from the BBHWP, prior authorizations will be required for all residential and transitional housing services being billed to the Division.
16. The recipient and subrecipient agrees to include an explanation of benefits for all charges requested for services that have been denied by Medicaid or any other third-party payer due to non-coverage of that benefit.
17. The recipient and subrecipient understands that charges greater than 90 days from the date of service will be considered stale dated and may not be paid.

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18. The recipient and subrecipient understands that quarterly Medicaid audits will be conducted by Division and recouping of funds may occur.
19. The recipient and subrecipient understands and agrees, in certain circumstances and upon written request to the Bureau, some services may be covered if an undue barrier to treatment exists and is prior approved in writing.

Billing the Division (Fee-for-service only): The recipient and subrecipient agrees to submit a monthly billing invoice, along with back-up documentation via the Secure File Transfer Protocol (SFTP) site to the Division; the recipient and subrecipient agrees to notify the treatment analyst once the invoice has been posted to the SFTP site.

1. The recipient and subrecipient understands that they are required to produce an invoice that breaks out the total number of services provided by level of care and CPT or HCPCS code. The invoice must, at a minimum meet the following conditions.
 - a. The invoice must contain, company information (Name, address, City, State and Zip), Date, unique Invoice #, vendor #, PA or HD#.
 - a. The invoice must contain contact name, phone number, and e-mail and identify the invoice period.
 - b. The invoice must contain: Billed To: The Division of Public and Behavioral Health, Bureau of Behavioral Health Wellness and Prevention, 4126 Technology Way, Suite 200, Carson City, NV 89706.
 - c. The invoice must show the total number of services by CPT or HCPCS code, the rate being charged, the total amount charged to that CPT or HCPCS code line and summarize the totals by level of care.
 - d. The invoice must also show the total number of services provided, the total number of unique clients served for the invoice and the total amount charged to the invoice.
 - e. The invoice must be signed and dated by the organizations fiscal officer and include the following certification, "By submitting this invoice, we certify that all billing is correct and no Medicaid or other insurance eligible services have been charged to this invoice."

Reporting and Participation

1. The recipient or subrecipient is required to submit monthly Treatment Episode Data Set (TEDS) admissions files and TEDS discharges files in accordance with current block grant requirements.
2. The recipient/subrecipient is also required to submit any other reporting as defined and requested by the Bureau.
3. The recipient/subrecipient agrees to participate in the reporting of all required data and information through the authorized BBHWP data reporting system and to the evaluation team as required; or, if applicable, another qualified Electronic Health Record (EHR) reporting system.

Records: All recipients and subrecipients will have in effect a system to protect from inappropriate disclosure of client records, compliant with all applicable State and federal laws and regulations, including 42 CFR, Part 2.

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1. The system to protect confidentiality shall include, but not be limited to, the following provisions:
 - a. Employee education about the confidentiality requirements, to be provided annually;
 - b. Informing employees of the fact that disciplinary action may occur upon inappropriate disclosure.
2. All records related to a subaward will be maintained for a minimum of 4 years after the Bureau has submitted the Final Fiscal Report (FFR) of the grant.

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Women's Services

In accordance with 45 CFR Part 96, the Bureau is required to expend five percent of the Block Grant on women services:

1. The Bureau shall expend not less than five percent of the grant to increase the availability of services designed for pregnant women and women with dependent children, either by establishing new programs or expanding the capacity of existing programs.
2. The amount set aside for such services shall be expended on individuals who have no other financial means of obtaining such services.
3. All recipients or subrecipients providing such services will treat the family as a unit and therefore will admit both women and their children into treatment services, if appropriate.
4. The Bureau shall ensure that, at a minimum, recipients or subrecipients receiving funding for such services also provide or arrange for the provision of the following services to pregnant women and women with dependent children, including women who are attempting to regain custody of their children:
 - a. primary medical care for women, including referral for prenatal care and, while the women are receiving such services, child care;
 - b. primary pediatric care, including immunization, for their children;
 - c. gender specific substance abuse treatment and other therapeutic interventions for women which may address issues of relationships, sexual and physical abuse and parenting, and child care while the women are receiving these services;
 - d. therapeutic interventions for children in custody of women in treatment which may, among other things, address their developmental needs, their issues of sexual and physical abuse, and neglect; and
 - e. Sufficient case management and transportation to ensure that women and their children have access to services.

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Emergency Relocation

In the event an emergency situation arises which deems it necessary for a recipient to close temporarily (e.g., in the case of a fire or utility problem that cannot be fixed in a short time), the recipient must have a contingency relocation procedure to ensure the continuation of services to the persons served.

1. If there is a need to vacate clients:

- a. Continuation of essential services for outpatient programs whose facility is not usable is of prime concern and is accomplished through a written, temporary transfer agreement with another organization offering similar services to the persons served or, if available to another, nearby location of the organization that has suffered the loss.
 - b. Continuation of essential services in a residential program, including, but not limited to;
 - i. Treatment,
 - ii. sleeping accommodations,
 - iii. meals, and laundry is of prime concern if the facility is deemed not useable.
 - iv. Arrangements are made to relocate program participants in appropriate facilities with which the organization has a written arrangement or to another facility that is operated by the organization.
2. It is the responsibility of the referring recipient's chief executive is to contact the relocation site and make arrangement for the transfer of persons served.
 3. It is the responsibility of the referring recipient's chief executive ensure that the Bureau is contacted in the event of a transfer of program participants from one recipient to another recipient of organizational location operated by the same recipient.
 - a. The referring recipient's chief executive must submit an Emergency Relocation Agreement to the Bureau within in one day of the client being moved.
 4. Any and all costs occurred are the responsibility of the referring recipient.

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Mental Health

Division of Public and Behavioral Health (DPBH) aims to provide timely access to mental health programs that include evidence based and promising practices for a range of psychological conditions, including early interventions for individuals with early serious mental illness (ESMI) and first episode of psychosis (FEP), persistent and serious mental illness (SMI), and serious emotional disturbance (SED).\

Early Interventions for Early Serious Mental Illness and First Episode of Psychosis):

In July 2015, established service of early interventions for residents experiencing a first episode of psychosis (FEP), which is supported with funding from the SAMHSA Mental Health Block Grant. The Nevada FEP service includes many of the key components of the *Coordinated Specialty Care* model that was developed by the National Institute of Mental Health (NIMH) through the Recovery After an Initial Schizophrenia Episode (RAISE) initiative (Heinssen, Goldstein and Azrin, 2014).

For 2018-2019, the existing early intervention service for individuals with first episode of psychosis (FEP) will be expanded in scope and capacity to include individuals with early serious mental illness (ESMI), and extended geographically throughout the state to include Nevada's rural counties and frontier regions. Planned service expansions include workforce training, implementation of evidence-based individual resilience training (IRT), and enhancing community outreach and program recruitment. For additional details regarding Mental Health Programs please refer to the [MANUAL Mental Health Treatment Programs 2017](#).

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Primary Prevention

In accordance with 45 CFR Part 45, the Bureau maintains a comprehensive statewide prevention program which includes a broad array of prevention strategies directed at individuals not identified to be in need of treatment through the use of local governments and municipalities, localized community coalitions and other non-profit organizations. The comprehensive primary prevention program includes activities and services provided in a variety of settings for both the general population, as well as targeting sub-groups who are at high risk for substance abuse.

Applicability: This section is applicable to all primary prevention recipients or subrecipients receiving funding from the Bureau.

1. The recipient/subrecipient will implement the Center for Substance Abuse Prevention's (CSAP) Strategic Prevention Framework Planning Process.
2. If the recipient/subrecipient is a coalition, the coalition will solicit representatives from local substance abuse prevention programs and treatment providers to become coalition members and assist with efforts to implement the CSAP's Strategic Prevention Framework Planning Process.
3. The recipient/subrecipient representatives are required to attend prevention training listed below as applicable to provide prevention services:
 - a. All fulltime staff must annually complete a minimum of twenty (20) hours of prevention training.
 - b. All part-time staff must annually complete a minimum for ten (10) hours of prevention training.
 - c. Participate in the implementation of evidence-based prevention programs, strategies, policies, and practices, and use the Prevention Program Operating and Access Standards as the basis for program, workforce, and agency development.

Implementation: In implementing the prevention program the primary prevention recipients or subrecipients shall use a variety of strategies, as appropriate for each target group, including but not limited to the following:

1. **Information Dissemination:** This strategy provides awareness and knowledge of the nature and extent of alcohol, tobacco and drug use, abuse and addiction and their effects on individuals, families and communities. It also provides knowledge and awareness of available prevention programs and services. Information dissemination is characterized by one-way communication from the source to the audience, with limited contact between the two. Examples of activities conducted and methods used for this strategy include (but are not limited to) the following:
 - a. Clearinghouse/information resource center(s);
 - b. Resource directories;
 - c. Media campaigns;
 - d. Brochures;
 - e. Radio/TV public service announcements;
 - f. Speaking engagements;
 - g. Health fairs/health promotion; and
 - h. Information lines.

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2. **Education:** This strategy involves two-way communication and is distinguished from the Information Dissemination strategy by the fact that interaction between the educator/facilitator and the participants is the basis of its activities. Activities under this strategy aim to affect critical life and social skills, including decision-making, refusal skills, critical analysis (e.g. of media messages) and systematic judgment abilities. Examples of activities conducted and methods used for this strategy include (but are not limited to) the following:
 - a. Classroom and/or small group sessions (all ages);
 - b. Parenting and family management classes;
 - c. Peer leader/helper programs;
 - d. Education programs for youth groups; and
 - e. Children of substance abusers groups.
3. **Alternatives:** This strategy provides for the participation of target populations in activities that exclude alcohol, tobacco and other drug use. The assumption is that constructive and healthy activities offset the attraction to, or otherwise meet the needs usually filled by alcohol, tobacco and other drugs and would, therefore, minimize or obviate resort to the latter. Examples of activities conducted and methods used for this strategy include (but are not limited to) the following:
 - a. Drug free dances and parties;
 - b. Youth/adult leadership activities;
 - c. Community drop-in centers; and
 - d. Community service activities.
4. **Problem Identification and Referral:** This strategy aims at identification of those who have indulged in illegal/age-inappropriate use of tobacco or alcohol and those individuals who have indulged in the first use of illicit drugs in order to assess if their behavior can be reversed through education. It should be noted, however, that this strategy does not include any activity designed to determine if a person is in need of treatment. Examples of activities conducted and methods used for this strategy include (but are not limited to) the following:
 - a. Employee assistance programs;
 - b. Student assistance programs; and
 - c. Driving while under the influence/driving while intoxicated education programs.
5. **Community-Based Process:** This strategy aims to enhance the ability of the community to more effectively provide prevention and treatment services for alcohol, tobacco and drug abuse disorders. Activities in this strategy include organizing, planning, enhancing efficiency and effectiveness of services implementation, inter-agency collaboration, coalition building and networking. Examples of activities conducted and methods used for this strategy include (but are not limited to) the following:
 - a. Community and volunteer training, e.g., neighborhood action training, training of key people in the system, staff/officials training;
 - b. Systematic planning;
 - c. Multi-agency coordination and collaboration;
 - d. Accessing services and funding; and
 - e. Community team-building.
6. **Environmental:** This strategy establishes or changes written and unwritten community standards, codes and attitudes, thereby influencing incidence and prevalence of the abuse

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of alcohol, tobacco and other drugs used in the general population. This strategy is divided into two subcategories to permit distinction between activities which center on legal and regulatory initiatives and those which relate to the service and action-oriented initiatives. Examples of activities conducted and methods used for this strategy shall include (but not be limited to) the following:

- a. Promoting the establishment and review of alcohol, tobacco and drug use policies in schools;
- b. Technical assistance to communities to maximize local enforcement procedures governing availability and distribution of alcohol, tobacco and other drug use;
- c. Modifying alcohol and tobacco advertising practices; and
- d. Product pricing strategies.

Evidence-Based Prevention for Substance Abuse

Introduction

It is a requirement of recipients and subrecipients that receives prevention funding to use effective evidence-based substance abuse prevention programs and strategies. This section is to assist prevention providers to implement activities that meet one of the three following definitions for evidence-based prevention practices. According to the Substance Abuse and Mental Health Service Administration's (SAMHSA) an Evidence-Based intervention must be:

1. Included in a Federal List or Registry of Evidence-based Interventions
2. Reported (with positive effects) in a peer-reviewed journal
3. Have documented effectiveness based on the three following guidelines:
 - a. The intervention is based on a solid theory or theoretical perspective that has validated research, and
 - b. The intervention is supported by a documented body of knowledge – a converging of empirical evidence of effectiveness – generated from similar or related interventions that indicate effectiveness, and
 - c. The intervention is judged by informed experts to be effective (i.e., reflects and documents consensus among informed experts based on their knowledge that combines theory, research and practice experience). “Informed experts” may include key community prevention leaders, and elders or other respected leaders within indigenous cultures. All three bullets must be documented under this definition.

Three Definitions of Evidence-Based

1. **Included in a Federal List or Registry of Evidence-based Interventions:** Any program, policy, strategy or practice that appears on a Federal List or Registry of approved prevention interventions that uses terms such as “Model”, “Best Practice”, “Promising Practice”, Evidence-based”, or “Principle of Effectiveness”, etc.
 - a. When a recipient or subrecipient identifies a program, practice, or strategy, the chosen activity must coincide with a prioritized substance abuse prevention need that has been identified by the Bureau as a part of the statewide plan.
 - b. Programs that meet this definition may address, but are not limited to; risk and protective factors, intervening variables, causal factors, and / or strategies that have been identified by the Bureau that align with the Statewide plan.

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- c. The Bureau requires the use of CSAP's recognized six prevention strategies (Information Dissemination, Prevention Education, Alternative Activities, Problem Identification and Referral, Community-based Process, or Environmental) and the Institute of Medicine's Continuum of Care, and the Strategic Prevention Framework as part of the foundation of evidence-based substance abuse prevention planning and implementation.
 - d. These prevention activities may be chosen from a variety of federal lists of approved programs and practices that make up the current standards recognized in substance abuse prevention nationally.
 - e. These include but are not limited to: Substance Abuse and Mental Health Services Administration (SAMHSA), National Registry of Effective Prevention Programs (NREPP), Center for Disease Control and Prevention (CDC), Office of Juvenile Justice Delinquency Prevention (OJJDP), US Department of Education, CSAP's Centers for the Application of Prevention Technologies, and the Office of National Drug Control Policy.
2. **Reported with Positive Effects in a Peer-Reviewed Journal:** Recipients and subrecipients wishing to use a program or intervention not on a Federal List or Registry, must receive prior Bureau approval.
- a. It will be the recipient and subrecipient responsibility to justify to the Bureau why the prevention program, policy, practice, or strategy that has been published in a peer reviewed journal has been selected.

Prevention Training Requirements: All recipients and subrecipients of Bureau funded Prevention Programs are required to provide appropriate training for staff and volunteers for the delivery of effective prevention programs for their communities.

Prevention Program Staff

1. All full time staff must annually complete a minimum of eight (8) hours of training related to prevention or prevention associated work.
 - a. The intent of the training must be to improve the ability to provide prevention services in the community.
 - b. This can include orientation training by the coalition and or through the Regional Prevention Center Coalition framework.
2. All part time direct service prevention staff must annually complete a minimum of four (4) hours of training related to prevention or prevention associated work.
 - a. The intent of the training must be to improve the ability to provide prevention services in the community.
 - b. This can include orientation training by the coalition and or through the Regional Prevention Center Coalition framework.
3. Model Program implementation training may count toward the minimum requirements
4. Individual training plans with completed trainings must be submitted annually to the Bureau.

Prevention Program Volunteers

1. All volunteers working with the coalitions (including Board members) are required to attend prevention trainings while they are providing volunteer services to the coalition.

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2. All volunteers working with prevention programs are required to attend relevant Model Program implementation training while they are providing volunteer services to the coalition.

Staff Training Plan Documentation: -The Recipient and subrecipients acknowledge and agree that the individual training of each employee along with certificates documenting his or her Continuing Education hours must be available upon request by the Bureau or any federal agency, during SAPTA certification visits, monitoring visits and must be included with required quarterly reports.

Areas of training¹ for professional and other prevention staff may include but are not limited to:

1. **Planning and Evaluation**
 - a. Assessing Community Needs
 - b. Developing a Prevention Plan
 - c. Selecting Strategies to meet the needs of target populations
 - d. Applying Sound Prevention Theory and Practice
 - e. Identifying Funding Sources
 - f. Reviewing Evaluation Options
 - g. Conducting Evaluation Activities
 - h. Documenting Project Activities and Outcomes
 - i. Refining the Prevention Program
2. **Education and Skill Development**
 - a. Tailoring Education and Skill Development
 - b. Connecting Prevention Theory and Practice Using Current Research and Program Models
 - c. Maintaining Fidelity when Replicating Research Based Prevention Programs
 - d. Developing Culturally Competent Education and Training
 - e. Educating Consumers by Providing Accurate and Appropriate Information
 - f. Providing Prevention Information to Professionals
3. **Community Organization**
 - a. Defining the Community Through Demographics and Core Values
 - b. Identifying Needs and Resources
 - c. Developing a Prevention Plan Through Collaboration with Members of the Community
 - d. Supporting the Community Through Technical Assistance
4. **Professional Growth and Responsibility**
 - a. Attaining Knowledge of Current Prevention Theory and Practice
 - b. Networking with Colleagues/Others in the Field
 - c. Adhering to Legal and Professional Standards
 - d. Recognizing Community Norms to Ensure Sensitivity to Unique Needs
 - e. Developing Cultural Competence
 - f. Ethics
5. **Alcohol, Tobacco and Other Drugs Prevention Education**

¹ Areas of training have been cited from the ACCBO Certified Prevention Specialist Application - Prevention Competencies Evaluation Form. ACCBO website located at <http://accbo.com>

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6. **Evidence Based Prevention Models and/or Frameworks**
 - a. Strategic Prevention Framework
 - b. Risk and Protective Factors
 - c. Developmental Assets
 - d. Logic Models
7. **General Prevention (including, but not limited to)**
 - o Institute of Medicine
 - o Public Health Model

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Fiscal Management

Fiscal General Requirements: In accordance with Federal regulations, the Bureau is required to expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state's own funds. In addition, the recipient and subrecipients' financial management systems, including records documenting, compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award.

1. The financial management system of each recipient and subrecipient must provide for the following:
 - a. Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any.
 - b. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements set forth in 2 CFR Part 200.
 - c. Records that identify adequately the source and application of funds for federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
 - d. Effective control over, and accountability for, all funds, property, and other assets. The recipient and subrecipient must adequately safeguard all assets and assure that they are used solely for authorized purposes. See Internal Controls
 - e. Comparison of expenditures with budget amounts for each Federal award.
 - f. Written procedures to implement the requirements of payment.
 - g. Written procedures for determining the allowability of costs in accordance with 2 CFR Part 200 Cost Principles and the terms and conditions of the Federal award.

Obligating Grant Funding: Recipients or subrecipients cannot obligate subawards until the first day of the subaward period. All expenditures being charged to the subaward must be obligated before the last day of the subaward period. Obligated funds are expenditures that have been ordered but not received or paid.

Period of Performance: A recipient or subrecipient may only charge allowable costs to the award that were incurred during the period of performance.

Commingling of Funds: The commingling of funding is unallowable for federal and State awards. The Bureau shall not require physical segregation of cash deposits or the establishment of any eligibility requirements for funds that are provided to a recipient or subrecipient. However, the accounting systems of all recipients and subrecipients must ensure that Bureau

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funds are not commingled with funds from other awards issued by Federal, State or non-federal agencies. Each award must be accounted for separately. Recipients and subrecipients are prohibited from commingling funds on either a program-by-program or project-by-project basis without prior written approval of the Bureau.

Direct (facilities & administrative (F&A)) costs: Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal or State subaward, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Costs incurred for the same purpose in like circumstances must be treated consistently as a direct (F&A) cost across all funding sources.

Indirect (facilities & administrative (F&A)) costs: Indirect (F&A) costs are those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved to a Federal or State subaward, or other internally or externally funded activity.

Application of Direct and Indirect Costs: There is no universal rule for classifying certain costs as either direct or indirect (F&A) under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the Federal or State subaward or other final cost objective. Therefore, it is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances either as a direct or an indirect (F&A) cost in order to avoid possible double-charging of Federal or State subawards. Bureau guidelines for developing and documenting direct and indirect (F&A) costs charged to Federal and State subaward are provided in this section.

The Bureau accepts two methods for capturing Indirect (facilities & administrative (F&A)) costs that would otherwise be unallowable and/or allowable as direct costs charged to a Federal or State subaward. The Bureau accepts the use of a federally approved Negotiated Indirect Cost Rate agreement or the federally allowed de minimis rate of 10%. Below are some basic guidelines for developing indirect rate methodologies. Additional guidelines for the development and implementation can be found in 2 CFR Part 200 or you may seek technical assistance from the Bureau.

1. **Negotiated Indirect Cost Rate:** The federally approved Negotiated Indirect Cost Rate agreement is where a recipient and subrecipient can negotiate directly with the federal government to establish an approved indirect rate to cover the indirect cost of an organization. This costs rate is not limited to 10%.
 - a. To use a negotiated indirect cost rate, the recipient or subrecipient must provide to the Bureau a federally approved indirect rate agreement with every subaward application.
2. **De minimis rate of 10%:** The de minimis cost rate of 10% is the maximum indirect rate that is allowed for federal awards that do not require to be approved by the cognizant agency.
 - a. To use the de minimis cost rate of 10%, the subrecipient must provide to the Bureau the methodology that clearly delineates what organizational costs are considered direct and which costs are considered indirect across that is applied to all federal and non-federal funding sources of the organization.

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- b. The use the de minimis cost rate of 10% may not be allowable for all subaward activities, thereby it is the responsibility of the recipient or subrecipient to seek guidance for the Bureau by for using this method for indirect costs.

The Application of Direct and Indirect costs to Federal or State subawards: Identification with the Federal award rather than the nature of the goods and services involved is the determining factor in distinguishing direct from indirect (F&A) costs of Federal awards. Typical costs charged directly to a Federal award are the compensation of employees who work on that award, their related fringe benefit costs, the costs of materials and other items of expense incurred for the Federal or state award. If directly related to a specific award, certain costs that otherwise would be treated as indirect costs may also include extraordinary utility consumption, the cost of materials supplied from stock or services rendered by specialized facilities or other institutional service operations.

1. The salaries of administrative and clerical staff should normally be treated as indirect (F&A) costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:
 - a. Administrative or clerical services are integral to a project or activity;
 - b. Individuals involved can be specifically identified with the project or activity;
 - c. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency; and
 - d. The costs are not also recovered as indirect costs.
2. Minor items: Any direct cost of minor amount may be treated as an indirect (F&A) cost for reasons of practicality where such accounting treatment for that item of cost is consistently applied to all Federal and non-Federal cost objectives.

Internal Controls

In accordance with 2 CFR Part 200, all recipients and subrecipients receiving Federal and State subawards from the Bureau are required to maintain internal controls.

1. The recipient and subrecipient must establish and maintain effective internal control over the award that provides reasonable assurance that the recipient and subrecipient is managing the Federal and State subaward in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award.
2. Internal controls must be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States or the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
3. The internal controls must comply with Federal statutes, regulations, and the terms and conditions of the Federal and State subawards.
 - a. Internal controls must evaluate and monitor the recipient’s and subrecipient’s compliance with statutes, regulations and the terms and conditions of Federal awards and;
 - b. Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings or as a result of subrecipient monitoring.
4. The internal controls must take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-

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through entity designates as sensitive or the recipient and subrecipient considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

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Allowable & Unallowable Costs

Allowable & Unallowable Costs: Allowable and unallowable costs are those costs identified in federal regulations and contained in this manual. Costs must be reasonable, allocable, necessary to the project, and comply with the funding statute requirements. Pursuant to 2 CFR part 200 when a funding period is specified, a recipient may charge to the grant only allowable costs resulting from obligations incurred during the funding period.

In accordance with 2 CFR Part 200, an allowable cost may be considered reasonable if the nature of the goods or services acquired or applied, and the amount involved therefore, reflect the action that a prudent person would have taken under the circumstances prevailing at the time the decision to incur the cost was made.

Recipients and subrecipients should refer to this manual to determine what program costs are allowable, unallowable or requires prior approval by the Bureau or the Federal awarding agency for that specific program. It is important to remember that costs that are allowable under one grant program may be specifically prohibited or require prior approval under another program.

Additionally, allowable items of cost may change from one fiscal year to another fiscal year. It is important to verify allowable costs with the program guidance specific to the fiscal year of the subaward. If a recipient or subrecipient cannot determine if a cost is allowable in accordance to this program manual, the cost must be prior approved in writing by the Bureau. All costs should be supported by source documentation that provides evidence of a costs intended purpose related to the award being charged.

Additional applicable Cost Principles: See Section 3 - Governing Regulations for additional guidance regarding federal regulations for cost principles.

The following are the general Bureau requirements for determining items of costs to be applied to all federal and state subawards.

Advertising and public relations (Allowable): The term advertising costs means the costs of advertising media and corollary administrative costs. Advertising media include magazines, newspapers, radio and television, direct mail, exhibits, electronic or computer transmittals, and the like.

The only allowable advertising costs are those which are solely for:

- a. The recruitment of personnel required by the recipient or subrecipient for job performance directly related to the Federal or State award being charged.
- b. The procurement of goods and services, by the recipient or subrecipient for the benefit directly related to a Federal or State award being charged.
- c. The disposal of scrap or surplus materials acquired in the performance of a Federal or State subaward except when recipient or subrecipients are reimbursed for disposal costs at a predetermined amount; or
- d. Program outreach and other specific purposes necessary to meet the requirements of the Federal or State subaward.

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Advertising and public relations (Unallowable): Unallowable advertising and public relations costs include the following:

1. All advertising and public relations costs that are not directly to the Federal or State subaward being charged.
2. Costs of meetings, conventions, convocations, or other events related to other activities of the recipient or subrecipient including:
 - a. Costs of displays, demonstrations, and exhibits;
 - b. Costs of meeting rooms, hospitality suites, and other special facilities used in conjunction with shows and other special events; and
 - c. Salaries and wages of employees engaged in setting up and displaying exhibits, making demonstrations, and providing briefings;
 - d. Costs of promotional items and memorabilia, including models, gifts, and souvenirs.
 - e. Costs of advertising and public relations designed solely to promote the subrecipients organization.

Advisory councils: Costs incurred by advisory councils or committees are unallowable unless authorized by statute, the Federal awarding agency or as an indirect cost where allocable to Federal or State subawards.

Alcoholic beverages: Costs of alcoholic beverages are unallowable

Alumni/ae activities: Costs incurred by IHEs for, or in support of, alumni/ae activities are unallowable.

Audit services: A reasonably proportionate share of the costs of audits required by, and performed in accordance with, the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507), as implemented by requirements of this part, are allowable.

Audit services: The following audit costs are unallowable:

1. Any costs when audits required by the Single Audit Act and 2 CFR Part 200 have not been conducted or have been conducted but not in accordance therewith; and
2. Any costs of auditing a recipient or subrecipient that is exempted from having an audit conducted under the Single Audit Act and 2 CFR Part 200 because its expenditures under Federal awards are less than \$750,000 during the recipients or subrecipients fiscal year.
3. The costs of a financial statement audit of a recipient or subrecipient that does not currently have a Federal or State subaward may be included in the indirect cost pool for a cost allocation plan or indirect cost proposal.
4. Pass-through entities may charge Federal State subawards for the cost of agreed-upon-procedures engagements to monitor recipients or subrecipients in accordance with 2 CFR Part 200 who are exempted from the requirements of the Single Audit Act and 2 CFR Part 200. This cost is allowable only if the agreed-upon-procedures engagements are:
 - a. Conducted in accordance with GAGAS attestation standards;
 - b. Paid for and arranged by the pass-through entity; and

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- c. Limited in scope to one or more of the following types of compliance requirements:
 - i. activities allowed or unallowed;
 - ii. allowable costs/cost principles;
 - iii. eligibility;
 - iv. And reporting.

Bad debts: Bad debts (debts which have been determined to be uncollectable), including losses (whether actual or estimated) arising from uncollectable accounts and other claims, are unallowable. Related collection costs, and related legal costs, arising from such debts after they have been determined to be uncollectable are also unallowable.

Buildings: To purchase or improve land: purchase, construct, or permanently improve, other than minor remodeling, any building or other facility; or purchase major medical equipment are unallowable unless prior approved by the Federal agency.

Bonuses or Commissions: The recipient or subrecipient is prohibited from paying any bonus or commission to any individual or organization for the purpose of obtaining approval of an application for award assistance. Bonuses to officers or board members of profit or non-profit organizations are determined to be a profit or fee and are unallowable.

Contributions and donations: Costs of contributions and donations, including cash, property, and services, from the recipient or subrecipient to other entities, are unallowable.

1. The value of services and property donated to the recipient or subrecipient may not be charged to the Federal award either as a direct or indirect (F&A) cost.
 - a. The value of donated services and property may be used to meet cost sharing or matching requirements in accordance with 2 CFR Part 200.306 Cost sharing or matching.
2. Services donated or volunteered to a recipient or subrecipient may be furnished to a recipient or subrecipient by professional and technical personnel, consultants, and other skilled and unskilled labor. The value of these services may not be charged to the Federal award either as a direct or indirect cost. However, the value of donated services may be used to meet cost sharing or matching requirements in accordance with the provisions of 2 CFR Part 200 for cost sharing or matching.
3. To the extent feasible, services donated to the recipient or subrecipient entity will be supported by the same methods used to support the allocability of regular personnel services.

Contributions and donations: The following provisions apply to nonprofit organizations:

The value of services donated to the nonprofit organization utilized in the performance of a direct cost activity must be considered in the determination of the recipient's or subrecipient's indirect cost rate(s) and, accordingly, must be allocated a proportionate share of applicable indirect costs when the following circumstances exist:

1. The aggregate value of the services is material;
2. The services are supported by a significant amount of the indirect costs incurred by the recipient or subrecipient;

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- a. In those instances where there is no basis for determining the fair market value of the services rendered, the recipient or subrecipient and the cognizant agency for indirect costs must negotiate an appropriate allocation of indirect cost to the services.
- b. Where donated services directly benefit a project supported by the Federal or State subaward, the indirect costs allocated to the services will be considered as a part of the total costs of the project. Such indirect costs may be reimbursed under the Federal or State subaward or used to meet cost sharing or matching requirements.

Collections of improper payments: The costs incurred by a recipient or subrecipient to recover improper payments are allowable as either direct or indirect costs, as appropriate. Amounts collected may be used by the recipient or subrecipient in accordance with cash management standards set forth in 2CFR Part 200.

Compensation (personal services): Compensation for personal services includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries. Compensation for personal services may also include fringe benefits. Costs of compensation are allowable to the extent that they satisfy the specific requirements of this program manual and that the total compensation for individual employees:

Compensation (fringe benefits): Fringe benefits are allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe benefits include, but are not limited to, the costs of leave (vacation, family-related, sick or military), employee insurance, pensions, and unemployment benefit plans. Except as provided elsewhere in these principles, the costs of fringe benefits are allowable provided that the benefits are reasonable and are required by law, subrecipient employee agreement, or an established policy of the recipient or subrecipient.

1. **Leave:** The cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:
 - a. They are provided under established written leave policies;
 - b. The costs are equitably allocated to all related activities, including Federal awards; and,
 - c. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the recipient or subrecipient or specified grouping of employees.
 - d. When a recipient or subrecipient uses the cash basis of accounting, the cost of leave is recognized in the period that the leave is taken and paid for. Payments for unused leave when an employee retires or terminates employment are allowable in the year of payment.

Compensation of Federal Employees: Salary payments, consulting fees, or other compensation of full-time Federal employees are unallowable costs.

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Conferences: A conference is defined as a meeting, retreat, seminar, symposium, workshop or event whose primary purpose is the dissemination of technical information beyond the recipient or subrecipient and is necessary and reasonable for successful performance under the Federal or State subaward.

1. Allowable conference costs paid by the recipient or subrecipient as a sponsor or host of the conference may include rental of facilities, speakers' fees, costs of meals and refreshments, local transportation, and other items incidental to such conferences unless further restricted by the terms and conditions of the Federal or State subaward.
2. Conference hosts/sponsors must exercise discretion and judgment in ensuring that conference costs are appropriate, necessary and managed in a manner that minimizes costs to the Federal or State subaward.
3. The Federal awarding agency may authorize exceptions where appropriate for programs including Indian tribes, children, and the elderly.

Consultant Rates: Compensation for individual consultant services are to be reasonable and consistent with the amount paid for similar services in the market place. Consideration can be given to compensation, including fringe benefits, for those individuals whose employers do not provide the same. Time and effort reports are required for consultants. Competitive bidding for consultant services is required for all consultants being charged to a Federal or State subaward.

Donations: Costs to make donations or provide charity or gifts to organizations or individuals are unallowable.

Entertainment: Costs of entertainment, including amusement, diversion, and social activities and any associated costs are unallowable, except where specific costs that might otherwise be considered entertainment have a programmatic purpose and are authorized either in the approved budget for the Federal or State award or with prior written approval of the Bureau.

Equipment and other capital expenditures: Costs to make any one purchase over \$5,000 is unallowable unless prior approved by the Bureau. The following rules of allowability must apply to equipment and other capital expenditures:

1. Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the Federal awarding agency or pass-through entity.
2. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity.
3. Capital expenditures for improvements to land, buildings, or equipment which materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the Federal awarding agency, or pass-through entity.
4. When approved as a direct charge capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.
5. The unamortized portion of any equipment written off as a result of a change in capitalization levels may be recovered by continuing to claim the otherwise allowable

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depreciation on the equipment, or by amortizing the amount to be written off over a period of years negotiated with the Federal cognizant agency for indirect cost.

6. Cost of equipment disposal: If the recipient or subrecipient is instructed by the Federal awarding agency to otherwise dispose of or transfer the equipment the costs of such disposal or transfer are allowable.
7. Equipment and other capital expenditures are unallowable as indirect costs.

Fines, penalties, damages and other settlements: Costs resulting from a recipients or subrecipients violations of, alleged violations of, or failure to comply with, Federal, state, tribal, local or foreign laws and regulations are unallowable, except when incurred as a result of compliance with specific provisions of the Federal award, or with prior written approval of the Federal awarding agency.

Fund raising and investment management costs:

1. Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred to raise capital or obtain contributions are unallowable.
2. Fund raising costs for the purposes of meeting the Federal or State program objectives are allowable with prior written approval from the Federal awarding agency. Proposal costs are covered in 2 CFR part 200.

Food and Beverages: Food and/or beverage expenses provided by recipients or subrecipients are allowable costs if:

1. The food and/or beverages are provided to participants at training sessions, meetings or conferences that may be allowable under specific GRANT program guidelines or regulations; and
2. Expenses incurred for food and/or beverages and provided at training sessions, or conferences satisfy the following tests:
 - a. the cost of the food and/or beverages provided is considered to be reasonable;
 - b. the food and/or beverages provided are subject of a work-related event;
 - c. participation by all participants is mandatory by federal or state requirement; and
 - d. The food and/or beverages provided are not related directly to amusement and/or social events.
 - e. Any event where alcohol is being served is considered a social event; therefore, costs associated with that event are not allowable.
 - f. In the event food/meal(s) are being provided, the amount charged for per diem must be reduced accordingly.

General costs of government: For states, local governments, and Indian Tribes, the general costs of government are unallowable. Unallowable costs include:

1. Salaries and expenses of the Office of the Governor of a state or the chief executive of a local government or the chief executive of an Indian tribe;
2. Salaries and other expenses of a state legislature, tribal council, or similar local governmental body, such as a county supervisor, city council, school board, etc., whether incurred for purposes of legislation or executive direction;
3. Costs of the judicial branch of a government;

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4. Costs of prosecutorial activities unless treated as a direct cost to a specific program if authorized by statute or regulation (however, this does not preclude the allowability of other legal activities of the Attorney General as described in 2 CFR §200.435 Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements); and
5. Costs of other general types of government services normally provided to the general public, such as fire and police, unless provided for as a direct cost under a program statute or regulation.
6. For Indian tribes and Councils of Governments (COGs), up to 50% of salaries and expenses directly attributable to managing and operating Federal programs by the chief executive and his or her staff can be included in the indirect cost calculation without documentation.

Goods or services for personal use:

1. Costs of goods or services for personal use of the recipient's or subrecipient's employees are unallowable regardless of whether the cost is reported as taxable income to the employees.

Hospital Services: Costs to provide in-patient hospital services are unallowable.

Hypodermic needles or syringes: Costs to provide Hypodermic needles or syringes are unallowable.

Intellectual property:

1. Patent costs: The following costs related to securing patents and copyrights are allowable:
 - a. Costs of preparing disclosures, reports, and other documents required by the Federal or State subaward, and of searching the art to the extent necessary to make such disclosures;
 - b. Costs of preparing documents and any other patent costs in connection with the filing and prosecution of a United States patent application where title or royalty-free license is required by the Federal Government to be conveyed to the Federal Government; and
 - c. General counseling services relating to patent and copyright matters, such as advice on patent and copyright laws, regulations, clauses, and employee intellectual property agreements (See also 2 CFR §200.459 Professional service costs).
2. Patent costs: The following costs related to securing patents and copyrights are unallowable:
 - a. Costs of preparing disclosures, reports, and other documents, and of searching the art to make disclosures not required by the Federal or State subaward;
 - b. Costs in connection with filing and prosecuting any foreign patent application, or any United States patent application, where the Federal and State subaward does not require conveying title or a royalty-free license to the Federal Government.
3. In any case involving a patent or copyright formerly owned by the non-Federal entity, the amount of royalty allowed must not exceed the cost which would have been allowed had the non-Federal entity retained title thereto

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Lobbying: Costs to pay for lobbying activities are unallowable, see Section 5 – General Requirements

Land Acquisition: Land acquisition costs are unallowable unless otherwise noted in grant guidance.

Legal Costs:

1. Costs incurred in connection with any criminal, civil or administrative proceeding (including filing of a false certification) commenced by the Federal Government, a state, local government, or foreign government, or joined by the Federal Government (including a proceeding under the False Claims Act), against the recipient or subrecipient, (or commenced by third parties or a current or former employee of the non-Federal entity who submits a whistleblower complaint of reprisal in accordance with 10 U.S.C. 2409 or 41 U.S.C. 4712), are not allowable.
2. Costs incurred by the recipient or subrecipient in connection with the defense of suits brought by its employees or ex-employees, including the cost of all relief necessary to make such employee whole, where the non-Federal entity was found liable or settled, are unallowable.
3. Costs of prosecution of claims against the Federal Government, including appeals of final Federal agency decisions, are unallowable.
4. Costs of legal, accounting, and consultant services, and related costs, incurred in connection with patent infringement litigation, are unallowable unless otherwise provided for in the Federal award.

Losses on other awards or contracts: Any excess of costs over income under any other award or contract of any nature is unallowable.

1. This includes, but is not limited to, the recipient's or subrecipient's contributed portion by reason of cost-sharing agreements or any under-recoveries through negotiation of flat amounts for indirect (F&A) costs.
2. Also, any excess of costs over authorized funding levels transferred from any subaward or contract to another subaward or contract is unallowable.
3. All losses are not allowable indirect (F&A) costs and are required to be included in the appropriate indirect cost rate base for allocation of indirect costs.

Maintenance of Effort (MOE) or Match: Using Bureau funding to satisfy any requirement for the expenditure of non-federal funds as a condition for the receipt of federal funds is unallowable.

Maintenance contracts: The cost of an equipment maintenance agreement is allowable for the period of time that covers the grant project period. Any portion of the contract that extends beyond the grant period may not be charged to the grant award using Federal or matching funds. **For example:** If the grant project period is one year and the maintenance agreement is for three years, only the cost associated with the first year of the agreement would be allowable. The grantee would have to prorate the cost of the agreement to cover only the grant project period.

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Maintenance and repair costs: Costs incurred for utilities, insurance, security, necessary maintenance, janitorial services, repair, or upkeep of buildings and equipment (including Federal property unless otherwise provided for) which neither add to the permanent value of the property nor appreciably prolong its intended life, but keep it in an efficient operating condition, are allowable.

1. Costs incurred for improvements which add to the permanent value of the buildings and equipment or appreciably prolong their intended life must be treated as capital expenditures (see 2 CFR §200.439 Equipment and other capital expenditures). These costs are only allowable to the extent not paid through rental or other agreements.

Materials and supplies costs, including costs of computing devices: Costs incurred for materials, supplies, and fabricated parts necessary to carry out a Federal or State subaward are allowable.

1. Purchased materials and supplies must be charged at their actual prices.
2. Withdrawals from general stores or stockrooms must be charged at their actual net cost under any recognized method of pricing inventory withdrawals, consistently applied. Incoming transportation charges are a proper part of materials and supplies costs.
3. Materials and supplies used for the performance of a Federal award may be charged as direct costs.
 - a. In the specific case of computing devices, charging as direct costs is allowable for devices that are essential and allocable, but not solely dedicated, to the performance of a Federal award.
4. Where federally or State donated or furnished materials are used in performing the Federal or State subaward, such materials will be used without charge.

Memberships, subscriptions, and professional activity costs:

1. Costs of the recipient's or subrecipient's membership in business, technical, and professional organizations are allowable.
1. Costs of the recipient's or subrecipient's subscriptions to business, professional, and technical periodicals are allowable.
2. Costs of membership in any civic or community organization are allowable with prior approval by the Federal awarding agency or pass-through entity.
3. Costs of membership in any country club or social or dining club or organization are unallowable.
4. Costs of membership in organizations whose primary purpose is lobbying are unallowable.

Organization costs: Costs such as incorporation fees, brokers' fees, fees to promoters, organizers or management consultants, attorneys, accountants, or investment counselor, whether or not employees of the recipient or subrecipient in connection with establishment or reorganization of an organization, are unallowable except with prior approval of the Federal awarding agency.

Patients: Costs to make direct payments to patients or beneficiaries receiving health services is unallowable.

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Prisons: Costs to provide treatment services in penal or correctional institutions of the State are unallowable.

Public Relations: The term “public relations” includes community relations and means those activities dedicated to maintaining the image of the recipient or subrecipient or maintaining or promoting understanding and favorable relations with the community or public at large or any segment of the public. The only allowable public relations costs are:

1. Costs specifically required by the Federal or State subaward;
2. Costs of communicating with the public and press pertaining to specific activities or accomplishments which result from performance of the Federal or State subaward (these costs are considered necessary as part of the outreach effort for the Federal award); or
3. Costs of conducting general liaison with news media and government public relations officers, to the extent that such activities are limited to communication and liaison necessary to keep the public informed on matters of public concern, such as notices of funding opportunities, financial matters, etc.

Publication and printing costs: Publication costs for electronic and print media, including distribution, promotion, and general handling are allowable. If these costs are not identifiable with a particular cost objective, they should be allocated as indirect costs to all benefiting activities of the non-Federal entity.

1. Page charges for professional journal publications are allowable where:
 - a. The publications report work supported by the Federal Government; and
 - b. The charges are levied impartially on all items published by the journal, whether or not under a Federal award.
2. The non-Federal entity may charge the Federal award before closeout for the costs of publication or sharing of research results if the costs are not incurred during the period of performance of the Federal award.

Participant support costs: Participant support costs as defined in 2 CFR §200.75 Participant support costs are allowable with the prior approval of the Federal awarding agency.

Plant and security costs: Necessary and reasonable expenses incurred for protection and security of facilities, personnel, and work products are allowable.

1. Such costs include, but are not limited to, wages and uniforms of personnel engaged in security activities; equipment; barriers; protective (non-military) gear, devices, and equipment; contractual security services; and consultants. Capital expenditures for plant security purposes are subject to rules for equipment and other capital expenditures.

Professional service costs: Costs of professional and consultant services rendered by persons who are members of a particular profession or possess a special skill, and who are not officers or employees of the recipient or subrecipient, are allowable when reasonable in relation to the services rendered and when not contingent upon recovery of the costs from the Federal Government. In addition, legal and related services are limited under 2 CFR §200.435 Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements.

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In determining the allowability of professional service costs in a particular case, no single factor or any special combination of factors is necessarily determinative. However, the following factors are relevant:

1. The nature and scope of the service rendered in relation to the service required.
2. The necessity of contracting for the service, considering the recipient's or subrecipient's capability in the particular area.
3. The past pattern of such costs, particularly in the years prior to the Federal or State subawards.
4. The impact of Federal awards on the recipient's or subrecipient's business (i.e., what new problems have arisen).
5. Whether the proportion of Federal or State work to the recipient's or subrecipient's total business is such as to influence the recipient or subrecipient in favor of incurring the cost, particularly where the services rendered are not of a continuing nature and have little relationship to work under the Federal or State subaward.
6. Whether the service can be performed more economically by direct employment rather than contracting.
7. The qualifications of the individual or concern rendering the service and the customary fees charged, especially on non-federally funded activities.
8. Adequacy of the contractual agreement for the service (e.g., description of the service, estimate of time required, rate of compensation, and termination provisions).
9. In addition to the above factors, to be allowable, retainer fees must be supported by evidence of bona fide services available or rendered.

Proposal costs: Proposal costs are the costs of preparing bids, proposals, or applications on potential Federal and State subawards or projects, including the development of data necessary to support the recipient's or subrecipient's bids or proposals. Proposal costs of the current accounting period of both successful and unsuccessful bids and proposals normally should be treated as indirect (F&A) costs and allocated currently to all activities of the recipient or subrecipient. No proposal costs of past accounting periods will be allocable to the current period.

Rearrangement and reconversion costs: Costs incurred for ordinary and normal rearrangement and alteration of facilities are allowable as indirect costs. Special arrangements and alterations costs incurred specifically for a Federal or State subaward are allowable as a direct cost with the prior approval of the Federal awarding agency or the Bureau.

1. Costs incurred in the restoration or rehabilitation of the recipient's or subrecipient's facilities to approximately the same condition existing immediately prior to commencement of Federal or State subawards, less costs related to normal wear and tear, are allowable.

Recruiting costs: Costs of "help wanted" advertising, operating costs of an employment office necessary to secure and maintain an adequate staff, costs of operating an aptitude and educational testing program, travel costs of employees while engaged in recruiting personnel are allowable to the extent that such costs are incurred pursuant to the recipient's or subrecipient's standard recruitment program. Where the recipient or subrecipient uses employment agencies, costs not in excess of standard commercial rates for such services are allowable.

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State and Local Sales Taxes: State and local sales taxes are generally allowable costs, unless the tax is levied solely on Federal or State programs or Federal or State funding.

Software development: Software development costs are allowable and may be expended in the period incurred. However all software purchases should be pre-approved to ensure the Bureau will reimburse the expenditures.

Scholarships and student aid costs (IHEs only): Costs of scholarships, fellowships, and other programs of student aid at IHEs are allowable only when the purpose of the Federal or State subaward is to provide training to selected participants and the charge is approved by the Federal awarding agency. However, tuition remission and other forms of compensation paid as, or in lieu of, wages to students performing necessary work are allowable provided that:

1. The individual is conducting activities necessary to the Federal or State subaward;
2. Tuition remission and other support are provided in accordance with established policy of the IHE and consistently provided in a like manner to students in return for similar activities conducted under Federal or State subawards as well as other activities; and
3. During the academic period, the student is enrolled in an advanced degree program at a IHE or affiliated institution and the activities of the student in relation to the Federal award are related to the degree program;
4. The tuition or other payments are reasonable compensation for the work performed and are conditioned explicitly upon the performance of necessary work; and
5. It is the IHE's practice to similarly compensate students under Federal or State subawards as well as other activities.
6. Charges for tuition remission and other forms of compensation paid to students as, or in lieu of, salaries and wages must be subject to the reporting requirements in 2 CFR §200.430 Compensation—personal services, and must be treated as direct or indirect cost in accordance with the actual work being performed. Tuition remission may be charged on an average rate basis.

Selling and marketing costs: Costs of selling and marketing any products or services of the recipient or subrecipient (unless allowed under advertising and public relations) are unallowable, except as direct costs, with prior approval by the Federal awarding agency when necessary for the performance of the Federal or State subaward.

Student activity costs: Costs incurred for intramural activities, student publications, student clubs, and other student activities, are unallowable, unless specifically provided for in the Federal or State subaward.

Termination costs: Termination of a Federal or State subaward may give rise to the incurrence of costs, or the need for special treatment of costs, which would not have arisen had the Federal or State subaward not been terminated. Costs associated with termination will be considered by the Bureau and prior approved if allowable.

Training and education costs: The cost of training and education provided for employee development is allowable.

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Transportation costs: Costs incurred for freight, express, cartage, postage, and other transportation services relating either to goods purchased, in process, or delivered, are allowable. When such costs can readily be identified with the items involved, they may be charged directly as transportation costs or added to the cost of such items. Where identification with the materials received cannot readily be made, inbound transportation cost may be charged to the appropriate indirect (F&A) cost accounts if the recipient or subrecipient follows a consistent, equitable procedure in this respect. Outbound freight, if reimbursable under the terms and conditions of the Federal or State subaward, should be treated as a direct cost.

Travel of Federal Employees: Costs of transportation, lodging, subsistence, and related travel expenses of federal employees are unallowable charges. Travel expenses of other Federal employees for advisory committees or other program or project duties or assistance are allowable if they have been:

1. Approved by the Federal employee's Department or Agency; and
2. Included as an identifiable item in the funds budgeted for the project or subsequently submitted for approval.

Incentives: The Bureau will allow some incentives to be funded by some of its federal grants and state funding in support of various programs.

An "incentive" is defined as something that motivates an individual to perform an action, encourages a person to do something, or to work harder, or is something that incites or tends to incite to action, or is offered as a reward for increased productivity or personal contribution/participation.

Incentives are unallowable costs for Community Mental Health Services (CMHS) Block Grant and the Projects for Assistance in Transition from Homelessness (PATH) grants.

For an incentives to be allowable items of cost must meet the following criteria to be an approved expense by the Bureau.

1. Incentives should be necessary to meet the programmatic and evaluation goals of the grant.
 - a. To determine whether or not an incentive is necessary to the programmatic and evaluation goals of the grant, the following question needs to be asked;
 - i. Can the project objectives and goals be met without the incentives?
2. Incentives must be fully utilized, for their intended purpose, within the same project period (sub-grant period) that they were purchased.
3. Incentives will never exceed more than a \$30 per person cost.
4. Incentives will never exceed more than 1% of the subawards total.
5. The purchase of any incentives must be pre-approved by the by SAMHSA Project Officer to determine if the value and type of incentives are reasonable, allowable, and allocable to the project(s) being performed.
6. The subrecipient must submit to the Bureau, on formal organizational letterhead, a detailed outline of the incentives being requested, for which event (should tie directly to an approved scope of work deliverable), the cost and provide justification that incentives do not provide an "undue inducement" that removes the voluntary nature of participation of the project or event.

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7. Incentives must be tracked by the program that is disturbing them.
 - a. Tracking needs to include at a minimum;
 - i. Identify the total costs of the incentives being tracked.
 - ii. A declining balance of the incentives as they are distributed.
 - iii. A unique identifying number for the incentive.
 - iv. The cost, per item.
 - v. To whom the incentive was provided.
 - vi. The date the incentive was issued or provided.
 - vii. The reason or purpose the incentive was provided.
 - viii. A signature of the staff member that issued the incentive.
 - ix. Demonstrate full utilization of the incentives that were purchased within the same project period (sub-grant period) that they were purchased.
8. Types of allowable incentives include but are not limited to the following:
 - a. Nutritional Food and drink (non-alcoholic)
 - b. Coupons
 - c. Movie Passes
 - d. Discounts at Local Businesses
 - e. Awards
 - f. T-shirts/clothing
9. Types of unallowable incentives generally include but are not limited to the following:
 - a. Gift cards (Gift card requests will be determined on a case by case situation).
 - b. Gas Cards
 - c. Grocery Cards
10. Cash incentives of any kind that can be used for the purchase of tobacco, tobacco products, alcohol, alcohol products are not allowed.

Incentives that may be deemed questionable:

It is the responsibility of the sub-grantee or sub-recipient to ensure that all questionable incentive purchases are preapproved.

1. The approval process will always require a written decision from the Bureau and/or the federal project officer before the item could be allowed or purchased.
2. If a sub-grantee or sub-recipient does not have prior approval for any incentives purchased and identified on their monthly reimbursement requests will be denied.
3. If unallowable costs are identified through RFR, financial desk reviews or onsite monitors, the sub-grantee and/or sub-recipient will be required to repaid the Bureau in accordance to federal regulation §200.410 Collection of unallowable costs. “Payments made for costs determined to be unallowable by either the Federal awarding agency, cognizant agency for indirect costs, or pass-through entity, either as direct or indirect costs, must be refunded (including interest) to the Federal Government in accordance with instructions from the Federal agency that determined the costs are unallowable unless Federal statute or regulation directs otherwise.”

Insurance and indemnification:

1. Costs of insurance required or approved and maintained, pursuant to the Federal award, are allowable.

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2. Costs of other insurance in connection with the general conduct of activities are allowable subject to the following limitations:
 - a. Types and extent and cost of coverage are in accordance with the non-Federal entity's policy and sound business practice.
 - b. Costs of insurance or of contributions to any reserve covering the risk of loss of, or damage to, Federal Government property are unallowable except to the extent that the Federal awarding agency has specifically required or approved such costs.
 - c. Costs allowed for business interruption or other similar insurance must exclude coverage of management fees.
 - d. Costs of insurance on the lives of trustees, officers, or other employees holding positions of similar responsibilities are allowable only to the extent that the insurance represents additional compensation (see §200.431 Compensation—fringe benefits). The cost of such insurance when the non-Federal entity is identified as the beneficiary is unallowable.
 - e. Insurance against defects. Costs of insurance with respect to any costs incurred to correct defects in the non-Federal entity's materials or workmanship are unallowable.
 - f. Medical liability (malpractice) insurance. Medical liability insurance is an allowable cost of Federal research programs only to the extent that the Federal research programs involve human subjects or training of participants in research techniques. Medical liability insurance costs must be treated as a direct cost and must be assigned to individual projects based on the manner in which the insurer allocates the risk to the population covered by the insurance.
3. Actual losses which could have been covered by permissible insurance (through a self-insurance program or otherwise) are unallowable, unless expressly provided for in the Federal award.
 - a. However, costs incurred because of losses not covered under nominal deductible insurance coverage provided in keeping with sound management practice, and minor losses not covered by insurance, such as spoilage, breakage, and disappearance of small hand tools, which occur in the ordinary course of operations, are allowable.

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TRAVEL

Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by an employee or officer who are in travel status on official business of the recipient or subrecipient. Such costs may only be charged as actual costs incurred and in accordance with the recipient's or subrecipient's written travel policies. In the absence of an acceptable written and/or documented policies regarding travel, the rates and amounts established by the Federal General Services Administration (GSA), as adopted by the Bureau, must apply to travel under a Federal or State subaward. The general rules are as follows:

1. Travel advances will not be allowed.
2. The Bureau will only reimburse final travel claims.
3. The recipient and subrecipient will be responsible for any travel costs that exceed the published rate of the General Services Administration (GSA).

It is the sole responsibility of the recipient and subrecipient to ensure that all travel is appropriate, justifiable and in accordance the GSA defined rates. All travel must be accordance in with the approved budget of the Federal or State subaward. The travel must support the subaward in which the travel is being funded. The Bureau will only reimburse at the GSA Rate for any travel claim submitted for reimbursement unless prior written approval is obtained at least 30 days in advance of the travel. The only exceptions to the GSA Rates are as follows:

1. Lodging is procured at a prearranged place such as a hotel where a meeting, conference or training session is held, or
2. Costs have escalated because of special events; lodging within prescribed allowances cannot be obtained nearby; and costs to commute to/from the nearby location exceed the cost savings from occupying less expensive lodging.
3. If the condition(s) above exist, recipient and subrecipient may seek Bureau approval to exceed the GAS Rate.

Costs incurred by recipients and subrecipients for travel, including costs of lodging, other subsistence, and incidental expenses, must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the recipient or subrecipient in its regular operations as the result of the recipient's or subrecipient's written travel policy.

1. Participation of the individual is necessary to the Federal or State subaward; and
2. The costs are reasonable and consistent with recipients or subrecipients established travel policy.

1. **Commercial air travel:** Airfare costs in excess of the basic least expensive unrestricted accommodations class offered by commercial airlines are unallowable except when such accommodations would:
 - a. Require circuitous routing;
 - b. Require travel during unreasonable hours;
 - c. Excessively prolong travel;
 - d. Result in additional costs that would offset the transportation savings; or
 - e. Offer accommodations not reasonably adequate for the traveler's medical needs.

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- f. The recipient or subrecipient must justify and document these conditions on a case-by-case basis and get prior approval by the Bureau in order to use first-class or business-class airfare accommodations.
2. **Air travel by other than commercial carrier:** Costs of travel by recipient or subrecipient-owned, -leased, or -chartered aircraft include the cost of lease, charter, operation (including personnel costs), maintenance, depreciation, insurance, and other related costs are unallowable.
3. **Per diem:** Per Diem expenses include the daily amount allowed for lodging (excluding taxes), meals, and incidental expenses. Travelers on authorized travel are allowed lodging and per diem rates approved in the GSA schedule for the destination city.
 - a. Meals: Travelers must be at a location at least 50 miles (one-way) from their work station to be eligible to claim meals on their travel claim.
 - b. Meals are allowable only if employee is on uninterrupted travel status during the hours indicated below:

Allowable Time	Starts at or Before	Ends at or After
Breakfast	7:00 a.m.	9:00 a.m.
Lunch	11:00 a.m.	1:30 p.m.
Dinner	5:30 p.m.	7:00 p.m.

- c. When crossing time zones, the time zone of origin for that day will apply for the entire day and be noted on the claim.
 - i. A traveler will neither receive a per diem or compensatory time benefit, nor experience a loss of per diem or compensatory time, simply by crossing a time zone during travel.
 - d. When flying, meals can be claimed up to two hours prior to initial departure time (time to airport from either home or office) and up to one hour after final arrival time (time from airport to either home or office).
 - e. When meals are provided to the traveler during the business day, the traveler will not be reimbursed the per diem rate for that meal, unless the meal is a continental breakfast. Since continental breakfasts do not count as a full meal, the traveler may claim reimbursement for breakfast.
 - f. Travelers will also not be reimbursed the per diem rate when in-flight meals are part of the airfare for meals served in-route.
 - g. If a traveler has specific dietary needs and they are unable to participate in a provided meal, a justification for reimbursement must accompany the travel expense reimbursement claim.
4. **Incidentals:** Pursuant to GSA guidelines, an incidental fee of \$5.00 per day can be claimed when there is an overnight stay or a flight is taken and there are fees or tips given to porters, baggage carriers and valet and/or hotel staff.
 5. **Lodging and Hotels:** It is the responsibility of the recipient and subrecipient to check the cancellation policy of the hotel or property they are reserving for travel. The hotel or property should offer a full refund if cancellation takes place before the date of travel or if cancellation takes place on the date of travel then only the first night is lost. In addition, if these costs are charged directly to the Federal or State subaward the documentation must justify that:

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- a. The rate does not exceed the allowable GSA room rate, per night, of the travel.
 - b. GSA Lodging rates are per room regardless of the numbers of travelers in the room.
 - c. It is the responsibility of the recipient and subrecipient to ensure to reserve a hotel rooms in accordance with the GSA rates for the travel destination.
 - d. The Bureau recommends to call the hotel and ask for the GSA rate as the travel is for subaward business. Many online reservation sites do not offer the GSA rate.
6. **Required Original Receipts:** The following receipts must be submitted with any reimbursement request for travel:
- a. The passenger receipt copy of the airline ticket or ticket-less itineraries that were not paid directly by the agency;
 - b. A receipt copy of a rental car if applicable;
 - c. Receipts for lodging:
 - i. Hotel bills noting the employee name, date(s) of stay, and breakdown of costs by day are required for all lodging expenses. If lodging was paid for through a travel website (Expedia, Travelocity, etc.), the travel website receipt shall accompany the hotel bill.
 - d. Receipts for airport parking, baggage fees, rental cars, gasoline purchases, ground transportation (taxi, shuttle, limousine, etc.).
 - e. Registration fees.
7. **Additional Travel Documentation:** In order to properly support any travel claim charged a subaward of the Bureau, each request should have the following documentation if applicable:
- a. An approved Travel Request
 - b. An travel reimbursement claim
 - c. Formal Agenda (line by line detailed information for a training and/or conference)
 - d. Informal Agenda (invitation to travel i.e. north to rural travel for training and/or conference)

Travel for people not budgeted in the Subaward: If travel is being budgeted for people not funded by the subaward, a justification needs to be included in the budget and scope of work that clearly defines who is traveling and why they were selected to travel and what contributions their work brings to the project outcomes or deliverables.

Modes of Transportation: Travel should be accomplished by the least expensive mode of transportation. The next least expensive flight should be booked.

1. Airline early bird fees for priority or early boarding are not reimbursable by the Bureau. If the traveler elects to secure early or priority boarding and there is a fee associated to this elected charge it is the responsibility of the traveler.
2. Personal vehicle estimated cost of mileage must be included on the Estimated Travel Costs form when traveler wants to be reimbursed for use of personal vehicle. Mileage will be reimbursed in accordance to GSA rates.
3. When parking at the airport, long-term parking must be used. The receipt must accompany reimbursement request for the expense to be reimbursed. Travelers will not be reimbursed for valet parking.

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4. If a taxi, or other form of public transportation, is taken between the traveler's home and airport, the traveler will be reimbursed for the fare if, the fare is less than the maximum amount for long-term parking for the duration of the trip.

Combining Business and Personal Travel: A traveler who wishes to combine personal travel with travel being funded by Federal or State subawards must obtain prior written approval from the Bureau. The traveler must submit in writing to the Bureau, at least 30 days prior to the travel a formal request to combine person and business travel. The request must include the following:

1. The purpose of the business portion of the travel.
2. Who the business travel supports the Subaward objectives or goals.
3. Start and end date for the business portion of the travel.
4. Start and end time for the business portion of the travel.
5. Start and end date for the personal portion of the travel.
6. Start and end time for the personal portion of the travel.
7. A travel cost estimate that clearly identifies the traveler's business cost and personal costs related to the travel.
8. If the business event the is canceled after the traveler has been approved by the Bureau, the traveler will be personally responsible for all costs of the trip or any cancellation fees that might be incurred of the result of the trip cancellations or modifications.

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Subawards

Subaward Scope of Work Development: Scope of work writing is a critical component of the application process for any RFP, RFQ, funding announcement or subaward application. The subaward is a public document and must clearly represent how the public funding is going to be used in direct relation to the goals and objectives of the State plan. The Bureau has developed specific scope of work building template in an effort to ensure the scopes of work being developed are error free and clearly represented to the public. To download the [Scope of Work Building Template](#) please click on the highlighted link.

Subaward Scope of work Amendments: The Bureau requires a written request for scope of work (SOW) amendment prior to any significant changes to work being performed by a subrecipient over the course of the budget period. The assigned program analyst can provide guidance and approve all Scope of Work amendments.

1. Any expenses that are incurred in relation to SOW amendments without prior approval are unallowable.
2. The subrecipient acknowledges that requests to revise the approved subaward SOW must be made in writing using the appropriate forms and provide sufficient narrative detail to determine justification.

Quarterly Programmatic Reporting: Quarterly program reporting is required for all Bureau subawards whether or not funds have been expended. All program quarterly reports (QFRs) shall include:

1. A separate QFR for each project and funding stream.
2. If project activities have not occurred for the quarter, a QFR is still required.
3. The report must include recipient's or subrecipient's name, address, the reporting period, grant title, grant number, preparer of report, total spent on each program objective being report the period.
4. The cost of each program objective being report the period must total the costs of the three corresponding Request for Reimbursement (RFR) for the quarter.
 - a. **Example:** The totals of the program quarterly report for the quarter ending in December, must equal the totals reported on the October, November and December RFR's.
 - b. If the QFR does not balance to the corresponding RFR's, then payment of the RFR may be held until the reporting discrepancy is resolved.
5. The signature at the bottom reflects that the person signing the report is certifying that all reported information is accurate and correct.
6. The quarterly program report identifies the costs being charge to specific grant activities.
7. This report may be rejected by the Bureau if the project costs do not balance to the costs being requested on the correlating monthly RFR's.
 - a. The Quarterly Report due January 1st should financially balance with the combined total of the RFR's for the Months of October, November and December when added together.
8. Quarterly Programmatic Report due dates:
 - a. Quarter #1 - October – December program report is due January 31st
 - b. Quarter #2 – January – March program report is due April 30th

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- c. Quarter #3 - April – June program report is due July 31st
- d. Quarter #4 – July – September program report is due October 31st

Quarterly Programmatic Reporting Requirements

1. A spreadsheet that summarizes all expenditures by approved budget category.
2. The approved budget must remain in its original form throughout the entire grant performance period. Any approved change request must be notated in an additional change request column on the budget using the Excel spreadsheet program.
3. All reporting documents are provided by DEM; document templates created by sub-grantees will not be accepted in the grant reporting process.

Subaward Budget building instructions: Budget building is a critical component of the application process for any RFP, RFQ, funding announcement or subaward application. The subaward is a public document and must clearly represent how the public funding is going to be used in direct relation to the goals and objectives of the State. The Bureau has developed specific budget building instructions in an effort to ensure budgets being developed are error free and clearly represented. To download the [Budget Building Instructions](#) please click on the highlighted link.

Subaward Budget Adjustments: The Bureau, in accordance with the policy of the Division of Public and Behavioral Health (DPBH), allows budgetary flexibility within the subawards approved budget line items that does not exceed annually more than 10% of the total budget.

1. The Bureau requires written notification of such budget adjustments being requested.
2. The Bureau's assigned staff will coordinate all requests and provide written approval prior to submitting any request for reimbursement for a specific reporting period the budget adjustment effects.
3. Budget adjustments that qualify under the 10% flexibility policy may be made via e-mail.

Subaward Budget Amendments: For any budgetary changes that are in excess of 10% of the total award, an official amendment is required by the Bureau. Requests for such amendments must be made in writing and submitted to the Bureau.

1. Any expenses that are incurred in relation to a budgetary amendment without prior approval are unallowable.
2. The Subgrantee acknowledges that requests to revise the approved subaward must be made in writing using the appropriate forms and provide sufficient narrative detail to determine justification.

Examples for determining how to apply the 10% flexibility: If a subrecipient receives a subaward for \$100,000 their total annual flexible threshold to make budgetary adjustments between approved line items for the Subaward is \$10,000.

1. **Example Request #1** - If the subgrantee makes a request to move \$5,000 from their personnel line item to their contract line item, this request can be done via a budget adjustment.
2. **Example Request #2** - If the subgrantee makes a second request to move \$3,000 from their personnel line item to their contract line item, this request can be done via a budget

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adjustment because the accumulative total for Request #1 and #2 is \$8,000 which is still beneath the annual flexible threshold of \$10,000.

3. **Example Request #3** - If the subgrantee makes a third request to move \$3,000 from their personnel line item to their contract line item, this request will need to be completed via a formal Budget Amendment that is processed and approved by the Division because the accumulative total for Request #1, #2 and #3 now exceeds the annual flexible threshold of \$10,000.
4. The 10% flexibility policy can NEVER be used to justify expenditures being requested that exceeds the subrecipient total subaward.
 - a. Costs that have been requested that exceed the total budget of the subaward are unallowable.

Subaward Matching or Cost Sharing: Funds provided for a match must be used to support a federally funded project and must be in addition to, and therefore supplement, funds that would otherwise be made available for the stated program purpose. Funds used as Match must be treated and follow regulations that is applied to the Federal funds. All State funded subawards from the Bureau are used as federal match and must be treated as a federal dollar. All matching funds must be obligated by the end of the period for which the Federal funds have been made available for obligation under an approved program or project. Sources of the match can either be a **cash match** or an **in-kind** match unless specified in the program guidance, regulation or statute.

1. **Cash Match** includes cash spent for project-related costs. Allowable cash match must include those costs that are allowable with Federal funds with the exception of the acquisition of land, when applicable. Cash match may be applied from the following sources:
 - a. Funds from states and local units of government that have a binding commitment of matching funds for programs or projects, or
 - b. Program income and the related interest earned on that program income generated from projects, provided they are identified and approved prior to making an award, or
 - c. Funds earned from seized assets and forfeitures (adjudicated by a State court, as State law permits)
 - d. Funds appropriated by Congress for the activities of any agency of a Tribal government or the Bureau of Indian Affairs performing law enforcement functions on Tribal lands, or
 - e. Sources otherwise authorized by law.
 - f. Except as noted above, Federal funds may not be used for match purposes.
2. **In-kind Match** includes, but is not limited to, the valuation of in-kind services. “In-kind” is the value of something received or provided that does not have a cost associated with it. For example, if in-kind match is permitted by law, then the value of donated services could be used to comply with the match requirement.
3. **Match Recordkeeping:** Cash and In-kind match must be clearly stated with backup documentation, which includes the detailed source of funding as well as a spreadsheet tracking the match for each specific grant.
 - a. The Bureau may request the subrecipient to submit preliminary cash/in-kind match information in the application process.

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- b. All matching documentation shall be submitted to the Bureau upon request.
- c. All documentation should be clearly stated as well as certified that the stated match will be solely used for said grant.
- d. Matching documentation is required to be demonstrated in the final match report.
4. All recipients, if Applicable, must maintain records that clearly support the source, the amount, and the timing of all matching contributions.
 - a. In addition, if a program or project has included within its approved budget contributions that exceed the required matching portion, the recipient must maintain records of them in the same manner as it does the awarding agency funds and required matching shares.
 - b. The direct recipient has primary responsibility for subrecipient compliance with requirements.

Subaward Amendments (Budget or SOW) Final Requests: All subaward amendments for budgetary or scope of work changes must be submitted 60 days prior to the end of the subgrant period.

1. No later than April 30 for State funded subawards.
2. No later than July 31 for federal funded subawards.
3. Amendment requests received after the 60 day deadline will be denied by the Bureau.

Remedies for Noncompliance: The Division reserves the right to hold reimbursement under this subgrant until any delinquent requests, forms, reports, and expenditure documentation are submitted to and approved by the Division.

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Request for Reimbursements (RFR)

The Bureau of Behavioral Health Wellness and Prevention (BBHWP) reviews all Requests for Reimbursement (RFR) submitted by a recipient to receive the reimbursement of costs for work performed by the recipient within the terms and conditions of their subaward and in accordance with to 2 CFR, Part 200. The following requirements and guidelines have been outline to ensure timely processing and payment for Requests for reimbursement.

1. A Request for Reimbursement is due, at a minimum, on a monthly basis, based on the terms of the sub-grant agreement, no later than the 15th of the month.
 - a. If there has been no fiscal activity in a given month, a Request for Reimbursement claiming zero dollars is required to be submitted for the month.
2. Reimbursement must be based on actual expenditures incurred during the period being reported.
3. Reimbursement may only be claimed for allowable expenditures approved within the subaward.
4. Requests for advance of payment will not be considered or allowed by the Bureau unless approved by the Division's Administrator and Administrative Services Officer IV.
5. Reimbursements must be submitted with all Bureau required supporting back up documentation.
 - a. The Bureau has the authority to ask for additional supporting documentation at any time and the information must be provided to Division staff within 3 days of the request.
6. An RFR payment may be held at any time if required quarterly programmatic reporting is not current.
7. The recipient is required to submit a complete financial accounting of all expenditures to the Bureau within 30 days of the close of the federally funded subaward period.
 - a. All remaining balances of a federally funded subaward revert back to the Bureau 45 days after the close of the subaward period.
8. The June RFR to close the State Fiscal Year (SFY) is due no later than of 25 days (July 25th) after the close of the SFY which occurs on June 30.
 - a. RFR's received after July 25th will be processed as a stale claim.
 - b. State funding does not carry forward.
 - c. All remaining balances of the State funded subawards revert back to the State after the close of the SFY.
9. The recipient must retain copies of approved travel requests and claims, consultant invoices, payroll register indicating title, receipts for goods purchased, and any other relevant source documentation in support of reimbursement requests for a period of four years from the date of submission of the State's Final Financial Report (FFR) submitted to the governing federal agency.

Submitting an RFR: It is the responsibility of all subrecipient to follow the process when submitting a Request for Reimbursement (RFR) to the Bureau. Any deviation from the outlined process may result in a delay in processing an RFR.

Responsibility of the subrecipient:

It is the responsibility of the subrecipient to ensure their Request for Reimbursement (RFR) are compliant with the following requirements.

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1. All RFR will be submitted electronically via e-mail to the Management Oversight Team (MOT) at MOT_MM@health.NV.GOV.
 - a. The e-mail subject line must read: RFR “REPORTING MONTH” HD# “NUMBER” “ORGANIZATION.”
 - b. Failure to meet the aforementioned requirements may result in a missed e-mail that may delay payment.
2. The RFR cover page and supporting documentation will need to be attached to the e-mail.
3. Only submit one RFR per e-mail submission.
4. RFR’s will include only expenditures contained within sub-grant period and must be supported by source documentation.
5. All expenditures must be allowable in accordance with Federal and State laws and regulations, and all federal grant governing guidance and program requirements.

The Subrecipient will submit RFR’s and supporting documentation to the MOT grant team, via the Bureau of Behavioral Health Wellness and Prevention (BBHWP) Management Oversight Team (MOT) at MOT_MM@health.NV.GOV within 15 days following the end of each month for the approved sub-grant period.

1. The RFR must contain, at a minimum, the following elements:
 - a. The RFR must include a cover sheet that is has been completely and accurately completed and is signed by the sub-grantee.
 - b. The RFR must include supporting documentation for each expenditure by budget line being requested. There are two forms of supporting documentation that BBHWP will accept.
 - i. Supporting documentation can come in the form of an expenditure report from a financial system or equivalent software program.
 - ii. The financial report must include at a minimum, any grant level coding that is needed to identify the funding source that is being charged, the vendor name, the payment date, the payment amount, the check or payment voucher number and any relevant clarifying notes. See example, Exhibit 1.
 - iii. Supporting documentation can also be copies of original invoices, receipts, payment vouchers and timesheets that provide proof of payment.
 - iv. Supporting documentation can also incorporate a combination of both methods.
 - v. In accordance with 2 CFR Part 200; BBHPW has the authority to ask for any additional documentation that may be required to determine if costs are allowable.
 - c. The expenditures should be limited to the time period being reported.
 - d. The amount requested cannot exceed the amount of the actual expenditure.
 - e. If there has been no fiscal activity in a given month, a Request for Reimbursement claiming zero dollars is required to be submitted for the month.

RFR Processing: It is the policy of the Bureau of Behavioral Health Wellness and Prevention (BBHWP) to review Requests for Reimbursement (RFR) submitted by the subgrantee/subrecipient, herein after referred to as recipient, to receive the reimbursement of

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costs for work performed by the recipient within the terms and conditions of their subaward and in accordance with 2 CFR, Part 200. In an effort to process accurate and error free RFR's in a timely manner, the BBHWP Request for Reimbursement (RFR) process five distinct processes. RFR submission, RFR Program review, RFR Fiscal review and the Division processing and payment. The BBHWP's estimated processing time to be in compliance with RFR processing policy is 30 days with the submission of an error free RFR

RFR processing definitions:

1. **Error free:** Means that there are no mathematical errors, all supporting expenditure documentation is present, understandable, organized, summarized and allowable in accordance with 2 CFR part 200 and Generally Accepted Accounting Principles (GAAP), Federal and State laws and regulations, federal grant guidance, subaward program requirements and align with the approved and executed subaward budget and scope of work.

RFR submission: The Bureau is committed to distribute properly submitted Requests for Reimbursement (RFR) within 2 days of the submission of the RFR. All RFR's submitted to the Bureau are required to be submitted via e-mail with all supporting documentation. The Bureau's Accounting Assistant II (AcA II) will identify and distribute all RFR's, via e-mail, to the responsible Bureau program staff to begin the scope of work review of the RFR.

NOTE: If an RFR is not submitted by the recipient in accordance to the Requests for Reimbursement (RFR) Submission Policy distributed via the Management Memorandum process, the RFR it may result in the payment being delayed beyond the estimated 30 days in accordance with this policy.

RFR Program review: The Bureau of Behavioral Health Wellness and Prevention (BBHWP) conducts a program review of the Request for Reimbursement (RFR) within 5 days of the submission of an error free RFR. RFR's containing errors or have missing or questionable supporting documentation may delay the payment of the RFR. Upon receipt of the RFR, the BBHWP program staff will begin the scope of work review process. The BBHWP Program staff are responsible for ensuring that all submitted expenditures conform to 2 CFR part 200 and Generally Accepted Accounting Principles (GAAP), Federal and State laws, regulations, align with the approved subaward budget and scope of work. If there are any errors, unallowable costs or activities identified during the SOW review, it is the responsibility of the BBHWP program staff to have all errors corrected and unallowable cost removed from the RFR. After all known issues have been corrected and approved by the BBHWP program staff will provide the scope of work approval and send the RFR and all supporting documents are given to the BBHWP Management Analyst II (MA II) for fiscal review.

RFR Program review processing examples:

1. An error free RFR program review process could take up to 5 days depending on workload volume being processed by the assigned BBHWP program staff.
2. An RFR containing errors, missing or questionable supporting documentation could take longer than 5 days depending on the length of time that it takes the grant manager to receive requested information from the subrecipient that submitted the RFR. If the subrecipient takes 5 days to respond to a BBHWP request for information the estimated processing time is now 10 days for this process.

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RFR Fiscal review: The Bureau of Behavioral Health Wellness and Prevention (BBHWP) conducts a fiscal review of the Requests for Reimbursement (RFR) within 9 days of the submission of an error free RFR from the program review process. RFR's containing errors or have missing or questionable supporting documentation may delay the payment of the RFR. Upon receipt of the Request for Reimbursements (RFR), the BBHWP Management Analyst II (MA II) will begin the fiscal review. The BBHWP MA II is responsible for ensuring that all submitted RFR's past and current expenditures reconcile to the States financial system and approved subaward budget, that all program required fiscal coding has been accurately applied and that all subaward and vendor information is correct to ensure timely payment processing and ad hoc spot checking the program review for errors. If the fiscal review identifies errors or unallowable costs, the RFR's is submitted to the BBHWP Health Program Manager II for corrections and/or approval. If the fiscal review identifies that all expenditures conform to Generally Accepted Accounting Principles (GAAP), Federal and State laws, regulations, the BBHWP MA II will sign and approve.

RFR Fiscal review processing examples:

1. An error free RFR fiscal review process could take up to 9 days depending on workload volume being processed by the assigned BBHWP MA II.
2. An RFR containing errors, missing or questionable supporting documentation could take longer than 9 days depending on the length of time that it takes the BBHWP MA II to receive requested information from the grant manager or subrecipient that submitted the RFR. If the subrecipient takes 5 days to respond to a BBHWP request for information the estimated processing time is now 14 days for this process.

Bureau Level approval: The Bureau of Behavioral Health Wellness and Prevention (BBHWP) will apply a Bureau level approval of all Requests for Reimbursement (RFR) within 4 days of the fiscal approval. Upon fiscal approval, the BBHWP Management Analyst II (MA II) will submit the RFR top the BBHWP Bureau Chief or their designee for approval. After the Bureau level approval has been applied, the RFR is returned to the BBHWP MA II to process for payment.

RFR Bureau Level approval processing examples:

1. An error free RFR Bureau Level approval process could take up to 4 days depending on workload volume being processed by the BBHWP Bureau Chief or designee.

Division processing and payment: The Division of Public and Behavioral Health (DPBH) has 10 days of the submission of an error free request from the Bureau. RFR's containing errors in the documentation may delay the payment. Upon the return of the fully approved RFR from the Bureau of Behavioral Health Wellness and Prevention (BBHWP) Bureau Chief, the BBHWP Management Analyst II (MA II) will make copies and prepare a payment package consisting of the original RFR cover page and a subaward declining balance sheet to be submitted to the Division of Public and Behavioral Health (DPBH) fiscal unit. The RFR payment package is sent to DPBH fiscal unit for payment processing. The BBHWP MA II will assemble the RFR copies and all supporting documentation and give the RFR packet to the accounting assistant II to complete a post payment review. The DPBH fiscal unit will review and approve the RFR for payment. If errors are identified on the RFR's, the RFR's will be returned to the BBHWP MA II for corrections. Upon approval of the DPBH fiscal unit the RFR will be entered into the State Advantage system and be paid during the state's nightly system cycle. Payments will be

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electronically transferred within 3 to 4 days of the payments pending in the subrecipient's financial institutions business process.

RFR Division processing and payment examples:

1. An error free RFR is processed to the DPBH for payment, the process could take up to 10 days depending on workload volume being processed by the assigned DPBH fiscal unit.
2. An RFR containing errors, missing or questionable supporting documentation could take longer than 10 days depending on the length of time that it takes the assigned DPBH fiscal unit to receive requested information from BBHWP staff or subrecipient that submitted the RFR. If it takes 5 days for requested information to be returned to the DPBH the estimated processing time is now 15 days for this process.

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Complaints and Critical Incident Reporting

Policy: It is the policy of the Bureau that all critical incidents will be reported immediately to the Agency Director, or designee. The Agency Director will be responsible for notifying the Division Administrator or Deputy Administrator of the Division Mental Health and Developmental Services; the Division Administrator will report any high profile or unusual incidents to the Director of the Department of Health and Human Services. The Division Administrator or Deputy Administrator will be responsible for determining what constitutes high profile or unusual incidents.

Purpose/Reference: The Bureau has the responsibility of ensuring the safety and interests of all its contract clients, participants, employees, volunteers and visitors as a “high priority” by immediately responding to and addressing any critical incidents described within this policy, and taking appropriate measures to remediate or rectify them.

All individuals who are actively receiving or providing services from a Bureau funded program will be required to complete a report in the event of a critical incident. All critical incidents will be reported on a Critical Incident Reporting Form ([Attachment A](#)).

Definitions and Reporting Codes: The letters in parenthesis at the end of each category are data entry codes. Critical incidents are categorized as follows:

1. **Suicide (S)** - Deliberately self-inflicted death of a person receiving services.
2. **Death (D)** - Death of a person receiving services not caused by suicide or death of an employee during working hours.
3. **Suicide Attempt/Threat (SA)** - Act committed by a person receiving services in an effort to cause their own death or a plausible statement that they intend to hurt themselves. A threat of suicide does not have to be reported to the Agency, but should be part of the funded program’s internal incident report (substance abuse treatment programs should assure that their internal agency policies address this).
4. **Assault/Violence/Threat (AV)** - Instances in which a person receiving services assaulted someone or is assaulted, or a person receiving services makes or receives threats of harm or violence.
5. **Abuse/Neglect (AN)** - Abuse is defined as any willful infliction of pain or injury upon a person receiving services by anyone else. This includes, but is not limited to:
 - a. Rape, sexual assault or sexual exploitation of the client;
 - b. The use of any type of aversive intervention;
 - c. Except as otherwise provided in NRS 433.5486, a violation of NRS 433.549 and;
 - d. The use of physical, chemical or mechanical restraints or the use of seclusion in violation of federal law.
 - e. Any act which meets the standard of practice for care and treatment does not constitute abuse.
 - f. Neglect means any omission to act that causes injury to a client or that places a client at risk of injury, including, but not limited to, the failure to follow:
 - i. An appropriate plan of treatment to which the client has consented;
 - ii. The policies of the facility for the care and treatment of clients; and

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- iii. Standard of practice, which means “the skill and care ordinarily exercised by prudent professional personnel engaged in health care.”
6. **Eloped/Missing/AWOL (A)** - Any person receiving services who is missing from a funded program’s facility. People receiving services who are discharged against medical advice (AMA) are not considered eloped.
7. **Injury/Illness (I)** - A physical injury or illness incurred while a person is under the supervision of a funded program that is serious enough to require medical attention or admission to an acute care hospital. Any accident occurring in the course of employment that results in the hospitalization of three or more employees must be reported to OSHA within 8 hours after the accident is reported to any agent or employee of the employer, per NRS 618.378.
8. **Legal/Criminal (L)** - A person receiving services is suspected or accused of committing a crime, or program staff contact with law enforcement or media regarding alleged criminal activity by a person receiving services. Also, reports in the media regarding alleged client criminal activity.
9. **HIPAA (H)** - If there has been a HIPAA violation, this shall be noted in the incident report and the Division’s HIPAA Officer will be notified immediately following receipt of the report by SAPTA.
10. **Other (O)** - Any event that adversely affects, or has the potential to affect, the health and safety of a person receiving services, provider staff or volunteers who are on-site for any purpose that does not fall into one of the other categories above. This includes, but is not limited to, the following examples:
 - a. Evacuations, fires, floods, hazardous materials events;
 - b. Property damage;
 - c. Sexual acting out that does not meet the definition of abuse;
 - d. Potential media events; and
 - e. Potential agency liability issues.

Procedures: In the event of a critical incident involving one or more clients, staff or volunteers, Bureau funded programs will follow the reporting procedure set forth below:

1. **All Bureau Funded Programs:** All critical incident events will be reported using the designated reporting codes indicated above on the Critical Incident Reporting Form. A typed report on the form detailing information regarding the client/program participant and a detailed description of the event, including the names of witness(es), will be e-mailed or faxed to the Bureau as soon as possible, but in no case, later than the end of the first working day after the incident occurs. This policy/procedure does not preclude the normal course of documentation in client files.
2. Upon the Receipt of a formal critical incident report or complaint, the Bureau will determine if a formal investigation of the incident is warranted and will determine how the investigation should be conducted and advise the Division Administrator. If a decision is made by the Division Administrator or Deputy Administrator to have the investigation completed by staff outside of the Bureau, the Division Administrator will appoint the investigators.
 - a. The assigned investigators will follow established protocols and procedures in completing their report. Within five days (5) of receipt of the investigation report, the Agency will forward the investigation report to the Executive Director of the

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reporting program with a request for a Corrective Action Plan. The incident may be closed at the time an investigation has commenced, in which case all correspondence, corrective action and follow-up will be focused on the results of the investigation.

- b. A typed and detailed report of the results of the investigation, along with recommendations, will be forwarded to the Agency Director; a final report will be forwarded to the Division Administrator or Deputy Administrator within ten (10) working days of the investigation being assigned.
3. If a formal investigation is not warranted, a follow-up report will be sent to the Agency ten (10) working days after the initial incident report. Follow-up reports will be forwarded by Bureau to the Division as requested by the Division Administrator or Deputy Administrator until closure of the incident is appropriate.
4. In the event of a client death, a copy of the coroner's report will be requested by SAPTA. If it appears that the client's death was due to other than natural causes, a detailed description of the client's service history will be included in the initial incident report, and a formal death review will be requested. A copy of all incident reports of client deaths will be forwarded to SAPTA's Medical Director and MHDS's Medical Director. After consultation between the two, the MHDS Medical Director will make the decision if further information or a more in-depth review is necessary.
 - a. In the event of an employee death or an accident which results in the hospitalization of three or more employees during working hours, the appropriate program director will notify OSHA within 8 hours of the death or accident, per NRS 618.378.
5. The decision to notify law enforcement of any client incident will be made by the provider's Executive Director. If law enforcement agencies are to be notified, the notification must occur within 24 hours of the incident. In the event of stolen property from a State agency, law enforcement must be notified immediately. If confidential information, such as a client's name, is disclosed to law enforcement agencies, a formal denial of rights must be filed at the time such notification occurs.
6. The provider Executive Director may request assistance from MHDS through SAPTA for assistance in briefing staff involved in residential death, other unusual death, or critical incident of high profile or unusual circumstances. SAPTA will notify the Division, and Division staff trained in de-briefing will be utilized to meet with program staff and conduct the de-briefing. The de-briefing will take place no more than five days after the incident occurs. The de-briefing is intended to provide support to staff involved in difficult or unusual incidents.
7. Suicides or high profile/unusual deaths will be reported by SAPTA to the Division, the Mental Health Commission, and to the Department at the closure of the incident.
8. Each provider will develop specific written procedures to implement this policy or will incorporate this policy into their existing policy and procedures manual. Programs will also incorporate into their policy manuals any regulations or procedures set forth by their accrediting bodies specific to the reporting or investigating of critical incidents and client deaths.

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Procurement

The recipient or subrecipient must have in place and use its own documented procurement policies, procedures and internal controls which reflect applicable Federal and State laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this program manual. The recipient or subrecipient must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

1. The recipient's or subrecipient's procedures must avoid acquisition of unnecessary or duplicative items.
 - a. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase.
 - b. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.
2. To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the recipient or subrecipient is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.
3. The recipient or subrecipient is encouraged to use Federal and State excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
4. The recipient or subrecipient must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement.
 - a. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
5. The recipient or subrecipient must maintain records sufficient to detail the history of procurement.
 - a. These records will include, but are not necessarily limited to the following:
 - i. The rationale for the method of procurement, selection of contract type, contractor selection or rejection, and
 - ii. The basis for the contract price.
6. The recipient or subrecipient may use a time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to a recipient or subrecipient is the sum of:
 - a. The actual cost of materials; and
 - b. Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.
 - c. Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency.
 - i. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk.

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- ii. Further, the recipient or subrecipient awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.
7. The recipient or subrecipient alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements.
 - a. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts.
8. The Federal awarding agency and the State will not substitute its judgment for that of the recipient or subrecipient unless the matter is primarily a Federal or State concern.
9. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

Procurement Competition

In accordance with 2 CFR part 200 all procurement transactions (Subgrant and Contractual) must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Noncompetitive pricing practices between firms or between affiliated companies;
4. Noncompetitive contracts to consultants that are on retainer contracts;
5. Organizational conflicts of interest;
6. Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
7. Any arbitrary action in the procurement process.

The recipient or subrecipient must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws.

The recipient or subrecipient must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured.
2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

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3. The recipient or subrecipient must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.
4. Also, the recipient or subrecipient must not preclude potential bidders from qualifying during the solicitation period.

Procurement Standards

The recipient or subrecipient must use one or more of the following methods of procurement.

Micro-Purchases: Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold of \$3,000 (See Micro-purchase definition). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

Small Purchases: Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

Sealed Bids: Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. In order for sealed bidding to be feasible, the following conditions should be present:

1. A complete, adequate, and realistic specification or purchase description is available;
2. Two or more responsible bidders are willing and able to compete effectively for the business; and
3. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.
4. If sealed bids are used, the following requirements apply:
 - a. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;
 - b. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
 - c. All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
 - d. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
 - e. Any or all bids may be rejected if there is a sound documented reason.

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Competitive Proposals: The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price contract or cost-reimbursement subaward. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following procedures must include:

1. Written guidelines which help applicants determine whether and how to apply for the grant.
2. A method to publicize grant opportunities.
3. A structured applicant review process using pre-established criteria and a scoring system.
 - a. Note: a scoring system is not required if the grant specifies the entity who shall receive the funds and how the funds will be allocated and is approved by the Federal agency.
4. A procedure for dealing with complaints from applicants who were not selected for award. These complaints should be investigated by someone of authority.
5. A written grant agreement to be used upon issuing the award.
6. Guidelines that address conflicts of interest.
7. Procedures for reporting fraud and waste. Written Guidelines

Written Guidelines: Written guidelines must be created for all funding opportunities. The guidelines should disclose sufficient information to help potential applicants determine whether and how to submit an application. Guidelines should include items such as:

1. A description of the funding and program being offered including the specific scope of the objectives and expected outcomes for which the funding is being provided.
2. Amount of money for distribution (if known).
3. Eligibility requirements for applicants.
4. Detailed instructions about application formatting or an application template.
5. General information about the review process and an overview of the composition of the review committee, i.e. engineers, mental health specialists, art educators, etc.
6. Selection criteria and weight.
7. Deadlines and timelines for each step in the application and award process.
8. Reporting requirements.
9. Requirements for in-kind or matching funds.
10. Name and information of a contact person at the state agency.
11. A statement regarding when and if information in their grant application becomes public data.

Publicizing the Procurement: All funding opportunities must be posted on either the granting agency's website, targeted newspapers, or other public places appropriate for the type of clientele to be notified for at least 7 days. The publication should include either the written guidelines or a description of the grant program with a link to a website containing the guidelines.

Procurement - Applicant Review Process: The application review processes must be conducted using review criteria that are identified in the grant guidelines and a standardized scoring system to rate each application against the chosen criteria. (Note: a scoring system is not required if the grant specifies the entity who shall receive the funds and how the funds will be

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allocated.)The criteria and standardized scoring system (if used) must be established and documented before the grant opportunity is publicized.

Review criteria may include such things as:

1. Project need,
2. Project sustainability,
3. Soundness of approach,
4. Probability of achieving results,
5. Financial management capacity (accounting, timekeeping, and funds management),
6. Project funds raised to date,
7. Geographic coverage, and
8. Knowledge of the community being served.
9. Qualifications of key personnel.
10. An applicant's past performance as a grantee of that state agency should also be considered when evaluating a grant application.

Procurement Scoring: A standardized scoring system is a rating system that assesses how well each grant application conforms to each of the selected criterion. Grant applications are assigned a score for each criterion. Scores for each criterion are tallied to arrive at a cumulative score for each application. The application with the highest total score should be selected for the award, unless other circumstances exist which warrant the award going to a different applicant. An explanation of why the applicant with the highest score was not selected should be documented and maintained. The agency must notify applicants of the award winner by either communicating with them directly or posting the winning applicant's name on the agency's website.

Sole Source Procurement (Non-Competitive)

All non-state procurement transactions shall be conducted in such a manner that provides, to the maximum extent practical, open and free competition. However, should a recipient or subrecipient elect to award a contract without competition, sole source justification will be required. Justification must be provided for non-competitive procurements and should include a description of the program and what is being contracted for, an explanation of why it is necessary to contract noncompetitively, time constraints and any other pertinent information. The Bureau will approve, deny or require additional information for any sole-source procurement being requested for approval. If the subrecipient's regulations dose not obtain prior approval for a sole source procurement, the bureau maintains the right to disallow the reimbursement charged against the awards.

Non-competitive Practices: Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply and supported by documentation:

1. The item is available only from a single source;
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
3. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
4. After solicitation of a number of sources, competition is determined inadequate.

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Subrecipient Monitoring

In accordance with 2 CFR Part 200 all pass-through entities must ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward.

Recipient or subrecipient responsibilities as a Pass-through Entity: A recipient or subrecipient that passes through Federal and State Public assistance funding other nonfederal entities has the full responsibility for the conduct of the project or activity supported and for the results achieved. The recipient must monitor the performance of the project to assure adherence to performance goals, time schedules or other requirements as appropriate to the project or the terms of the agreement. The recipient is responsible for monitoring the activities of and pass-through all federal and state requirements contained within this Program manual.

All Subaward contracts are required to contain at a minimum the following information:

1. Federal Award Identification.
2. Subrecipient name (which must match the name associated with its unique entity identifier);
3. Subrecipient's unique entity identifier;
4. Federal Award Identification Number (FAIN);
5. Federal Award Date of award to the recipient by the Federal agency;
6. Subaward Period of Performance Start and End Date;
7. Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient;
8. Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current obligation;
9. Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;
10. Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA);
11. Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity;
12. CFDA Number and Name; the pass-through entity must identify the dollar amount made available under each Federal award and the CFDA number at time of disbursement;
13. Identification of whether the award is R&D; and
14. Indirect cost rate for the Federal award (including if the de minimis rate is charged per 2 CFR Part 200 Indirect (F&A) costs).
15. All requirements imposed by the pass-through entity on the subrecipient so that the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the Federal award;
16. Any additional requirements that the pass-through entity imposes on the subrecipient in order for the pass-through entity to meet its own responsibility to the Federal awarding agency including identification of any required financial and performance reports;

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17. If applicable; the identification if allowable indirect costs or F&A costs supported by an approved federally recognized indirect cost rate negotiated between the subrecipient and the Federal Government or, if no such rate exists, either a rate negotiated between the pass-through entity and the subrecipient (in compliance with this part), or a de minimis indirect cost rate as defined in 2 CFR Part 200.414 Indirect (F&A) costs, paragraph (f);
18. **Record access requirement:** A requirement that the subrecipient permit the pass-through entity and auditors to have access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet the requirements of this part; and contain appropriate terms and conditions concerning closeout of the subaward.

Considerations for Monitoring: Pass-through entities (recipients or subrecipients) must evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for the purposes of determining the appropriate subrecipient monitoring frequency for each subrecipient.

Risk factors that may be considered include, but are not limited to:

1. The subrecipient's prior experience with the same or similar subawards;
2. The results of previous audits including whether or not the subrecipient receives a Single Audit in accordance with Subpart F—Audit Requirements of this part, and the extent to which the same or similar subaward has been audited as a major program;
3. Whether the subrecipient has new personnel or new or substantially changed systems; and
4. The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).
5. Consider imposing specific subaward conditions upon a subrecipient if appropriate as described in §200.207 Specific conditions.
6. Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subrecipient must include:
7. Reviewing financial and performance reports required by the pass-through entity.
8. Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and other means.
9. Issuing a management decision for audit findings pertaining to the Federal award provided to the subrecipient from the pass-through entity as required by 2 CFR Part 200.

Technical Assistance: Depending upon the pass-through entity's (recipient's or subrecipient's) assessment of risk posed by the subrecipient, as described in this section, the following monitoring tools may be useful for the pass-through entity to ensure proper accountability and compliance with program requirements and achievement of performance goals:

1. Providing subrecipients with training and technical assistance on program-related matters; and
2. Performing on-site reviews of the subrecipient's program operations;
3. Arranging for agreed-upon-procedures engagements as described in 2 CFR part 200.

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4. Verify that every subrecipient is audited as required by 2 CFR part 200 - Subpart F— Audit Requirements when it is expected that the subrecipient's Federal awards expended during the respective fiscal year equaled or exceeded the threshold of as determined in accordance to this program manual.
5. Consider whether the results of the subrecipient's audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the pass-through entity's own records.
6. Consider taking enforcement action against noncompliant subrecipients as described in this program manual under the remedies for noncompliance.

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Inventory and Asset Management

I. EQUIPMENT MANAGEMENT

The recipient or subrecipient is required to maintain effective control and accountability for all equipment acquired with federal funds. The recipient or subrecipient must adequately safeguard all such equipment and must assure that it is used solely for authorized purposes as described in this manual. The recipient or subrecipient will use, manage, and dispose of such property in accordance with 2 CFR Part 200.

1. Recipient and subrecipients for compliance monitoring purposes as policy will follow the regulatory compliance of 2 CFR Part 200 which applies a federally mandated \$5,000.00 per unit threshold.
2. The recipient or subrecipient must retain accurate records maintained on all acquisitions and dispositions of property acquired with Federal awards.
 - a. The records must contain description (including serial number or other identification number), source, who holds title, acquisition date and cost, percentage of Federal participation in the cost, location, condition, and disposition data.
 - b. Property tags are placed on equipment.
 - c. At a minimum, a physical inventory of the Federally funded property must be taken and reconciled with the property records at least once every two years in accordance with 2 CFR Part 200 or by jurisdictional regulation or guidance.
3. The recipient or subrecipient must have policies and procedures established to ensure that the Federal awarding agency is appropriately reimbursed for dispositions of property acquired with Federal awards.
4. The recipient or subrecipient will, when the equipment is no longer needed by the recipient or subrecipient will request disposition instructions from the Bureau.
 - a. Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the federal awarding agency.
 - b. Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold and the federal awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the federal awarding agency's share (*the Federal percentage of participation*) of the equipment.
5. The recipient or subrecipient must have policies and procedures in place for responsibilities of recordkeeping and authorities for disposition.

Transfer of Grant Assets: The procedure to transfer assets from one recipient or subrecipient to another would be as follows:

1. The project shall be complete before assets may be transferred.
2. Any remaining left over after project is completed must be de-obligated back to the Bureau for re-obligation.
3. Local policy, procedures and regulations must be followed to transfer assets.
 - a. If there are no existing policies in place, then State laws, regulations or policies will be applied.

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4. All supporting transfer documentation of the asset transfer shall be on file with the Bureau with clear justification and the transfer process.
5. The justification must be approved by the Bureau before the assets are transferred.
6. The Bureau will place the documentation in both files regarding the transfer of equipment and make the necessary modifications to the equipment list retained in the recipients or subrecipients files.
7. The transferee as well as the receiver of the equipment will be subject to programmatic and fiscal monitoring.

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Subaward Closeout Process

The Bureau has only 90 days to complete the close out process for a grant. Therefore, it is critical for the Subrecipients to submit the final fiscal and programmatic reports no later than 30 days after the close of the grant performance period. In the event that the final reports are not received by the Bureau, program staff will make every attempt to contact the sub-grantee. However, if the proper documentation is not received the grant will be closed without reimbursement to the recipient or subrecipient. Once a grant is closed, no payment will be issued and there is no opportunity for recourse.

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Technical Assistance

Technical assistance (T/A) is to improve the understanding and education of the sub-grantees and Bureau staff on the requirements of grant management for all programs.

Technical assistance (T/A) is available through telephone, video conference and in person. TA and grant training will be held twice a year, once in the north and once in the south. Any additional in-person T/A requests will be delivered at the discretion of the Bureau with the understanding that due to budgetary restraints, teleconferencing would be the preferred method of delivery.

Technical assistance (T/A) is available on the following subjects: Scope of work and budget development, financial reporting, programmatic reporting, grant guidance, approved equipment list, work plans and other areas of fiscal and programmatic administration for federal awards. T/A is not to take the place of sub-grantees internal training but to enhance the overall grant management process for the subrecipient.

The Bureau employees are available by telephone to give T/A when necessary. To request formal T/A please submit a written request with the following information included: the subrecipient name, contact information, what type of T/A is being requested, please list subject matter, available dates, preferred method; video teleconference, in-person, teleconference and email to the MM_MOT@health.nv.gov e-mail.

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Remedies for Noncompliance

All recipients and subrecipients activities and projects are required to comply with all federal and state funding laws and regulations. The Bureau will monitor recipients and subrecipients for compliance on an ongoing basis. Failure to meet any condition listed within this policy or sub-grant award may result in withholding reimbursement payments, disqualification of future funding, and/or termination of current funding.

The Division reserves the right to hold reimbursement under this subaward until any delinquent requests, forms, reports, and expenditure documentation are submitted to and approved by the Division.

The subrecipient agrees that any failure to meet any of the conditions listed within the above Program Requirements may result in the withholding of reimbursement for payment, termination of current contract and/or the disqualification of future funding.

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Subrecipient Acknowledgement

The subrecipient agrees that any failure to meet any of the conditions listed within the Program Manual may result in the withholding of reimbursement for payment, termination of current contract and/or the disqualification of future funding.

Signature:

Authorized Subrecipient's Official & Title

Date Agreed Upon

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The Bureau of Behavioral Health, Wellness and Prevention (BBHWP) is responsible for the administration of the Nevada State General Funds, Nevada Alcohol Tax Program, Medical Marijuana Funds, the Federal Substance Abuse Prevention and Treatment Block Grant, the Community Mental Health Services Block Grant and other federal grants. Bureau of Behavioral Health, Wellness and Prevention (BBHWP) staff, non-federal entities and individuals that may include, but are not limited to: administrators, financial management specialists, grants management specialists, accountants, and auditors are encouraged to use this manual as reference in the management of their federal programs. Additionally, the document is structured to serve as a training manual for new employees.

Administrative program: Is a program that provides services which support prevention programs and treatment programs, including, without limitation, a program which serves as a clearinghouse for information relating to the prevention or treatment of substance-related disorders, a program which provides services relating to training to assist persons with substance-related disorders and a program which provides information or support to assist in the recovery of a person with a substance-related disorder.

NAC 458.019 “Client” defined. ([NRS 439.200](#), [458.025](#)) “Client” means a person who meets the criteria of the Division for having a substance-related disorder and who is receiving a service from a program for that disorder.

(Added to NAC by Bur. of Alcohol and Drug Abuse by R100-98, eff. 11-3-98; A by Bd. of Health by R120-04, 10-5-2004)

NAC 458.0235 “Coalition program” defined. ([NRS 458.025](#)) “Coalition program” means a program that is operated by a nonprofit organization consisting of individuals, organizations and agencies to develop strategies and identify programs which address the needs of a community or of a racial, ethnic, religious or social group regarding the use of, misuse of and dependence on alcohol and other drugs in that community or group.

(Added to NAC by Bd. of Health by R120-04, eff. 10-5-2004)