



TO: Prospective Oral Health Fund applicants
FROM: Ben Civic, Occupational Education Specialist
DATE: September 18, 2015
RE: Matching component

The purpose of this letter is to provide prospective applicants to the Oral Health Training and Services Fund additional information on the match component of a proposal. The Coordinating Commission for Postsecondary Education (Commission) has been charged with administering the fund to contract for reduced-fee and charitable oral health services, oral health workforce development, and oral health services using telehealth pursuant to Nebraska Revised Statute § 85-1414.01(3). The Commission recently had the opportunity to confer with the Attorney General's Office on this contract and this memorandum is a result of that conversation.

Match includes private or other funds:

The contract for oral health services requires that applicants provide matching funds from private or other sources in a four-to-one ratio with the funds to be disbursed under the contract. Neb. Rev. Stat. § 85-1414.01(7). The Oral Health Fund legislation fails to define private funds so the plain meaning – funds which do not associate in any way with the government sector – will be applied. A donor pledge is an example of a private fund that could be used for matching purposes. A donor pledge would be acceptable as match if the pledge is a legally enforceable written promise to pay a specific amount of money during the proposal performance period. The Commission will consider a pledge as match only if the applicant certifies that (1) the pledge is legally enforceable, and (2) the donor is obligated to pay the pledge during the performance period. In the event a donor fails to pay a pledge, the applicant must enforce the pledge, substitute other gift funds, or return to the Commission the appropriate amount of funds received. The proposal performance period is at a minimum ten years pursuant to the obligation of the applicant to provide charitable oral health services for a minimum of ten years. Neb. Rev. Stat. § 85-1414.01(4).

The Oral Health Fund legislation also does not define “other sources” and therefore a broad interpretation should be applied. Federal and state funding sources could be used to satisfy your match requirement. However, if either federal or state appropriations are submitted as matching funds they must be current awarded federal funds or current appropriated funds. Future federal grant funds or future legislative appropriations will not count as match. This is due to the oral health statute, while describing the process of determining the award amount when multiple applicants meet eligibility requirements, stating that an applicant also needs to provide “evidence that private or other funds have been **received** by the applicant as matching funds.” (emphasis added) Neb. Rev. Stat. § 85-1414.01(7). The operative word here is “received.” This word by its very nature connotes past tense – that an applicant at the time of application needs to be able to show evidence of match received. Potential future federal awards and future

state appropriations therefore could not then be “received” by an applicant at the time of application.

Match does not include in-kind contributions or unrecovered indirect costs

Given the previous discussion regarding match as having been received at the time of application, in-kind contributions throughout the performance period would not qualify as having been received nor would they be able to be evidenced at the time of application. Therefore, in-kind contributions would not be able to be used to satisfy matching requirements.

Similarly, unrecovered indirect costs would not be able to be used towards your matching requirement as they also fail the received and evidenced standard.

General match requirements

The Commission has developed a few additional comments regarding match.

- An applicant for oral health funds must specify the source and amount of all matching funds. Neb. Rev. Stat. § 85-1414.01(7).
- An applicant must also identify how and when the match will be spent during the performance period of ten years.
- Matching funds must be necessary and reasonable for proper and efficient accomplishment of the oral health goals listed in Neb. Rev. Stat. § 85-1414.01(2).
- In addition, using those legislative goals mentioned immediately above, match cannot supplant existing oral health funding – match must be used to offer new and/or expanded oral health services to residents of Nebraska. For example, if you are already providing charitable dental services, the Commission expects only new additional funding and expansion of this project will count towards match.
- And finally, match must be verifiable from the applicant’s records throughout the performance period.

Closing thoughts

These comments on the match requirement are likely to be incorporated into the request for proposal. The Commission has identified the match component as a critical piece of the proposal which will ultimately determine the amount of oral health funds an applicant qualifies to receive. Therefore, providing some guidance on match now will hopefully help prospective applicants determine their matching ability. Additional commentary on match is certainly possible as the Commission and the applicants work through this process. The Commission welcomes commentary regarding this match document.