

**HEALTH AND MENTAL HEALTH COMMITTEE
MINUTES**

**TUESDAY, MARCH 21, 2023
4:00 P.M.**

PRESENT: Peter V. Tuohy, Chairperson
Michael Amo, Mike Anagnostakis, Glenn R. Ehlers, Kevindaryán Luján, Janet Sutherland,
Laurie R. Tautel

ALSO

PRESENT: Katie Bonelli, Chairwoman
Barry J. Cheney, Legislator
Betsy N. Abraham, Esq., Legislative Counsel
Richard B. Golden, Esq., County Attorney
Carol C. Pierce, Esq., Deputy County Attorney
Langdon Chapman, Commissioner of Human Resources
Darcie Miller, Commissioner of Social Services and Mental Health
Dr. Alicia Pointer, Commissioner of Health
Laurence LaDue, Commissioner, Valley View Center
Donna Strecker, Director of Finance, Valley View Center
Kerry Gallagher, Commissioner of Finance
Erin Sztendor, Budget Analyst

Mr. Tuohy opened the committee meeting at 4:12 p.m. and asked everyone to stand for the Pledge of Allegiance. All committee members were present.

Ms. Sutherland moved request to authorize and approve the acceptance by the County of Orange of any and all funds received by Opioid Settlements to be used for the treatment, recovery, and prevention of opioid use disorders and any co-occurring substance use disorders or mental health conditions, seconded by Ms. Tautel.

Ms. Pierce explained that Orange County is currently a plaintiff in five current class action litigations regarding opioid settlements. These lawsuits are named at manufacturers, distributors, pharmaceutical companies and pharmacy chains. They also intend to enter into litigation with CVS, Walgreen and Walmart. Each of the settlements has certain funds attached with some being one time payments and structured payments over numerous years. The different settlement amounts go to different restricted approved uses with all being aimed at treatment, prevention, recovery, criminal justice system and community support. County Executive Neuhaus plans on using all the funds for those purposes.

Motion carried. All in favor.

Ms. Tautel moved request to accept and appropriate funds awarded from NYS OASAS (Office of Addiction Services and Supports) for jail-based Medication Assisted Treatment (MAT) services for inmates for the time period 1/1/23 – 12/31/23. These funds will pass through Mental Health to Orange County Jail. Orange County Jail is in current contract with Wellpath to provide MAT services to inmates, treatment plans, and linkage to care upon release, \$170,000.00, seconded by Mr. Luján.

Motion carried. All in favor.

Ms. Sutherland moved request to accept and appropriate NYS Office of Mental Health WOGI (Welcome Orange Geriatric Initiative) Grant COLA increase for Year One in the amount of \$12,150.00. Additionally, appropriate any unused Year One 2022 funding in the amount of \$59,342.10 into Mental Health's 2023 budget. This unused funding is due to the contract with NYS not being finalized until July 2022, therefore, the contract agencies could not spend all the funding within 2022. The total amount is \$71,492.10, seconded by Mr. Amo.

Motion carried. All in favor.

Mr. Luján moved request to appropriate the remaining balance of \$37,360.00 in funds awarded from NYS Office of Mental Health to support a contracted Engagement Specialist. The original award was for \$40,000.00 for project period 7/1/22 – 12/31/23, which was accepted through Resolution No. 280 of 2022, seconded by Ms. Tautel.

Motion carried. All in favor.

Ms. Tautel moved request to accept and appropriate funds in the amount of \$941,150.00 from Columbia University. These funds are made available through the collaboration with Columbia University and the National Institute on Drug Abuse (NIDA) to implement the Healing Communities Study. The funds are to be used only to reimburse expenditures beginning 4/1/22 and ending 3/31/23, seconded by Ms. Sutherland.

Motion carried. All in favor with the exception of Legislator Tautel who was not in the room.

Mr. Luján moved to request supplemental appropriation to the capital projects budget for a retaining wall at 30 Harriman Drive. This project has been approved under the 2023 Capital Plan as proposed Project No. 80. Upon approval, a new capital project will be created \$315,000.00 (bonding), seconded by Ms. Sutherland.

Motion carried. All in favor.

On the agenda was a Department Update from Darcie Miller, Commissioner of Social Services and Mental Health.

Ms. Miller addressed the committee and highlighted several key points in the update that was emailed to legislators. The New York State Office of Addiction Services and Supports, has informed counties that their New York State Opioid Settlement funds will be distributed directly to the Departments of Mental Health for “abatement” services with Orange County’s share at \$2.75 million. The funds are regionally designated, and the county share was determined based on a formula considering three factors: opioid related fatality, suicide rate and percentage of other than white population. The Orange Steering Committee identified and prioritized spending to meet three goals: expanded Harm Reduction, expanded Medication Assisted treatment, and expanded Safe Prescribing with the grant having \$685,000 to spend on community services. The next step for the Opioid Settlement Funds is to rollout funds, establish spending amounts, and time **frames**. **Priority areas** identified are improving access to system and expand “welcoming” response, focus on expanding support in transitions of care, transportation, housing, and supporting prevention needs. The Monroe Woodbury School District has started planning for their opening. The Goshen Central School District has applied to the New York State Office of Mental Health for their satellite clinic. Planning is also underway for school district satellites in the Washingtonville Central School District and Highland Falls School District. The Orange County Crisis Continuum location of peer support with the Middletown Police Department began two weeks ago with preliminary results being positive and they are scheduling **time with the Mt. Hope Police Department as well**. The Town of Wallkill Police Department has declined a peer support co-location in favor of a social worker. Workforce hiring continues to be a challenge. They currently have five social worker vacancies and one possible new hire. They are working with the Department of Human Resources to take advantage of the New York State Civil Services HELP – Hiring Emergency Limited Placement and hybrid options for new staff.

Ms. Sutherland moved request supplemental appropriation to the capital projects budget to purchase scoot wheelchairs. This will be a new project, not originally included in the 2023 Capital plan. Upon approval, a new capital project will be created, \$35,000.00 (bonding), seconded by Ms. Tautel.

Motion carried. All in favor.

On the agenda was the monthly financial report on Valley View.

Ms. Strecker presented the committee with the updated December 2022 financials. IGT funding remains at \$2.128 million. Other revenues were at \$35.5 million, and emergency disaster assistance at \$3.2 million. On the personal services side, personal services were at \$20 million, contractual was at \$13 million, indirect costs at \$1.625 million, employee benefits at \$15.3 million and serial bond interest at \$89,638.00.

Mr. Anagnostakis stated that expenses have increased by a few million and revenues are down a few million resulting in a loss of approximately \$4 million as compared to last year.

Ms. Strecker responded that there is a disparity between revenues and expenses of approximately \$9.3 million for 2022. If the remaining IGT funding is received and it comes in as projected, it will reduce the \$9.3 million by about \$6 million making the loss for the facility approximately \$3 million.

Mr. Anagnostakis pointed out that until they get additional employees this could be their new normal.

Mr. LaDue agreed, getting additional staff is their number one priority.

Ms. Strecker explained that for February 2023, IGT funding is at zero and other revenues were at \$5.5 million. Personal services were at \$3.4 million, equipment at \$13,220.00, contractual at \$1 million, employee benefits at \$2.3 million and serial bond interest at \$25,289.00. Their census for February was 64.71%. Their medicaid utilization was at 79.01%, medicaid (HMO) at 2.15%, medicare at 10.19% and private pay at 7.73%.

Ms. Strecker added that their revenue hinges on growing their census and they have looked at many options including closing three units. Their current medicaid population is just under 80% and last year for the same period they were at 84% and they lose money on every medicaid bed they have. Their short-term bed census in February increased slightly at 10.19% as compared to last year at 8.76% and they currently have thirty short-term rehabilitation beds that can be filled. Growing that census is important and if they can bring in more staff, they should be able to increase the census in their rehabilitation unit.

Mr. Anagnostakis asked if 2019 could be added to the Valley View Occupancy graph. Ms. Strecker replied yes.

Ms. Tautel requested that the percentage difference in occupancy from year to year be added to the Valley View Occupancy graph. Ms. Strecker agreed to add the change.

Mr. Anagnostakis emphasized that potential residents are out there; however, due to staffing issues they cannot bring them to the facility.

Ms. Strecker agreed as they have a waitlist of approximately fifty people for long-term beds.

Mr. Amo pointed out that even though they have the beds the people on the waitlist are primarily on medicaid resulting in a loss of \$400.00 a day.

Mr. LaDue commented that they could eventually see access to care issues in Orange County because hospitals are unable to release patients to nursing homes resulting in backups at hospitals.

Mr. Anagnostakis asked about the higher medicaid payment issue. Mr. LaDue replied that they have been advocating for a 20% increase on the Medicaid reimbursement for nursing homes. They have met with several state senators and assemblymen. The latest news is that both the senate and assembly budgets have a 10% increase for Medicaid with no cost-of-living increase since 2007.

Mr. Tuohy commented that the meetings were bipartisan, and all agreed that this issue affects everyone.

Mr. Amo questioned the fiscal impact on hospitals if they are unable to release patients to nursing homes and how they are coping. This should be the function of this committee to find out because this could be an issue for their local hospitals and they know nothing about it.

Mr. LaDue replied that he would suspect that one of their main talking points was the inability to discharge residents to either the community or nursing homes and how that negatively impacts their financial future.

Mr. Tuohy added that with the assistance of Dr. Pointer the Board of Health of Orange County Health District recently added several new members and meetings are forthcoming.

On the agenda was a Department Update from Laurence LaDue, Commissioner of Valley View.

Mr. LaDue addressed the committee and highlighted several key points in the update that was emailed to legislators. Valley View's census on March 20, 2023, was 65.83%. They have three units closed. They are taking short-term admissions and the CHHA census is fourteen. They currently have five COVID positive residents (two in-house and three in the hospital) and no COVID positive employees. The county and CSEA have agreed to an attendance incentive for the nursing staff to bolster their staffing levels and reduce overtime. The Office of Medicaid Inspector General (OMIG) is conducting an audit of the capital component of Valley View's Medicaid cost reports for calendar years January 2015 through December 31, 2019. The Medicaid cost reports are the basis for determining the capital reimbursement component of the Medicaid rate sheet. The audit also includes a review of capital appeals and according to their accountants, OMIG is currently conducting these audits with numerous nursing homes in New York State, and they will share the results once the audit has been completed. Lastly, the New York State Department of Health (NYSDOH) recently sent out information on IGT payments.

On the agenda was the Attendance Incentive at Valley View.

Mr. Chapman addressed the committee and presented a brief overview. The facility is facing three issues: staffing, overtime and financial which is in part related to staffing and overtime issues. Staffing is a national care issue, and the federal government has a website that lists different factors in different nursing homes with Valley View having the best employee retention rate amongst nursing home employees based on the most recent federal data. This is not only a Valley View

problem but a national problem as they do not have enough people going into the healthcare industry to meet the standards and needs of nursing homes. They tried to model it off what the state recently did with the \$3,000.00 Healthcare Workers Incentive which looked at a certain period of time and because of the active CSEA contract this year they have tried to limit the time. Valley View's patient-facing staff works five days a week and the intent is that if they work their five days a week shift and Valley View overall on a month-to-month basis cuts its overtime by 50% they will receive a \$100.00 bonus that week. This is different than the state's incentive as it gives them the opportunity to earn more money faster while also encouraging them to show up for work and help the facility.

They went on to discuss the possible effects of the Family Medical Leave Act (FMLA) on the program, overtime directly connected to FMLA, eligibility of patient-facing staff: RN's LPN's and CNA's, reducing overtime and rewarding employees who show up for work when scheduled, difference between the New York State Healthcare Workers Incentive, encouraging staff and reducing overtime, COVID-19 effects on overtime, improving morale in the nursing department, incentive can be terminated at any time, absences counted equally regardless of absence, incentive signed by both the CSEA and County of Orange, two components to overtime: regular and straight, nursing population overtime in 2022 was \$1.8 million in overtime and divided by twenty-six pay periods it comes to \$144,000.00 per pay period, existing programs, need for graduating RN's, LPN's and CNA's, salary comparison, possible assistance from the legislature, reporting back to committee as they measure outcomes, program start date of April 2, 2023 and CSEA will be meeting with membership on the program.

Legislator Tautel left the meeting at 5:06 p.m.

Mr. Luján moved request to create one (1) Public Health Investigator/Venereal Disease (Spanish/English Speaking), Grade 14, position. As a stipulated position, it will be contingent on grant funding and will be automatically abolished upon the cancellation of such funding, seconded by Ms. Sutherland.

Mr. Luján commented that this is an important step for the Spanish speaking populations they serve.

Dr. Pointer agreed and having Spanish speaking employees within the Health Department is one of their goals.

Motion carried. All in favor.

Mr. Luján moved request supplemental appropriation of Year Two funds into the operating budget for the period of 1/1/23 – 12/31/23. Funds are from the NYS Department of Health AIDS Institute for the Disease Intervention Services, \$225,000.00, seconded by Ms. Sutherland.

Motion carried. All in favor.

Ms. Sutherland moved request to accept and appropriate funds from the NYS Department of Health for the Performance Incentive Initiative Award for the period of 1/1/23 – 12/31/23 into the operating budget, \$28,208.00, seconded by Mr. Luján.

Motion carried. All in favor.

Legislator Sutherland departed the meeting at 5:15 p.m.

On the agenda was a Department Update from Dr. Alicia Pointer, Commissioner of Health.

Dr. Pointer addressed the committee and highlighted several key points in the update that was emailed to legislators. Infectious Disease (data as of Friday, March 17, 2023, are as follows: Flu: Orange County currently has 47 reported cases which is a 49% decrease from the previous week. COVID: Orange County's community level is Low. There are 5.8 positive tests per 100,000 people. Total deaths are 1,285 since March 2020. The federal public health emergency will end on May 11, 2023. Polio: wastewater has been negative for poliovirus since December 15, 2022. The CDC and New York State Department of Health are visiting Orange County today, March 21st to discuss the next steps. Vaping/Cannabis: Community Health Outreach has presentations available for schools and recently did a presentation to teens who are part of YES Newburgh. March is Vaping Awareness Month, and the Health Department is putting together a social media campaign aimed at teens and families. Medical Examiners: They are working closely with the Department of Mental Health to start an Overdose Fatality Review Board to investigate and prevent opioid overdose deaths in Orange County. Early Intervention and reschool Special Education: Dr. Pointer and Sandy Brownsey, Director, Early Intervention, met with school superintendents on Friday, March 17, 2023 to discuss how districts can support preschool special education. They are considering an increase in payments for group preschool services to encourage group sessions where appropriate and decrease the waiting list. There will also be an Early Intervention Provider conference on Sunday, April 30, 2023.

Mr. Tuohy asked if vaccination PODs were still being conducted. Dr. Pointer replied yes, based on community requests regular vaccine clinics are held in their Middletown and Newburgh offices. Once the new Mobile Unit is received next month, they can distribute vaccines anywhere.

Mr. Luján asked for the number of vaccines that can be stored on the mobile unit. Dr. Pointer replied that she was unsure, but they will have two refrigerators on the bus.

Mr. Tuohy asked for marketing material on vaping and cannabis to be distributed to their local community channels. Dr. Pointer replied yes, she would forward them to the committee.

The meeting was adjourned at 5:25 p.m.