

**HEALTH AND MENTAL HEALTH COMMITTEE
MINUTES**

**TUESDAY, SEPTEMBER 19, 2023
4:00 P.M.**

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

ALSO

PRESENT: Katherine E. Bonelli, Chairwoman
Barry J. Cheney, Legislator
Betsy N. Abraham, Esq., Legislative Counsel
Richard B. Golden, County Attorney
Cedric Cooper, Assistant County Attorney
Darcie Miller, Commissioner of Social Services and Mental Health
Dr. Alicia Pointer, Commissioner of Health
Lisa K. Lahiff, Deputy Commissioner of Health
Laurence LaDue, Commissioner, Valley View Center
Donna Strecker, Director of Finance, Valley View Center
Langdon Chapman, Commissioner, Human Resources
Samantha Sweikata, Commissioner of General Services
Gretchen Riordon, Deputy Budget Director
Erin Sztendor, Budget Analyst

Mr. Tuohy opened the committee meeting at 4:10 p.m. and asked everyone to stand for the Pledge of Allegiance. All committee members were present with the exception of Legislators Luján and Tautel, who were absent.

County Attorney Richard B. Golden introduced Assistant County Attorney, Cedric Cooper, who will be representing the County Attorney's Office at the Health and Mental Health committee meetings.

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. In collaboration with District Attorney David M. Hoover and Orange County Department of Mental Health Commissioner Darcie Miller a Fentanyl Awareness and Narcan Training event will be held on September 29, 2023, and livestreamed by the Newburgh Free Library. The American Foundation for Suicide Prevention (AFSP) "Out of the Darkness Walk" for Orange County is scheduled for September 24, 2023. The Drug Awareness Program (ADAC) "Red Ribbon Tying Ceremony" will be held on October 19, 2023, at 4:00 p.m. at the Orange County Government Center. The Red Ribbon Week Kickoff will be on October 23, 2023 from 9:00 a.m. to 11:00 a.m. at Warwick Valley High School. Opioid Settlement Funds were awarded to ADAC to expand and provide co-occurring prevention services in schools Kindergarten to 12th grade and Oxford House to open three additional homes in Orange County.

Ms. Sutherland moved to request supplemental appropriation to capital project No. VV178IF for replacement of four (4) HVAC roof top units, \$475,000.00 (bonding), seconded by Mr. Ehlers.

Mr. LaDue explained that the capital project was originally approved in 2019 with quotes submitted in 2018. The construction is estimated at \$1 million, Project Management at \$90,453.30 with an estimated total cost of \$1.094 million and a shortfall of \$475,000.00.

Motion carried. All in favor.

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

Ms. Strecker explained that for August 2023, IGT funding was at zero; however, they have received news that the Centers for Medicare and Medicaid Services (CMS) have approved the state plan amendments for the release of the IGT payment for 2022-2023 with the pot of funds estimated at \$184 million. Other revenues were at \$22.2 million. Personal services at \$13.1 million, equipment at \$61,993.00, contractual at \$7.1 million, employee benefits at \$11.1 million and serial bond interest at \$66,081.00. Their census for August was 64.30%. Medicaid utilization was at 79.26%, medicaid (HMO) at 1.98%, medicare at 13.28% and private pay at 3.89%. At last month's meeting they discussed occupancy and what it would look like with 270 beds and a line was added showing occupancy with 360 beds and occupancy with 270 beds.

Mr. LaDue added that they are waiting for the official letter from the New York State Department of Health on IGT Funding.

Mr. Anagnostakis asked about the significant increase of \$1.2 million over last year on the contractual line. Ms. Strecker replied that she would investigate it and report back to the committee next month. Valley View is now processing their own accounts payable invoices, which could have sped up the process of paying invoices timelier.

Mr. Tuohy asked if their 2024 budget would be based on 270 beds. Mr. LaDue replied no, their license is for a 360-bed facility. They have discussed the possibility of decertifying beds in the future and if that were to come to fruition in the future they would then budget for the new number on the license.

Mr. Anagnostakis pointed out that they previously indicated that if they did decertify beds, they would not want to go below 300 due to the possible effects on reimbursements for capital improvements.

Mr. LaDue responded that they would do their due diligence before they decertify beds and project what those costs would be to the facility. They would also have their accounting vendor look at it and provide a report.

Mr. LaDue added that for August, they had 15 new admissions, 14 discharges to the hospital or community and 5 deaths.

Mr. Anagnostakis asked if the CHHA was progressing as anticipated. Mr. LaDue replied yes, as of today the CHHA census is 16 but just like the nursing home they must have the staff.

Ms. Strecker explained that in 2022 the facilities total admissions January through August was 84, discharges were 72 and deaths were 26. For the same time frame in 2023, their total admissions were 136, discharges were 114 and deaths were 30.

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 September 18, 2023, was 63.61% based on 360 beds and 84.81% based on 250 beds (90 beds closed). They have one COVID-19 positive resident in the hospital and two COVID-19 positive staff members. New doctors will be starting on October 1, 2023, once the contract has been finalized. Lastly, two full-time RN's will be starting in the next two weeks.

Ms. Sutherland moved request to create nine (9) Transporter (ME's Office) positions, Grade 6. Also request the title of Per Diem Transporter (ME's Office) be created. The salary range for the Per Diem will be from \$21.00 – \$25.00 per hour, seconded by Mr. Amo.
(TABLED ONE (1) MONTH)

Mr. Tuohy thanked Dr. Pointer for her quick response in providing the additional information requested at both the Personnel and Compensation Committee and Health and Mental Health Committee meetings last month.

Dr. Pointer explained that this pertains to the decedent transport of bodies in Orange County to the Medical Examiner's Office and about 550 deaths a year would need to be transported to the Medical Examiner's Office for further investigation. This role is currently being done by Funeral Home Directors; however, in April they were informed that as of January 1, 2024, they will no longer be performing that role and thus transferring that role to the Orange County Health Department. They need to ensure that they have as many options available as possible, with an RFP going out for this role and position. They need to make sure that if the RFP is not successful, they have these county staff transporter positions in place. This request is a backup and due to the time restraint, they need to they have a plan in place for decedent transport by January 1, 2024.

Mr. Anagnostakis commented that he understands they had four responses to the RFP, and while he knows it is a long process and takes time, did they have a chance to look at them. Dr. Pointer replied that they started reviewing them today as they were due by the end of day yesterday.

Mr. Anagnostakis asked of the four, how many were looked at. Dr. Pointer replied that they briefly looked at all four, but they have not started the scoring process.

Mr. Anagnostakis asked if they had seen the figures provided. Dr. Pointer replied yes.

Mr. Anagnostakis stated that he was surprised to see that the original legislative request was not changed based on the issues Dr. Pointer faced at the Personnel and Compensation Committee meeting in August where it was voted down. When he questioned the request last month, he had no idea of what transpired at the Personnel and Compensation Committee meeting but has since watched the video. Based on the information provided at the Health and Mental Health Committee meeting, which was very minimal, he made statements that the cost could be between \$600,000.00 and \$700,000.00; however, after watch the Personnel and Compensation Committee meeting video it was stated that the budgeted was \$1 million.

Mr. Tuohy asked Legislative Counsel Abraham if this discussion could continue due to the possible details that could be in the RFP's or would it be public knowledge since it was mentioned at the other meeting. Legislative Counsel Abraham responded that this information was stated at the Personnel and Compensation Committee meeting in August. The Budget Department states in the legislative request that these positions were not included in 2024 Medical Examiner's budget, but funds were put into a contractual line for an RFP; however, the amount was not listed in the legislative request. At this point it would not be appropriate to comment on the amount as she does not recall the amount from last month.

Mr. Amo asked if Mr. Tuohy was asking to enter into executive session.

Mr. Tuohy asked Legislative Counsel Abraham if they should enter into executive session. Legislative Counsel Abraham replied that it would depend on the question so it would be difficult to say that they should go into executive session without knowing the full extent of the question.

Mr. Tuohy pointed out that they are voting to create the positions, not funding.

Mr. Anagnostakis indicated that Dr. Pointer stated at the Personnel and Compensation committee in August that \$1million was budgeted for this. Dr. Pointer replied that she did not state that in the prior committee.

Mr. Anagnostakis asked if it was someone from the Budget Department. Dr. Pointer replied yes, but it was not for these positions.

Deputy Budget Director, Gretchen Riordon responded that for 2024 they put \$1 million in a contractual line for this purpose.

Mr. Anagnostakis asked if it was for these positions and the cost entailed in having this program in place. Ms. Riordon reiterated that it was placed in a contractual line, not into positions.

Mr. Tuohy emphasized that it was put into a contractual line and not earmarked for anything.

Mr. Anagnostakis asked how the RFP proposals looked at first glance look.

Legislative Counsel Abraham interjected stating that the question was not appropriate at this juncture.

Mr. Tuohy asked that Mr. Anagnostakis stick to his original statement that they need time and allow them to do their due diligence in going through the RFP process.

Mr. Anagnostakis asked for the number of positions they wanted to create. Dr. Pointer replied nine (9) positions to provide 24/7 coverage.

Mr. Anagnostakis asked if Dr. Pointer agrees that the projected number of decedent transports is 550, which would be about 1.5 per day. Dr. Pointer replied yes.

Mr. Anagnostakis asked why no one from the Medical Examiner's Office was present. Dr. Pointer replied that typically when positions are being requested for a division that director does not come with them.

Mr. Anagnostakis asked how much work would be involved in a decedent transport from the location to the Medical Examiner's Office on an average case. Dr. Pointer replied that it would be a range and would depend on where the person died and the cause of death. If a person dies at the hospital, it could be less work but if it needs to be investigated by the Medical Examiner's Office, they tend to be more complicated deaths in general.

Mr. Anagnostakis asked if a person dies in Orange County does it take one hour or five hours to transport the body. Dr. Pointer replied that she cannot provide an average, but some could be quicker such as at a hospital which could be an hour or two, but it could also be much longer than that.

Ms. Sutherland suggested they proceed with the vote.

Mr. Anagnostakis asked why people are fearful of questions and answers.

Ms. Sutherland responded that she finds this to be condescending.

Mr. Golden commented that it was one thing to ask if there's a typical situation; however, when you get an answer that there is not a typical situation, and an average cannot be given because they don't have the statistics to figure out that answer it's a problem to keep pressing on that same issue.

Mr. Anagnostakis stated that he will be voting on this not because he is here and just saying yes but on whether it must be done or not be done, and he sees that they are trying to get two physical bodies available 24/7. Would it not be more appropriate to have two people on call because the total work may not equate to forty hours a week. One person on call could handle less than forty hours a week versus nine full-time employees. He is trying to determine if this is the best way to move forward.

Dr. Pointer commented that she does not think this is the best way to do it, and that was why they put out the RFP. She needs to ensure that this gets done and this is a backup to their backup, and they are hoping that they do not have to use it. She understands Mr. Anagnostakis's concerns, which is why they did not proceed with this right away, but they do need to have a backup in place before they realize their first choice and/or second choice did not work out. She thinks his question his valid as they do have other personnel at the Medical Examiner's Office that are

contractual and on call and they would typically pursue that as an RFP and could be another possibility going forward but given the timing they need to have these positions in place if they are needed.

Mr. Anagnostakis expressed his concerns that once a program is voted on and put in place it's hard for the government to rescind it. He thanked Dr. Pointer for all her answers.

Mr. Amo commented that he understands where Mr. Anagnostakis was going because a deep dive is important, but it could be premature. He's looking at the resolution which states that they are looking for nine positions and they are not going to be funded and they won't be filled unless they fund them. He sees this as a belt and suspender approach because they would like to see the RFP work but if not, they could quickly put people in place to work temporarily. In his opinion, Dr. Pointer is spot on in terms of her thinking that they have both.

Ms. Lahiff agreed and that was why they are asking for the per diem positions.

Mr. Amo noted that Dr. Pointer's preference would be to have an RFP to do the job and if that happens in the next month or so they could rescind this resolution and eliminate the positions. This is a good backup plan.

Chairwoman Bonelli emphasized that this is a backup plan, and that may not have been stressed strongly enough last month but that is what it is. Dr. Pointer deserves credit for being proactive because this is something they are unfamiliar with, and they are trying to check and make sure she has everything in place. They were notified that the services currently being provided are going to end and they need a plan because they do not have an alternative. As Mr. Anagnostakis stated they need to do their due diligence and look at the RFP's and see who is or is not qualified and what is the best value. She's sure that after they go through that process, they will come to them with a recommendation, and they will pick the best fit. If the RFP's don't work out and it's unfortunate that they do not know that today, then they have a backup plan that they can implement and possibly go out for something else in the future but they would be foolhardy not to take advantage of the backup. Just as Mr. Amo stated they do not have to fund or fill the positions and go with an RFP.

Motion carried 4-1 with Legislators Amo, Ehlers, Sutherland and Tuohy voting in favor and Legislator Anagnostakis voting against.

Ms. Sutherland moved request to accept and appropriate grant funds from the New York State Department of Health for Year 3 of 5 of the Creating Healthy Schools and Communities grant for the period of 6/1/23 – 5/31/24, \$322,000.00, seconded by Mr. Amo.

Motion carried. All in favor.

Ms. Sutherland moved request to accept and appropriate Year 5 funds from NYSDOH for the Migrant Health Services Program for the period of 10/01/23 - 9/30/24. The purpose of this grant is to provide funding for public health outreach and education services to the migrant/seasonal farm worker population throughout Orange County, \$59,940.00, seconded by Mr. Amo.

Motion carried. All in favor.

Ms. Sutherland moved request to accept and appropriate Year 4 funds from the NYSDOH for the Children and Youth with Special Health Care Needs (CYSHCN) Program for the period 10/1/23 – 9/30/24, \$156,859.00, seconded by Mr. Ehlers.

Motion carried. All in favor.

Ms. Sutherland moved request to accept and appropriate Year 3 funds from the NYSDOH for Early Intervention Administration Program (EIAR) grant for the period 10/1/23 - 9/30/24, \$240,901.00, seconded by Mr. Ehlers.

Motion carried. All in favor.

Ms. Sutherland moved request to accept and appropriate Year 3 of 5 funds from the NYSDOH for Childhood Lead Primary Prevention Program Grant for the period of 10/1/23 – 9/30/24, \$533,000.00, seconded by Mr. Ehlers.

Mr. Tuohy asked what they are doing for children with elevated lead blood levels.

Dr. Pointer replied that after the inspection any areas of risk and provide education depend on if they renters or owners' remediation. They also work closely with the municipality and often pediatricians depending on who is involved in the child's case and prevention for other children and adults living in the building.

Ms. Lahiff added that case management will also be provided for the child and monitor the child's subsequent blood lead levels to ensure they are decreasing after remediation

Motion carried. All in favor.

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: They have seen increases in wastewater throughout the county and hospitalizations statewide regarding COVID-19. An updated vaccine has been approved by the FDA and is being recommended by the CDC. They are working with New York State on vaccine accessibility given the transition to commercial vaccines and therefor the

Department of Health is limited on their ability to give out COVID vaccines. They can currently only provide the COVID vaccine to uninsured adults or children that are uninsured or underinsured but they do have COVID-19 tests available. The Orange County Department of Health continues to offer tests to the most vulnerable communities and through the Health Grows Here mobile unit. They are collaborating with the Department of Mental Health to develop an Overdose Fatality Review Team to learn more about how to prevent overdose in Orange County. UPCOMING EVENTS: The Child Fatality Review Team will meet on September 20th, the Cancer Coalition on September 21st from 10 am-11 am, the Chronic Disease Prevention Coalition on September 29th from 11:00 am to 12 pm, The Orange County Department of Health will be at Middletown Thrall Library Monday through Friday the week of September 25, 2023, and the Newburgh Free Library the week of October 2, 2023 to celebrate Hispanic Heritage Month. The Healthcare Preparedness Coalition meeting and tabletop exercise will be on October 10, 2023 and the Orange County Health Summit will be on October 12, 2023 from 8:30 am to 1:00 pm at SUNY Orange.

Mr. Tuohy asked when the new vaccine would be available. Dr. Pointer replied that it is available in some places in Orange County.

Mr. Tuohy asked if the Health Department would be administering vaccine. Dr. Pointer replied no, as they can only give vaccine to the uninsured adults or children that are uninsured or underinsured but they are available at pharmacies and doctors' offices.

Mr. Amo asked about the risk groups and the six-month rotation before getting an updated vaccine. Dr. Pointer replied that if you received the bivalent vaccine in the past six months the current recommendation is that they are probably covered for the variants going around and it would be okay to wait. This would also apply to someone who had COVID within the past four to six months wait that amount of time before getting the vaccine as they know they are protected for about a four-to-eight-month range after having COVID. For older individuals or anyone at higher risk she would recommend they speak to their healthcare provider.

Mr. Tuohy asked if the Department of Health mobile unit was active. Dr. Pointer replied yes.

Ms. Sutherland moved resolution designating October 2023 as "Domestic Violence Awareness Month," seconded by Mr. Ehlers.

Motion carried. All in favor.

Mr. Amo moved resolution of the Orange County Legislature recognizing October 15, 2023, as "White Cane Awareness Day," seconded by Ms. Sutherland

Motion carried. All in favor.

Ms. Sutherland moved resolution of the Orange County Legislature designating October 2023 as "Breast Cancer Awareness Month," seconded by Mr. Ehlers.

Motion carried. All in favor.

The meeting was adjourned at 5:06 p.m.