

**HEALTH AND MENTAL HEALTH COMMITTEE
MINUTES**

**TUESDAY, APRIL 16, 2019
4:00 P.M.**

PRESENT: James D. O'Donnell, Chairman
Michael Amo, Mike Anagnostakis, Janet Sutherland, Laurie R. Tautel

ALSO

PRESENT: L. Stephen Brescia, Chairman
Rob Sassi, Legislator
Antoinette Reed, Legislative Counsel
Harry Porr, Acting County Executive
Irina Gelman M.D., Commissioner of Health
Christopher Ericson, Deputy Commissioner of Health
Robert Deitrich, Director, Community Health Outreach
Laurence LaDue, Commissioner, Valley View Center
Donna Strecker, Director of Finance, Valley View Center
Karin Hablow, Commissioner of Finance
Kerry Gallagher, Deputy Commissioner of Finance
Colleen Grogan, Chief Budget Analyst
Gretchen Riordan, Budget Analyst

Mr. O'Donnell opened the committee meeting at 4:03 p.m. and asked everyone to stand for the Pledge of Allegiance. All committee members were present with the exception of Legislator Tuohy who was absent.

Mr. LaDue thanked everyone for their congratulations on receiving the 2019 Eli Pick Facility Leadership Award by the American College of Health Care Administrators.

Ms. Tautel moved request to create one
(1) full-time Groundskeeper position, Grade 5,
seconded by Ms. Sutherland.

Mr. LaDue addressed the committee stating that while they have an individual in the Senior Groundkeeper position, he is not supervising in the role, so they are seeking to move the individual back into a Groundskeeper position.

Mr. Amo asked if this was a personnel problem. Mr. LaDue replied no, the individual was provided the opportunity for promotion; however, during the probationary phase they determined that the promotion to Senior Groundskeeper was not working and that he should be placed back into his previous position.

Ms. Grogan added that the Senior Groundskeeper position would be eliminated.

Motion carried. All in favor.

Mr. LaDue addressed new business. They recently received word that they would be receiving two IGT payments totaling \$5,582,423.00. The first payment will be in the amount of \$2,791,211.50 and cover from October 1, 2018 through December 31, 2018. The second payment will be for \$2,791,211.50 and cover from January 1, 2019 through March 31, 2019 with part being booked for 2018 and part for 2019.

On the agenda was the monthly report on Valley View.

Ms. Strecker explained that other revenues were at \$7.3 million and \$3.6 million in additional revenues that would be posted to the April general ledger. On the personal service side, personal services were at \$5.7 million, overtime was at \$543,733.00, \$3.1 million been expensed for equipment, contractual was at \$4 million and employee benefits at \$5.9 million and serial bond interest at \$53,252.00.

Ms. Strecker added that the occupancy rate for March was at 93.25%. Medicaid utilization was at 54.02%, medicaid (HMO) at 16.31%, medicare at 16.29% and private pay at 12.12% and today's occupancy is at 94.22%.

Mr. LaDue presented the committee with a handout on the Valley View Medicaid Capital Component of Rate (see original minutes).

Ms. Strecker explained that they receive a medicaid rate sheet twice a year with one of the components being the Capital Component of Medicaid Rate. Annually they apply their assists with allowable expenses that can be applied to their medicaid cost report. At the end of the year after their certified audit a cost report is submitted with a schedule containing all of their capital allowable expenses. The allowable expenses apply to buildings and land, interest, fixed and movable equipment, insurance expenses relative to physical property, lease agreements relative to patient care and automobiles. The expenses are then depreciated with the facility applying a straight-line depreciation. They take the asset and its value and assign a useful life with the useful life being depreciated over the course of that asset depending on its value. They are generally reimbursed on a two year lag (2017 depreciation reimbursed in 2019) and they follow the American Hospital Association (AHA) guidelines to determine economic useful life they will apply to the asset. In addition, tracebacks allocations are determined using methodology designed by the Department of Health in order to remove any square footage that cannot be used if it is not specific to resident care. She presented the committee with an example of a high-level example; if they have an allowable expense totaling \$1 million, give it an economic life of 10 years, a depreciation of \$100,000.00 and total billable days of 122,686 they would be given a "per day" added onto the medicaid component of the rate and it would be .82 cents.

Mr. Amo moved request to accept and appropriate a one-year extension to the current Healthy Neighborhoods Program Grant, grant term 4/1/19 - 3/31/20, \$273,600, seconded by Ms. Tautel.

Motion carried. All in favor.

Ms. Sutherland moved request to appropriate fifth year funds from NYSDOH for the Childhood Lead Primary Prevention Program Grant for a period of 4/1/19 - 3/31/20, \$389,915, seconded by Ms. Tautel.

Dr. Gelman explained that 288 lead paint inspections were completed and of the 288 inspections, 184 were found to have confirmed lead hazards. The enforcement process consists of letters of notice and demand, workplan developed and followed through, tests performed by the Childhood Lead Primary Prevention Program. If a response is not received a 30-day follow-up notice, informal pre-hearings, formal hearings and referrals to code officers would ensue. This year they have had 107 cleared lead safety properties, 4 classes were held for property owners and contractors and 53 graduated as certified renovators. They have had three new cases with elevated blood levels one including a pregnant mother who transmitted it to a newborn during birth.

Mr. O'Donnell asked how they are notified. Dr. Gelman replied through the program and medical providers.

Motion carried. All in favor.

Ms. Sutherland moved request to appropriate to the capital projects budget, \$26,500. for conducting a Medical Examiners Needs Assessment for a future Medical Examiners Building (bonding), seconded by Ms. Tautel.

Mr. Ericson explained that a candidate has been chosen to conduct the Needs Assessment and this is the first step in them moving forward with an appropriate Medical Examiners facility and to ensure that it is done properly.

Mr. Amo asked for the number of responses to the request. Mr. Ericson replied four.

Mr. Amo asked about the final report being submitted to the county and would the Legislature be included along with the County Executive. Mr. Ericson replied that his understanding was that the report would be submitted to the department and County Executive's office, but they would share it with the Legislature.

Ms. Tautel stated that she fully supports the study and expressed concerns with the conditions of the facility, the conditions that the medical examiners are working under, overflow storage and the inappropriate environment that families must use to view a loved one.

Mr. Ericson noted that communication between the Department of Health and Legislature is critical to ensure that the process moves smoothly.

Mr. Porr clarified that Legislator Barry Cheney is a member of the committee that selected the consultant.

Motion carried. All in favor.

Ms. Sutherland moved request to accept funds from NYSDOH for Tuberculosis Prevention and Control Program, \$195,830 for a 5-year period from 4/1/19 – 3/31/24 and appropriate year one funds from 4/1/19 – 3/31/20 in the amount of \$39,166 into the operating budget, seconded by Ms. Tautel.

Dr. Gelman explained that the program has completed 224 therapy visits. In 2018, they completed 2,529 tuberculosis activities and year-to-date they have seen 72 patients, 15 receiving treatment, 29 physician consults and 2 confirmed tuberculosis.

Mr. O'Donnell asked how long they track the individuals being treated. Dr. Gelman replied, in perpetuity, as long as they are compliant with therapy.

Ms. Sutherland asked about measles cases. Dr. Gelman replied that they have 19 lab confirmed cases, a hospitalization of mother and child, 1 under high index of suspicion that has been hospitalized but not yet lab confirmed. Lastly, New York City has approximately 280 cases, Rockland County at 186, Westchester County at 10 and Sullivan County at 2.

Mr. Amo recalled that about two or three years ago Joel Mittleman, CEO of Ezra Choilim Health Center organized an effort in the Village of Kiryas Joel to vaccinate and as a result they only have 19 confirmed cases as opposed to hundreds.

Mr. Ericson noted that they have a longstanding relationship with Ezras Choilim Health Center and Joel Mittleman along with the support of the religious community to ensure that people are vaccinated.

Dr. Gelman added that as a result of that they now have the Hudson Valley Coalition.

Motion carried. All in favor.

Mr. Amo moved to request supplemental appropriation for the 2018 County Budget for the Valley View Center for the purpose of the Federal cost allocation plan in the amount of \$1,581,162, seconded by Mr. O'Donnell.

Mr. Amo asked for a description of the Federal Cost Allocation Plan. Ms. Grogan replied that annually around June an independent company comes in and goes over administrative costs that go across county departments, and what those costs are for a department to work with another department with an actual cost value being assigned, and the cost value then allocated across those departments.

Ms. Hablow added that during her time at the Department of Health they were taking the cost values for the ancillary and/or support services and charged those costs back to grants to cover some of the administrative support function costs. They refer to the report as the Maximus Report.

Mr. Amo asked for clarification that the \$1.5 million is for funds that other departments have spent on behalf of Valley View. Ms. Hablow replied that when Maximus comes in, they look at the time and effort that a department has expended on supporting Valley View.

Ms. Tautel commented that due to the importance of the report she requested a copy of the Maximus Report be emailed to the committee.

Ms. Hablow replied that the original report is with the Budget Department; however, this draft report was provided to her by Mr. LaDue.

Ms. Tautel asked if the \$1,581,162.00 would be coming out of Valley View's funds or federal grant program that they can bill back. Ms. Hablow clarified that the grant funding mentioned was only to describe a means of use for the Maximus Report with the report being used for multiple purposes. However, in the case of Valley View the \$1.5 million is an expense that would be charged to Valley View similar to an inter-departmental charge and transferred to the county.

Ms. Grogan added that the general fund will hit Valley View's fund balance for \$1.5 million to offset county tax used by the general fund for those departments.

Mr. Anagnostakis asked if there are any other departments that are billed by the county with the department reimbursing the county. Ms. Hablow replied yes, but it is functionally done differently through inter-departmental charges as most of the departments are in the general fund it does not come before the Legislature as it is built in to their budgets.

Ms. Grogan commented that she was not aware of anyone with their "own" money being charged.

Mr. Anagnostakis asked for clarification that no other department has a chargeback from the Maximus Report other than Valley View.

Ms. Grogan reiterated, not that she was aware of. She knows that it is in Community Development's Budget, but they have not been charged in years.

Ms. Hablow stated that the 2019 budget incorporated the same expense but during their recent audit they were questioned as to why they did not do it for 2018. Basically, they did not think to do it but they are constantly evolving and trying to be more transparent and to accurately represent the costs and performance of different programs.

Ms. Grogan replied that years ago the non-funds such as sewer and landfill they were being charged but when federal regulations came back and said they would no longer cover it they decided not to charge them if they were not getting the revenue back because they would only come before the legislature for county taxation.

Mr. Anagnostakis emphasized that it was being done because Valley View has the money, but those departments do not.

Ms. Grogan replied that she does not know where there is not money because she is not involved in the cost allocation plans. However, in the past Employment and Training and the Health Department paid cost allocation. The Health Department went through an Article 6 audit and

were told that they were not to do it any longer with the Health Department no longer paying the cost allocation plan as they would not be reimbursed.

Mr. Anagnostakis asked for clarification that how they vote today does not have to be the same on the floor of the Legislature. Chairman Brescia replied that it does not.

Motion carried 3-2-1 with Legislators Amo, O'Donnell and Brescia voting in Favor, Legislators Anagnostakis and Tautel voting against and Legislator Sutherland abstaining.

Ms. Tautel moved resolution of the Orange County Legislature recognizing "Orange County National Skilled Nursing Care Week" May 12 through May 18, 2019, seconded by Ms. Sutherland.

Motion carried. All in favor.

Ms. Tautel moved resolution of the Orange County Legislature recognizing May 2019 as "Lyme Disease Awareness Month," seconded by Ms. Sutherland.

Motion carried. All in favor.

The meeting adjourned at 4:58 p.m.