

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: HEALTH SERVICES

DATE: APRIL 24, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SOKOL
THOMAS
CHAMPAGNE
O'CONNOR
STRAINER
PITKIN

COMMITTEE MEMBER ABSENT:

SUPERVISOR SHEEHAN

OTHERS PRESENT:

REPRESENTING THE DEPARTMENT OF PUBLIC HEALTH:
PAT AUER, DIRECTOR
SHARON SCHALDONE, ASSISTANT DIRECTOR
TAMMIE DELORENZO, CLINICAL & FISCAL INFORMATICS
COORDINATOR
TAWN DRISCOLL, FISCAL MANAGER
PATRICIA NENNINGER, SECOND ASSISTANT COUNTY ATTORNEY
JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE AND
FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
NICOLE LIVINGSTON, DEPUTY CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS KENNY
MERLINO
TAYLOR
SHEILA WEAVER, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES
THOM RANDALL, *THE ADIRONDACK JOURNAL*
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Sokol called the meeting of the Health Services Committee to order at 10:19 a.m.

Motion was made by Mr. Champagne, seconded by Mr. Pitkin and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Pat Auer, Director of Public Health, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing with the review of the Pending Items portion of the agenda, Mrs. Auer apprised that the first item listed referred to the Emergency Preparedness Program and she noted that the agenda included a monthly activities report which she asked the Committee members to review at their leisure.

Mrs. Auer stated that the next agenda item referred to an update on future grants for the Health Services Department. She said that although she had nothing specific to report on this item, it was considered to be a "hot topic" for discussion at the upcoming NYSACHO (New York State Association of County Health Officials) meeting; she added that she would apprise the Committee of any new information at their next meeting.

Concluding the review of the Pending Items portion of the agenda, Mrs. Auer advised that although she had planned to make a fluoride presentation that morning, the presentation would be postponed until a future meeting due to time constraints.

Moving on to the New Business portion of the agenda, Mrs. Auer presented a request to authorize the Chairman of the Warren County Board of Supervisors to execute all COLA (Cost of Living Allowance) funds agreements offered for NYSDOH (New York State Department of Health) grants for the Health Services Department.

Motion was made by Mr. Champagne, seconded by Mr. Strainer and carried unanimously to approve the request as outlined above and the necessary resolution was approved for the May 15th Board meeting. *A copy of the request is on file with the minutes.*

Mrs. Auer apprised that her next request was for Committee authorization for Nedra Frasier, CHN (Community Health Nurse) to attend an Asthma Education Program at St. Peter's Hospital in Albany, NY on May 5th and 6th. She noted that the costs of the program, lunches and overnight lodging would be covered in full by the American Lung Association Asthma Education Grant, with the only cost to the County being for dinner on the evening of May 5th, which would be paid at the GSA (Governmental Standards Act) per diem rate.

Motion was made by Mr. Pitkin, seconded by Mr. Strainer and carried unanimously to approve the travel request as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Continuing, Mrs. Auer presented a request to authorize an agreement with Hudson Headwaters Health Network to allow receipt of Ryan White Early Intervention Services Program grant funds in the amount of \$4,000 for the period of April 1, 2009 through December 31, 2009.

Motion was made by Mr. Champagne, seconded by Mr. Pitkin and carried unanimously to approve the request for an agreement with Hudson Headwaters Health Network as outlined above and the necessary resolution was authorized for the May 15th Board meeting. *A copy of the request is on file with the minutes.*

Mrs. Auer apprised that the next agenda item consisted of a request to amend the contract with Northeast Health Empire Home Infusion Services (NHEHIS) to clarify their role to provide and pay for the cost of any setup or initiation of infusion nursing/pharmacy in a facility/clinical setting. She explained that these services pertained mainly to chemotherapy hookups at cancer treatment centers or pain management hook-ups at hospitals for patients in need of pain management during their transports home. Mrs. Auer stated that the amendment had been requested by NHEHIS for all of their contractor agencies and although the Health Services Department did not intend to use these services as they had their own IV Nurses on staff, this would allow the Health Services Department to use NHEHIS as a backup agency if there was ever a need to do so. She added that the amendment would not incur any cost to the County and she could not foresee any reason why the County should not agree to include the amendment as requested.

Motion was made by Mr. Champagne, seconded by Mr. Thomas and carried unanimously to approve the request to amend the contract with NHEHIS as outlined above and the necessary resolution was authorized for the May 15th Board meeting. *A copy of the request is on file with the minutes.*

Moving on, Mrs. Auer apprised that one of the 2009 department goals for the Division of Public Health was to research the feasibility of offering a Travel Clinic for Warren County citizens in light of the increasing number of requests for such services. She said that after much research they were now ready to proceed in offering Travel Clinic services and had been working with Dr. Richard Leach, Medical Director for Infectious Diseases, who would act as the medical advisor of the clinics. Mrs. Auer pointed out that charges for the vaccines, as well as any necessary consultation fees, would be paid by the patient at the time the services were rendered with no cost to the County.

Mrs. Auer noted that the Travel Clinic would be more costly than other clinics facilitated by the Department due to the vaccine prices and the need for medical consultations depending on an individual's health history and where they planned to travel; therefore, she added, they had begun to research the possibility of accepting credit card

payments for these services. She pointed out that other regularly administered vaccines, such as the zostavax vaccine for shingles which could only be given to individuals over 60 years of age at a cost of \$169 per dosage, were quite costly and it might make payment easier for vaccine recipients if credit card payment options were available. Mrs. Auer apprised that she had asked Frank O'Keefe, Warren County Treasurer, whether the use of credit cards for Travel Clinic services was feasible and he had agreed to research the matter and return to her with a determination. She said that she hoped to have this information prior to their next meeting at which time she would report her findings to the Committee. Mrs. Auer noted that if credit card use turned out to be a viable option, a resolution would be necessary to proceed in accepting that form of payment; she added that the price list for vaccinations to be administered at the Travel Clinic would also be presented and would require approval by resolution, as well.

Mr. Pitkin questioned if any transaction fee charged by the credit card company would be included in the vaccination cost and Mrs. Auer replied affirmatively.

Mr. Kenny stated that although he acknowledged the Travel Clinic would theoretically impose no cost to the County, he questioned if they were sending the wrong message by introducing it, as in the Special Board meeting held earlier that morning they had discussed reducing County services rather than expanding them. He then pointed out that there would be some cost to the County for staffing at the Travel Clinics and Mrs. Auer responded that the staffing costs would be included in the vaccination charges so that there would be absolutely no cost to the County.

Mr. Champagne questioned if the introduction of the Travel Clinics would interfere with services offered by the private sector as the Travel Clinic costs might be somewhat less than those charged by a physician's office and he asked if it was wise to move in this direction as it was the goal of the Public Health Department to provide only those services that could not be otherwise obtained through the private sector. Mrs. Auer replied that Dr. Leach typically provided the services that would be handled by the Travel Clinic and he was now working with the Public Health Department to transfer the services as he was going to be retiring or taking on less work through his private practice.

Mr. Champagne then pointed out that if there were nurses available to work in the Travel Clinic there might be other duties they could take on, or it was possible that there were too many nurses on staff for the current workload. Mrs. Auer replied that the Travel Clinic would be staffed by part-time nurses who were used for clinic services and were paid from the Disease Control Budget. She then affirmed that they intended for this to be a revenue generating venture which would incur no cost to the County. Mrs. Auer stated that the institution of the Travel Clinic had been the goal of the Public Health Department in connection with Dr. Leach for the past two years but was something that could be abandoned if that was the Committee's pleasure.

Subsequent to further discussion on the matter, it was the consensus of the Committee that Mrs. Auer should provide more information on the implications of the Travel Clinic and patient use of credit cards to pay for such services at a future meeting.

Resuming the agenda review, Mrs. Auer apprised that she had recently received a letter from the NYSDOH Director of the Division of Health Care Financing advising that part of the 2009-2010 State Fiscal Year budget had provided for statutory changes that would reinstate the New York State Health Facility Cash Assessment Program. She stated that Tawn Driscoll, Fiscal Manager, had contacted the State for further information and was advised that this plan was to allow more monies to be returned to the State to assist with budget shortfalls and that further instructions would be forthcoming in the next several weeks. Mrs. Auer said that it was her understanding that this amount would be due monthly and she would bring a copy of the letter to the next meeting for anyone interested in

reviewing it. She concluded that this was not good news for her Department and she would keep the Committee apprised of the impact to the County based on these changes.

Tammie DeLorenzo, Clinical & Fiscal Informatics Coordinator, apprised that the New York State Health Facility Cash Assessment Program was not a new program but was the reinstatement of something that had been in place about 12 years ago. She said that as she recalled, for every dollar accepted into the agency, a percentage would be paid to the State; she added that a reporting of income and a check for the specified percentage were required to be submitted to the State on a monthly basis. Mrs. DeLorenzo said that she did not know if the current Program would differ from the one that was implemented in the past and once the guidelines were received, this information would be provided to the Committee. She concluded that the Cash Assessment Program would apply to any cash received retroactive to April 1, 2009. Mrs. Auer noted that she had spoken with Rick Murphy, Deputy Commissioner of Fiscal Services, with regard to the matter and had discovered that the Westmount Health Facility was required to pay a percentage of their income to a similar Assessment Program and had been doing so for some time.

Moving on, Mrs. Auer presented the Report of Revenues and Expenditures, a copy of which was included in the agenda. She noted that an additional \$100,000 in revenues for the 2008 Pre-School and Early Intervention programs would be received; however, she said, since the 2008 Budget was now closed those revenues would be carried over into the 2009 Budget. Ms. Driscoll apprised that they were now in the process of preparing the first billings for the Pre-School and Early Intervention programs encompassing the 2008-2009 school year which would end in June of 2009; she added that the second billing would be released at the close of the school year in July. Ms. Driscoll stated that the Pre-School and Early Intervention were State mandated programs that incurred a total expense of over \$5 million, which was very close to half of the Department's operating budget.

Concluding the agenda review, Mrs. Auer advised that in continued follow-up to the issues with Prospect Child and Family Center that had been discussed for the past several months, Patricia Nenninger, Second Assistant County Attorney, was in attendance to discuss issues and potential changes to contracts with providers.

Mrs. Nenninger stated that there had been an issue regarding the Prospect Child and Family Center contracts for health supportive services due to the failure of Warren County to reimburse over \$100,000 in fees accrued over the past three years for certain services. She said that they had been researching several options available, such as a compensatory service agreement; recoupment of what the approved tuition rate would be or contractual litigation. Mrs. Nenninger said that the State Education Department had been very interested and helpful in assisting with research on this matter and she anticipated that they would outline all of the options available to the County to address the debt owed in the very near future. She advised that in light of time constraints and the current lack of information on the options available, it was her recommendation that discussion on the matter be delayed until a future meeting when all of the facts were available for review. Mrs. Nenninger added that the State Education Department had been vigilant in assessing the situation to ensure that the children were receiving all of the necessary services that were being addressed on many different levels. She noted that these issues were taken very seriously by the State Education Department and she had been very impressed with their willingness to work with the County in an effort to resolve the matter.

Mr. Champagne stated that it was very difficult to understand the predicament the County was in and there were many who felt that the programs mandated by the State exceeded the requirements imposed by other States and they should be protested in order to ensure that only those necessary services were being funded by the County. He

said that in his opinion many of these services were being taken advantage of and the programs were being over extended. In addition, Mr. Champagne noted that the costs for the State mandated programs were rising progressively while the State reimbursement continued to decline at an alarming rate and he felt that it was unfair to pass these mandated costs on to be funded at the County level, rather than at the State level.

Mrs. Nenninger clarified that the current issue was specifically a contractual issue in which Warren County was required to be the paying contractor for the programs determined by the school districts.

Mr. Geraghty questioned if the County was required to provide these programs and Ms. Driscoll replied affirmatively.

Mr. Champagne stated that all of the Counties of New York State needed to band together in order to protest the costly and unnecessary early intervention programs mandated by the State. Mr. Geraghty questioned what the repercussions would be if the County refused to administer these programs and Mrs. Nenninger replied that the County did not administer the programs and she explained that the necessary programs were determined by the school districts and the County was required to enter into a contract to fund the services as mandated by the State. Mr. Geraghty then asked what would happen if the County refused to enter into contract and Mrs. Nenninger replied that she was unsure of the consequences and would have to research the matter further to make this determination.

Mrs. Auer interjected that NYSAC (New York State Association of Counties) had been involved in protesting the State mandated programs for as long as she had been involved with them, to no avail. She noted that there was a Committee that met to discuss the mandated programs at the State level for which a County representative had been designated. Mrs. Auer stated that although the Municipality representative was able to voice their discontent with the mandated programs during these meetings, they were typically out -voted by the other Committee members who were in favor of the mandated programs.

Discussion ensued.

Mr. Pitkin stated his opinion that the Committee was expressing their frustrations to the wrong parties and he suggested that the matter be referred to the Legislative Committee for further discussions on how the matter could be resolved through their State Legislative representatives.

Mr. Thomas expressed his feelings that it was not the State Legislators that required education with respect to the atrocious costs of State mandates, but rather the public who constantly complained about rising costs at the County level. He suggested that they take action to educate the public as to the State mandates for unnecessary programs which led to higher costs for taxpayers.

As there was no further business to come before the Health Services Committee, on motion made by Mr. Pitkin and seconded by Mr. Champagne, Mr. Sokol adjourned the meeting at 10:51 a.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist