

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: HEALTH SERVICES

DATE: MAY 23, 2014

COMMITTEE MEMBERS PRESENT:

SUPERVISORS CONOVER
FRASIER
TAYLOR
MCDEVITT

COMMITTEE MEMBER ABSENT:

SUPERVISOR SOKOL

OTHERS PRESENT:

REPRESENTING WESTMOUNT HEALTH FACILITY:

BETSY HENKEL, COMPTROLLER
KYLLE BAKER, DIRECTOR OF NURSING

REPRESENTING THE DEPARTMENT OF PUBLIC HEALTH:

PAT AUER, DIRECTOR OF PUBLIC HEALTH/PATIENT SERVICES
SHARON SCHALDONE, ASSISTANT DIRECTOR OF HOME CARE DIVISION
GINELLE JONES, ASSISTANT DIRECTOR OF PUBLIC HEALTH DIVISION
TAMMIE DELORENZO, CLINICAL & FISCAL INFORMATICS COORDINATOR
TAWN DRISCOLL, FISCAL MANAGER

KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD

JOANN MCKINSTRY, ASSISTANT TO THE COUNTY ADMINISTRATOR

JOAN SADY, CLERK OF THE BOARD

FRANK E. THOMAS, BUDGET OFFICER

SUPERVISORS BEATY

BROCK

GIRARD

SEEBER

STROUGH

VANSELOW

MICHAEL R. SWAN, COUNTY TREASURER

ROBERT V. LYNCH II, DEPUTY COUNTY TREASURER

TRAVIS WHITEHEAD, RESIDENT OF THE TOWN OF QUEENSBURY

DON LEHMAN, *THE POST STAR*

SARAH MCLENITHAN, SECRETARY TO THE CLERK OF THE BOARD

In the absence of the Committee Chairman, Mr. Conover, the Committee Vice-Chairman, called the meeting of the Health Services Committee to order at 9:32 a.m.

Motion was made by Mrs. Frasier, seconded by Mr. Taylor 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/Patient Services, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the agenda review, Ms. Auer said the first item on the agenda would be a request for a transfer of funds to be presented by Tawn Driscoll, Fiscal Manager. Ms. Driscoll requested a transfer of funds between various accounts totaling \$20,794. She explained \$20,000 would be transferred into part-time salaries to cover the cost of part-time and per diem salaries for the CHHA (Certified Home Health Agency) due to a shortage in nursing staff. She noted \$397 would be transferred to the Early Intervention Program-Insurance General Liability and \$397 to the Family Health Program-Insurance General Liability to reflect the cost of insurance coverage for two vehicles purchased at the end of 2013. She commented the insurance for the vehicles had not been included in the 2014 Departmental Budget so it was necessary to transfer the funds for this purpose.

Motion was made by Mrs. Frasier, seconded by Mr. Taylor and carried unanimously to approve the request for a transfer of funds as outlined above and to forward same to the Finance Committee. *A copy of the Request for Transfer of Funds form is on file with the minutes.*

In reference to the pending item concerning new Certificates of Need for CHHA's, Ms. Auer requested an update from Sharon Schaldone, Assistant Director of Home Care Division. Ms. Schaldone pointed out that Attachment #5 reflected a monthly comparison of clients for the CHHA for 2014 compared to 2013. She noted the table reflected a decrease of 11% in April of 2014 compared to April of 2013; however, she added, the year-to-date clients were about equal for 2013 and 2014. She commented the current patient census was in excess of 350 clients. Overall, she continued, business for the CHHA was positive and she noted there was currently one vacant position within the CHHA. She mentioned a Nurse had been hired, but was let go during the probationary period. She added a new CHHA Nurse had been hired and would commence working on May 29, 2014. Ms. Schaldone reported there had been a few CHHA patients who had indicated that hospitals had referred them to another CHHA within the County other than the Warren County CHHA. She said she had informed these patients of their right to select the agency they preferred for their home care needs. She informed of an advertisement for the Warren County CHHA which had run in the Thursday, May 15, 2014 edition of the *Adirondack Journal*.

Pertaining to the Report of Revenues and Expenditures for 2014, as of May 20, 2014, Ms. Driscoll remarked that thus far for 2014, the budget was at the anticipated level. She mentioned regular and overtime salaries for 2014 were decreased compared to the same time period in 2013 and part-time salaries for 2014 were increased compared to 2013 which she attributed to the use of part-time and per diem employees to cover vacant positions. Overall, she continued, the 2014 year-to-date salaries reflected a decrease of \$7,791.94 compared to the same time period in 2013. Regarding the Revenue and Expense Comparison of 2014 versus 2013, Ms. Driscoll reported a decrease in expenses for 2014 compared to 2013 which she attributed to the fact that they had been awaiting State approval of the rates for the Prospect School from July 2013 to present. She noted they had recently received notification that the rates for Prospect School had been approved by the State and vouchers were in the process of being completed. She commented that the expenses for equipment reflected an increase compared to 2013 which she attributed to the purchase of two new vehicles in April of 2014 which totaled \$27,800. Concerning the Report on Revenues and Expenditures for 2013, as of May 7, 2014, Ms. Driscoll explained these were the final numbers for 2013 and reflected that the Department had been under budget by \$528,731.97. Ms. Driscoll pointed out that 66.1% of the 2013 Departmental Budget was attributed to mandated programs, such as the Disease, Preschool and Early Intervention Programs.

Ms. Auer recalled a few months prior the Committee had discussed the possibility of vinyl decals for the Health Services Fleet Vehicles in order to market the CHHA. She noted there had been some difficulties in obtaining quotes from the vendors as they seemed to be reluctant to provide quotes without a guarantee that they would receive the order. She said she hoped to be able to provide a further update at the next Committee Meeting. She advised they would need to order a variety of sizes for the decals as there were several different models of vehicles in the fleet.

Mr. Conover asked if the new laptops which had been approved for purchase had been received and Tammie DeLorenzo, Clinical & Fiscal Informatics Coordinator, replied in the negative noting that the laptops were on back order.

Mr. McDevitt commended the advertisement for the CHHA which had appeared in the *Adirondack Journal*. He opined that for companies competing in the home health care industry he felt the attractions to a particular area would be population density. He noted the northern portion of Warren

County was sparsely populated and he questioned why a CHHA would want to compete in that environment. Ms. Schaldone expressed the delivery system in New York State for Acute Care, Home Care and Nursing Home Care had changed drastically. She commented that existing CHHA's were growing their districts in order to "cherry pick" clients from densely populated areas, such as Queensbury and Glens Falls. She advised the Warren County CHHA needed to remain diversified in the types of care offered in order to compete with these new agencies. A brief discussion ensued.

This concluded the Health Services portion of the Committee Meeting and the Westmount Health Facility portion of the Meeting commenced at 9:43 a.m.

Privilege of the floor was extended to Betsy Henkel, Comptroller for Westmount Health Facility, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Mr. Conover stated the first item on the agenda was a request to create a new position of Licensed Practical Nurse (LPN) Full-Time #13 (floating) and he asked for a motion to bring the item to the floor for discussion.

Motion was made by Mrs. Frasier and seconded by Mr. McDevitt to approve the request to create a new position of LPN Full-Time #13 (floating) and to forward same to the Personnel Committee.

Ms. Henkel explained the request was to create and fill the new position of LPN Full-Time #13 (floating), Grade 10, annual base salary of \$33,166, effective July 1, 2014 by deleting the vacant positions of LPN Part-Time #13 and LPN Part-Time #14, Grade 10, annual base salaries of \$19,900 (each). Kylie Baker, Director of Nursing, explained the Facility had a variety of vacant positions and she mentioned the difficulty in retaining the current employees. She further explained the LPN Full-Time #13 position would be a floating position which would allow the Facility to schedule the employee on whichever shift was needed. Mr. Taylor asked if the County Administrator had approved the creation of this position and Ms. Henkel replied affirmatively. Mr. Conover asked if there would be a savings generated by the creation of this position and Ms. Henkel replied affirmatively.

Mr. Conover called the question and the motion was carried unanimously to approve the request to create and fill a new position of LPN Full-Time #13 (floating) as outlined above and to forward same to the Personnel Committee. *A copy of the resolution request form is on file with the minutes.*

Pertaining to staffing levels, Ms. Henkel reported two vacant Full-Time LPN positions on the 7:00 a.m. to 3:00 p.m. and 3:00 p.m. to 11:00 p.m. shifts; four vacant Part-Time Certified Nursing Assistant (CNA) positions on the 7:00 a.m. to 3:00 p.m, 3:00 p.m. to 11:00 p.m and 11:00 p.m. to 7:00 a.m. shifts; and eight vacant Part-Time LPN positions on the 7:00 a.m. to 3:00 p.m, 3:00 p.m. to 11:00 p.m and 11:00 p.m. to 7:00 a.m. shifts.

Concerning the overtime report, Ms. Henkel noted the creation of 16 additional Part-Time CNA positions had skewed the 2014 salaries when compared to 2013. Overall, she continued, the year-to-date 2014 expenses appeared to reflect a decrease when compared to the same time period for 2013.

Ms. Henkel stated a list of New York State Nursing Homes and the amount of IGT (Intergovernmental Transfers) Payments anticipated for 2012 was included in the agenda packet. She noted the amount of IGT Payments originally anticipated for Westmount Health Facility for 2012 had been \$1.4 million; however, she added, according to the list the 2012 IGT Payment should be

\$2,332,001, an increase of \$932,000. She pointed out the County was required to match the IGT Payments at a rate of 50% or \$1,166,000. She commented the 2012 IGT Payment amount was based on the 2010 Medicaid Days which totaled 23,416. She explained the Facility was scheduled to receive the 2013 IGT Payment this year as well; however, she added, she did not anticipate receipt of the Payment until 2015. She noted the 2013 IGT Payment would be based on the 2011 Medicaid Days and she anticipated the payment would be approximately \$2.1 million. For the next three years, Ms. Henkel continued, New York State had approved up to \$500 million in IGT Payments but it was too early to determine what amount would be approved by the Federal Government. She pointed out an email from Michael McCarthy, of McCarthy & Conlon, LLP was included in the agenda packet and indicated that he doubted the Federal Government would approve \$500 million in IGT Payments. She said the email also indicated the amount approved would be much less than the amount approved by the State as the future Medicaid expenditures were uncertain due to the Affordable Health Care Act. Ms. Henkel informed she had asked Mr. McCarthy's advice on the amount of IGT Payments which should be budgeted for the next three years and Mr. McCarthy had advised she should use the 2010 and 2011 amount of \$1.4 million.

Mr. Conover requested a visual representation, in the form of a spreadsheet, of the implications of the increased IGT Payments versus the expenses for Westmount Health Facility be presented at the next Committee Meeting. He asked JoAnn McKinstry, Assistant to the County Administrator, if that would provide her with enough time to complete the spreadsheet and Mrs. McKinstry replied affirmatively. Mr. McDevitt questioned if the uncertainty surrounding the frequency and amount of IGT Payments would have an impact on the potential purchaser in terms of the amount they would be willing to pay for the Facility. Ms. Henkel expressed that IGT Payments were only available to government entities and private businesses were not eligible. Mr. McDevitt asked if the number of Medicaid Days for Westmount Health Facility had been stable over the years and Ms. Henkel replied they had decreased. Ms. Henkel explained that in 2012 the Facility had gone through an IJ (in jeopardy) Period where they had stopped admitting residents. She further explained when a facility was in an IJ Period they did not receive Medicare and Medicaid Reimbursements. She noted it was typical for a facility to cease admissions until they were back in compliance. She noted the Facility had not been filled to capacity since the 2012 IJ Period. She attributed this to a combination of the IJ Period and the number of area nursing homes competing for residents. Mr. McDevitt asked the current census of the Facility and Ms. Henkel replied there were currently 71 residents. Mr. Conover asked Mrs. McKinstry if the spreadsheet he had previously requested could be emailed to the Committee Members upon completion and Mrs. McKinstry replied affirmatively.

Pertaining to the list of New York State Nursing Homes and the 2012 IGT Payments, Mr. Taylor asked if it was reasonable to compare Westmount Health Facility with the other nursing homes listed. Ms. Henkel explained all of the nursing homes listed were government operated and the amount of IGT Payments allotted to each nursing home was based on the number of Medicaid Days for that home.

Mr. Beaty noted, for clarification purposes, that Westmount Health Facility was scheduled to receive \$2.3 million in IGT Payments but the amount budgeted had been \$1.4 million, an increase of \$932,000. He recalled that IGT Payments required a local match, and pointed out that Warren County would need to pay an additional \$466,000 which had not been budgeted. He said the amount of 2013 IGT Payments was anticipated to be about the same as the 2012 amount, so the County would need to contribute more for matching funds. Ms. Henkel stated she felt the 2012 IGT Payment would be closer to \$2.1 million and she reiterated that \$1.4 million had been budgeted. Mr. Beaty apprised the IGT Payment amounts had increased slightly and the number of eligible nursing homes had decreased and he surmised this could result in increased IGT Payments in the future. Ms. Henkel explained the amount of the pool for IGT Payments approved by the State had increased from \$293

million to \$500 million; however, she continued, the Federal Government was unlikely to authorize the \$500 million already approved by the State. Ms. Henkel said the amount of the pool of IGT Payments which would be approved by the Federal Government was unknown. Mr. Beaty pointed out the email from Mr. McCarthy indicated the Federal Government planned to go along with the State's commitment to IGT Payments through 2015. Ms. Henkel responded the Federal Government had indicated their agreement that IGT Payments would continue through 2015 but the amount of money available was determined by the Upper Payment Limit (UPL) which might be less due to the Affordable Health Care Act. Mr. Beaty asked if there were less eligible nursing homes and Ms. Henkel replied affirmatively and noted that more government owned nursing homes were being sold. A discussion ensued.

Mr. Conover mentioned a discussion on the Year 8 Performance Assurance Report from Siemens Industry, Inc. had been intended to be included on the agenda for this meeting but had been postponed at the request of the County Attorney until the review of the Report could be completed by his Office. Mr. Conover said the County Attorney had also indicated it would be better to postpone this discussion until the Committee Chairman was present. Travis Whitehead, Resident of the Town of Queensbury, asked if the Committee members had received a copy of the Year 8 Performance Assurance Report from Siemens Industry, Inc. and Mr. Conover replied affirmatively.

As there was no further business to come before the Health Services Committee, on motion made by Mrs. Frasier and seconded by Mr. Taylor, Mr. Conover adjourned the meeting at 10:00 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist