

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, January 5, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Robert V. Nichols, Chair David Stachnik, Vice Chair Kenneth E. Isaman
Lldon E. Jamison

STAFF: Mark R. Alger Robert W. Anderson, Ph.D. Vicki Fuerst
Helen Brutsman John Zehr Nancy Smith
Frederick H. Ahrens, Jr. David English

LEGISLATORS: Philip J. Roche, Esq. Thomas J. McIntyre John Walsh

ABSENT: Gary D. Swackhamer

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Stachnik called the meeting to order at 9:05 a.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 7, 2004 AND DECEMBER 20, 2004 MEETINGS MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. NICHOLS ABSENT FOR VOTE).

III. DEPARTMENT REPORTS/REQUESTS

1. Office of Community Services

Appointments – Dr. Anderson informed the committee that they have nine members of the Community Services Board and they would like to add Cora Saxton of Wayland as a new member. Ms. Saxton is also a member of the Youth Board. He informed the committee that they would be receiving a copy of her resume and there will be an appointment resolution on the agenda for the January Legislative Meeting. Everyone else on the Board has been a member for at least a year.

MOTION: RECOMMENDING THAT THE LEGISLATURE APPROVE THE APPOINTMENT OF CORA SAXTON OF WAYLAND TO THE COMMUNITY SERVICES BOARD MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. NICHOLS ABSENT FOR VOTE). Resolution Required.

Contracts – Dr. Anderson presented his 2005 contracts for review and approval. He stated that is nothing really new, except that the 100 percent State funding that they had been receiving has been decreased. Mr. Isaman asked what is Psychiatric Hospital Diversion? Dr. Anderson replied that is a bed that we have for someone that can't live by themselves during a crisis, but they don't need to be hospitalized. That is State funded. Steuben Churchpeople Against Poverty (SCAP) operates that bed and it is located at their residence in Bath. This bed also works in reverse, if there is someone that is being discharged from the hospital, but there is no place for them to go, then we can put them here. Dr. Anderson stated another item of interest to the committee is Forensic Housing, which is also provided by SCAP. This program

takes released prisoners and they try to find appropriate housing so that an individual who is being released with mental health or substance abuse issues are not out in the community without any support.

Dr. Anderson commented that those contracts that reflect a County cost are programs that were assigned to us that we took over from the Youth Bureau. The State picks up 95 percent, but they cut us between 10 – 20 percent depending on the program. The State continues to Medicaid the system.

MOTION: APPROVING THE FOLLOWING 2005 CONTRACTS FOR THE OFFICE OF COMMUNITY SERVICES: CATHOLIC CHARITIES – SUBSTANCE ABUSE PREVENTION & INTERVENTION, \$226,501.00; CATHOLIC CHARITIES – TURNING POINT PROGRAM, \$13,514.00; CATHOLIC CHARITIES – AFFECTIVE EDUCATION PROGRAM, \$32,648.00; FAMILY SERVICE SOCIETY OF THE CORNING AREA – SUBSTANCE ABUSE PREVENTION, \$68,971.00; FINGER LAKES PARENT NETWORK, INC. – FAMILY SUPPORT PROGRAMS, \$469,515.00; HORNELL AREA CONCERN FOR YOUTH, INC. – SUBSTANCE ABUSE PREVENTION, \$101,515.00; KINSHIP FAMILY & YOUTH SERVICES – COMMUNITY RESIDENCE, \$245,569.00; PATHWAYS, INC. – DAY TREATMENT, ADVOCACY & SCHOOL-BASED SERVICES FOR CHILDREN AND YOUTH, \$26,588.00; STEUBEN ARC – SHELTERED WORKSHOP, \$282,006.00; STEUBEN ARC – PSYCHIATRIC REHAB/ SUPPORTED EMPLOYMENT, \$182,805.00; STEUBEN CHURCHPEOPLE AGAINST POVERTY – PSYCHIATRIC HOSPITAL DIVERSION, \$30,000.00; STEUBEN CHURCHPEOPLE AGAINST POVERTY – FORENSIC HOUSING, \$51,688.00; AND STEUBEN CHURCHPEOPLE AGAINST POVERTY – SHELTER PLUS CARE, \$250,000.00 MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. Public Health & Nursing Services

Budget Transfer – Mrs. Fuerst requested authorization to transfer \$30,000 from the RN Salary line item to the RN/LPN Contract line item. They have been contracting more and need the additional money to finish the year.

MOTION: AUTHORIZING PUBLIC HEALTH NURSING TO TRANSFER \$30,000 FROM THE RN SALARY LINE ITEM TO THE RN/LPN CONTRACT LINE ITEM TO FINISH THE YEAR MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Contracts – Mrs. Fuerst requested approval to enter into a new contract with Everything Medical for a Respiratory Therapist at a rate of \$65.00 per visit. She also requested authorization to enter into a contract with Gruen Von Behrens to give 10 anti-spit tobacco presentations at area schools. She stated the cost is \$5,200 and they will be using the tobacco funds.

MOTION: AUTHORIZING PUBLIC HEALTH NURSING TO ENTER INTO A CONTRACT WITH EVERYTHING MEDICAL FOR A RESPIRATORY THERAPIST AT A RATE OF \$65.00 PER HOUR AND TO ENTER INTO A CONTRACT WITH GRUEN VON BEHREN AT A RATE OF \$5,200 TO GIVE 10 ANTI-SPIT TOBACCO PRESENTATIONS AT AREA SCHOOLS MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mrs. Fuerst stated that last month this committee had approved an increase in the contract amount with Steuben ARC. They are looking for an additional increase in their contract to cover the increase in the minimum wage. This would put the new contract rate at \$37.50 per week, which is a \$2.50 increase.

MOTION: AUTHORIZING PUBLIC HEALTH NURSING TO AMEND THEIR CONTRACT WITH STEUBEN ARC TO REFLECT THE INCREASE IN MINIMUM WAGE, BRINGING THE CONTRACT TOTAL TO \$37.50 PER WEEK MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. Special Children's Services

Contracts – Mrs. Brutsman requested authorization to contract with Karen Fracchia a physical therapist for preschool at a rate of \$60.00 per session.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO CONTRACT WITH KAREN FRACCHIA, PHYSICAL THERAPIST FOR PRESCHOOL AT A RATE OF \$60.00 PER SESSION MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Appointments – Mrs. Brutsman presented the re-appointments to the Local Early Intervention Coordinating Council for approval.

MOTION: APPROVING THE APPOINTMENTS TO THE LOCAL EARLY INTERVENTION COORDINATING COUNCIL AND FORWARDING TO THE LEGISLATURE FOR APPROVAL MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

Mrs. Brutsman presented the appointments to the Committees on Preschool Education for approval.

MOTION: APPROVING THE APPOINTMENTS TO THE COMMITTEES ON PRESCHOOL SPECIAL EDUCATION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Steuben County Children's Services Directory – Mrs. Brutsman informed the committee that they will be updating the information in the directory and printing more this year. It has been a great success. We have agencies calling us for copies. Since money is an issue, we will be requesting a donation from each agency listed. The first time that we printed the directory, we received money from the Bethesda Foundation and the Steuben Rural Health Network. This is a service to Steuben County residents, so we do not want to exclude anyone if they decide they can't contribute.

Budget Transfer – Mrs. Brutsman requested authorization to transfer \$50,000 from the Preschool Tuition line item to the Early Intervention Services line item to cover 2004 expenditures.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO TRANSFER \$50,000 FROM PRESCHOOL LINE ITEM #296000.5.407.820 TO EARLY INTERVENTION SERVICES LINE ITEM #405900.5.420.550 TO COVER 2004 EXPENDITURES MADE BY STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Personnel – Mrs. Brutsman requested authorization to increase Dr. O'Connor's salary from \$15,001 to \$15,607 per year. She stated they have the money in the budget, but it needs to go through the committee for approval. Dr. O'Connor is the medical director for their program.

MOTION: APPROVING AN INCREASE IN SALARY FOR DR. O'CONNOR, MEDICAL DIRECTOR FOR SPECIAL CHILDREN'S SERVICES, FROM \$15,001 PER YEAR TO \$15,607 PER YEAR MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0-1. (MR. STACHNIK ABSTAINED).

Cell Phone Request – Mr. Alger stated that Mrs. Brutsman is requesting three cellular phones for the Service Coordinators. These individuals travel around the County and many of the homes they visit do not have telephones. There will be slight increase in cost, but there should be enough money in the 2005 budget to cover the cost.

MOTION: APPROVING SPECIAL CHILDREN'S REQUEST FOR THREE CELLULAR PHONES FOR THE PROGRAMS' SERVICE COORDINATORS MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. Personnel

Tuition Aid Request – Mrs. Smith presented a tuition aid request for Muriel Brown, Health Care Facility. Ms. Brown is taking her last course to finish her Bachelor Degree in Nursing. The course is entitled "Health in Changing Multiple Society" and is job related. Mrs. Smith recommends approval of this request.

MOTION: APPROVING THE TUITION AID REQUEST FOR MURIEL BROWN, HEALTH CARE FACILITY TO TAKE A COURSE ENTITLED "HEALTH IN CHANGING MULTIPLE SOCIETY" MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

5. Health Care Facility

Budget Transfer – Mr. Zehr informed the committee that they had to pay the NYS Department of Health \$97,000 based upon the assessment. This is the 5 percent assessment that was passed by the State last year. We had budgeted 2.5 percent and they went retroactive back to April at 5 percent.

MOTION: APPROVING AN ADJUSTMENT TO THE 2004 CASH RECEIPTS ASSESSMENT LINE ITEM OF \$97,000 FOR THE HEALTH CARE FACILITY MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Zehr requested authorization to transfer \$30,000 to pay pharmaceuticals. With the increase in Medicare volume and the increase in our case mix, we pay for the first 100 days of their stay. We under budgeted for 2004. We are increasing the Medicare Revenue by \$30,000 and increasing the Pharmaceuticals line item by \$30,000. It will end up being a wash.

MOTION: APPROVING INCREASING THE HEALTH CARE FACILITY'S MEDICARE A REVENUE LINE ITEM BY \$30,000 AND INCREASING THE PHARMACEUTICAL EXPENSE LINE ITEM BY \$30,000 MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Timeline – Mr. Zehr distributed a copy of the timeline for the Health Care Facility project. He stated that he met with Mr. Alger yesterday and he had meetings in December with SWBR and Pike. Mr. Zehr stated that he would like to solidify the CON, finalize it, make the necessary adjustments and submit it to the State for approval. SWBR is asking for \$8,400 to do the preconstruction work on the CON. Pike is looking for \$48,000 to have the information necessary to get the CON reinstated. There will be modifications in the design. Mr. Zehr stated in the 2005 budget we have budgeted \$60,000 for the CON renewal. We can cover the expenses of the architect and the contractor for the preconstruction work.

Mr. Ahrens commented we will need to amend the contract to go forward with this. Mr. Stachnik asked with regard to the preconstruction phase, will the architect look at what had been on the drawing board and modify that? Mr. Zehr replied there is not a lot we can do with the design. We will address value engineering out of the original CON. We are looking to redesign the kitchen services so they are done on each unit. There are three units and we would like to have three small kitchens on each unit. Mr. Zehr stated they looked at Cattaraugus County and they have a design where they have a high-power dishwasher on the kitchen. Mr. Alger stated they will be doing the food preparation in the main kitchen, but the serving will be done in the little kitchens and that will help to maintain the temperature of the food when it is served. Mr. Zehr stated there is also a small dining room on each unit. It will be more efficient.

Mr. Ahrens stated with regard to the timeline, when we met last month we discussed how the bond endorsement piece is essential to this project. Where do you anticipate that taking place in the timeline? Mr. Zehr replied originally we had talked about the end of the first quarter. It probably makes sense to pursue the bond after we get Department of Health approval. Mr. Alger stated we did not realize that we would have to get supplemental approval of the changes in the CON. It doesn't make sense to do a bond resolution prior to knowing that you have a project. It may be April or May before we would be in that position. Based on this schedule, it should be the end of May. Between now and May the interest rates will no doubt go up. The concern with going forward earlier is that we don't have as good an estimate and secondly, without Department of Health approval, you are acting prematurely. Mr. Zehr commented the other component is that in order to get the CON reviewed and approved, you have to submit \$75,000 for an application fee.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO AMEND PRIOR CONTRACTS TO INCLUDE PAYMENT TO SWBR \$8,400 AND PIKE \$48,500 FOR PRECONSTRUCTION WORK TO ENABLE THE COUNTY TO GET TO A POINT WHERE A FINAL DECISION CAN BE MADE REGARDING THE CERTIFICATE OF NEED MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Physical Therapy – Mr. Zehr informed the committee that they currently have one Physical Therapist from VTA Contracting Services. We are currently looking at whether we want to keep this individual on board as a permanent provider or if we want to hire someone from the outside. With VTA, they can also provide Occupational Therapy and Speech Therapy. We are paying this individual \$55.00 per day and they are working half-days. As we move forward, we will be entering a shared risk contract with VTA. That is where they would charge us per minutes of actual therapy provided and then take a percentage of the reimbursement. Mr. Zehr stated that he would keep the committee informed about what they do.

Oxygen – Mr. Zehr informed the committee that he recently sent a contract to the Law Department for their review regarding oxygen. They did a review and have cut the costs of oxygen in half by finding a provider out of Buffalo. Our cost went from \$23,000 to \$10,000.

Overtime – Mr. Zehr distributed the overtime report for review. He stated that they are up in their census 1.5 based on year-to-date figures. Overtime has increased a little over last year's numbers year-to-date. Mr. Zehr stated that he did an analysis of people who have been off on extended leave. The biggest reason for extended time off was shoulder injuries. Having lifts over the beds will reduce the number of injuries. Mr. Nichols commented a good share of the reason for overtime is lift related. Mr. Zehr stated that for time off those are significant numbers. They had about 612 sicknesses last year that individuals were off from one to five days. They are looking at a better way to track this.

CON – Mr. Zehr informed the committee that he has been working with Mr. Kropski on the CON and if they went ahead with a 25-bed assisted living unit, what the impact would be if they did that instead of having a 105 bed skilled nursing facility. Mr. Nichols commented that is the kind of data we need to have. We can't go ahead with this process without that information. Mr. McIntyre asked what will we do with the building? That's a major factor. Mr. Alger replied we had an estimate for the removal of the building. Mr. Zehr stated that he would ask the architect. Mr. Stachnik commented the building is configured for a specific purpose. What else would you do with it? Mr. Zehr replied you could renovate it and rent space out for a variety of things. It doesn't meet our code for nursing home compliance, but for office space, it would not be a code issue. Mr. Nichols commented you would have to look at a new roof, new boilers, etc. Mr. Stachnik commented it would be interesting to see if private individuals would be interested in the building. If we find that people are interested, then we know that they did the cost analysis for us.

Mr. Alger commented the kitchen is a useful operation. A component of that is that the OFA's meals program's kitchen is undersized and we could move that operation into the Health Care Facility kitchen and that would be very beneficial to their program. He doesn't believe that you would have a lot of expense with that. They are currently operating out of the Clyde F. Simmons kitchen and that is way undersized. Mr. Nichols stated we still need a place to keep our records. Mr. Stachnik commented that you have to be careful about how you co-mingle records. Mr. Alger stated if you take the building down, you have to build something for our own records. We would need approximately 10,000 square feet just for them. Discussion followed.

IV. OTHER BUSINESS

Change Meeting Date – Mr. Nichols stated that the NYSAC conference is being held January 31st – February 2nd. He asked the committee if they wanted to change the meeting. After discussion, the committee decided to keep the meeting scheduled for February 2, 2004 at 9:00 a.m.

MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by: Amanda L. Chapman, Senior Stenographer, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Wednesday, February 2, 2004 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON
Wednesday, January 26, 2004.**

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, February 2, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: David Stachnik, Vice Chair Kenneth E. Isaman Lldon E. Jamison

STAFF: Gregory P. Heffner Vicki Fuerst John Zehr
Robert Anderson, Ph.D. Robert F. Biehl Nancy Smith
Frederick H. Ahrens, Jr. David English

LEGISLATORS: John Walsh

ABSENT: Robert V. Nichols, Chair Gary D. Swackhamer

OTHERS: Mary Perham, *The Leader*
Dave Shoen, WENY

I. CALL TO ORDER

Mr. Stachnik called the meeting to order at 9:25 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JANUARY 5, 2005 MEETING MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. DEPARTMENTAL REPORTS/REQUESTS

1. Public Health & Nursing Services

Contracts – Mrs. Fuerst requested authorization to increase their contract with SJM Properties. This contract is for their Hornell office rent and that has not been increased since 1996. The new rate would be \$1,339 per month.

MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO AMEND THEIR CONTRACT WITH SJM PROPERTIES INCREASING THE MONTHLY RENTAL TO \$1,339.00 FOR THE HORNELL OFFICE SPACE MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

2. Health Care Facility

Reports – Mr. Zehr distributed a copy of a graph depicting overtime hours for 2004 and 2005. The numbers for 2005 continue to be lower than the 2004 numbers. Mr. Zehr commented that their occupancy for the month of January was 96 percent.

Legal Challenge to Medicaid Rate Deficiencies – Mr. Zehr informed the committee that they are trying to get a second group of nursing homes to file a lawsuit for the Medicaid billing. He stated that he has talked with Mr. Ahrens and it will cost \$5,250.00 to join the suit. There would be two payments one in February and one in June. The legal firm would take 10 percent of the first year of the lawsuit recovery, if there were a recovery. Mr. English commented that would be the minimum fee. Mr. Zehr stated if there is a lawsuit and we are not part of it, we will not get anything. Mr. Ahrens stated this is very similar to the litigation that we did in the 1980's regarding the base rates.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY ADMINISTRATOR TO ENTER INTO A RETAINER AGREEMENT WITH THE LAW FIRM HARDER SECREST & EMERY TO JOIN THE LAWSUIT REGARDING MEDICAID RATE DEFICIENCIES AND TO PAY THE FEE OF \$5,250.00, SAID FEE TO BE PAID IN TWO INSTALLMENTS, ONE IN FEBRUARY AND ONE IN JUNE MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Criminal Background Checks – Mr. Zehr informed the committee that New York State is trying to require a background check on all licensed individuals. The cost would be \$100 per background check. Mr. Zehr commented that he believes this may be postponed. All existing individuals would be grandfathered in.

Bad Debt – Mr. Zehr stated that he met with the Law Department regarding bad debt. They have pursued what was out there and now they are looking at outsourcing the remaining \$240,000. It would be a pretty labor intensive pursuit if we did this internally.

MOTION: AUTHORIZING THE ADMINISTRATOR OF THE HEALTH CARE FACILITY AND THE COUNTY ATTORNEY, TO ENTER INTO AN AGREEMENT WITH A FIRM TO COLLECT OUTSTANDING BAD DEBT MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

CON – Mr. Zehr informed the committee that he met with the architects and they are doing the preliminary redesign. At the end of next week, those should be done and we can show those to the Department of Health. We want to have a face-to-face meeting with them to show them the prints. We also requested that finance from Albany be there as well.

VTA – Mr. Zehr stated that we have been using VTA for our physical therapy services. We hired a therapist from VTA and brought them on as an employee. VTA is requesting \$4,000 in liquidated damages for that individual. Mr. Zehr commented that we are going to stay with VTA for occupational, physical and speech therapy.

3. Office of Community Services

Budget Transfer – Dr. Anderson informed the committee that they received pass through money from OMH in the amount of \$238,596 which will go to Steuben Churchpeople Against Poverty. Both OMH and HUD have asked that this funding run through us. We did receive the final signed agreement from HUD. This funding is for the tenant based rental assistance program.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO ACCEPT \$238,596 IN PASS THROUGH FUNDING FROM OMH TO STEUBEN CHURCHPEOPLE AGAINST POVERTY AND APPROPRIATING THAT FUNDING IN THE 2004 BUDGET AND ROLLING THAT AMOUNT OVER INTO THE 2005 BUDGET MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Informational – Dr. Anderson informed the committee that he will be taking a request to the Vacancy Committee for a Social Work Assistant position. They need this position as they had to let an individual go who did not complete their probationary period.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO ACCEPT THE PROPOSAL OF ANASAZI AND TO BEGIN NEGOTIATIONS FOR A FINAL CONTRACT MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR
Wednesday, March 2, 2005 @ 9:00 a.m.

PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON
Wednesday, February 23, 2005.

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, March 2, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Robert V. Nichols, Chair David Stachnik, Vice Chair Kenneth E. Isaman
Gary D. Swackhamer

STAFF: Mark R. Alger Gregory P. Heffner Vicki Fuerst
Helen Brutsman Robert W. Anderson, Ph.D. John Zehr
Robert F. Biehl Nancy Smith Carolyn Gutierrez
Frederick H. Ahrens, Jr. Sally MacDougal

LEGISLATORS: Philip J. Roche, Esq. DeWitt T. Baker, D.V.M.

ABSENT: Lldon E. Jamison

OTHERS: Floyd Amann, President, Corning Community College
Tom Carr, Chief Fiscal Officer, Corning Community College
Patty Cordez, Corning Community College

Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:00 a.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 2, 2005 MEETING MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

1. Public Health & Nursing Services

Contracts – Mrs. Fuerst requested authorization to amend their existing contract with Stafkings to increase the per hour rates for RN’s, LPN’s and Home Health Aides.

MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO AMEND THEIR EXISTING CONTRACT WITH STAFKINGS TO INCREASE THE PER HOUR RATES FOR RN’S, LPN’S AND HOME HEALTH AIDES MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. Special Children’s Services

Contracts – Mrs. Brutsman requested authorization to enter into contracts with Jason Peck, Maida Bachman and Finger Lakes United Cerebral Palsy for preschool and early intervention and to enter into a contract with Carrie Button for preschool services.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO CONTRACTS FOR PRESCHOOL AND EARLY INTERVENTION WITH JASON PECK – PHYSICAL THERAPIST, MAIDA BACHMAN – OCCUPATIONAL THERAPIST AND FINGER LAKES UNITED CEREBRAL PALSY – RELATED SERVICES AND ENTERING INTO A CONTRACT FOR PRESCHOOL WITH CARRIE BUTTON – OCCUPATIONAL THERAPIST MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Transportation – Mrs. Brutsman requested authorization to bid Preschool Transportation for the 2005 – 2006 school year.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO BID PRESCHOOL TRANSPORTATION FOR THE 2005 – 2006 SCHOOL YEAR MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Governor's Budget Proposal – Mrs. Brutsman informed the committee that the Governor has proposed four major changes for the Early Intervention program, which are similar to last year. The Governor is proposing to increase private health insurance coverage, require parent fees, the ability to negotiate rates and to change the basic session and the extended session into one rate. Mrs. Brutsman commented with regard to the ability to change rates, if we can't, that would be bad.

3. Office of Community Services

Mandatory Fingerprinting – Dr. Anderson informed the committee the law says that we have to do this. In the past, we just would fingerprint those individuals that were working with children. We had done everybody, but now OMH is mandating that every employee shall be fingerprinted and have a background check done as well. Mr. Biehl asked is this for current or new employees? Dr. Anderson replied everyone. This process will involve both Mr. Biehl and Mr. Ahrens. Dr. Anderson explained OMH will send a team out here and we will be given dates to take the staff. They will not charge the County for current employees. This is if we go through their system. We are waiting to see what their system is. Mr. Isaman asked has this been challenged? Dr. Anderson replied that he is sure that it was challenged.

Contract – Dr. Anderson stated there are going to be times in the next twelve months when Dr. Khan will be out of the country for more than his usual two or three weeks. He requested approval to contract with another psychiatrist while Dr. Khan is gone.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO CONTRACT WITH ANOTHER PSYCHIATRIST DURING THOSE TIMES WHEN DR. KHAN WILL BE OUT OF THE COUNTRY MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

NAMI Funding – Dr. Anderson explained in years past, we have always given our reinvestment money to the National Association of the Mentally Ill (NAMI) of New York. He requested authorization to given them \$2,000.00 this year.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO GIVE THE NATIONAL ASSOCIATION OF THE MENTALLY ILL (NAMI) \$2,000.00 IN ADVOCACY MONEY TO DO ACTIVITY IN CONJUNCTION WITH THE OFFICE OF COMMUNITY SERVICES MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Staff Credentials – Dr. Anderson informed the committee that they have been working with Ira Davenport Hospital to try and make things go more quickly and smoothly when we have inmates that are taken to the Emergency Room for psychiatric reasons. The hospital has requested that we credential some of our staff that could go out and make a determination as to whether an individual needs to be hospitalized, without having to send the individual to St. James or Penn Yan for evaluation. Dr. Anderson commented that he is in agreement with that, however, there is a cost. We have limited the number that we will credential, but there will still be eight individuals. He commented that they are still negotiating the cost. Dr. Anderson explained, if somebody in Bath is taken to Ira Davenport Hospital, they do not have a psychiatrist there, so they would have to send that individual to Hornell or Penn Yan to be evaluated. Our staff would be able to go to Ira Davenport to make the determination and then they would not have to send that individual to Hornell or

Penn Yan unless we determined that they needed to be hospitalized. Dr. Anderson stated what they are negotiating is the price to practice at the hospital.

Mr. Nichols commented that we need to see what the cost to credential is opposed to the cost of sending an individual to Hornell. Dr. Anderson stated this will save you money. He is requesting that the committee allow him to go ahead and negotiate as low as we can and then go ahead and do this. Mr. Stachnik stated if you look at your budget and you feel that this will expand the scope of your services, then you should pursue this.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO NEGOTIATE WITH IRA DAVENPORT MEMORIAL HOSPITAL THE PRICE TO CREDENTIAL EIGHT STAFF MEMBERS AND TO PROCEED WITH THAT PROCESS ONCE THE PRICE IS AGREED UPON MADE BY MR. STACHNIK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Annual Meeting – Dr. Anderson informed the committee that in the past they have had an annual meeting with the staff. They have decided to hold the annual meeting every other year and to not have one this year. However, he would like to spend \$250.00 to do a management retreat. Mr. Swackhamer asked why are you going to do the annual meeting every other year? Dr. Anderson replied it is due to the time and the expense. This year they have opted to try going in with Family Services training and see how that works. If it doesn't work, then we can go back to how it was previously. Mr. Swackhamer commented that he is in favor of them continuing to hold annual staff meetings.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO SPEND UP TO \$250.00 ON A MANAGEMENT RETREAT AND ALSO AUTHORIZING THE DIRECTOR TO HOLD AN ANNUAL STAFF MEETING EVERY YEAR OR EVERY OTHER YEAR, THE FREQUENCY TO BE DETERMINED BY THE DIRECTOR MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

County Car – Dr. Anderson requested permission to use a County car for the next three days. Allegany County is paying for him to attend the National County Association of Behavioral Health Directors conference in Washington, D.C.

MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF COMMUNITY SERVICES TO USE A COUNTY CAR ON MARCH 2, 3 AND 4 TO ATTEND THE NATIONAL COUNTY ASSOCIATION OF BEHAVIORAL HEALTH DIRECTORS CONFERENCE IN WASHINGTON, D.C. MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Case Management Program – Dr. Anderson stated that he met with Mr. Alger last week to talk about the Intensive Case Management (ICM) and Supportive Case Management (SCM) programs. In addition to these two programs, there is also regular case management. Dr. Anderson explained, in 2000 we established a program, based on the amount we were given at the time, with seven ICM's, with one being a State ICM and two SCM's for a total of nine case managers. In 2004 when we went to the new system, we discovered that what we had been doing was not what was written in the plan. So in order to not lose money and funding we are trying to change what we actually have to what it should be in the plan. He stated that what he would like to have five ICM's and four SCM's for a total of nine. We need to reclassify one position to become an ICM and then on the State level, change one of their's from an ICM to a SCM. Dr. Anderson stated what we are doing in essence, is trying to reclassify two county positions; one to an SCM and one to an ICM. He requested authorization to meet with Mr. Biehl and Mr. Alger to show what it is, why we are doing it, and where the money is coming from.

Dr. Anderson explained the ICM's carry a caseload of twelve of the very seriously impaired individuals. The SCM's carry a caseload of twenty moderately impaired individuals. We have a need for both of these positions in the County. The State has the model set out to be that way, only they had more ICM's. If we switch what we have around, it would amount to us being able to save \$12,000.00 which we would be able to utilize in another part of our budget. Mr. Stachnik commented this is a proposal to comply with the State model and they are currently underserving their population. Mr. Isaman asked is the State ICM an employee of the State? Dr. Anderson replied yes.

MOTION: AUTHORIZING THE DIRECTOR OF THE OFFICE OF COMMUNITY SERVICES TO DISCUSS WITH THE PERSONNEL OFFICER AND THE COUNTY ADMINISTRATOR THE CASE MANAGEMENT PROGRAM AND HIS PROPOSAL TO RECLASSIFY CERTAIN POSITIONS IN THAT PROGRAM MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK.

Mr. Alger stated part of the reason for presenting this is because the other alternative is to relinquish these positions and then they would go to other counties. Mr. Nichols asked will the impaired individuals ever be normal? Dr. Anderson replied someone who gets out of EPC, for example, they are transitioning and so that individual is assigned to an ICM and they may be with that worker for a period of six months. However, some individuals have been in the ICM program for five years. The majority we try to rotate so they are not on the program for more than one year. Dr. Anderson explained in our system, everything is in flux all the time. The level of care constantly fluctuates.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Alcohol and Substance Abuse Services – Dr. Anderson introduced Carolyn Gutierrez who is the Director of their Alcohol and Substance Abuse Program.

Mrs. Gutierrez stated last year, when the reform of the Rockefeller Drug Laws was being considered, the Legal Action Center estimated that providing treatment, instead of jail or prison time, to a 2nd felony offender saved the State between \$66,638 and \$88,042 in jail and prison costs alone. The cost of one addiction counselor for a year is far less than the costs generated across our county social service and criminal justice systems for a single inmate.

Our productivity per counselor is always well beyond the required and in fact, the permitted level. In 2004, our counselors provided an average of 1700 units of service while the state goal is 1300. Almost 70 percent of our clients had discontinued substance abuse at the time of discharge and almost 44 percent were employed, resulting in decreased crime, family dysfunction and emergency medical admissions – and reducing public assistance cases and adding to the county tax revenues. Almost 4000 clients received evaluations and/or treatment at our agency during the year. On any given day, you will find our counselors coming to work early and staying late. However, despite our very best efforts, we cannot accommodate the need. In addition, the State now has a cap on the maximum caseload permitted for each counselor and we routinely exceed that.

As you deliberate, I hope you will go beyond considering the cost of alcohol/drug services alone and consider the costs of not providing these services. If you overlay those costs, spread throughout our entire social service and criminal justice system, I believe you will approve the additional 3 counselors that I am requesting. I thank you for your time and for your diligent work on behalf of our agency and for the county as a whole.

Mr. Isaman asked how many staff do you currently have? Mrs. Gutierrez replied we have nine in three offices. Mr. Isaman asked the Transitions funds were returned to the County, but not utilized? Dr. Anderson replied in order to activate a couple of positions, we used some of that money. Over the past four years, the number of positions that have been authorized have declined, at the same time that society is making more and more demands for that kind of treatment. This is not just this year, it's just that even with additional people we have hired in the last four months, we are still not able to meet the demand. Dr. Anderson commented, this is an outstanding program. We have a three-year recertification and we are constantly held up as an agency that more than meets the requirements of productivity.

Mr. Isaman asked if we approve the three positions, what would be the county cost? Dr. Anderson replied the issue is that he can't tell you because the billing program is not up. At this point, the State has given us \$60,000 extra to hire counselors. The revenue that is generated by the counselor depends on the case mix. If you ran these figures, you generally come out that one counselor makes \$50,000 a year. The cost depends on the individual. If they are new the cost would be under \$50,000 and the cost would be higher for an individual already in the system. Mr. Swackhamer asked approximately how many repeats are you seeing? Mrs. Gutierrez replied that she doesn't know the exact number.

Dr. Anderson informed the committee that they do an exit interview at the time of discharge and approximately 70 percent are abstinent at the time of discharge. Mr. Swackhamer asked is there any other program that we are not using that we should be? Mrs. Gutierrez replied we do a discharge plan when they complete treatment and we try to connect them with services to support their recovery. We refer them to the level of treatment that the client needs. There is no

other outpatient agency in the County except for MATCH, which is located in Hornell. Mr. Isaman commented we should look at this. He can see that crime is up already.

Mr. Alger suggested that they let Mr. Biehl and Dr. Anderson get together and look this over. We can look at what programs, if any, are available. If we are talking about new positions, it will be difficult to get those approved, however, time wise, you are in line with the budget process for next year. Mr. Roche stated this is a real crisis. He has seen this in Family Court as well as Criminal Court. He stated that he is not sure that this is something that can wait until next year. The 16B process may be getting in the way of doing the right thing. Mr. Nichols asked who has a better success rate, the alcohol addicted or the drug addicted? Is this something that you keep track of? Mrs. Gutierrez replied a lot of it depends on when you are treating the person in their addiction and how severe the addiction is when they come to us. Dr. Anderson stated you do have an outstanding program in the County and it is premier in the State.

IV. PRESENTATION

1. Corning Community College

Dr. Amann commented that during March 2005, the college is making another effort to ask the counties to consider taking another look at the capital chargebacks. A lot of what we do at the college is interrelated with what goes on in the County. Our mission is to work with the municipalities to raise the education of the populace, to lower dependency on alcohol, DSS and reduce crime. We want you to see us as part of the solution. We are funded by three sources; State aid – FTE, County chargebacks and student tuition. Usually each of these sources represents one-third. This year the students will pay 43 percent of the total. Our enrollment has been strong.

Dr. Amann stated that he would like to focus the county's attention on the capital chargebacks. Corning is unique in that we are regionally sponsored and depend on the chargebacks for our revenue. Currently our chargeback is \$200 per FTE. For the last twenty years we have been able to manage at that rate, however, our facility is expanding and the Spencer Hill Campus is forty years old and needs attention. We are trying to focus on critical maintenance issues, but we are losing ground. He is coming to the Committee to ask for an increase of \$100 which would bring the capital chargeback to \$300 per FTE. Dr. Amann stated that they would like to bring Corning Community College to parity with the other community colleges in the State. He explained, if a county resident goes to college in another county, you pay \$300, however, we can only charge a rate of \$200 for out-of-county residents. We are at a point where critical maintenance is impeding our ability to serve the demands on our campus. Most of our focus is on Spencer Hill. Approximately 90 percent of the capital revenue is spent here. The cost to the County is \$60,000, more than that would be replaced back into infrastructure.

Mr. Carr distributed a copy of their updated fiscal report. He commented that their fiscal year ends August 31st. We are totally funded by enrollment. Expenditures for 2004 were below budget. For 2005 the enrollment is stable. Previously we had predicted a decline, but we are starting to see the impact of layoffs. We have seen a decrease in State aid of approximately 5 percent. Mr. Carr stated the 2006 budget year will begin September 1, 2005. We do project a slight decrease in enrollment with no increase in State aid.

Mr. Carr explained the capital projects are funded in half by the capital chargebacks. The other half is funded by New York State. All of the projects are in Steuben County and all of them are at Spencer Hill. Mr. Nichols asked what happens if Steuben County moves ahead and increases and Chemung County does not? Dr. Amann replied all three counties, Chemung, Steuben and Schuyler have to approve the increase. We are asking for that to start in September. Dr. Baker asked year one, the County cost will be \$60,000 if we increase the chargeback to \$300? Dr. Amann replied that was correct. Those dollars would go into repair costs. Mr. Nichols asked how many students in the three-county area would you pick up? Mr. Carr replied 6.5 percent of the total enrollment, approximately 200 FTE's come from other counties in New York State. Mr. Nichols asked Dr. Amann your new home was not paid for by the capital chargebacks? Dr. Amann replied the home was paid for by State grants, not the capital chargebacks. Mr. Stachnik commented that if they could accumulate some statistics, it would give their presentation more credibility. Mr. Isaman asked do you pursue alumni contributions? Dr. Amann replied yes. This was the first year that they have put together the major gifts campaign. The State has set aside \$3.5 million for us, but we have to come up with a local share of \$3.5 million. Mr. Nichols commented the community college system is a wonderful system. It gives students a good transition period. He stated that he does support the chargebacks, but they will need to get it through Chemung County. Mr. Stachnik commented that there has been a lack of foresight on the part of Chemung County.

III. DEPARTMENTAL REPORTS/REQUESTS (Continued)

4. Health Care Facility

Reports – Mr. Zehr distributed the occupancy and overtime reports for review. He commented that overtime has increased as they have two RN's that are out on indefinite disability. They have hired three LPN's.

Physical Therapy – Mr. Zehr informed the committee that they are working with VTA to provide physical therapists to us. He requested authorization through the month of June to pay for this therapist. The cost is \$47,850 and he will be taking this amount of the PT salary line item and moving it to the PT consulting services line item. He stated that he will keep the committee up-to-date on the shared risk program. This program is designed so that we are billing by actual minutes that the therapist provides.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO TRANSFER \$47,850 FROM LINE ITEM #453016.5.1100001 AND APPROPRIATE \$47,850 INTO LINE ITEM #453016.5.420730 TO PAY FOR THE COST OF THE PHYSICAL THERAPIST THROUGH THE MONTH OF JUNE MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

CMI – Mr. Zehr informed the committee that with regard to their case mix, they have doubled their Medicare days from the previous year.

Legal Update – Mr. Zehr informed the committee that they are in the process of submitting all of the detailed information.

CON Update – Mr. Zehr informed the committee that they are still working on the prints. Once they get the changes completed, he will review it with Mr. Alger and they will bring it to committee for their review.

Memorializations – Mr. Zehr requested the committee memorialize the State to eliminate the 10 percent additional tax we pay and also a proposal to reimburse the county better as we are unique and care for the poor.

MOTION: MEMORIALIZING THE NEW YORK STATE LEGISLATURE TO REPEAL THE ASSESSMENT TAX ON NURSING HOME CASH RECEIPTS MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

MOTION: MEMORIALIZING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF NEW YORK TO AMEND SOCIAL SERVICES LAW TO INCREASE STATE REIMBURSEMENT FOR CARE, TREATMENT, MAINTENANCE AND NURSING SERVICES IN PUBLIC NURSING HOMES MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

Fingerprinting – Mr. Zehr informed the committee that the Health Care Facility is mandated to do background checks and fingerprinting. However, the State will allow them to grandfather in existing employees. Mr. Alger stated ultimately the Sheriff does the initial screening, but then those go to DCJS.

MOTION: FORWARDING THE REQUEST OF CORNING COMMUNITY COLLEGE TO INCREASE THE CAPITAL CHARGEBACK TO \$300.00 PER FTE TO THE FINANCE COMMITTEE FOR CONSIDERATION MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. MOTION CARRIES 3-1. (MR. SWACKHAMER OPPOSED)

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: APPROVING THE EXTENSION OF THE BUILDING LEASES FOR THE OFFICE OF COMMUNITY SERVICES MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. STACHNIK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR
Wednesday, April 6, 2005 @ 9:00 a.m.

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON**
Wednesday, March 30, 2005.

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, April 6, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Robert V. Nichols, Chair Kenneth E. Isaman Lldon E. Jamison

STAFF: Mark R. Alger Helen Brutsman Vicki Fuerst
Robert W. Anderson, Ph.D. John Zehr Nancy Smith
Frederick H. Ahrens, Jr. David English Sally MacDougal

LEGISLATORS: Philip J. Roche, Esq. John Walsh

ABSENT: David Stachnik, Vice Chair Gary D. Swackhamer

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:05 a.m. He asked Mr. Jamison to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 2, 2005 MEETING MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. DEPARTMENTAL REPORTS/REQUESTS

1. Special Children's Services

Annual Report – Mrs. Brutsman distributed copies of her annual report for committee review. She stated that the **part-time** position that they turned into a **full-time** Service Coordinator/CPSE County Representative was great, however, that individual resigned on Monday. She was very good.

Mrs. Brutsman stated the last orthodontic screening clinic was held on October 12, 2004 and had run for 15 years. The new system isn't working so well. There is more of a focus on public awareness this year. With regard to the monitoring, there are a lot of guidelines coming from the State that we didn't have before. Mrs. Brutsman informed the committee that they are part of the SAY Network which consists of 10 counties working together in identifying and resolving issues in Early Intervention and Preschool. The SAY Network did create a regional early childhood coalition. Mrs. Brutsman stated that the transportation cap for Preschool has changed and has gone from \$27 **to over** \$40. We should be able to get our 59.5 percent reimbursement on all of that.

Mr. Isaman commented there was a 25 percent increase in physician office and hospital visits. Mrs. Brutsman stated that is in the Physically Handicapped Children's Program. Those numbers go by what is going on with the medical children. We have several children with cystic fibrosis. Mrs. Brutsman stated there is a medical program that few people are aware of. Under this program, if you suspect your child has a problem, you can use three visits that the State pays for. This is not utilized by the doctors that much. The local doctors have to refer you to the specialist.

2. Office of Community Services

Billing System – Dr. Anderson informed the committee that they are in the process of installing the computers for the billing system. The contract for Anassazi is at the Law Department and Mr. English is reviewing. As soon as that is

approved, we will send them the contract and negotiations will begin and we will pin them down to what they are going to do. He commented that Dr. Chapman has been in charge of this.

Dr. Anderson stated that he appreciates the Legislature's support for the reclassifications and they have moved to hire those individuals.

3. Health Care Facility

Resident Occupancy – Mr. Zehr distributed a graph showing the census and currently they are at 96 percent. We are trying to keep three beds open for rehabs.

Overtime – Mr. Zehr distributed a graph comparing 2004 overtime with 2005 overtime. Overtime is down for the pay period as well as year to date.

Analysis – Mr. Zehr distributed a copy of a comparison that was done with NYASA depicting hours of care per resident day. Currently, a person at the Health Care Facility receives .52 hours of care from RN's, .21 hours of care from LPN's and 2.48 hours of care from CNA's. He commented that the more efficient the facility becomes, the lower those numbers will be.

Background Checks – Mr. Zehr informed the committee that background checks are in place. The State is walking us through the process because they are implementing it, but they are giving us some leeway. We just got the fingerprinting cards in the mail yesterday. He stated that he will be meeting with the Sheriff to teach our people how to do fingerprints. We will send the fingerprints, along with \$22 to the State and the State will send it on to the FBI for processing, then it will be sent back to the State and then back to us.

Vending Proposal – Mr. Zehr distributed copies of a proposal that he has to take over vending services at the Health Care Facility. Right now the Health Care Facility currently houses three vending machines; owned and operated by Loose Ends Vending. We receive a royalty check once a month from Loose Ends for 8 percent of the net profits of the snack machines, which on average is \$40. In an effort to increase revenues, he is proposing that they purchase three refurbished vending machines which we would own and operate. We would then realize 100 percent of the net profits.

Mr. Zehr explained the initial capital investment for the first year to purchase the machines would be \$7,235 and of that, 7 percent is considered maintenance and repair. Supplies, packaging and labor for the first year would cost \$10,245. Our thinking is that as we prepare food for the residents, we can make five extra packages and fill the cold vending machine. We will probably put out a better product than what is currently there. Mr. Zehr stated that the first year expenses would be \$18,248 and the expenses for years 2 – 5 would be approximately \$11,000. We currently have one of our employees in engineering that does the soda machine. We purchase our own soda and he fills the machine.

Mr. Nichols asked we are moving Loose Ends Vending out and doing this ourselves? Mr. Zehr replied yes. The issue is when we sever the contract, they will take the machines. Mr. Alger stated another issue is the ability to keep the machines stocked based on our preparation of food already. They will be using food they are already preparing. In that sense, you will not see an additional cost, but you do have the opportunity to see profit. We have never done this before. Mr. Nichols asked how often does Loose Ends stock the machines? Mr. Zehr replied two times per week and we would do the same. Being open 24 x 7, this kind of a setup is more for the evening and night shifts. Mr. Isaman commented that he doesn't see a problem with trying it. Mr. Nichols stated the only risk he sees is that if this doesn't work, then we will have to eat the cost of the machines. Mr. Zehr stated if this doesn't work, we could work with Marriott to depreciate those machines out.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO MOVE FORWARD WITH THEIR PROPOSAL TO BE THE SOLITARY OWNER/OPERATOR OF EACH OF THE THREE VENDING MACHINES IN THE STAFF CAFETERIA MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Budget Impact – Mr. Zehr informed the committee the State raised the assessment from 5 percent to 6 percent. We had expected that. It will cost us just over \$50,000 more per year because we are passing that cost on to the private pays and private insurance. Currently we have 5 – 7 private pay residents. Mr. Alger clarified that this is the assessment

on the gross receipts. Historically, the Health Care Facility has absorbed that cost. We decided we could pass that onto the private pays and charge a percent back to Medicaid. Mr. Alger stated his analysis is that the State is putting in place this tax which is a State tax and they will receive the revenue. There is no other way they can get 100 percent of the revenue themselves. If they did, then Medicaid would receive a portion of it. This tax gives them 100 percent revenue and they don't have to share with the counties or the federal government. Mr. Nichols commented the poorest of the poor are being hit with another tax.

CON Update – Mr. Zehr informed the committee that there will be a presentation at next month's meeting. Hopefully at that time he will get the approval to go to the Legislature with that proposal. At next month's meeting we will have a financial analysis and a rough draft of the prints.

Contract – Mr. Zehr informed the committee that with regard to their pest control contract, they switched providers from Orkin to Pest Solutions which is a local provider. They have saved \$1,500 by doing that.

Physical Therapy – Mr. Zehr thanked Mr. English and Mrs. Fuerst for helping provide him with backup physical therapy coverage.

Medicaid Billing – Mr. Zehr informed the committee that they just submitted their first Medicaid electronic submission which was HIPAA compliant. This is great news.

4. Personnel

Tuition Aid – Mrs. Smith presented a tuition aid request for Bonnie Hicks-Tolly of Community Services to take three courses entitled "Social Work Perspectives on Psychopathology", "Administration in Social Work Practice II", and "Expressive Arts Workshop". These classes are all work related and she recommended approval.

MOTION: APPROVING THE TUITION AID REQUEST OF BONNIE HICKS-TOLLY FROM THE OFFICE OF COMMUNITY SERVICES TO TAKE THREE COURSES ENTITLED "SOCIAL WORK PERSPECTIVES ON PSYCHOPATHOLOGY", "ADMINISTRATION IN SOCIAL WORK PRACTICE II", AND "EXPRESSIVE ARTS WORKSHOP" MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

5. Public Health & Nursing Services

Personnel – Mrs. Fuerst stated a year ago they reclassified a position from a Nursing Supervisor to Assistant Supervisor and the plan was that individual was to work on the outcome based quality improvement. This individual is very good, however, she can't keep up with the workload. Mrs. Fuerst requested authorization to take a vacant Nursing Supervisor and reclassify it down to an Assistant Supervisor. We have a woman who used to work for us a few years ago that would like to come back.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT NURSING SUPERVISOR POSITION TO AN ASSISTANT SUPERVISOR POSITION IN PUBLIC HEALTH & NURSING SERVICES MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR
Wednesday, May 4, 2005 @ 9:00 a.m.

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON**
Wednesday, April 27, 2005.

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Special Meeting

Monday, April 25, 2005

9:50 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Robert V. Nichols, Chair David Stachnik, Vice Chair Kenneth E. Isaman
Gary D. Swackhamer

STAFF: Mark R. Alger Gregory P. Heffner John Zehr
Frederick H. Ahrens, Jr. David English

LEGISLATORS: Philip J. Roche, Esq. Donald B. Creath Francis L. Gehl
Harley R. Mayo John Walsh

ABSENT: Lldon E. Jamison

OTHERS: Mary Perham, *The Leader*
Dave Shoen, WENY

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:50 a.m.

II. GENERAL BUSINESS

1. Health Care Facility

Contract – Mr. Zehr requested authorization to renegotiate their contract with Blue Cross/Blue Shield. Our previous contract did not include all services that we offer with regard to reimbursement. Mr. Alger stated we are the provider and anticipate billing them for services.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO RENEGOTIATE THEIR CONTRACT WITH BLUE CROSS/BLUE SHIELD MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, May 4, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Robert V. Nichols, Chair Lldon E. Jamison	David Stachnik, Vice Chair	Kenneth E. Isaman
STAFF:	Mark R. Alger John Zehr Frederick H. Ahrens, Jr.	Robert Anderson, Ph.D. James Gleason David English	Helen Brutsman Nancy Smith
LEGISLATORS:	Philip J. Roche, Esq.	Thomas J. McIntyre	John Walsh
ABSENT:	Gary D. Swackhamer		
OTHERS:	Mary Perham, <i>The Leader</i> Dave Shoen, WENY		

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:00 a.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 6, 2005 AND APRIL 25, 2005 MEETINGS MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. STACHNIK ABSENT FOR VOTE)

III. DEPARTMENTAL REPORTS/REQUESTS

1. Office of Community Services

Dr. Anderson distributed green ribbons to everyone present as May is Mental Health Month. He stated this is the time to remember how we treat those who are less fortunate and are dealing with problems beyond their control. On behalf of the constituency that they serve, he thanked the legislators and the County because he believes they go the extra mile all the time for those individuals that receive our services. He stated that he appreciates that, as do the people they treat.

2. Special Children's Services

Contracts – Mrs. Brutsman requested authorization to enter into new contracts with Kelly Wojtkowiak, physical therapist for Early Intervention and Preschool; Jessen Smith, speech pathologist for Early Intervention and Preschool Services; Nancy Evangelista, Ph.D., psychologist for Preschool Services and All County Educational Services for Early Intervention Evaluator and related services for Early Intervention and Preschool.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO NEW CONTRACTS WITH THE FOLLOWING PROVIDERS: KELLY WOJTKOWIAK, PHYSICAL THERAPIST FOR EARLY INTERVENTION AND PRESCHOOL SERVICES; JESSEN SMITH, SPEECH PATHOLOGIST FOR EARLY INTERVENTION AND PRESCHOOL SERVICES; NANCY EVANGELISTA, PH.D., PSYCHOLOGIST FOR PRESCHOOL SERVICES AT THE RATE OF \$100.00 PER HOUR AND ALL COUNTY EDUCATIONAL SERVICES FOR EARLY INTERVENTION EVALUATOR AND RELATED SERVICES FOR EARLY INTERVENTION AND PRESCHOOL MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Preschool Transportation – Mr. Gleason recommended awarding Contract A to Livingston Wyoming ARC at a rate of \$69.00 for 10 months and \$69.00 for the summer; Contract B to STA of NY d/b/a Kemps Bus Service at a rate of \$47.50 for 10 months and \$45.00 for the summer; Contract C to A & E Medical Transport at a rate of \$89.00 for 10 months and \$64.00 for the summer; Contract D to Birnie Transportation at a rate of \$32.00 for 10 months and \$80.00 for the summer and awarding Contract E to STA of NY d/b/a Kemps Bus Service at a rate of \$62.89 for 10 months and \$60.00 for the summer. He stated these were bid on a per child per day basis.

MOTION: AWARDING THE BID FOR PRESCHOOL TRANSPORTATION FOR THE 2005 – 2006 SCHOOL YEAR AS FOLLOWS: CONTRACT A TO LIVINGSTON WYOMING ARC AT A RATE OF \$69.00 FOR 10 MONTHS AND \$69.00 FOR THE SUMMER; CONTRACT B TO STA OF NY D/B/A KEMPS BUS SERVICE AT A RATE OF \$47.50 FOR 10 MONTHS AND \$45.00 FOR THE SUMMER; CONTRACT C TO A & E MEDICAL TRANSPORT AT A RATE OF \$89.00 FOR 10 MONTHS AND \$64.00 FOR THE SUMMER; CONTACT D TO BIRNIE TRANSPORTATION AT A RATE OF \$32.00 FOR 10 MONTHS AND \$80.00 FOR THE SUMMER AND CONTRACT E TO STA OF NY D/B/A KEMPS BUS SERVICE AT A RATE OF \$62.89 FOR 10 MONTHS AND \$60.00 FOR THE SUMMER MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Contract Renewals – Mrs. Brutsman requested approval to renew existing contracts with Preschool service providers for related service providers, center-based providers at a rate set by the State, Evaluators at a rate set by the State from \$144.00 to \$242.00 per discipline, parents at a rate of \$.34 per mile and school district transportation providers at the same rate as 2004 – 2005.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO RENEW ALL EXISTING CONTRACTS WITH PRESCHOOL SERVICES PROVIDERS FOR 2005 – 2006 FOR RELATED SERVICE PROVIDERS, CENTER-BASED PROVIDERS AT A RATE SET BY THE STATE, EVALUATORS AT A RATE SET BY THE STATE FROM \$144.00 TO \$242.00 PER DISCIPLINE, PARENTS AT A RATE OF \$.34 PER MILE AND SCHOOL DISTRICT TRANSPORTATION PROVIDERS AT THE SAME RATE AS 2004 – 2005 MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. Health Care Facility

Presentation – Mr. Zehr informed the committee that there would not be a presentation this morning. However, they are going to attempt to schedule a special meeting between now and the Legislative Meeting.

Quarterly Report – Mr. Zehr passed around the Sodexo quarterly report. This is just an update of what they have done. Sodexo is the food service company that they contract with.

Census Report – Mr. Zehr informed the committee that they are maintaining. The biggest issue they have had this month is that this is the third week that the facility has been under quarantine due to a 24 – 48 hour virus that has been going around. He stated that 71 out of 102 residents have had it as well as 49 employees. Currently we have opened up N3 and we are planning on opening N1 at noon today. We will still keep S2 under quarantine as they had two new cases recently. The State is assuming that this is the Norwak virus.

Mr. Roche asked is this a statewide issue? Mr. Zehr replied yes. We are actually at the bottom of the bell curve as most other facilities have already gone through this. With the quarantine, we did not admit any new residents. We have 10 empty beds as of today. Of those, 5 were for rehabilitation. Mr. Zehr commented that next month the overtime numbers will be significant due to the fact that they had 49 employees out sick.

Contract – Mr. Zehr informed the committee that they had a contract with EnviroTech and that company was bought by Stericycle.

Disadvantage Facility – Mr. Zehr informed the committee that they have been allocated \$400,000 from the Disadvantage Facility Fund. This year they were allocated an additional \$200,000. That money should be coming fairly soon.

PRI Assessment – Mr. Zehr stated the assessment will be starting this week. Through this process the Department of Health generates what our case mix is and they assess all of the residents. This assessment is done twice a year in May and again in November.

Awards Banquet – Mr. Zehr announced they are holding their awards banquet on Thursday, May 12th at Bully Hill Vineyards. Invitations have been sent to all members of the Legislature. He requested authorization to spend up to \$1,500 on this banquet.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO SPEND UP TO \$1,500 ON THE AWARDS BANQUET TO BE HELD AT BULLY HILL VINEYARD MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Budget Transfer – Mr. Zehr requested authorization to transfer \$10,250 for the purchase of three vending machines. They will be starting that program in June.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO DECREASE LINE ITEM 453072.5.5830000 \$2,300, INCREASE LINE ITEM 453061.5.5427100 \$250.00, LINE ITEM 453061.5.5416000 \$5,000 AND LINE ITEM 453061.5.5290000 \$7,300 AND INCREASING REVENUE LINE ITEM 453099.4.41289300 AND AMENDING THE MAJOR EQUIPMENT LIST TO INCLUDE 3 VENDING MACHINES BY \$10,250 MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Zehr announced next week is National Nursing Home Week and they have various events planned for the staff and residents.

Mr. Zehr informed the committee that PESH made a visit in January and made recommendations in the dietary department. They are coming back to video the way we were doing the tray line before their visit and the way that we are doing the line after they made their recommendations. They plan on using this video as a training tool.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
*Wednesday, June 1, 2005 @ 9:00 a.m.***

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON
*Wednesday, May 25, 2005.***

**STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE
STEBEN COUNTY ADMINISTRATION COMMITTEE**

Special Meeting

Monday, May 23, 2005

9:45 a.m..

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Robert V. Nichols, Chair Lldon E. Jamison	David Stachnik, Vice Chair	Kenneth E. Isaman
	Patrick F. Donnelly, Chair Francis L. Gehl	Patrick F. McAllister, Vice Chair	L. Ronald Nielsen
STAFF:	Mark R. Alger Henry W. Chapman, Psy.D.	Robert W. Anderson, Ph.D.	Robert F. Biehl
LEGISLATORS:	Philip J. Roche, Esq.	Thomas J. McIntyre	John Walsh
ABSENT:	DeWitt T. Baker, D.V.M.	Gary Swackhamer	

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:45 a.m.

II. GENERAL BUSINESS

1. Office of Community Services

Personnel – Dr. Anderson stated that he has two position reclassifications that he would like to make. The one is an upgrade and he would like to hold that for one month. The second is a reclassification of a CASAC, Grade XIII to an RN, Grade XII.

MOTION: APPROVING THE RECLASSIFICATION OF A CASAC, GRADE XIII TO AN RN, GRADE XII IN THE OFFICE OF COMMUNITY SERVICES MADE BY MR. DONNELLY. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0 (Health & Ed) AND 4-0 (Administration).

MOTION: TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 8-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, June 1, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Robert V. Nichols, Chair Lldon E. Jamison	David Stachnik, Vice Chair Gary D. Swackhamer	Kenneth E. Isaman
STAFF:	Mark R. Alger Robert W. Anderson Ph.D. Kenneth Peaslee Frederick H. Ahrens, Jr.	Victoria Fuerst Henry W. Chapman Psy.D. James Gleason David English	Helen Brutsman Roberta Fisher John Zehr Nancy Smith
LEGISLATORS:	DeWitt T. Baker, D.V.M.	John Walsh	
OTHERS:	Mary Perham, <i>The Leader</i> Dave Shoen, WENY Michael Ordway		

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:05 a.m. He asked Mr. Swackhamer to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 4, 2005 MEETING MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

1. Public Health & Nursing Services

Contract – Mrs. Fuerst requested approval to contract with St. Joseph’s Hospital for Speech Therapy at a rate of \$55.00 per hour. She commented that this is more expensive than normal, but we only use them as a backup. Previously the rate was \$40.00 per hour.

MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO ENTER INTO A CONTRACT WITH ST. JOSEPH’S HOSPITAL FOR SPEECH THERAPY AT A RATE OF \$55.00 PER HOUR MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Special Children’s Services

Contracts – Mrs. Brutsman requested authorization to enter into a contract with Shane Sargent, Occupational Therapist for Preschool and Michelle Mills, Speech Language Pathologist for Early Intervention and Preschool. The preschool rate is \$60.00 per session up to one hour and the Early Intervention rate is \$70.00 for a basic session up to one hour and \$98.00 per session over one hour.

MOTION: AUTHORIZING SPECIAL CHILDREN’S SERVICES TO CONTRACT WITH SHANE SARGENT, OCCUPATIONAL THERAPIST FOR PRESCHOOL AND MICHELLE MILLS, SPEECH LANGUAGE PATHOLOGIST FOR EARLY INTERVENTION AND PRESCHOOL MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. Health Care Facility

Health Care Facility Presentation – Mr. Zehr presented a review of the presentation that was made before the Legislature on May 18, 2005. The three options are to close, renovate or build a new facility. He explained the major revenue assumptions are that we will get rebased if we rebuild and there will be an increase in third party revenue and private pay revenue. We can also look forward to having an outpatient program which will generate additional revenue. There are two scenarios. The first scenario is that the County will contribute \$3.7 million which will result in \$15.6 million being financed.

Mr. Nichols asked is part of the \$3 million paid for by private pay revenue? Mr. Alger replied if you built new the increase in the rate for private pay would offset the local cost. Mr. Stachnik asked would you take the contribution for the first scenario from the Enterprise Fund? Mr. Alger replied if we went with this option, we would use the \$3 million from the Enterprise Fund. We would not go to the General Fund for that. We have suggested that you may want to look at the second scenario, which is to finance the entire amount. There is approximately \$5.4 in the Enterprise Fund. Mr. Ahrens commented this is an ever-shrinking sum of money

Mr. Zehr stated the second scenario is 100 percent financing and then you could use the Enterprise Fund to offset the losses during the first year or so of operation.

MOTION: RECOMMENDING THE LEGISLATURE PROCEED WITH SCENARIO #2 FOR 100 PERCENT FINANCING FOR THE CONSTRUCTION OF A NEW HEALTH CARE FACILITY MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK FOR DISCUSSION.

Mr. Ahrens asked do you have a good faith estimate? Mr. Zehr replied the presentation that was made to the Legislature in May contained figures from Pike that are based on today's dollars. Mr. Swackhamer commented if you sell the license, we have no idea what will happen. We have a nice facility and it has been great for the past 30 years and is something that we can offer older folks. Mr. Stachnik stated that he compliments Mr. Swackhamer on his assertive motion. Without rebasing, renovating is fiscal lunacy. Mr. Nichols stated if you don't build new, then you are out of the business.

Mr. Zehr stated to renovate the cost would be approximately \$5 million, but during the renovation you would be renovating 20 rooms at a time, essentially one wing. That would turn out to be \$120,000 less per month of revenue. The remaining amount in the reserve fund would be minimal and there would also be no cost for demolition. The cost of renovating for other uses would be approximately \$12 million. There would be no new reimbursement rate. You would also have the cost of relocating residents to other homes during the course of renovations or make changes to the existing facility. The estimated annual deficit after renovation would be \$1 million minimum. Mr. Zehr stated if you decide to build new, you have two scenarios. There would be no lost revenue during construction and there would be money left in the reserve fund and you would also get a new reimbursement rate. If you decide to close the facility, there would be no capital cost. You would lose all revenue, but your reserve fund would stay in place. The demolition cost would be \$1.3 million. In addition, you would have the cost of relocation.

Mr. Alger stated the cost of closure is difficult to estimate. As you wind down the facility, you are shrinking virtually a bed or two at a time. As you do that, there are many points along the way where staff efficiency is less than ideal. There are costs associated with letting beds go vacant. You would transfer residents as you can and when a bed is empty, you would not fill it. Gradually, you would shrink the population, but you can't do it as efficiently as you might like to. We don't really have a number for that. As you do close, you will have associated costs of closure as relates to staff. There is the cost of releasing staff, paying them their accumulated leave and that is your cost. There are also unemployment costs. Those would be one-time costs.

Mr. Stachnik commented that would be paid with nothing to show for it. Closure would expose us to a public relations disaster each and every day. Mr. Swackhamer commented younger people don't realize what a nursing home means until it is time to put their parents or grandparents into one. Mr. Stachnik stated if we close the facility we would be under-serving the population. Mr. Swackhamer stated we need to update the nursing home and it will be a draw. It will be as automated as it can be. We need this in Steuben County.

Mr. Isaman stated that he doesn't want everyone to forget that we will be in a deficit. You have to convince two-thirds of the Legislature to vote yes to go into debt. Mr. Stachnik stated every county has a deficit with a nursing home. It is not a moneymaking enterprise. Mr. Isaman stated we have a 105-bed facility in a county of 100,000 people. It will change what we do and this is a hard issue.

Mr. Alger stated they have a survey of the rate differences and how much the facilities locally cost. Mr. Zehr distributed a handout depicting the Medicaid rates for facilities within the County. Our Medicaid rate is \$149.00. The average Medicaid rate is \$144.00 and McCauley Manor at Mercy Care has the highest rate at \$176.00 because they recently went through the rebasing process. Mr. Isaman asked what would the rate be with the new facility? Mr. Zehr replied John Kropski believes that it will be a little more than \$1 million increase due to the rebasing. Mr. Alger explained McCauley Manor's rate is higher due to the rebasing. If this facility were not built, and someone else picked the beds up they would build new and that rate would be higher than what our current rate is. Mr. Jamison asked if we get out of the business, do we still have an obligation to pay? Mr. Alger replied yes, we still pay the Medicaid rate. Mr. Nichols commented by closing the facility, the only thing you save is the loss in operation of the facility. You still will pay the Medicaid rate. Mr. Zehr stated if you look at closing, as we move the patients out by attrition, you will have to keep the same staffing patterns. The market is not ready to absorb 105 residents and that will definitely be a process that will take time. Mr. Nichols stated the only other option is to try to sell it again. We only got one offer the last time.

Mr. Zehr distributed a handout showing the breakdown of the renovation components. Mr. Alger stated these are similar estimates to what we had at the Board meeting. Mr. Isaman commented that he doesn't want to go forward with a lot of things without the support of the Full Legislature. Mr. Swackhamer stated we need to pass this on first and then go to Finance to get it to the Full Board. Mr. Zehr commented that John Kropski will be at the Finance meeting. Mr. Ahrens asked will this be on the agenda for the June Board meeting? Mr. Alger replied it depends on what happens at the committee level. If everything goes through, then yes, it will be presented at the June Legislative Meeting. Mr. Swackhamer commented that he doesn't think the committee at this point has the right to turn it down. We should press on and go to Finance and set up the financing. Mr. Ahrens stated you will need a good faith estimate for the bond inducement resolution. Mr. Alger commented in the discussions we have had with SWBR and Pike, they are further along in their design than he had anticipated. He has no concerns that they will have a good faith estimate.

VOTE ON PREVIOUS MOTION. ALL BEING IN FAVOR. MOTION CARRIES 5-0. (Resolution Required).

Annual Survey – Mr. Zehr informed the committee that they underwent their Annual New York State Survey Inspection. They had a wonderful survey. One issue was a structural issue and the other issue is being addressed. The second issue is regarding the sprinkler system or the firewall to deck for the soiled linen rooms. He is thinking that it might be cheaper to go with the sprinkler system and he is looking for the State to give us a waiver on that once we made a determination of what we are going to do with regard to building a new facility. He commented the staff at the facility are tremendous and he complimented Raellen Melious for the fantastic job of the nursing staff. The committee requested that a letter be sent by the Health and Education Committee acknowledging the staff for their hard work.

4. Personnel

Tuition Aid Request – Mrs. Smith informed the committee that they received a Tuition Aid request for Teri Brown, Caseworker in the Department of Social Services. The State is encouraging DSS worker to get their Masters of Social Work and have made funding available. She stated that Ms. Brown is requesting reimbursement for two courses entitled "Scientific Methods in Social Work" and "Theories of Human Behavior & Development". Mrs. Smith stated these courses are job related and they are recommending approval of this request.

MOTION: APPROVING THE TUITION AID REQUEST FOR TERI BROWN, CASEWORKER IN THE DEPARTMENT OF SOCIAL SERVICES FOR TWO COURSES ENTITLED "SCIENTIFIC METHODS IN SOCIAL WORK" AND "THEORIES OF HUMAN BEHAVIOR & DEVELOPMENT" MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

5. Office of Community Services

Software Update – Dr. Chapman informed the committee that they are currently in the process of negotiating the software contract with Anasazzi and have just sent out the third revision to the contract. The total first year cost to the

department to purchase the software is \$203,457.00. Of that, \$101,880 is actually the amount to purchase the software and the remainder of that expense covers training, etc. There will be an additional cost of \$37,000 for hardware which will include four servers, Microsoft SQL and Citrix terminal license to run the software. The grand total first year expense is \$240,457. Dr. Anderson commented the first year cost is the start-up and installation cost.

Mr. Stachnik stated if you are comfortable with the software and it gives you the results you need, no matter what the hardware cost is you have to do it. Mr. Nichols asked is this a program that your department needs? Dr. Chapman replied it is vital to our billing and clinical portion. Once we agree on the contract terms, it will be six weeks until they come in and start the training. Given their workload, Anasazzi has estimated that within five to six months the system would be up and running on the billing end. Mr. Swackhamer asked what is their track record? Dr. Chapman replied it is very good. They are involved with 20 – 23 New York State based agencies. We have contacted many of those and all said positives about the company. Those agencies have had no difficulty sending out their billings and receiving reimbursement back.

Dr. Anderson stated on the OMH side, they are funding Anasazzi to come up with software to do PROS (Personal Recovery Oriented Services) when PROS goes into effect. It is likely that they will allow counties using other software to go out for that. The advantage of Anasazzi working with 23 other agencies is they will give us that software and it will not cost us.

Mr. Isaman asked are you asking for a supplement to what we had previously approved? Dr. Anderson replied you didn't actually approve a dollar amount. You approved pursuing this and asked us to come back with dollar amounts.

MOTION: ESTABLISHING THE COMMUNITY SERVICES BILLING SOFTWARE PROJECT AMOUNT AT \$240,457 MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON.

Dr. Anderson stated they have \$80,000 that was not budgeted that they will get in 2005. Mr. Alger stated there is also \$150,000 in the Mainframe Replacement Project that is available. They are not asking for funds from the Contingent Fund or other places, they are just asking for a reallocation of funds.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Dr. Anderson stated that he would like the committee to think about the ramifications to the community services delivery system of increased populations in our institutions, specifically in the Jail. He stated that he will forward to each of the members a synopsis of the discussions that he has had with Mr. Alger, but we are not meeting the need now in the Jail, let alone if you increase the population. We are getting to the point where we have to do something. Mr. Alger stated one of the things we are attempting to do is a review of the entire criminal justice system to identify areas we can impact to positively affect the number of inmates we have in the facility in the future and our ability to deal with addictions. One place that we have identified for further review is in-facility individuals. We need to look at what we are doing, what we can do and think about the future service demands and repercussions. Hopefully, as part of that review, we can more positively impact the future population in the Jail.

Mr. Isaman asked if we house an inmate in Chemung County, are we responsible for their mental health care? Mr. Alger replied we are responsible for all costs for that inmate. We are their caretaker and have responsibility for their entire well being. We pay those costs in addition to the basic housing costs, for example, if an inmate needs to go to the emergency room, dental visits, medications, etc. Mr. Nichols asked what happens if an inmate has a heart attack and needs surgery? Mr. Alger replied we pay. One of the runaway costs associated with the inmate population is the medical cost. We try to maintain their health. If we find someone in danger of having a heart attack, we would do everything we can to get them out of the Jail. One of the things we have done positively in the facility is put in place a medical unit. In that unit we have a doctor, a full-time nurse practitioner and a nurse. We have a better staff in there now than we did ten years ago. Discussion followed.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE §7 10501.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: INCREASING DR. CHRISTENSEN'S HOURLY RATE \$5.00 TO \$35.00 PER HOUR MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. STACHNIK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR
Wednesday, July 6, 2005 @ 9:00 a.m.

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON**
Wednesday, June 29, 2005.

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, July 6, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Robert V. Nichols, Chair David Stachnik, Vice Chair Kenneth E. Isaman
Lldon E. Jamison Gary D. Swackhamer

STAFF: Mark R. Alger Robert W. Anderson, Ph.D. Henry W. Chapman, Psy.D.
Victoria Fuerst Diane Krans Kenneth Peaslee
James Gleason Frederick H. Ahrens, Jr. David English

LEGISLATORS: Philip J. Roche, Esq. Thomas J. McIntyre John Walsh

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:00 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 1, 2005 MEETING MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REPORTS/REQUESTS

1. Office of Community Services

Contract – Dr. Anderson stated he has a contract issue with regard to the enhancement of services at the Jail. They have found an individual who is willing to provide up to 20 hours additional per week. He has met with the Sheriff, Major Lian and the medical director and they seem excited about this. He requested approval to forward the contract to the Law Department for their finalization. The start date will be July 15, 2005.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO ENTER INTO A CONTRACT WITH AN INDIVIDUAL TO PROVIDE SERVICES AT THE JAIL UP TO 20 HOURS ADDITIONAL PER WEEK CONTINGENT UPON REVIEW OF THE CONTRACT BY THE LAW DEPARTMENT MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Personnel – Dr. Anderson informed the committee that he and Mrs. Biehl have been having discussions about meeting the needs of the constituents that are being serviced by both Mental Health and the Department of Social Services. Mrs. Biehl has indicated that there is additional money available from the Flexible Fund that we could use to add at least one more position to the BILT team. He stated that they did submit this request as part of the 16B process, but Mrs. Biehl will come to the Health & Education meeting in either August or September to answer any questions the committee may have.

Dr. Anderson explained that currently he is working with Personnel to reclassify the Social Worker position that is on the BILT team. The team also has a CASAC that does evaluations on people applying for services through the Department of Social Services that have come up with a positive score during the screening process that denote they have an addiction problem. We would like to add one more Social Worker position, if not a Social Worker and CASAC position. The demand is getting out of hand. He stated they would be able to bill for services through Mental Health, but

the Department of Social Services will have the team in their department doing what needs to be done so that the individuals do not have to go through the regular referral process.

Mr. Alger commented this group screens for substance abuse and “social work” issues and works with the individuals when they come to Social Services to get them back out in the community working. If the individuals refuse services, then the Department of Social Services can sanction them.

Dr. Anderson stated that they are looking to upgrade/reclassify the Social Worker position to either a Mental Health Coordinator or more specifically, BILT Coordinator. He is working with Personnel to try to determine the best title. He expects to move forward on this in the next month.

2. Public Health & Nursing Services

Contract – Mrs. Fuerst requested approval to enter into a contract with Wilma Stewart, dietician.

MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO ENTER INTO A CONTRACT WITH WILMA STEWART, DIETICIAN AT A RATE OF \$80.00/YEAR ON-CALL FEE, \$40.00/HOUR HOME VISITS AND \$30.00/HOUR MAIL OR TELEPHONE SERVICES MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. Health Care Facility

Reports – Mrs. Krans distributed the census report and the overtime report. She commented that last month the census was up and actually was higher than the same period last year. Year-to-date they have had 66 admissions and of those, 58 percent have been rehabs. She commented that their overtime numbers remain high.

Informational – Mrs. Krans informed the committee that their Plan of Correction was accepted by the Department of Health. Mr. Stachnik asked how has morale been at the facility? Mrs. Krans reported it has been great. Everyone is very excited and they have had numerous comments from members of the public. Mr. Nichols asked will having a new facility help keep it full? Mrs. Krans replied yes, especially in the beginning.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: APPROVING THE ANASAZI CONTRACT WAIVING THE PERFORMANCE BOND AND AGREEING TO PER DIEM FOR REIMBURSEMENT EXPENSES MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. Personnel

Tuition Aid Requests – Mrs. Smith presented a tuition aid request for Kimberly A. Mason, Department of Social Services to take one course entitled “Theories of Human Behavior and Development”. This course is job related and she recommends approval.

Mrs. Smith presented a tuition aid request for Diane McAllister, Department of Social Services to take one course entitled “Scientific Methods in Social Work”. This course is job related and she recommends approval.

Mrs. Smith presented a tuition aid request for Jason McCloud, Department of Social Services to take one course entitled “Scientific Methods in Social Work”. This course is job related and she recommends approval.

Mrs. Smith presented a tuition aid request for Carol S. Whitehead, Deputy County Treasurer to take one course entitled "Introduction to Public Administration". This course is job related and she recommended approval.

MOTION: APPROVING THE FOLLOWING TUITION AID REQUESTS: KIMBERLY A. MASON, DEPARTMENT OF SOCIAL SERVICES TO TAKE ONE COURSE ENTITLED "THEORIES OF HUMAN BEHAVIOR AND DEVELOPMENT", DIANE McALLISTER, DEPARTMENT OF SOCIAL SERVICES TO TAKE ONE COURSE ENTITLED "SCIENTIFIC METHODS IN SOCIAL WORK", JASON McLOUD, DEPARTMENT OF SOCIAL SERVICES TO TAKE ONE COURSE ENTITLED "SCIENTIFIC METHODS IN SOCIAL WORK", AND CAROL S. WHITEHEAD, DEPUTY COUNTY TREASURER TO TAKE ONE COURSE ENTITLED "INTRODUCTION TO PUBLIC ADMINISTRATION" MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Stachnik absent for vote.

MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Stachnik absent for vote.

Respectfully Submitted by,

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Wednesday, August 3, 2005 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON
Wednesday, July 27, 2005.**

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, August 3, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Robert V. Nichols, Chair Lldon E. Jamison	David Stachnik, Vice Chair Gary D. Swackhamer	Kenneth E. Isaman
STAFF:	Mark R. Alger Robert W. Anderson, Ph.D. Robert F. Biehl Lawrence Crossett	Gregory P. Heffner John Zehr David English	Helen Brutsman Nancy Smith Frederick H. Ahrens, Jr.
LEGISLATORS:	Philip J. Roche, Esq.	Thomas J. McIntyre	John Walsh
OTHERS:	Riistina Wigg, Southern Tier Library System Marian Crawford, Wayland Free Library Lise Gilliland, Director, Southern Steuben Library Mary Perham, <i>The Leader</i>		

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:00 a.m. He asked Mr. Jamison to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JULY 6, 2005 MEETING MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Mr. Swackhamer absent for vote).

III. PRESENTATIONS

A. Southern Tier Library System – Ms. Wigg distributed a handout outlining the services that the libraries in the Southern Tier Library System provide. All 17 libraries are full of people. The libraries hold summer learning and reading programs and also host tourists who come in to use the Internet. Libraries are important to Steuben County residents as over 45,000 have library cards. During 2004, people made over 355,000 visits to Steuben County libraries.

Ms. Wigg stated Steuben County has funded the Southern Tier Library System at \$75,000 for the past three years or so. We know times are not back to where we would like them to be, but she is asking the Legislature to continue to maintain their contribution of \$75,000. This funding has allowed the Southern Tier Library System to connect libraries to faster Internet, help libraries pay for subscriptions and telephone lines for Internet access, make more information available electronically, buy more books, videos, music CD's and other materials and leverage the purchase of computers, printers, scanners and other equipment.

Ms. Crawford commented that her perception is that the libraries are one of the best things we have for business improvement and development. Libraries provide valuable resources. She stated that the Wayland Area Revitalization Committee meets at the Wayland Free Library twice a month and they talk about ways to attract and encourage economic development. We need to focus on the positive aspects that we can provide in our own area. Our link to the outside world is through the Internet, which we are able to provide through the libraries. Whatever you can do to help us is appreciated.

Ms. Gilliland thanked the committee for the opportunity to speak. The average cost of a book is \$25.00. Our budget remains flat. We are not asking for more money, we are just asking that you just maintain the budget we have. Our patrons are getting a lot for the money. Thank you for your past support and your continued support.

Mr. Nichols thanked Ms. Wigg, Ms. Crawford and Ms. Gilliland for their presentation. The Legislature has been supportive and we will do what we can.

IV. DEPARTMENTAL REPORTS/REQUESTS

A. Special Children's Services

1. **Contracts** – Mrs. Brutsman requested approval to enter into contracts with Tresha Bouton, Social Worker and Lisa Strayer, Ph.D., Clinical Psychologist. Both of these individuals will work for Early Intervention and Preschool.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO CONTRACTS FOR PRESCHOOL AND EARLY INTERVENTION SERVICES WITH TRESHA BOUTON, SOCIAL WORKER AND LISA STRAYER, PH.D., CLINICAL PSYCHOLOGIST MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Office of Community Services

1. **Budget Transfer** – Dr. Anderson requested authorization to transfer \$1,200 from the Contract Labor line item to the Machine & Equipment - Minor line item to purchase a new printer.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO TRANSFER \$1,200.00 FROM ACCT. #425000.5.444150, CONTRACT LABOR TO ACCT. #425000.5.298000, MACHINE & EQUIPMENT - MINOR FOR THE PURCHASE A NEW PRINTER MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **16B Request** – Mrs. Smith stated that Dr. Anderson is requesting 6 funded positions and 8 zero-based positions. Dr. Anderson explained the Department of Social Services has indicated a need to enhance the BILT program, so he has requested 1 Alcohol Counselor and 1 Staff Social Worker. The Department of Social Services will pay for the salary and fringe benefits. These individuals will work in the Department of Social Services when they are doing screenings and when they are doing evaluations and/or treatment, they will work in our office where we can bill for those services. We are unable to bill for the services they perform in the Department of Social Services.

Mr. Stachnik asked is the expected revenue based on current revenue or past performance? Dr. Anderson replied they based it on current activity. Actually, they have discovered that when the UNICARE system was set up, they set it up so that with any services not performed by a CASAC, the billing was not valid. The units of service provided by trainees, RN's, MSW's, the physicians, etc. were not counted. Mr. Swackhamer asked you lost that revenue? Dr. Anderson replied we lost all except for what we can bill back to Medicaid for the past two years. Ms. Monroe thinks that billing will come through today or tomorrow. We have made UNICARE update everything and Information Technology is also looking at this. Mr. Swackhamer asked how much revenue has been lost in the last five years? Maybe the department is too big. This is county taxpayer's money that we are liable for. Dr. Anderson replied that he couldn't tell them exactly what the amount is. Mr. Swackhamer commented it is well over \$1 million. Dr. Anderson replied it could be. Mr. Nichols asked will this solve the problem? Dr. Anderson replied this will not be solved until we have a new billing system. They begin training next week. Mr. Nichols commented you are making strides. He stated they have been trying to balance providing services for the people, with getting paid for it and keeping County costs down.

Mr. Swackhamer stated he is not in favor of new positions until things are taken care of with the billing. We have been doing this for ten years with Mental Health and the Treasurer fighting over the numbers. We need to get this settled, fixed then we can get going again. We didn't have this program twenty years ago and this is a problem that just continues. We have lost over \$1 million and that's just off the top of my head without knowing everything. Mr. Nichols asked you can go back two years? Dr. Anderson replied yes. Mr. Swackhamer stated you need to put the new billing system in first. If you need a position to start that up, that's fine. Dr. Anderson commented that he is okay with that. The problem is that if these positions don't get into the budget now, then we

are looking at 2007. Can we keep them in and then if we don't get the funding you can say no we can't fill them? Mr. Alger stated one thing to consider is that we will not fill these positions unless they are funded. Dr. Anderson is obtaining grants and there is no additional county dollars. If there is no grant, then we won't fill the positions. If we don't put the positions in as zero-based, then he can't go forward for another 18 months. Mr. Swackhamer commented it's the appearance that you have a department that is not functioning properly and we are putting in more people. Mr. Alger stated it is imperative that the financial situation and the billing be corrected and be done as soon as possible. He stated that he does believe the Department of Social Services positions are needed to do other things. They are contracting with Mental Health to get that done to meet their responsibilities. They can get reimbursed for that. We are not incurring any additional expenses in Mental Health to do that. If positions are added they have to be paid for and the billing has to be fixed.

Mr. Nichols stated that he has no problem adding positions as long as there is revenue coming in to pay for it. If the funding isn't there and the billing doesn't get fixed, then we will not fill them. Mr. Swackhamer commented we have heard this before. We need to get the fix here soon. This has been bugging us for ten years. Mr. Jamison asked Mr. Swackhamer what does he suggest? Mr. Swackhamer replied we need to maintain what we have and get a new billing system. Everything has been improved, but not fixed. Dr. Anderson commented that he thinks Ms. Monroe is working on the problem. She has been able find some of the things that needed to be done that nobody else found.

MOTION: APPROVING THE 16B REQUESTS FOR THE OFFICE OF COMMUNITY SERVICES CONTINGENT UPON OUTSIDE FUNDING BEING AVAILABLE FOR THE REQUESTED POSITIONS AND FORWARDING TO THE ADMINISTRATION COMMITTEE AND FINANCE COMMITTEE FOR THEIR REVIEW MADE BY MR. STACHNIK, SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Newspaper Article** – Dr. Anderson stated that he would like to recognize Mary Perham for the good job that she did on the article that appeared in Monday's *Leader*. She did a good job with a delicate issue.

C. **Health Care Facility**

1. **Statistics** – Mr. Zehr informed the committee that with regard to their occupancy, they struggled last month. The entire area is experiencing a slowdown on admissions. All of the facilities are at or below normal census levels. Another component to the lower occupancy is physical therapy. We had experienced problems with VTA, who we contract with, but those have been rectified and we now have two therapists. He commented that he would like to get away from VTA and have our own employed therapists. During a two-week period we had 13 discharges. Currently we have 10 empty beds and we are aggressively marketing and trying to fill those.

2. **Physical Therapists** – Mr. Zehr informed the committee that he would like to begin advertising for physical therapists. There is money in their budget for advertising. Mrs. Smith commented that they use the CANNY network. Currently we are paying \$58.00 per hour to VTA and starting salary with us would be approximately \$60,000. With the physical therapists we are able to increase our rehab to home population which is generally Medicare and they pay \$260 per day.

3. **Project Update** – Mr. Zehr stated Pike and the architects will be submitting the response to the five contingencies that are needed to go forward. He requested approval to send a check in the amount of \$75,500 in order to file the contingencies and formally file the application. This money will be taken out of the Enterprise Fund.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY ADMINISTRATOR TO EXPEND \$75,500 FROM THE ENTERPRISE FUND TO FORMALLY FILE THE APPLICATION AND CONTINGENCIES WITH THE STATE FOR THE CONSTRUCTION OF THE NEW HEALTH CARE FACILITY MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Plan of Correction** – Mr. Zehr informed the committee that they received a letter from the State accepting our plan of correction for the enhancement of the three soiled utility rooms. They had put this out to

bid and received one bid back from Simplex Grinnel for \$7,508 for the sprinkling. He requested authorization to enter into a contract for these services.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO ENTER INTO A CONTRACT WITH SIMPLEX GRINNELL FOR THE ENHANCEMENT OF THE THREE SOILED UTILITY ROOMS AT A COST OF \$7,508.00 MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

5. **NYS Health Workforce Retraining Initiative Grant** – Mr. Zehr explained this is a grant for the education of CNA's to become LPN's. They received \$6,009.00 and he is requesting approval to accept these grant funds.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO ACCEPT \$6,009.00 FROM THE NYS HEALTH WORKFORCE RETRAINING INITIATIVE GRANT INTO ACCT. #453099.4.3489300 AND APPROPRIATING THAT AMOUNT INTO ACCT. #453073.5.474100 (TUITION REIMBURSEMENT PROGRAM) MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Nichols commented that during the design of the new facility he doesn't want them to lose the focus of making it a no lift facility. We want to keep our Worker's Compensation costs down.

D. Personnel

1. **Tuition Aid Request** – Mrs. Smith presented a tuition aid request for Bonnie Hicks-Tolly, Office of Community Services to take two courses entitled "Advanced Social Work Practice w/ Individuals, Families and Groups" and "Field Education III – Advanced Practice w/ Clinic Systems". Mrs. Smith stated both of these courses are work related and she recommends approval.

MOTION: APPROVING THE TUITION AID REQUEST FOR BONNIE HICKS-TOLLY, OFFICE OF COMMUNITY SERVICES TO TAKE TWO COURSES ENTITLED "ADVANCED SOCIAL WORK PRACTICE W/ INDIVIDUALS, FAMILIES AND GROUPS" AND "FIELD EDUCATION III – ADVANCED PRACTICE W/ CLINIC SYSTEMS" MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Wednesday, September 7, 2005 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON
Wednesday, August 31, 2005.**

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, September 7, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Robert V. Nichols, Chair Lldon E. Jamison	David Stachnik, Vice Chair	Kenneth E. Isaman
STAFF:	Mark R. Alger Robert W. Anderson, Ph.D. Frederick H. Ahrens, Jr.	Helen Brutsman John Zehr David English	Vicki Fuerst Nancy Smith
LEGISLATORS:	Philip J. Roche, Esq.	Harley R. Mayo	John Walsh
ABSENT:	Gary D. Swackhamer		
OTHERS:	Rich Lipman, UHY Mary Perham, <i>The Leader</i>		

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:00 a.m. He asked Mr. Jamison to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE AUGUST 3, 2005 MEETING MADE BY MR. STACHNIK, SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. ISAMAN ABSENT FOR VOTE).

III. DEPARTMENTAL REPORTS/REQUESTS

A. Public Health & Nursing Services

1. **Contracts** – Mrs. Fuerst requested authorization to amend their contract with Jan & Bev’s for Home Health Aides to reflect an increase in the rates, to amend their contract with St. James Mercy Hospital for TB services to reflect an increase in the rates and to enter into a new contract with Flower City Health Care for Home Health Aides, Personal Care Aide and Homemaker.

MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO AMEND THE CONTRACT WITH JAN & BEV’S FOR HOME HEALTH AIDES FOR LEVEL 1 \$16.75 PLUS \$.40/ MILE, LEVEL 2 \$18.00 PLUS \$.40/MILE, LEVEL 3 \$19.25 PLUS \$.40/MILE AND LEVEL 4 \$20.50 PLUS \$.40/MILE AND TO AMEND THE CONTRACT WITH ST. JAMES MERCY HOSPITAL FOR TB SERVICES TO REFLECT AN INCREASE IN THE RATE FOR AN INITIAL VISIT TO \$50.00 AND A REPEAT VISIT TO \$45.00 AND AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO ENTER INTO A NEW CONTRACT WITH FLOWER CITY HEALTH CARE FOR HOME HEALTH AIDES AT A RATE OF \$18.00/HOUR, PERSONAL CARE AIDE AT A RATE OF \$17.00/HOUR AND HOMEMAKER AT A RATE OF \$16.00/HOUR MADE BY MR. STACHNIK, SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (Isaman absent for vote)

B. Special Children’s Services

1. **Contracts** – Mrs. Brutsman requested authorization to enter into contracts with Judith McCarthy, Occupational Therapist for Early Intervention and Preschool, Susan Blanchard, Speech Pathologist for Early Intervention and Preschool Services and Michael Crandall, Speech Pathologist for Preschool Services. She commented that the Preschool rate is \$60.00 per session up to one hour. The Early Intervention rates are set by

the State at \$70.00 for a basic session and \$98.00 for an extended session and the Early Intervention evaluation rates are set by the State at \$165.00 for a supplemental evaluation.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO CONTRACTS WITH JUDITH McCARTHY, OCCUPATIONAL THERAPIST, FOR EARLY INTERVENTION AND PRESCHOOL, SUSAN BLANCHARD, SPEECH PATHOLOGIST, FOR EARLY INTERVENTION AND PRESCHOOL AND MICHAEL CRANDALL, SPEECH PATHOLOGIST, FOR PRESCHOOL MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. ISAMAN ABSENT FOR VOTE).

2. **Rates** – Mrs. Brutsman informed the committee that there have been many discussions between the Division of Budget and the State Department of Education regarding the rate methodology for preschool center-based classrooms. What the providers and the counties want is a more timely and predictable reimbursement for the program. Right now the State sets an interim rate and then they set a reconciliation rate that can then be appealed. The hope is that the State will establish a new rate for the 2006 – 2007 school year. The State tried to revise the rate methodology in 1997, but was unsuccessful.

The Division of Budget has approved the first draft and the State Education Department is sharing that proposal with everyone. At the September NYSAC meeting, there will be a workshop for the rate methodology. At that workshop they will talk about a three-year cycle whereby they set the rate and that will be good for three years. Nothing has been decided yet. One of the things they are supposed to do is have an Advisory Council of which she is a member. NYSAC did send a letter requesting that the Advisory Council be started again. Mr. Nichols commented this is an issue where the State sets the rate and we do what the State says.

3. **Children's Services Directory** – Mrs. Brutsman informed the committee that the directory is ready to go to print.

4. **Personnel** – Mrs. Brutsman announced they have hired a Registered Professional Nurse who will begin on September 26, 2005. We have been down a Service Coordinator, so this position will help our caseloads.

5. **S²AY Network** – Mrs. Brutsman stated that they have been working with the network, which includes ten counties on establishing policies and procedures for early intervention and working on preschool policies and procedures. They have established a Regional Early Childhood Coalition, have written provider manuals and have arranged for State training in both early intervention and preschool. They are also involved in the process of creating a web site for parents, providers, CPSE members and counties. Mrs. Brutsman commented this is one of the best committees that she has been on as they really do a lot. Everyone is very pleased with the way the network has worked with this.

C. Office of Community Services

1. **Contract Amendment** – Dr. Anderson informed the committee that the State has increased the amount of funding that is going to the Finger Lakes Parent Network by \$6,341. He requested authorization to amend their contract with the Finger Lakes Parent Network to reflect this change.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO AMEND THEIR CONTRACT WITH THE FINGER LAKES PARENT NETWORK TO REFLECT AN INCREASE OF \$6,341.00 IN STATE FUNDING MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. **Personnel** – Dr. Anderson requested authorization to reclassify a Senior CASAC to a CASAC. He explained that they had hired an individual for that position and subsequently found out that the individual is not qualified at this point to be a Senior CASAC. This is a reclassification down.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO RECLASSIFY A SENIOR CASAC TO A CASAC MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Nichols asked have you been able to bill through the new State Medicaid billing system? Mr. Alger replied they have gotten a billing to go through on the new system. Dr. Anderson commented they had eight days of training, but the difficulty with the system is just going back and gathering the information to set it for what we need. He stated that with regard to the new system they are getting, he expects that they will be able to bill by the first of March. The State billing was very successful and we have been able to bill through that. Ms. Monroe spends a great deal of time on the telephone with the Department of Health and CMS making sure that everything is going through. We still have things that come up from the UNICARE program that have to be straightened out. He stated that he is a lot more optimistic than he was a month ago.

3. **Informational** – Dr. Anderson commented that like many departments, the increase in gasoline has affected us because we depend on ARC for travel as well as the increase for transportation of individuals that we do on our own. ARC has let us know that they had to increase the cost per trip. The cost increased to \$30.58 per trip. We are looking at ways of trying to incorporate the public transportation system. Mr. Nichols commented they should look at fuel adjustments so that as the price rises, the cost they pay increases or when the price decreases, then their cost would decrease. Then the increase would be tied to something.

Dr. Anderson commented they have also been two years without a total cleaning. We have been doing our own cleaning in the buildings. This is not as efficient or effective as having someone else come in and do it. We are looking at having someone come in two times a month to clean the Continuing Day Treatment Program area. By canceling our previous cleaning contract, we saved \$50,000 per year. Dr. Anderson stated that sometime in 2006, there is supposed to be a change in the philosophy of the provision of mental health services to a personal recovery system. When we do that, there will be a lot more opportunity to find employment for people on a part-time basis.

D. Administrator

1. **Cell Phone Request – Office of Community Services** – Mr. Alger replied he has received a cell phone request for Todd VonHagen in the Office of Community Services. Dr. Anderson commented that Mr. VonHagen is a casemanager who works out of the Corning and Bath offices. The phone would be used for emergencies and to coordinate scheduling.

MOTION: APPROVING THE CELL PHONE REQUEST FOR TODD VONHAGEN, CASEMANAGER FOR THE OFFICE OF COMMUNITY SERVICES MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Health Care Facility

1. **2004 Audit Presentation** – Mr. Zehr introduced Rich Lipman from UHY who is here to review the 2004 audit.

Mr. Lipman reviewed the audit with the members of the committee. He commented that with regard to the Balance Sheet, the cash decreased \$1.6 million due to the loss that the facility experienced this past year. Accounts Receivable went up \$378,000 over the previous year. The allowance for bad debts decreased by that amount. The facility finally gave up on attempting to collect items that were uncollectable. The overall revenue went up just over 10 percent, which equates to \$659,000 due to the increase in per diem rates as well as the increase in occupancy. The County cost allocation for the data processing function went down \$113,000 over the previous year. Mr. Lipman commented that with regard to benefits, there was a 6 percent increase, making that 49 percent of the overall payroll. This is not different from any other county. Pension costs for 2003 were \$191,000 and in 2004 they were \$417,000.

Mr. Lipman stated the IGT money that went down is \$296,000 this year. He is not sure where that will shake out. In 2005 the IGT was supposed to go away, but it may not. That is still somewhat up in the air, although you can expect that you will no longer receive the levels that you used to get. Mr. Alger commented that with the change

in Medicaid, the facility would be getting the State share as well as the Federal share. The IGT for the current year will go up. We have \$845,000 in the budget, which is the State and local share. The facility should get half and we have \$180,000 in the Health Care Facility budget. Mr. Lipman stated cash flow saw a net decrease of \$1.6 million, which is equivalent to the loss you had last year. Building and rebasing will not help you collect accounts receivable. Building will give you a newer facility that is more attractive to the private pay patient. It also will be more pleasant for the staff and residents and will be more efficient. A lot of counties are looking at building new facilities.

Mr. Lipman reviewed all of the required communications with the committee. He stated that during the course of the audit, they became aware of some matters that are opportunities for strengthening internal controls and operating efficiency. The first issue deals with the resident funds authorization and withdrawal. When they pulled some of the transactions, they found instances where the authorization to charge the resident's personal funds had not been signed by either the resident or the power of attorney. It was suggested that the facility have tighter control over this and make sure that a document was signed. This issue has been discussed with management and these changes have already been implemented. Mr. Lipman stated the second issue dealt with the reconciliation of accounts receivable. This issue was discussed with management and it was suggested that management follow up on differences and adjustments recorded in a timely manner.

Mr. Lipman informed the committee that in 2007, the Health Care Facility will be required under GASB to begin reporting liabilities for post-retirement benefits other than pensions. You will need to recognize the cost of providing those benefits over the employment lifetime of each employee. The Health Care Facility will rely heavily upon the County to provide that information.

Mr. Isaman asked when do you actually conduct the audit and how many people are actually involved in the process? Mr. Lipman replied we do the audit in late March and early April. We have two to three people on site for a week. A manager will come out for a day or two and do the review. The audit is 90 percent complete at that point in time. Then they go back to the office and prepare the financial statements. Next we perform an audit of the Medicaid cost report and that is done in our office and needs to be filed by May 31st.

Mr. Lipman discussed the occupancy breakdown report with the committee. Overall, occupancy increased 1.5 percent and was above 95 percent. With a 95 percent or better occupancy rate, the facility is able to bill Medicaid for bed holds. A bed hold is when you have a patient that is hospitalized temporarily you can bill Medicaid for holding the bed up to a maximum of 20 days. He commented the facility almost doubled Medicare occupancy to 7.8 percent in 2004. The net revenue for private pay and other insurance residents decreased, revenue for Medicaid patients increased and revenue for Medicare patient stayed relatively the same. There was an increase overall per day of just under 6 percent. Mr. Nichols commented that the County increased the rate for 2004. Mr. Lipman stated that he did notice a discrepancy with that and he will check the rates.

Mr. Stachnik asked how does the room and board rate of \$276 per day for Medicare patients compare with other facilities? Mr. Lipman replied every nursing home provides different levels of care to the Medicare patients. It depends on the services that are being provided. The rate of \$276 per day for a county facility is probably on the higher end. When you look at the private not-for-profit facilities, we have seen several that are over \$300 per day on average. He stated that with a new facility he would hope that you could attract a higher level of acuity patients. Your cost per day increased 2.9 percent, which is typical of a government facility. Approximately 40 percent of nursing home facilities in the State lost money last year.

Mr. Lipman stated with regard to your accounts receivable collection period statistics, you are in a pretty good trend in terms of receivables. The private pays were at 95 days which is significantly below last years number of 157 days. The Medicaid collection days are still a little on the high side. Medicare collection days decreased 80 days, but that is still a very high collection period. The collection periods for private pay should be somewhere in the 15 – 45 days period, Medicaid 30 – 45 days and Medicare 30 – 45 period. He suggests that with Medicaid the facility bill more than one time per month. The current software at the facility will not allow that to be done. They are recommending that Ms. Lewis look at upgrading their billing software. The Medicare collection days are high and that is due to one of the outside vendors not providing information on a timely basis. Overall, the trend is positive as the days are coming down. There are a significant number of receivables that are greater than

90 days. Mr. Lipman suggested if we can get the billing for the private pays done at the beginning of the month, he would expect that number to come down significantly over a period of time. You have to give the residents 30-days notice to inform them of any changes in your billing policies. Mr. Lipman thanked Mr. Zehr, Ms. Lewis and their staff for their assistance during the audit.

Mr. Stachnik asked how does our collection period's compare to other nursing facilities? Mr. Lipman replied other nursing facilities are under 60 days for Medicaid and Medicare. Mr. Zehr commented that they brought on a full-time billing clerk, which has helped a lot. Mr. Stachnik asked is it doable to include new software in 2006? Mr. Zehr replied he has talked with Mr. Alger about potential software vendors. We are going through the preliminary stages. Mr. Peaslee is involved as well as Carol Whitehead from the Treasurer's Office. We are having the vendors come in and do presentations to the nursing staff and billing staff. Right now we have two software programs for clinical and billing. New software will cost approximately \$60,000.

2. **Informational** – Mr. Zehr informed the committee that with regard to their census, they are back to billing for bed holds. They currently have four empty beds for rehab. The rehab will pick up now that the weather is changing.

Mr. Nichols asked for an update on the building plans. Mr. Zehr stated they have reviewed the responses and submitted our five contingencies. The increase from the original CON from \$16.7 million to \$19.4 million will not involve a complicated review. Mr. Isaman asked did you send in the check for the \$75,000? Mr. Zehr replied yes. The completed drawings will be ready for bid in January and that puts us at starting construction in March. Mr. Nichols asked this will be a no-lift facility? Mr. Zehr replied yes.

Mr. Stachnik commented the audit is a great advocate for building new. This is a good testimonial that we did the right thing. Mr. Zehr commented we are headed in the right direction. Mr. Ahrens asked how long will construction take? Mr. Zehr replied 18 months. Mr. Alger commented you may actually this year end up better than you expect. The IGT is \$800,000 because of the change in the Medicaid system at the State level. The facility will get the State and Federal share instead of just the 10 percent. We also have \$400,000 in disadvantaged facilities funding. Mr. Ahrens commented we are two-thirds into 2005 and we are losing money as we speak here. Having construction coincide with the fund balance is important. Mr. Alger stated the other question that we need to pursue is what, if anything, the Department of Health does with the rates during the construction period. During that 18 months you will be spending \$19 million to build. During that period of time would they give you the rate adjustment for that expense? We have to put the bond payment for the facility in next year's budget. There should be a provision in the rate for that to be recaptured. Mr. Ahrens commented the bond rate is 4.1 percent and the proforma was 4.5 percent. Mr. Alger stated this is one of the best rates in years because the term of the bond is 20 years. Typically the rates are higher.

Mr. Isaman asked at what point are we going to decide what to do with the old building? Mr. Alger replied between now and the time we open the new facility in September of 2007 we need to make a decision. We can't do anything until you are out of the building. Mr. Zehr commented with regard to the current building, engineering has come up with a new type of roofing and we are looking at saving over half of what we thought. This new roof is made out of Styrofoam with a layer on top of it. This will be cheaper than what we were looking at to renovate or rehabilitate the current roof. Mr. Alger stated the current roof is a rubber roof and at that time they put ballast on top of it, which they don't do anymore. They have changed the methodology of installation. Mr. Nichols asked will the new facility be on Bath, Electric, Gas & Water? Mr. Zehr replied they have not pursued that as of yet.

MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by,

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Wednesday, October 5, 2005 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON
Wednesday, September 28, 2005.**

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, October 5, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Robert V. Nichols, Chair David Stachnik, Vice Chair Kenneth E. Isaman
Lldon E. Jamison

STAFF: Mark R. Alger Gregory P. Heffner Helen Brutsman
Robert W. Anderson, Ph.D. John Zehr Robert F. Biehl
Kathryn Biehl Teresa Stever-Gray David English
Frederick H. Ahrens, Jr.

LEGISLATORS: Harley R. Mayo John Walsh

ABSENT: Gary D. Swackhamer

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:10 a.m. He asked Mr. Stachnik to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 7, 2005 MEETING MADE BY MR. ISAMAN, SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (Mr. Jamison absent for vote)

II. DEPARTMENTAL REPORTS/REQUESTS

A. Special Children's Services

1. **Contract** – Mrs. Brutsman requested authorization to enter into a contract with Arnot Ogden Hospital for Core Evaluations for Early Intervention.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A CONTRACT WITH ARNOT OGDEN HOSPITAL FOR CORE EVALUATIONS FOR EARLY INTERVENTION MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (Mr. Jamison absent for vote)

B. Office of Community Services

1. **Personnel** – Dr. Anderson requested authorization to reclassify a Grade XV Staff Social Worker to a Grade XVIII BILT Coordinator. He explained this is an individual from their office who works in the Department of Social Services and is paid for by the Department of Social Services. We have added three more positions to the BILT team. He is requesting this upgrade so that this position will have supervisory responsibilities which will help to make the work more streamlined. Mrs. Biehl commented this position is funded through the TANF Flexible Fund which is State and Federal money. Mr. Biehl stated this will result in a \$3,000 or less increase in cost. Ms. Stever-Gray commented this individual also works with the Employment Unit and with individuals on disability to help get them back into the workforce.

MOTION: APPROVING THE RECLASSIFICATION OF A GRADE XV STAFF SOCIAL WORKER TO A GRADE XVIII BILT COORDINATOR IN THE OFFICE OF COMMUNITY SERVICES MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

C. Health Care Facility

1. **Statistics** – Mr. Zehr reported that during the month of July, they had poor numbers, but their occupancy rate is going up again.

2. **CON Update** – Mr. Zehr reported they have not yet heard back from the package they submitted with the updated schedules. He has talked with the architect and they will pull up their contract and make sure everything is in place when that package is approved.

3. **ProCare Consultants** – Mr. Zehr informed the committee that two years ago ProCare Consultants came in and helped them streamline their MDS assessment procedure. They will be asking them to come back to take a look at how we are doing things.

4. **Physical Therapy** – Mr. Zehr reported they have a part-time physical therapist that works in the afternoons. We did start advertising again, but in the meantime, we are covered.

D. Administrator

1. **Health Care Facility Update** – Mr. Alger stated as soon as the CON approvals are back, we will meet with the architects to review where we are in the design. The schedule is to bid early next year. Unless the Department of Health changes the deadline, we have to begin construction by March 1, 2006. Between now and January, there will be a slew of activity to get this final design completed. Once that is complete, they will be able to move ahead fairly quickly. We will reassess where we are at and bring back information to the committee and review the schedule with you.

Mr. Isaman commented during this process, we will need to start discussing and looking at the old facility and while we are doing that, it may be good for us to tour the old facility and look at where the new facility will be located. Perhaps we could have a joint meeting with the AIP Committee sometime in the afternoon to get a feeling for what we are doing. That would be helpful. The AIP Committee has been charged with reviewing and making recommendations regarding the old facility, but the Health & Education Committee should be involved.

Mr. Alger stated we will be needing to make decisions about that. He doesn't see the decision as being required imminently. The construction will take 18 months and we expect occupancy to occur during Fall 2007. We have until then to move patients. If we have an action plan in 2008 then we would be timely on that decision. We have issues to deal with and whatever we do with the building, we have to remember that we currently have the Records Center there. We would want to consider whether we want to expand the Records Center if we keep the building and also take into consideration the new voting machines that will be purchased and need to be stored. There are a lot of things to consider.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Wednesday, November 2, 2005 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON
Wednesday, October 26, 2005.**

STEBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, November 2, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Robert V. Nichols, Chair Lldon E. Jamison	David Stachnik, Vice Chair Gary D. Swackhamer	Kenneth E. Isaman
STAFF:	Mark R. Alger Vicki Fuerst Frederick H. Ahrens, Jr. David English	Gregory P. Heffner Robert W. Anderson, Ph.D. Robert F. Biehl Edward Castellana	Helen Brutsman John Zehr Nancy Smith
LEGISLATORS:	Philip J. Roche, Esq. John Walsh	Harley R. Mayo	Thomas J. McIntyre
OTHERS:	Mary Perham, <i>The Leader</i> Mark Lyons, SWBR Mike Flannery, Pike Mike Norton		

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:00 a.m. He asked Mr. Jamison to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE OCTOBER 5, 2005 MEETING MADE BY MR. ISAMAN, SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (Mr. Stachnik and Mr. Swackhamer absent for vote).

III. PRESENTATION

1. SWBR

Health Care Facility Project Status – Mr. Lyons stated he is here today to kick off the design work and to bring the committee up-to-date. In May we presented to you the CON schedule that we had received. During the summer, we resubmitted that schedule to the Department of Health and have not yet heard back from them. There doesn't appear to be any problems with our submission, but we have not received an official okay. Mr. Lyons requested that pending the official schedule, that the Legislature authorize SWBR to go into design development. We would require an authorization of \$225,000 of the design fees to initiate developing the program to keep us on track for a spring 2006 construction start.

Mr. Zehr commented that he has contacted the Department of Health and there were seven contingencies, three of which were not yet met. The first of the three contingencies that were not met, was the fact that we will not spend design contingencies until we have received approval from the State. The second contingency was the increase in cost, which was being reviewed, and the third contingency is the complete prints.

Mr. Lyons explained you still have approval for the project that you received in 2001. The question is the inflation costs and the increase to the budget and the State has to sign off on that. Mr. Alger commented we have been waiting for the State to give us formal approval. In the process of discussing the next steps, he thinks it appropriate to authorize the architects to go forward with design development. Mr. Ahrens asked will doing this cause any problems in the future? Mr. Alger replied the CON actually calls for us to break ground in March 2006. Right now, we will have to request an extension to break ground in April 2006. Mr. Lyons commented you are better ahead than any county in New York State

because your CON got approved with the 10 percent equity. There has been a \$3 million increase in the construction cost from 2001.

Mr. Nichols stated with regard to the design, we need to go forward with this. We wouldn't want to spend the money and have it be wasted.

MOTION: AUTHORIZING SWBR ARCHITECTS TO PROCEED WITH DESIGN DEVELOPMENT OF THE HEALTH CARE FACILITY AND AUTHORIZING THE PAYMENT OF \$225,000 FROM THE DESIGN FEES FOR THIS PURPOSE MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON.

Mr. Stachnik asked by moving ahead without final State approval, are we setting a precedent with other counties? If we risk moving ahead with the project, could final approval be delayed until the next election, etc.? Mr. Lyons replied he doesn't think so based on what they have heard from the Department of Health and the rules they operate under. They are very short staffed and the delay is not because of anything we are asking for. Mr. Ahrens commented we have to get this completed so that you are compliant with the bond procedures.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. DEPARTMENTAL REPORTS/REQUESTS

1. Special Children's Services

Children's Services Directory – Mrs. Brutsman distributed copies of the 2005 Steuben County Children's Services Directory.

Contracts – Mrs. Brutsman informed the committee that the Wayland-Cohocton School District has increased their rates for transportation from \$27.20 per child per day to \$32.20 per child per day. This rate increase is effective October 1, 2005. They have indicated that when the price of gas decreases, they will reduce the cost. Even though there is an increase, they are still under our cap per day rate.

MOTION: APPROVING THE RATE INCREASE FOR THE TRANSPORTATION CONTRACT WITH THE WAYLAND-COHOCTON SCHOOL DISTRICT FROM \$27.20 PER CHILD PER DAY TO \$32.20 PER CHILD PER DAY MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mrs. Brutsman informed the committee that Wellness Works has changed their name to the Finger Lakes Wellness Center and Health Spa. The Early Intervention contractors will use the old name until the end of December and their contracts will be revised to reflect the new name effective January 1, 2006. They will need to change the provider name on the Preschool contracts effective immediately.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO AMEND THEIR CONTRACT WITH WELLNESS WORKS TO REFLECT THEIR NEW NAME OF THE FINGER LAKES WELLNESS CENTER AND HEALTH SPA MADE BY MR. SWACKHAMER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mrs. Brutsman requested authorization to renew all current Early Intervention contracts for 2006.

MOTION: APPROVING THE RENEWAL OF ALL CURRENT EARLY INTERVENTION CONTRACTS FOR 2006 MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. Public Health & Nursing Services

Contracts – Mrs. Fuerst requested authorization to renew current contracts for 2006. She commented that the Therapy Services have received a 4 percent increase. Home and Health Service, Inc. increased their rates 11 percent due to gas and difficulties in recruiting Home Health Aides. Staffing increased their rates 3.5 percent to 10 percent. Mrs. Fuerst commented that their rent for the Hornell Office increased 5 percent. However, she

noted that SJM Properties hasn't done repairs in ten years, but they have given them a schedule. Mr. Isaman commented that it would be appropriate to send a letter to SJM Properties from this committee stressing our point of interest in getting the repairs done. Mr. Stachnik stated that he can't argue, but if Mrs. Fuerst thinks the situation has been settled with an outlined schedule, then maybe the letter at this time is unnecessary. If they are derelict in their responsibilities, then we can have the letter sent.

MOTION: AUTHORIZING THE DIRECTOR OF PUBLIC HEALTH & NURSING SERVICES AND THE COUNTY ADMINISTRATOR TO SEND A LETTER TO SJM PROPERTIES IF THEY ARE NOT RESPONSIVE TO PUBLIC HEALTH & NURSING SERVICES REQUEST FOR REPAIRS TO THE RENTAL PROPERTY MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: APPROVING THE CONTRACT RENEWALS FOR 2006 FOR PUBLIC HEALTH & NURSING SERVICES AS PRESENTED MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Isaman asked what is the status on flu shots? Have you received any vaccines? Mrs. Fuerst replied yes they have, however, they have received very little. The situation is not as bad as last year. The Office for the Aging just received a couple hundred doses and we have some of ours. We are holding off on the clinics because if we don't get what we need, then we will start doing the high-risk groups. It is perfectly fine to get a flu shot in December. Mrs. Fuerst stated they will be holding an emergency preparedness drill on November 16th at the Civil Defense Center and during that drill they will be giving free flu shots.

Mr. Isaman asked if the Avian Bird Flu breaks out, does the Department of Health have a plan? Mrs. Fuerst replied they are working on preparedness and the Department of Health has had a flu plan for a long time

Mr. Fuerst informed the committee that three years ago the FLPHA was formed which consists of 9 counties including Yates, Schuyler and Monroe. This group meets monthly in Mt. Morris. What this group does is it allows volunteers from other counties to enter into a municipal agreement, which allows us to give each other mutual aid in the event of an emergency. Mr. Alger commented mutual aide through the emergency services typically does not include the health areas. Mr. Ahrens commented that his personal preference is that the liability follows the individual. That makes more sense from the management viewpoint.

3. Health Care Facility

Pest Solutions – Mr. Zehr informed the committee that they recently switched pest control companies in an effort to save money. The individual they have contracted with hires a part-time employee during the summer months and in the winter lets that individual go. There was an issue brought up regarding Worker's Compensation coverage. He is asking for a waiver of that requirement in this case as he is working by himself. Mr. Zehr commented that it is his understanding that you don't need Worker's Compensation if you are self-employed.

Mr. Castellana commented he is here today to object to this request to have the Worker's Compensation waived. The problem is that you have an individual who is working with pesticides. He is in contact with that and if he comes up with a disability, that's not a problem, but if the disability is caused from the materials that he is working with, that could come back to us. Mr. Castellana stated that at a rate of \$600 per 100 hours of payroll, that will cost the individual \$1,450 and he already has Worker's Compensation to pay for his employee during the summer months. The minimum he would pay would be \$850. If he pays the part time employee less than \$11,000, by adding his premium to the part time employees, it will not cost him anything to be able to carry the Worker's Compensation. He did have an insurance certificate on file for the part time employee.

Mr. Zehr commented that he can go back and investigate this further. Mr. Castellana stated that when you give out the contract, it states what all of the insurance requirements are. Then the people come back and don't want to carry the insurance. Mr. Zehr commented he will look into this further and discuss it at next month's meeting.

Personnel – Mr. Zehr requested authorization to reclassify a Grade J (equivalent to a Grade XV) 48-hour RN position to a Grade XIV 48-hour Physical Therapy Assistant position. He explained that if we have the

assistant position, then when the Physical Therapist is there, we will also be able to bill for the Physical Therapist Assistant's services. Down the road, he anticipates this position will be full-time. Mr. Isaman asked you will lose an RN position? Mr. Zehr replied this was a night shift RN position which we have been unable to fill.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A GRADE J (EQUIVALENT TO A GRADE XV) 48-HOUR RN POSITION TO A GRADE XIV 48-HOUR PHYSICAL THERAPY ASSISTANT POSITION AT THE HEALTH CARE FACILITY MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Outpatient Physical Therapy Services – Mr. Zehr requested authorization to submit a limited CON to provide outpatient physical therapy services. If we do this with the current CON for the new building, we would have to redo that original CON. If we implement this with the existing facility, when we move into the new facility this will already be in place.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO SUBMIT A LIMITED CON TO PROVIDE OUTPATIENT PHYSICAL THERAPY SERVICES MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Fire Training – Mr. Zehr informed the committee that they recently did their fire training in accordance with the mutual aid plan they have in place.

Vending – Mr. Zehr informed the committee that quite a while ago he had presented a proposal to take over the vending services at the Health Care Facility. We were delinquent in getting this up and running, but were able to start about a month ago. Previously, we received \$40.00 in commissions from the vending machines that offer soda, candy and coffee. Since we have taken that over, we have in three weeks made \$400.00.

Room Rates – Mr. Zehr requested authorization to increase the room rates for private pay individuals \$5.00. Everyone in the State is increasing their room rates \$5.00 - \$10.00 per day. The impact of doing this is getting less and less. With the new facility, we will be able to attract more private pays. The rate for a semi-private room would increase from \$215.00 per day to \$220.00 per day and the rate for a private room will increase from \$225.00 per day to \$230.00 per day.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO INCREASE ROOM RATES \$5.00, INCREASING THE RATE OF A SEMI-PRIVATE ROOM TO \$220.00 PER DAY AND INCREASING A PRIVATE ROOM TO \$230.00 PER DAY MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Grant – Mr. Zehr informed the committee that they were notified by the Department of Health that they are eligible for \$42,000 in grant funding for the training and education of staff from CNA's to LPN's. He requested authorization to accept this funding. This funding will allow us to develop an internal computer lab with three computers for staff to use.

MOTION: AUTHORIZING THE HEALTH CARE FACILITY TO ACCEPT \$42,000 IN GRANT FUNDING FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO BE USED FOR THE TRAINING AND EDUCATION OF CNA'S TO LPN'S MADE BY MR. STACHNIK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Flu Vaccine – Mr. Zehr announced the residents are being vaccinated this week and the staff will be vaccinated next week.

4. Office of Community Services

Grant – Dr. Anderson informed the committee that they have recently been notified that Steuben County has been approved for a MATS Grant which the Department of Social Services and the Office of Community Services put together. This money will be used to address the heavy users of the Medicaid system. The intent is to be able to save Medicaid dollars. The target group are those individuals that are heavy users of the Medicaid system who also have substance abuse disorders. This will impact approximately 30 individuals in the County.

Contract – Dr. Anderson requested authorization to increase their contract with Catholic Charities by \$25,000. This \$25,000 represents an additional one-time pass through funding from OASAS.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO ACCEPT \$25,000 IN ADDITIONAL ONE-TIME FUNDING FROM OASAS, TRANSFERRING THAT AMOUNT TO THE CONTRACT LINE ITEM FOR CATHOLIC CHARITIES AND AMENDING THE CONTRACT WITH CATHOLIC CHARITIES TO REFLECT THE INCREASE IN FUNDING OF \$25,000 MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Computers – Dr. Anderson informed the committee that he needs to purchase two additional computers. These computers would be used for their personnel who are located at the Jail. We need to provide them with computers so they are linked to our offices. The total cost is \$2,200 for two desktop computers. He requested authorization to transfer \$2,200 from the Contract Labor line item to Minor Equipment.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO TRANSFER \$2,200 FROM ACCT. #425000.5.444150 INTO ACCT. #425000.5.298000 FOR THE PURCHASE OF TWO DESKTOP COMPUTERS AND AMENDING THE MINOR EQUIPMENT LIST TO REFLECT THIS CHANGE MADE BY MR. ISAMAN. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Personnel – Dr. Anderson requested authorization to reclassify a Grade XV Staff Social Worker to a Grade XVI Psychology Intern. This will be a full-time position and the difference in pay is not more than \$1,500. Mr. Biehl commented this is a Civil Service title.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A GRADE XV STAFF SOCIAL WORKER TO A GRADE XVI PSYCHOLOGY INTERN IN THE OFFICE OF COMMUNITY SERVICES MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Dues – Dr. Anderson requested approval to pay \$500 for the yearly dues for the Institute of Human Services.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO PAY THE YEARLY DUES TO THE INSTITUTE OF HUMAN SERVICES IN THE AMOUNT OF \$500 MADE BY MR. STACHNIK. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Kendra's Law – Dr. Anderson informed the committee that there have been recent changes to Kendra's Law, which deals with Assisted Outpatient Treatment. Mr. Ahrens stated that this is an act to initiate Kendra's Law proceedings and this is something that has never been done before. The process includes petitioning the court and then the intervention by legal services for mental hygiene. If the individual requires treatment, then we petition the court. The purpose of Kendra's Law is to keep people in outpatient treatment. Dr. Anderson commented AOT (Assisted Outpatient Treatment) is not a form of treatment, but a form of control. He stated that he does not really ascribe to things that take away people's civil rights. If at any time an individual has had blatant episodes or been in jail so many times over a four years period, it doesn't make any difference how well they have been doing the past four to six months. If someone petitions for AOT, it is up to a judge.

Mr. Nichols asked when you put someone on AOT, what happens? Dr. Anderson replied if the judge determines an individual is appropriate for AOT, the treatment is outlined. If the treatment includes taking medications and the individual fails to comply, they can be picked up again and sent to the hospital for 72 hours. Then they are released and you start the entire process again.

Office Space – Dr. Anderson informed the committee that during the rain storms in September, they discovered they had a leak and they started to replace the carpet in the CDT area in the Bath Office. Yunis replaced that entire section of carpet which included 5 offices and the group room. Yunis also replaced carpet in the Hornell Office.

Psychiatrist – Dr. Anderson informed the committee that Dr. Chun, who has been with their agency since 1975, has submitted his resignation. His last day will be December 31, 2005. Dr. Anderson commented that they are going to provide a retirement event for him, but he would appreciate it if perhaps this committee or the Board would recognize Dr. Chun for his 30 years of service. We have truly benefited from his services.

Billing – Dr. Anderson informed the committee that they have been making progress with their billing. Ms. Monroe has done a wonderful job. Currently we have 10 percent denials, which is pretty good and we should be getting 90 percent of those.

5. Personnel

Tuition Aid Request – Mrs. Smith presented a tuition aid request for Carol Whitehead, Deputy County Treasurer, to take one course entitled “Public Budgeting and Finance”. Mrs. Smith recommended approval as this course is job related.

MOTION: APPROVING THE TUITION AID REQUEST FOR CAROL WHITEHEAD, DEPUTY COUNTY TREASURER, TO TAKE ONE COURSE, ENTITLED “PUBLIC BUDGETING AND FINANCE” MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Wednesday, December 7, 2005 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON
Wednesday, November 30, 2005.**

STEUBEN COUNTY HEALTH AND EDUCATION COMMITTEE

Wednesday, December 7, 2005

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Robert V. Nichols, Chair Lldon E. Jamison	David Stachnik, Vice Chair Gary D. Swackhamer	Kenneth E. Isaman
STAFF:	Mark R. Alger Helen Brutsman David English	Gregory P. Heffner Henry W. Chapman, Psy.D. Robert F. Biehl	Vicki Fuerst John Zehr
LEGISLATORS:	Philip J. Roche, Esq. John Walsh	Harley R. Mayo	Thomas J. McIntyre
OTHERS:	John Kropski, Freed, Maxick & Battaglia Mary Perham, <i>The Leader</i>		

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:05 a.m. He asked Mr. Swackhamer to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE NOVEMBER 2, 2005 MEETING MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. PRESENTATION

A. Health Care Facility Update – Mr. Zehr introduced John Kropski of Freed, Maxick & Battaglia. Mr. Alger commented we have asked Mr. Kropski to come back and talk about the situation with the Health Care Facility. When we had approved going forward with the project we had talked about State reimbursement issues and other unknowns. The Department of Health, in September, decided to implement a regulation that dates back to the 1980's which limits the wage equalization factor. This will have a significant impact on rebasing in the future. The other topic, is the IGT (Inter-Governmental Transfer) which is also changing this year. This was thought to be the last year that we would receive the IGT. Currently, the IGT has not been approved by the Federal government as they are still negotiating with the State. In the course of discussion with the Federal government it is clear the entire amount would go to the facility.

Mr. Kropski explained the wage equalization factor is a complicated matter, but somewhat obscure. The State recalculated the Medicaid rate which was very favorable for the County. The State has encompassed a new wage equalization factor based on 2001 information to generate additional reimbursement. It took the State a period of time to complete the calculations. In about July 2005, the State issued new rates incorporating the wage equalization factor. Now the Medicaid rate is based on costs trending backward to 1983 and compared against the ceiling in place and then inflated or deflated. With the wage equalization factor it compares you to other facilities in the State. Your facility has a higher wage structure and you came out very favorably. Mr. Kropski explained the State found they had overlooked a small section in the regulation many years ago and did not program that into the rates. They delayed issuing of the rates and put a little one liner in stating that they had a programming error. It did not affect your rate currently, but it will affect 3 – 5 percent of the nursing homes in the State. Those facilities with higher wage structures will be affected. This will reduce your revenue significantly in the rebasing.

Mr. Kropski stated the State has put a cap on the differences that your wage equalization factor can vary. They are implementing an artificial cap so to speak. When they look at rebasing the wage equalization factor rate is greater than

the State average and when they implemented the cap, you were under in your current rates. This has an affect of close to \$1 million on revenue annually. When we first learned about this, we realized this could have a potential effect on what you are going to be doing. Your budget for 2005, without any special grants or IGT projected a deficit of \$1.6 - \$1.7 million. When we ran the numbers with the new rebasing, the deficit is \$400,000. Your bond funding came in at a much more favorable rate than had been anticipated. When we put the cap on the wage equalization factor, the deficit jumps to \$1.4 million.

Mr. Swackhamer asked how does this trend out over ten years? Mr. Kropski replied we did not track, even without any other money. Mr. Alger stated he would like to point out this is one of those things you look at with a question. This does not impact the private facilities as much as it does the public facilities. Mr. Isaman asked they had never used this? Mr. Kropski replied this was based on your history and they had never implemented the cap. Mr. Alger stated the way to challenge this is to go to Senator Winner and Assemblyman Bacalles and ask why all at once this cap was implemented. There are a half dozen or more counties across the State that are in the process of building or had already built new facilities. They did not have this knowledge and it has a major impact. Mr. Stachnik commented as far as the workforce and benefit package, we have a veteran workforce and low turnover. There was an aggressive move by the Federal government to cut \$10 billion from the Medicaid program. New York State is one of the greatest users of Medicaid. Do you think the overly aggressive approach by the Federal government prompted more of a look into this? Mr. Alger replied this is just a regulatory issue that popped up when they were doing the new rates. At this point, we haven't gotten a lot of feedback yet from Senator Winner or Assemblyman Bacalles and they are looking at what happened and what could be done. He stated that he thinks we should be collectively, as counties go forward and indicating that we made good faith decisions and we deserve some sort of relief. Mr. McIntyre asked how long can we play this out? Mr. Alger replied we don't have a lot of options. We find ourselves a little earlier in the game than other counties. We haven't built yet, but the bonds have been issued and the money has been borrowed. Mr. Kropski stated there is still time to plan how to mitigate the severity of this. You are gaining from the rebasing process, but nowhere near to what we had anticipated.

Mr. Nichols commented it is not fair to the County and the Legislature that made the decision to build the facility. Mr. Alger stated that's the bad news. The IGT is also in the process of being negotiated at the Federal level by the State. In the past, between the County and the State we put up 90 percent and the Federal government put up 10 percent and that's what went to the facility. What is being discussed is that as part of the IGT, the County would be able to receive as revenue the State share of the IGT. If that goes through, the facility would have gotten 50 percent. The last piece of this is that the Federal government has objected to the fact that the facilities never saw all the revenue for the IGT. Mr. Alger stated that he is expecting that for the IGT to go forward the entire IGT will stay with the facilities. When you look at the two of these factors, there is a \$2 million swing. The IGT is not forever, but the expectation is it will continue probably at the current level, with the Federal government stipulating that the money actually go to the facilities.

Mr. Kropski stated if the Federal government significantly reduces the money coming into the State, what does come in has to go to the facilities, hospitals, etc. The facilities may end up with more money. Mr. Alger stated the amount is substantially reduced, however, the \$1.7 million or \$1.8 million is almost what they were receiving originally. That was what was making our facility break even. The methodology change is one that the Federal government would not object to as long as the facilities receive all of the cash. They objected that the facilities were only receiving the Federal share all these years. Mr. Stachnik commented that the news about the IGT cancels out the news about the rebasing. We made a commitment and we should honor that commitment. Mr. Alger stated that he doesn't think you can stop the project. We have the money. With the bond, you can't not go forward and you have 18 months to move forward. At this point we don't have the final approval for the plans. Mr. Zehr stated what is important to understand is that the County Facilities Association has put together a new rate methodology for reimbursement for the facility that we feel will help us through this mess. This has nothing to do with our individual situation. We are submitting a plan to the Department of Health to restructure nursing homes across the State to offset our losses.

Mr. Roche stated the problem with the wage cap is a problem for public facilities. If we built a new facility and the IGT goes away, would we still be an attractive facility for a private operator as they would not face the wage cap problem? Mr. Kropski replied the chances are that they would not be bumping that cap. Mr. Roche stated if the IGT goes, we still have the option of leasing the facility to a private operator down the road. Mr. Alger commented ultimately that's the end. If it looked as though we were going to lose hundreds of millions of dollars, you would have to do something to deal with that loss. The reason Mr. Kropski is here today is to discuss these two significant changes to the funding of the facility. There are a lot of unknowns. This year we received additional State aid for disadvantaged facilities. This is a fairly fluid situation. Mr. Alger stated we need to make a plea to our State representatives that this is affecting the public facilities

disproportionately and that the regulation had been there for years and had not been implemented. Mr. Kropski pointed out even if there is a legal challenge, it does take time. Mr. Swackhamer commented we may not get the IGT, but may get something else in a different form. Mr. Nichols stated we borrowed the money, hired the architect and we are committed. We are just going to have to go ahead with this.

Mr. Isaman asked when was this discovered? Mr. Kropski replied at the end of July. Mr. Stachnik asked that there be a follow up discussion at next month's meeting if they are able to find out any particulars to this situation. Mr. Alger replied that he could find out the status. Considerable discussion followed.

Mr. Zehr stated that he has been very optimistic and continues to be. The issue of Medicare Part D and the prescriptions will have a positive impact on the facility, but what impact is still unknown. There are a lot of unknowns.

IV. DEPARTMENTAL REPORTS/REQUESTS

A. Special Children's Services

1. **Contracts** – Mrs. Brutsman requested authorization to enter into a one year contract with James McGuinness and Associates to provide support for the Preschool computer program. They do our billing to the State for reimbursement. She stated the cost is \$100.00 per hour which equates to \$10,000.00 per year.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ENTER INTO A ONE YEAR CONTRACT WITH JAMES MCGUINNESS AND ASSOCIATES TO PROVIDE SUPPORT FOR THE PRESCHOOL COMPUTER PROGRAM AT A RATE OF \$100.00 PER HOUR MADE BY MR. JAMISON. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Transportation Reimbursement for Parents** - Mrs. Brutsman informed the committee that they have parents who transport their children to the Preschool programs. We reimburse them at a rate of \$.34 per mile. She requested authorization to raise that rate to \$.40 per mile effective January 1, 2006. Mr. Nichols asked do they have to meet income criteria? Mrs. Brutsman replied this is available for anyone who transports their own child. Currently we only have four or five parents that do this.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO RAISE THE RATE ON TRANSPORTATION REIMBURSEMENT FOR PARENTS WHO TRANSPORT THEIR CHILDREN TO THE PRESCHOOL PROGRAM TO \$.40 PER MILE EFFECTIVE JANUARY 1, 2006 MADE BY MR. STACHNIK. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **Transportation Reimbursement for Grandparents/Guardians** – Mrs. Brutsman informed the committee that they have only ever paid the parents that transport their children. She requested authorization to reimburse grandparents or guardians that transport children to the programs. She stated if we do this, we might get more individuals willing to transport. Mrs. Brutsman clarified this is only for our participating programs which are center-based special education programs such as Pathways.

MOTION: AUTHORIZING SPECIAL CHILDREN'S SERVICES TO PROVIDE TRANSPORTATION REIMBURSEMENT TO GRANDPARENTS/GUARDIANS WHO TRANSPORT CHILDREN TO PARTICIPATING PROGRAMS WITHIN STEUBEN COUNTY AT A RATE OF \$.40 PER MILE MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **Transportation Reimbursement – Only When Child in Car** – Mrs. Brutsman informed the committee that currently we only pay transportation reimbursement when the child is in the car. We have a lot of parents who take the child in the morning, drive back home and then go back and pick the child up at the end of the program. Since we only pay while the child is in the car, the parents are not reimbursed for the trip back home and then back to the program. It is not so much of a problem if the child is in the program for a short period of time as the parent can wait, but if the child is in a program for 6 hours, then the parents have to travel back home. Mr. Nichols asked if we do that, wouldn't it be cheaper to transport them ourselves? Mrs. Brutsman replied no. We pay \$164.00 per day to provide transportation just in the Hornell area. This only affects a handful of people. Mr. Isaman stated that he would like to see some criteria that it is only for those parents whose child/children attend a 5+ hour program.

MOTION: APPROVING ROUND TRIP TRANSPORTATION REIMBURSEMENT FOR PARENTS WHOSE CHILD/CHILDREN ATTEND A 5+ HOUR PROGRAM MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

5. **Contract** – Mrs. Brutsman requested authorization to enter into a contract with Patricia **Peterson**, Special Education Teacher for Preschool and Early Intervention.

MOTION: AUTHORIZING SPECIAL CHILDREN’S SERVICES TO ENTER INTO A CONTRACT WITH PATRICIA **PETERSON, SPECIAL EDUCATION TEACHER, FOR PRESCHOOL AND EARLY INTERVENTION MADE BY MR. SWACKHAMER. SECONDED BY MR. STACHNIK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Office of Community Services

1. **Budget Transfer** – Dr. Chapman informed the committee that they have received \$19,870.00 from the Department of Social Services to fund the Social Worker position for the BILT Program. He requested authorization to transfer that amount to their contract with Catholic Charities as they provide that service. Dr. Chapman noted after January 1, 2006, Catholic Charities will no longer provide this service, but the Office of Community Services will.

MOTION: AUTHORIZING THE OFFICE OF COMMUNITY SERVICES TO AMEND THEIR CONTRACT WITH CATHOLIC CHARITIES TO REFLECT THE ADDITION OF \$19,870.00 RECEIVED FROM THE DEPARTMENT OF SOCIAL SERVICES TO FUND THE SOCIAL WORKER POSITION FOR THE BILT PROGRAM MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Billing Update** – Dr. Chapman informed the committee that with regard to the Anasazi billing project, they have completed the billing and management report tables. The hardware will be installed by the end of January and in February the trainers will meet with us and we will put all of the client data into the system. On March 1, 2006 we will bill through the new system. He commented they have met all of their target dates with this project.

C. Public Health & Nursing Services

1. **Contract** – Mrs. Fuerst requested authorization to enter into a contract with Sabita Aderhold, physical therapist at a rate of \$60.00 per visit.

MOTION: AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO ENTER INTO A CONTRACT WITH SABITA ADERHOLD, PHYSICAL THERAPIST, AT A RATE OF \$60.00 PER VISIT MADE BY MR. SWACKHAMER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. ISAMAN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. STACHNIK. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Wednesday, January 4, 2006 @ 9:00 a.m.**

**PLEASE SEND AGENDA ITEMS TO THE
CLERK OF THE LEGISLATURE'S OFFICE
NO LATER THAN NOON
Wednesday, December 28, 2005.**