

**HEALTH AND MENTAL HEALTH COMMITTEE
MINUTES**

**TUESDAY, APRIL 17, 2018
4:00 P.M.**

PRESENT: Mike Anagnostakis, Chairman
Michael Amo, James D. O'Donnell, Joel Sierra, Kathy Stegenga, Janet Sutherland,
Laurie R. Tautel, Peter V. Tuohy

ALSO

PRESENT: L. Stephen Brescia, Chairman
Katie Bonelli, Majority Leader
Barry J. Cheney, Legislator
Kevindaryán Luján, Legislator
Rob Sassi, Legislator
John S. Vero, Legislator
Antoinette Reed, Legislative Counsel
Harry Porr, Director, Operations and Cost Control
Steve Gross, Commissioner of Human Resources
Donna McCarey, Deputy Commissioner of Human Resources
Jennifer L. Roman, D.O., Orange County Medical Examiner/
Acting Commissioner of Health
Kerry Gallagher, Deputy Commissioner of Health
Robert Dietrich, Director, Community Health Outreach
Laurence LaDue, Commissioner, Valley View Center
Donna Strecker, Director of Finance, Valley View Center
Anthony Sole, Director of Plant Operations, Valley View Center
Colleen Grogan, Chief Budget Analyst
Michael Ventre, Budget Analyst

Mr. Anagnostakis opened the committee meeting at 4:00 p.m. and asked everyone to stand for the Pledge of Allegiance. All committee members were present.

Ms. Stegenga moved request to reallocate the positions of Community Health Outreach Worker and Community Health *(Outreach) Worker (Spanish/English Speaking) from CSEA Grade 8 to Grade 10, seconded by Mr. Tuohy.

Ms. Gallagher explained that a desk audit was performed and the Department of Human Resources has recommended the position be upgraded from CSEA Grade 8 to Grade 10.

Mr. Anagnostakis asked if they have seven Community Health Outreach Workers and five (Spanish/English) Community Health Outreach Workers. Ms. Gallagher replied yes.

Mr. Anagnostakis noted that in the legislative request it states Community Health Worker (Spanish/English) but should it be Community Health Outreach Worker (Spanish/English).

Ms. Gallagher agreed.

Mr. Anagnostakis motioned to change the Legislative request to read "Community Health *(Outreach) Worker (Spanish/English Speaking)", seconded by Mr. Sierra.

Motion carried. All in favor.

On roll call, the resolution as amended passed by the following vote:

Motion carried. All in favor.

Ms. Tautel moved request to accept and appropriate funds for the Orange County Health Disparities grant for the period 10/1/17 – 3/3/18, \$7,972.00, seconded by Ms. Stegenga.

Ms. Gallagher explained that the grant operates in the city of Newburgh and was designed to address health disparities through community engagement and mobilization focused on improving health care access to all.

Motion carried. All in favor.

Ms. Stegenga moved request to accept and appropriate funds for the Adolescent Tobacco Use Prevention Act (ATUPA) grant from the NYSDOH for the period 4/1/18 – 3/31/19, \$97,198.00, seconded by Mr. Tuohy.

Ms. Gallagher explained that with this grant they have 3.5 FTE Community Health Workers and a .4 Community Health Worker. Their primary activity is enforcement under Penal Code Law Article 13-f.

Mr. Anagnostakis asked if these individuals work with the Tobacco 21 local law. Ms. Gallagher replied yes.

Mr. Anagnostakis asked about the status of the Tobacco 21 local law. Mr. Dietrich replied that during the first year they visited 50% of the stores.

Mr. Tuohy asked how the funds were used. Ms. Gallagher replied that it covers two workers, legal fees associated with the hearings, county car, mileage and specialty payments.

Mr. Amo asked about the penalty to stores that sell to a minor. Mr. Dietrich replied that they could be fined up to \$1,000.00 for the first sale and any subsequent sales could go up to \$1,500.00. Violations are based on a point system and they would receive 2 points if found guilty for a sale to a minor and if they go over 3 points they lose their right to sell tobacco products for six months and the right to sell lottery.

Motion carried. All in favor.

Ms. Sutherland moved request to appropriate fourth year funds from the NYSDOH for the Childhood Lead Primary Prevention Program grant for the period 4/1/18 – 3/31/19, \$389,915.00, seconded by Ms. Stegenga.

Ms. Gallagher replied that the program operates in the three cities where it has been determined high risk for lead poisoning based on demographic data, lead levels and the age of the homes.

Mr. Dietrich added that every house built before 1978 has the possibility of a lead issue. In 2017, they tested 330 units with 38% having lead.

Ms. Stegenga pointed out that New York State has recently upgraded their building codes and all contractors must take the lead paint class.

Ms. Tautel asked for the number of employees in the program. Mr. Dietrich replied that the grant funds 1.4 FTE Sanitarian, one Public Health Educator and a 1.3 Community Health Worker.

Motion carried. All in favor.

Ms. Stegenga moved request to appropriate fifth year funds from the NYSDOH for the Healthy Neighborhoods Program grant for the term 4/1/18 – 3/31/19, \$273,600.00, seconded by Ms. Sutherland.

Ms. Gallagher stated that the program supports 3.5 FTE Community Health Workers. The geographic focus of the program is with 6 high risk census tracts in the cities of Middletown, Newburgh and Port Jervis. Health outreach is conducted door-to-door and by appointment and followed up by referrals to the local officials.

Mr. Cheney asked if there was any progress on testing. Mr. Dietrich replied that it was difficult to tell as the statistics used could be counted twice. They have been told that 64% have been tested; however, in his opinion, they are not getting the most accurate numbers.

Ms. Gallagher added that they are looking at a program that would require a child's lead level when being vaccinated for school.

Mr. Anagnostakis asked if anything could be done to improve the situation outside of the cities. Mr. Dietrich replied that they need to continue with what they are doing. Last year they used some of these funds and hired a Public Health Detailer who visited all pediatrician offices to assisted them with this issue.

Mr. Anagnostakis asked if the offices were receptive. Mr. Dietrich replied yes.

Motion carried. All in favor.

Ms. Tautel moved request to accept and appropriate grant funds from the NYSDOH AIDS Institute/Health Research, Inc. to establish an Expanded Partner Services Program for the term 4/1/18 – 3/31/19, \$105,000.00, seconded by Ms. Stegenga.

Ms. Gallagher explained that this was the fourth year of a five year grant with the funds used to continue the successful collaboration with New York State to reengage persons living with HIV or AIDS that have fallen out of care with 140 cases managed in 2017.

Ms. Stegenga asked about notification. Ms. Gallagher replied that it could be through the doctor, clinics or a partner.

Motion carried. All in favor.

Ms. Stegenga moved request to create one (1) Deputy Commissioner, Home Health Care Services, Management Grade 25, and one (1) Supervising Account Clerk, Grade 10, seconded by Ms. Tautel.

Mr. LaDue explained that after working with the Department of Human Resources the title and grades were determined. The CHHA would be a subgroup of Valley View and they would report directly to the Commissioner of Valley View.

Mr. Gross presented the committee with a change to the legislative request bringing it from a competitive position to a non-competitive position. This takes it from a tested civil service position to a non-tested position; however, the minimum requirements for the position still must be met but it does provide Mr. LaDue with some latitude with his selection.

Mr. Anagnostakis asked for the reason behind the change. Mr. Gross replied that Section 42 (2-a) of the Civil Service Law states: The state or municipal civil service commission by appropriate amendments to its rules shall designate among positions in the non-competitive class in its jurisdiction those positions which are confidential or require the performance of functions influencing policy. In the initial revue they were looking to create a director's position and why they were looking at a competitive position. However, in further discussions it was determined that they should go with a deputy commissioner position instead of a director position. With a non-competitive position it provides Mr. LaDue with the latitude to select the best person for the job with the guidelines set forth from the Center of Medicaid Services (CMS).

Mr. Anagnostakis asked if the person was in Valley View or outside the facility. Mr. LaDue replied that they anticipate it being someone from outside Valley View with specific experience in running a home health care agency.

Mr. Amo asked of the twelve duties listed, which would be the most critical in determining the success of the CHHA. Mr. LaDue replied that he could not point to one specific duty. This person would be responsible for coordinating the care of these individuals and that is a tremendous responsibility. They are seeking an RN with a clinic background, business sense, know the home health care environment and understand the reimbursement models.

Mr. LaDue added that as a government entity and provider of health care the mission is to always put patient care first.

Mr. Amo encouraged Mr. LaDue to look for a balance to ensure that the person is kept abreast of all current training and admissions because one inappropriate admission could sink the program.

Mr. LaDue stated that when they begin recruiting they hope to get individuals with experience in this field.

Mr. Amo added that while health care is primary, without the revenue it cannot stay in business. This is a very competitive market and there will be several companies within the county competing for the same cases.

Mr. LaDue replied that they would primarily be focusing on the discharges from Valley View.

Mr. Anagnostakis pointed out that the position has a salary range of between \$66,000.00 and \$105,000.00 with the proposed position budgeted for \$85,000.00 but is that sufficient. Mr. LaDue replied that they believe \$85,000.00 is a strong number.

Mr. Anagnostakis asked if they anticipate the person having a marketing background as it could be critical for their success. Mr. LaDue replied yes, but the primary pieces would be the clinical and financial pieces with anything after that being a bonus.

Mr. Amo asked if Mr. Gross looked at the average salary for a comparable position in the Hudson Valley. Mr. Gross replied that they look at the overall salary schedule and range which is very broad for this position at between \$66,000.00 and \$105,000.00. The range for a management grade 25 position was set by the Condrey Plan but the budgeting aspect would be dictated by the candidates and the applications received. The applicants are required to have a bachelor's degree, be a Registered Nurse and one year of supervisory experience in home health, long term care facility, hospital or human service's needs. They do have a little wiggle room if they find an exceptional candidate but the \$85,000.00 is the preferred budget amount.

Mr. Amo expressed his concern with not getting the right candidate based on the salary.

Ms. Tautel noted that an individual would be preapproved for a certain number of visits with a recertification process.

Mr. Amo agreed however, if it goes over \$3,000.00 CMS has the right to audit and some are being billed close to \$1 million for not doing something.

Motion carried. All in favor.

Ms. Sutherland moved request supplemental appropriation of \$351,041.00 in program revenues to initiate and provide ongoing support of the Certified Home Health Agency program

as a division of Valley View in 2018. This program will be self-sustained with revenues generated from services, The program will have an operating budget in the Legislative Adopted Budget in future years, seconded by Ms. Stegenga.

Mr. LaDue explained that the funds would be used to establish the CHHA.

Mr. Anagnostakis commented that they would be appropriating a line item of revenues in the amount of \$351,041.00 for half a year beginning on July 1, 2018.

Motion carried. All in favor.

Ms. Tautel moved request supplemental appropriation of Interfund Revenues in the amount of \$1,405,000.00 for a proposed 2018 capital expenditure for a combined heating and power project, seconded by Ms. Stegenga.

Mr. Sole addressed the committee and presented them with a handout (see original minutes) on the proposed heating plant upgrade at the Couser and Simon buildings at Valley View.

Mr. Sole explained that this process was started last year and combined heating and power has been a proven process and has been in existence for over 100 years. They are seeking to have this done at Valley View through a grant from NYSERDA with the project paying for itself in approximately 6.3 years with the cost of maintaining the power plant included in the quote.

Mr. Anagnostakis noted that when this was presented last year Mr. Sole indicated that he would be working with the Department of Public Works.

Mr. LaDue replied yes, a feasibility study was completed and it provided three options as there are two boiler rooms in the building and it would be more efficient to combine the boiler rooms.

Mr. Anagnostakis asked for the age of the boilers. Mr. Soles replied 60 and 50 years old and beyond their useful life; however, that would be a separate project.

Mr. Soles added that the one option would be a combined heat and power cogeneration plant in each room and two have one cogeneration plant with the greatest savings and that was the one they are focusing on.

Mr. Amo asked where the funds would come from. Ms. Grogan replied that they would come from the 146 fund and/or capital fund; however, their cash revenues are in the 145 fund.

Mr. Anagnostakis asked if the cash revenues were the surplus funds. Ms. Grogan replied yes.

Ms. Grogan added that in order to fund something in the 146 fund capital component, it is actually an interfund revenue transfer from the 145 fund to the 146 fund.

Mr. Anagnostakis asked if it would be self-funding as opposed to bonding. Ms. Grogan replied yes.

Mr. Sierra asked if the system would also generate power. Mr. Sole replied yes, it supplies two forms of energy from one energy source. It is a gas generator that generates electricity and plugged into the facility and the heat generated from the gas generator would be put into the water. In the event of a power failure, this generator would enable them to have full power at the facility.

Mr. Sole added that this project would also be eligible for medicaid reimbursement.

Mr. LaDue clarified that they would recoup these funds through the capital portion of their rate through medicaid.

Chairman Brescia asked for clarification that this would not be a bonding resolution. Ms. Grogan replied that it was not.

Mr. Cheney asked if this would generate all the electrical needs of the complex. Mr. Sole replied no, only a portion.

Ms. Tautel asked for a breakdown of the funds from NYSERDA and the medicaid reimbursement percentage. Mr. Sole replied that the proposal indicates what would be paid by the grant and if they were to sign a contract before August 2018, they would get approximately \$270,000.00. They do have a calculator available and they could forward that to the committee.

Mr. Anagnostakis suggested they do a current workup on the numbers and forward it to the legislative office for all legislators.

Mr. Anagnostakis addressed Ms. Tautel's question on the medicaid reimbursement which would be approximately 75% over several years.

Ms. Stegenga asked if this would complete the whole system. Mr. Sole replied that this is a stand alone system that works with any other system.

Mr. Tuohy asked for the life of the new system. Mr. Sole replied that it can go on for years as maintenance is included in the proposal and every three or four years the engine must be replaced. In addition, this company monitors the system from their location.

Mr. Luján asked if this was the most environmentally sound option and in the future, would this be the best option for the facility as a whole. Mr. Sole replied that this would reduce our carbon footprint and it is their best option.

Motion carried. All in favor.

Mr. O'Donnell moved request supplemental appropriation of \$550,000.00 in Interfund Revenues for a proposed 2018 capital expenditure to begin Phase I of the Cousar building HVAC replacement project, seconded by Ms. Tautel.

Mr. Sole explained that the HVAC system was original to the building and built in 1967. The system is deteriorating and they would like to begin phase I this year and phases II and III in 2019.

Mr. Anagnostakis asked for the total cost of the complete project. Mr. Sole replied that it would be just over \$4.5 million.

Mr. Anagnostakis asked if it was in the capital plan. Mr. Sole replied yes.

Mr. LaDue added that this is an enormous project with every pipe, heating unit and cooling unit in the Couser building having to be replaced.

Mr. Anagnostakis asked for the life expectancy of the new HVAC system. Mr. Sole replied it could go for 50 years. The largest expense will be the asbestos removal.

Ms. Stegenga asked if enclosing the asbestos was an option. Mr. Sole replied that it is currently contained but in order to replace the units it must be removed. A lot has been abated but the remaining areas such as resident's rooms must be removed.

Mr. LaDue clarified that a plan had to be submitted to the New York State Department Health to ensure the safety of residents.

Ms. Stegenga asked if there was a cost associated with that. Mr. LaDue replied that they could see a slight decrease in their census as a few beds may need to be left empty during the process.

Motion carried. All in favor

Mr. O'Donnell moved request supplemental
Appropriation of \$50,000.00 in Interfund
Revenues for a proposed 2018 capital
expenditure to continue upgrading nursing
mechanical lifters, seconded by Ms. Stegenga.

Mr. LaDue explained that this is a multi-year project and it reduces the potential for employee injury and is safer for the resident.

Mr. Anagnostakis commented that this was a recommendation that came out of the special investigative committee on Valley View. He was unsure as to the millions they have saved on workers compensation cases by upgrading the mechanical lifters.

Ms. Tautel asked for the number of lifts this would cover. Mr. LaDue replied possibly three or four as the cost runs between \$12,000.00 and \$15,000.00 each.

Mr. Luján asked what would happen to the old lifts. Mr. LaDue replied that they would be scrapped as they have reached their useful life.

Mr. Cheney asked how much it would cost to replace all the lifts. Mr. LaDue replied that he would have to look at their list and get back to the committee.

Ms. Strecker pointed out that by doing that they would all reach their useful life at the same time. The position at the facility has always been to evaluate the inventory and scatter the replacements.

Mr. Cheney added that they should be able to create a fund that would allow them to replace all the lifts and not jeopardize employee safety.

Motion carried. All in favor.

Mr. LaDue addressed new business stating that all legislators have been invited to attend their Nursing Home Week ceremonies beginning May 14, 2018. Horan, Martello, Morrone, P.C. are currently conducting their audit of Valley View.

On the agenda was the monthly report on Valley View.

Ms. Strecker explained that county taxation was at zero, IGT funding was at \$2.3 million, other revenues at \$7.2 million and \$3.7 million in additional revenues that would be posted to the April general ledger. On the personal service side, personal services were at \$5.5 million, overtime was at \$315,000.00, equipment was at \$8,570.00, contractual was at \$1.8 million and employee benefits at \$5.783 million and serial bond interest at \$62,250.00.

Ms. Strecker added that the occupancy rate for March was at 93.41 %. Medicaid utilization was at 44.49%, medicaid (HMO) at 29.50%, medicare at 17.37% and private pay at 7.70%.

Ms. Tautel moved resolution of the Orange County Legislature recognizing "Orange County National Skilled Nursing Care Week" May 13 through May 19, 2018, seconded by Mr. O'Donnell.

Motion carried. All in favor.

Ms. Sutherland moved resolution of the Orange County Legislature recognizing May, 2018 as "Lyme Disease Awareness Month," seconded by Mr. Tuohy.

Motion carried. All in favor.

The meeting adjourned at 5:06 p.m.