

**Center for Maternal and Child Health  
Maryland State Family Planning Program  
Title X Site Review Process**

DATE \_\_\_\_\_

CLINIC/LHD/AGENCY \_\_\_\_\_

STAFF \_\_\_\_\_

REVIEWER(s) \_\_\_\_\_

**Title X Family Planning Services  
Program Review Tool: ADMINISTRATION Section**

**ADMINISTRATION:** The delegate agency maintains administrative systems and processes consistent with Title X and other Federal grant requirements.

The Administrative Section of the Program Review is based on the following Title X and other Federal grant requirements:

- Title X Legislation and Title X Implementing Regulations, 42 CFR Part 59
- Program Guidelines for Family Planning Project Grants for Family Planning Services, 2001
- OPA Program Instructions: 11-01; 09-09; 08-01; 06-01; 99-1; 98-1
- Federal Register Notice, Provision of Abortion Related Services in Family Planning Projects (65 Fed. Reg. 41281)
- Trafficking Victims Protection Act of 2000 (Pub. L. No. 106-386), as amended, and 18 U.S.C. 1591
- Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education., Hospitals, Other Nonprofit Organizations, and Commercial Organizations, 45 CFR Part 74
- Uniform Administrative Requirements for Grants and Cooperative Agreement to State, Local and Tribal Governments, 45 CFR Part 92
- HHS Grants Policy Statement
- The Privacy Act of 1974 5 U.S.C § 552a
- Basic HHS Policy for the Protection of Human Subjects, 45 CFR Part 46
- Title VI, Civil Rights Act, 1964 and Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons
- Office of Civil Rights Nondiscrimination on Basis of Handicap in Programs and Activities Receiving or Benefiting From Federal Financial Assistance, 45 CFR Part 84
- Occupational Safety and Health Administration Standards, 29 CFR 1910 Subpart E Exit routes, Emergency Action Plans and Fire Plans and Subpart H Hazardous Waste Operations and Emergency Response
- Rehabilitation Act of 1974, Section 504

- Title I Americans with Disabilities Act
- Age Discrimination Act of 1975
- Title IX of the Education Amendments of 1972
- HHS OASH Grant Application
- OPA/OFP Guidelines for Title X Grant Application Preparation
- Family Planning Annual Report -Forms and Instructions
- Appropriate State Not for Profit Corporations Act

Appropriate administrative policies and practices include compliance with the criteria listed in this section of the Program Review tool. Program Review consultants may review the documents listed below to aid in assessing compliance:

- Organizational chart(s)
- Job descriptions – medical director, clinicians and key staff members
- Administrative/clinical policies and procedures
- Personnel policies
- Copies of 3-5 sub-recipient agency agreements
- Grantee policies/procedures/schedules/reports and/or tools for monitoring of sub-recipient agencies
- Program Progress Reports and Work Plans for the current year and past two years
- Current Title X Program Evaluation Plan
- Service site information (such as locations and hours of operations)
- Administrative/management policies and procedures
- Emergency/disaster plans
- LEP related policies and procedures
- Family Planning Annual Report for the past three calendar years
- Grantee policies for compliance with State reporting laws
- Articles of Incorporation, By-laws, current year Board of Directors membership list, Board orientation process, Board meeting minutes, as appropriate
- Policies and procedures for meeting Privacy and HIPAA Regulations
- Insurance policy documents
- Approval documentation for Family Planning research

**Title X Family Planning Services  
Program Review Tool: ADMINISTRATION Section**

Criteria for Title X Compliance	C	NC	Comments/Documentation/Explanation
<b>A. Voluntary Participation</b>			
1. Delegate agency meets Title X regulations for client voluntary participation			<i>Write/Type Comments in the Space Below</i>
a) Delegate agency Title X services are provided solely on a voluntary basis <i>(Title X Statute, Sections 1001 &amp; 1007; 42 CFR 59.5 (a) (2); Title X Guidelines: Section 5.1)</i>	<b>M</b>		
b) There is no indication that clients are subject to coercion in use of any particular method of family planning <i>(42 CFR 59.5 (a) (2); Title X Guidelines: Section 5.1)</i>	<b>M</b>		
c) Client's acceptance of a family planning service is not a prerequisite to eligibility or receipt of any other service offered by the Grantee/sub-recipient <i>(Title X Statute, Section 1007; 42 CFR 59.5 (a) (2); Title X Guidelines: Section 5.1)</i>	<b>M</b>		
d) Project personnel must be informed that they may be subject to prosecution if they coerce or they try to coerce any person to under go abortion or sterilization procedures <i>(42 CFR 59.5 (2) footnote 1; Title X Guidelines: Section 5.1)</i>	<b>M</b>		

## Title X Family Planning Services Program Review Tool: ADMINISTRATION Section

Criteria for Title X Compliance	C	NC	Comments/Documentation/Explanation
<b>B. Confidentiality</b>			
<p>1. Delegate agency meets confidentiality requirements of Title X. (42 CFR 59.11; Title X Guidelines as listed below)</p> <ul style="list-style-type: none"> <li>• Staff disclosures (Title X Guidelines: 5.2)</li> <li>• Client billing (Title X Guideline: Section 6.3)</li> <li>• Client privacy and the facility (Title x Guidelines: Section 6.4)</li> <li>• Employee records (Tile X Guidelines: Section 6.5)</li> <li>• Referrals and follow-up results (Title X Guidelines: Section 7.4)</li> <li>• Reporting abnormal test results (Title X Guidelines: Section 8.3)</li> <li>• Adolescent Services (Title X Guidelines: Section 8.7)</li> <li>• Medical records (Title X Guidelines: Section 10.3)</li> </ul>			<i>Write/Type Comments in the space below</i>
<p>a) Policies are in place regarding agency's compliance with the Privacy Act</p> <p>b) No information obtained by staff is disclosed without written consent, except as required by law</p> <p>c) Delegate agency ensures that summary, statistical, or other forms of information disclosed, without a client's consent, does not allow individual clients to be identified</p> <p>d) Delegate agency provides required Family Planning data elements such that client confidentiality is protected</p>	<p><b>M</b></p> <p><b>M</b></p> <p><b>M</b></p> <p><b>M</b></p> <p><b>M</b></p>		

## Title X Family Planning Services Program Review Tool: ADMINISTRATION Section

Criteria for Title X Compliance	C	NC	Comments/Documentation/Explanation
<b>C. Prohibition of Abortion</b>			
1. Delegate agency is in full compliance with the Title X Statute, Section 1008 prohibiting abortion as a method of family planning ( <i>Title X Statute, Section 1008; 42 CFR 59.5 (a) (5); Grant Policy Statement, II-22; Title X Guidelines: Section 3.3; 65 Fed. Reg. 41281</i> )			
a) Department has written policies that clearly state that none of the funds will be used in programs where abortion is a method of family planning <b>M</b>  b) Department's monitoring process assures that delegate agencies are in compliance with Title X Statute, Section 1008 <b>M</b>			

## Title X Family Planning Services Program Review Tool: ADMINISTRATION Section

Criteria for Title X Compliance	C	NC	Comments/Documentation/Explanation
<b>H. Governance – Private Not-For-Profit Organizations Only</b>			
1. The delegate agency meets requirements for a legal entity with not-for profit status ( <i>Appropriate State Not for Profit Corporations Act; Organization's Articles of Incorporation and By-Laws</i> )			
a) Documentation of IRS 501 (c) (3) or other IRS not-for-profit status on file <b>M</b>			
b) Governing Board is appropriately constituted: (1) The Agency has a formally constituted Board <b>S</b>			
(2) An orientation process for new Board members is in place <b>S</b>			
(3) The Governing Board has a set of By-Laws. <b>S</b>			
(4) By-Laws are reviewed and revised (if necessary) by the Governing Board, annually or in accordance with the Articles of Incorporation <b>S</b>			
(5) Board meeting minutes demonstrate the Agency operates as per by-Laws and in accordance with Title X regulations <b>S</b>			
(6) The By-Laws address the following functions of the Governing Board <b>S</b>			
<ul style="list-style-type: none"> <li>• Terms of Membership</li> <li>• Appointment of committees</li> <li>• Frequency of meetings designated</li> <li>• Number of meetings specified</li> <li>• Definition of a quorum outlined</li> <li>• Procedures for the appointment/election of officers</li> </ul>			

## Title X Family Planning Services Program Review Tool: ADMINISTRATION Section

Criteria for Title X Compliance	C	NC	Comments/Documentation/Explanation
<b>D. Planning and Evaluation</b>			
1. Department assesses that the project is competently and efficiently administered ( <i>42 CFR 59.5 (b) (6) &amp; (7); 59.7; Title X Guidelines: Section 6.2</i> )			<i>Write/Type Comments in the space below</i>
a) Department has developed goals and objectives for the project period. The goals must: <ul style="list-style-type: none"> <li>(1) Be clearly stated in writing <b>M</b></li> <li>(2) Be based on needs assessment <b>M</b></li> <li>(3) Have specific objectives that are measurable <b>M</b></li> <li>(4) Be consistent with Title X regulations <b>M</b></li> </ul> b) The project includes an evaluation component that identifies indicators by which the program measures achievement of objectives <b>M</b>			

## Title X Family Planning Services Program Review Tool: ADMINISTRATION Section

Criteria for Title X Compliance	C	NC	Comments/Documentation/Explanation
<b>E. Facilities and Accessibility of Services</b>			
1. Facilities are appropriate for Title X clients			<i>Write/Type Comments in the space below</i>
a) Facilities are geographically accessible for population served (e.g., close to mass transit, etc.) <i>(Title X Guidelines: Section 6.4)</i> Hours of operation are convenient for those seeking services (e.g., evening and or weekend hours). <i>(Title X Guidelines: Section 6.4)</i> Facilities are adequate to provide necessary services, are comfortable, ensure provide privacy for clients, and are designed to enhance workflow <i>(Title X Guidelines: Section 6.4)</i>	<b>S</b>		
b) Department has written policies regarding access to timely quality language assistance services to limited English proficient persons that are consistent with the Office of Civil Rights Policy Guidance on Prohibitions Against National Origin Discrimination As It Affects Persons With Limited English Proficiency <i>(Title VI, Civil Rights Act, 1964; LEP Guidance; Grants Policy Statement 2007)</i>	<b>M</b>		
c) Project does not discriminate on the basis of handicap and, when viewed in its entirety, the facility is readily accessible to people with disabilities <i>(45 CFR Part 84.4)</i>	<b>M</b>		
d) All Grantees, delegate agencies, and Title X clinics are required to have a written plan for management of emergencies <i>(29 CFR 1910 Subpart E)</i>	<b>M</b>		

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<p>e) The clinic facilities meet applicable standards established by Federal, state, and local governments (e.g., local fire, building, and licensing codes) <span style="float: right;"><b>M</b></span></p> <p>f) Health and safety issues within the facility fall under the authority of OSHA. Disaster plans and emergency exits are addressed under 29 CFR 1910 Subpart E (<i>Exit routes, Emergency Action Plan and Fire Plans</i>) and Subpart H (<i>Hazardous Waste Operations and Emergency Response</i>). The basic requirements of these regulations include:</p> <p style="padding-left: 20px;">(a) Disaster plans (e.g., fire, bomb/terrorism, earthquake, etc.) have been developed and are available to staff <span style="float: right;"><b>M</b></span></p> <p style="padding-left: 20px;">(b) Staff can identify emergency escape routes <span style="float: right;"><b>M</b></span></p> <p style="padding-left: 20px;">(c) Staff has completed training and understands their role in an emergency or natural disaster <span style="float: right;"><b>M</b></span></p> <p style="padding-left: 20px;">(d) Exits are recognizable and free from barriers <span style="float: right;"><b>M</b></span></p> <p><i>Note: Requirements for medical emergencies are addressed under the Clinical Services Section (Guidelines: Section 7.3)</i></p>			

## Title X Family Planning Services Program Review Tool: ADMINISTRATION Section

Criteria for Title X Compliance	C	NC	Comments/Documentation/Explanation
<b>F. Personnel</b>			
1. Delegate agency complies with Title X requirements related to personnel			<i>Write/Type Comments in the space below</i>
a) Written personnel policies regarding nondiscrimination in recruitment, selection, performance evaluation, discipline, promotion, and termination have been established <i>(Title VI Civil Rights Act; Rehabilitation Act, Section 504; Title I Americans with Disabilities Act; Title X Guidelines: Section 6.5)</i>	<b>M</b>		
b) A formal grievance mechanism is available for all staff <i>(Title X Guidelines: Section 6.5)</i>	<b>M</b>		
c) Project staff is broadly representative of the population served <i>(42 CFR 59.5 (b) (10); Title X Guidelines: Section 6.5)</i>	<b>S</b>		
d) Project staff is sensitive to and able to deal effectively with the cultural characteristics of the client population <i>(42 CFR 59.5 (b) (10); Title X Guidelines: Section 6.5)</i>	<b>S</b>		

## Title X Family Planning Services Program Review Tool: ADMINISTRATION Section

Criteria for Title X Compliance	C	NC	Comments/Documentation/Explanation
2. Personnel management is consistent with Title X guidance.			<i>Write/Type Comments in the space below</i>
a) An organizational chart shows clear lines of authority <i>(HHS OASH Grant Application; OPA/OFP Guidelines for Title X Grant Application Preparation)</i>	<b>S</b>		
b) Written job descriptions exist for key personnel <i>(HHS OASH Grant Application; OPA/OFP Guidelines for Title X Grant Application Preparation)</i>	<b>S</b>		
c) Project is administered by qualified program director <i>(42 CFR 59.5 (b) (7); Title X Guidelines: Section 6.5)</i>	<b>M</b>		
d) Personnel records are kept confidential <i>(Title X Guidelines: Section 6.5)</i>	<b>M</b>		
e) Department has protocols for client care provided under the project <i>(Title X Guidelines: Section 6.5)</i>	<b>M</b>		
f) Professional licenses are verified prior to employment and documentation of current licensure maintained <i>(Title X Guidelines: Section 6.5)</i>			
<i>Note: Requirements for Medical Director are addressed under the Clinical Services Section (Title X Guidelines: Section 7.0.)</i>			

## Title X Family Planning Services Program Review Tool: ADMINISTRATION Section

Criteria for Title X Compliance	C	NC	Comments/Documentation/Explanation
<b>G. Training and Technical Assistance</b>			
1. Project meets training requirements as outlined by Title X (42 CFR 59.5 (b) (4); OPA Program Instructions 11-01; Title X Guidelines: Section 6.6)			<i>Write/Type Comments in the space below</i>
a) Project provides for orientation and in-service training for all project personnel (includes staffs of sub-recipients agencies and service sites)	<b>M</b>		
b) Project personnel participate in continuing education	<b>S</b>		
c) Documentation of continuing education is maintained in staff personnel records	<b>S</b>		
d) A plan and a process is in place that evaluates the scope and effectiveness of staff training program	<b>S</b>		
e) Project training plan provides for routine training of staff on Federal/State requirements for reporting or notification of child abuse, child molestation, sexual abuse, rape or incest , as well as human trafficking (OPA Program Instructions 11-01;06-01& 99-1)	<b>M</b>		