DIRECTIVE 2019-031

August 15, 2019

RE: JOINT USE AGREEMENT BETWEEN CINCINNATI STATE TECHNICAL AND COMMUNITY COLLEGE AND HEALTHCARE CONNECTION

Cincinnati State Technical and Community College has been granted appropriations contained in House Bill 529 of 132nd General Assembly in the amount of nine hundred thousand dollars. Cincinnati State Technical and Community College will use the funds to improve the facility owned by Healthcare Connection. As required by Ohio Administrative Code section 3333-1-03, Cincinnati State Technical and Community College submitted a Joint Use Agreement for consideration and approval by the Chancellor.

The agreement conforms to Ohio Administrative Code as follows –

- The format of the agreement is appropriate
- The commitment extends no less than twenty years
- The value of use to Ohio higher education institutions is reasonably related to the amount of the appropriation

Agency staff reviewed the agreement and posted its recommendations to the Department’s website for the purpose of providing a period of public comment before final approval by the Chancellor. The materials posted for comment and the joint use agreement are attached to this document.

Based on my review of staff recommendations, I hereby approve the Joint Use Agreement between Cincinnati State Technical and Community College and Healthcare Connection.

This directive will take effect immediately.

Randy Gardner
Chancellor, Department of Higher Education
JOINT USE AGREEMENT

(For capital funds released to institutions for facilities not owned by the institution)

This Joint Use Agreement ("Agreement") is entered into by and between Cincinnati State Technical & Community College (the "College"), an instrumentality of the State of Ohio, created under Chapter 3358 of the Ohio Revised Code, whose address is 3520 Central Parkway, Cincinnati, OH 45223, and the Healthcare Connection, a 501(c)(3) non-profit organization, whose address is 1401 Steffan Avenue, Cincinnati, Hamilton County, Ohio 45215.

WHEREAS, the Ohio General Assembly has passed HB 529 which provides capital appropriations to the College from the State of Ohio in the amount of $900,000 for construction of its Mt. Healthy Family Practice, located at 1411 Compton Road, Mt. Healthy, Ohio, 45231.

WHEREAS, The HealthCare Connection's mission is to provide quality, culturally sensitive and accessible primary health care services focusing on the medically underserved, underinsured, and uninsured residing in northern Hamilton County and surrounding areas.

WHEREAS, Ohio Administrative Code §3333-1-03(E) requires a public institution to submit to the Chancellor of the Ohio Department of Higher Education a joint use agreement that contains the requirements in (E)(1)-(11) for review and approval.

WHEREAS, the College has demonstrated that the value of the use of the facility or equipment is reasonably related to the amount of appropriation through the worksheet included in this Agreement as Attachment A.

NOW, THEREFORE, in consideration of the mutual benefits hereunder, it is hereby agreed to between the parties as follows:

1. **Facility or equipment owned, to be built or purchased by nonprofit or public body.**
   Mt. Healthy Family Practice, located at 1411 Compton Road, Mt. Healthy, Ohio, 45231 is owned by the HealthCare Connection, 501(c)(3) non-profit organization.

2. **Use of the facility or equipment by public institution.**
   Cincinnati State will have the availability to place students seeking externships in their Licensed Practical Nurse, Medical Assistant and Medical Administrative Assistant programs, as outlined in Attachment A, hereby incorporated. Eligible students may be placed the new Mt. Healthy Family Practice, located at 1411 Compton Road, Mt. Healthy, Ohio, 45231. The value is the time of the HealthCare Connection staff that would oversee and plan for the externship program for each student.
The Healthcare Connection has the ability to provide a practicum site and a staff member to precept for 8 students in the Medical Assisting Program and/or the Licensed Practical Nursing Program. The hourly rate paid to adjunct instructors at the college is $40/hr. The Medical Assisting Program is 180 hours per semester. Therefore, 180 hours x $40 equals = $7,200 for each student placed x 8 students/year = $57,600/year. This number may fluctuate slightly depending on the number of students placed.

Cincinnati State will also be offered space at 1411 Compton Road, Mt. Healthy, Ohio, to provide CPR training (Course EMS 100). EMS 100 is a 1 college credit course averaging 12 students per class offering, averaging 25 hours per year. Additionally, Cincinnati State will be offered space at the new Mt. Healthy Family Practice, 1411 Compton Road, Mt. Healthy, Ohio 45231 to hold student recruitment events and/or community meetings an average of 25 hours per year. Cincinnati State will have access to meeting space, tables, chairs, and wifi access valued at $350/hr. $350/hr x 50 hours/yr = $17,500/yr.

3. **Reimbursement of funds.** The HealthCare Connection, Inc. shall provide for reimbursement to the state should the College's right to use the Facility be terminated by the non-profit corporation or public body prior to the expiration of the twenty-year term, which reimbursement shall be calculated by dividing the funds contributed by the State of Ohio by twenty and multiplying that sum by twenty less the number of full years the Facility is used by the College.

4. **Use of funds.** The HealthCare Connection, Inc. shall use the Funds only for the capital improvements as defined in the bill(s) appropriating the funds. The list of capital improvements is contained in Exhibit A, hereby incorporated.

5. **Insurance for facility and hold harmless.** The HealthCare Connection, Inc. has and shall maintain for the entire term of this Agreement a comprehensive program of insurance covering the Facility including liability and casualty coverage in an amount reasonably sufficient to protect the College, HealthCare Connection, Inc. from claims and any losses relating to construction, ownership and operation of the Facility. Each party agrees to be responsible for any personal injury or property damage caused solely by its negligent acts or omissions as determined by a court of competent jurisdiction, or as the parties may otherwise mutually agree. HealthCare Connection, Inc. shall hold College harmless from all liability for construction, operation, and maintenance costs of the facility.

6. **Compliance with federal, state and local law.** The HealthCare Connection, Inc. shall comply with all pertinent federal, state and local laws as well as state administrative
7. **Competitive bidding.** The HealthCare Connection, Inc. shall follow competitive bidding procedures which include, at a minimum, publishing advertisements to seek bids, receiving sealed bids, and awarding contracts to the lowest responsive and responsible bidder, as described generally in Ohio Revised Code Chapter 153.

8. **Appropriation administrative fee.** The College shall deduct and retain from the Funds the total amount of Thirteen Thousand Five Hundred dollars ($13,500.00), constituting 1-⅔% of the funds to compensate it for actual costs of administration.

9. **Amendments.** Any amendments to this Agreement shall be in writing, signed by the HealthCare Connection, Inc. and College, and shall require approval by the Ohio Department of Higher Education and will be submitted to the Chancellor before any amendment takes effect.

10. **Payment.** An approved Controlling Board request will release funds to College. These funds will be encumbered upon release. Funds will be reimbursed to HealthCare Connection, Inc. after presentation by HealthCare Connection, Inc. of invoices or other evidence of expenditures for permitted uses of the capital funds. Such obligation must be properly documented to the reasonable satisfaction of College.

11. **Terms and conditions of use.** The HealthCare Connection, Inc. will provide the use of the new Mt. Healthy facility located at 1411 Compton Road, Mt. Healthy, Ohio 45231 to Cincinnati State Technical and Community College for externships, meeting space, and CPR training sessions at such date and time that can be mutually agreed upon by the College and the HealthCare Connection, Inc. for a term of twenty years commencing when the Mt. Healthy facility is ready to be used by the College.
IN WITNESS WHEREOF, the parties have hereunto executed this Agreement as of the month, day and year signed.

Cincinnati State Technical & Community College
By: [Signature]
Title: Vice President, Administration
Date: 5/29/2019

The Healthcare Connection, Inc.
By: [Signature]
Title: CEO
Date: 5/28/19
Exhibit A

Scope of Work to be funded by capital appropriation designated for the HealthCare Connection, Inc./Mt. Healthy Family Practice (MHFP), to be owned and located at 1411 Compton Road, Mt. Healthy, OH 45231.

MHFP will provide Primary Care Services, Obstetrics/Gynecology, Pediatrics, and Dental Services in a new state-of-the art facility. MHFP is currently housed in 12,000 square feet of cramped leased space in a timeworn strip mall. The new facility will be approximately 31,000 square feet, constructed on 2.3 acres of land one mile south of the current location.

THCC’s newly constructed MHFP facility is expected to serve low-income working class families residing in seven suburban zip codes in northern Hamilton County, Ohio. The seven zip codes are 45224, 45231, 45239, 45251, (considered the Primary Service Area), and 45218, 45247, and 45252 (considered the Secondary Service Area). Together these zip codes are designated as MHFP’s target service area.

MHFP is the only safety net health care provider site in the target service area. The February, 2016 THCC Needs Assessment shows that the number of persons below 200% of poverty is increasing in the target service area which leads to the implication that this increase will also increase demand at MHFP.

The total expense for MHFP is approximately $4.8 million. THCC secured a $1 million capital grant in the second round of the Department of Health and Human Services capital grant funds and the State of Ohio approved $900,000 in state capital budget funds. The remainder of the costs will include loans and private and internal funds.
ATTACHMENT A

Project: The HealthCare Connection – Mt. Healthy Family Practice, 1411 Compton Rd., Mt. Healthy, OH 45231

Date: November 2018

Section I: State appropriation information.
1. Amount of state appropriation provided: $900,000
2. Estimated annual debt service on the appropriation: $74,970 (estimated)
3. Term of the state bond, in years: 20 years

Section II: Estimated value of use of the facility.

<table>
<thead>
<tr>
<th>Use(s) of the facility*</th>
<th>Annual value of use</th>
<th># of years</th>
</tr>
</thead>
<tbody>
<tr>
<td>c Practicum for Health Programs</td>
<td>$57,600</td>
<td>20</td>
</tr>
<tr>
<td>b Use of Space for CPR Training, student recruitment, and community meetings (50 hrs/yr)</td>
<td>$17,500</td>
<td>20</td>
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<tr>
<td>d</td>
<td>$</td>
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(* List additional uses on separate page as needed.)

Section III:

On a separate page, explain how each use listed in Section II was valued for this analysis. Direction: The purpose of this worksheet is to enable a campus to demonstrate how the value of the uses that will be derived from a Joint Use Agreement is reasonably related to the value of the state capital appropriation made to the partner entity. Section I is to be filled out by the staff of the Department of Higher Education. Sections II and III are to be filled out by the partner campus.

Section III:

Cincinnati State Technical and Community College wishes to enter into a Joint Use Agreement with The HealthCare Connection, Inc. (THCC), a Federally Qualified Health Center, for three (3) state appropriations
totaling of $900,000. The annual debt service paid by the state on this appropriation is estimated to be $74,970 per year, for 20 years.

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