

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: HEALTH SERVICES

DATE: JANUARY 22, 2010

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SOKOL
THOMAS
CHAMPAGNE
TAYLOR
PITKIN
LOEB
MCDEVITT

OTHERS PRESENT:

REPRESENTING WESTMOUNT HEALTH FACILITY:
BARBARA TAGGART, ADMINISTRATOR
REPRESENTING COUNTRYSIDE ADULT HOME:
BRENDA HAYES, DIRECTOR
REPRESENTING THE DEPARTMENT OF PUBLIC HEALTH:
PAT AUER, DIRECTOR
SHARON SCHALDONE, ASSISTANT DIRECTOR
GINELLE JONES, ASSISTANT DIRECTOR OF PUBLIC HEALTH
TAMMIE DELORENZO, CLINICAL & FISCAL INFORMATICS
COORDINATOR
TAWN DRISCOLL, FISCAL MANAGER
FREDERICK MONROE, CHAIRMAN
TRISH NENNINGER, SECOND ASSISTANT COUNTY ATTORNEY
JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE &
FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS BENTLEY
KENNY
MERLINO
STEC
STRAINER
TODD LUNT, DIRECTOR OF HUMAN RESOURCES
SHEILA WEAVER, COMMISSIONER OF THE DEPARTMENT OF SOCIAL
SERVICES
SKIP STRANAHAN, OF WE THE PEOPLE FOUNDATION
DON LEHMAN, *THE POST STAR*
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Sokol called the meeting of the Health Services Committee to order at 9:31 a.m.

Motion was made by Mr. Thomas, seconded by Mr. Pitkin and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Mr. Sokol welcomed Messrs. Taylor, Loeb and McDevitt to the Health Services Committee. He noted that at some point in the future they would hold Committee meetings at Westmount Health Facility and Countryside Adult Home to familiarize the Supervisors with the facilities.

Privilege of the floor was extended to Barbara Taggart, Administrator of Westmount Health Facility, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Ms. Taggart stated that she was pleased with the results from Pat Murphy, Interim Director of Nursing. She added that tremendous education was being completed and they were hiring new Nurses and Certified Nursing Assistants (CNA).

Ms. Taggart requested to extend the contract with Mahoney Notify-Plus, Inc. to provide semi-annual testing and inspection of the fire, sprinkler and security alarm systems for Westmount Health Facility, commencing March 1, 2010 and terminating February 28, 2011, for a total amount not to exceed \$2,210. She noted that the annual contract cost was \$1,210; however, she added, at the recommendation of Betsy Henkel, Comptroller, she had included up to \$1,000 for emergency repair services. Mr. Loeb asked if the \$1,000 was a retainer fee and Ms. Taggart replied in the negative and added that the funds would only be expended if necessary. Mr. Pitkin asked if the services had ever been put out to bid and if there was an increase in the cost of the contract. Ms. Taggart responded that there was an increase of \$35 to the contract as compared to 2009. Mr. Champagne explained that once a decision was made as to which company would be the installer, it was sometimes very difficult to contract with a different company and receive a similar price. Mr. Pitkin voiced his opinion that if the County used the same company every year without going out to bid, they could miss an opportunity for potential savings. Brenda Hayes, Director of Countryside Adult Home, advised that they had researched the possibility of contracting with New York Fire & Signal last year; however, she added, it was determined that the company would not be able to meet the needs of both facilities. Ms. Taggart noted that Mahoney Notify-Plus, Inc. provided good service and were available when needed.

Motion was made by Mr. Pitkin, seconded by Mr. Champagne and carried unanimously to extend the current contract with Mahoney Notify-Plus, Inc., as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting.*

Mr. Sokol directed the Committee members attention to Item No. 4 on the agenda, which was a request to amend the contract with Ruffo, Tabora, Mainello & McKay, PC to include additional expenditures regarding physician billing. Ms. Taggart stated that the additional expenditures were not to exceed \$3,000 and added that she was also requesting to amend the 2010 County budget to increase estimated revenues and appropriations in the amount of \$3,000 to reflect the expense. Mr. Sokol requested Trish Nenner, Second Assistant County Attorney, to explain the situation to the Committee.

Mrs. Nenner explained there had been a review last year relating to physician billing issues that had arisen. She said that the review was now complete and the resolution would need to be a ratification as some of the funds had already been expended. She advised that the County used outside counsel for these types of matters as it was such a technical area, in terms of Medicaid and Medicare reimbursement. As a result of the review, she continued, coding errors had been detected and a standard filing claims adjustment process would be completed by the Comptroller of Westmount Health Facility. She apprised that this should not be an issue in the future and following the claims adjustment process the issue would be resolved.

Mr. Champagne asked if the coding error had been the responsibility of the physician and Ms. Taggart replied affirmatively. For the benefit of the new Committee members, Mr. Champagne explained that in this case, the County had given too much authority to a physician, who

completed his own coding. He noted that there had been no illegal intent by the physician, as it had merely been a coding error.

Motion was made by Mr. McDevitt, seconded by Mr. Taylor and carried unanimously to amend the current contract with Ruffo, Tabora, Mainello & McKay, PC, and to amend the 2010 County budget to increase estimated revenues and appropriations, as outlined above and to forward same to the Finance Committee. *Copies of the resolution request forms are on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting. (Note: Subsequent to the meeting, Ms. Taggart requested approval of the Committee Chairman to increase the request to amend this contract to an amount not to exceed \$4,000 and to amend the budget in that same amount.*

Ms. Taggart requested to fill the vacant position of Leisure Time Activity Aide, base salary of \$14,034 plus shift differential, Employee No. 10827, due to resignation. She noted that this was a part-time, 24 hour per week position. Mr. Champagne asked if the position was necessary and Ms. Taggart replied affirmatively. Ms. Taggart explained that the Facility currently employed an Activity Director and two Leisure Time Activity Aides, one of which was a 20 hour per week position and would not be filled at this time. She continued that she preferred to fill the 24 hour per week position in order to cover evening and weekend activities. Mr. Pitkin asked if the position was mandated and Ms. Taggart replied affirmatively. Mr. Champagne questioned the duties of the position and Ms. Taggart replied that they assisted the Activities Director in performing activity functions throughout the Facility.

Motion was made by Mr. Thomas, seconded by Mr. Pitkin and carried unanimously to approve the filling of the vacant position of Leisure Time Activity Aide, as outlined above and to forward same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Ms. Taggart requested a new contract with Visiting Nurse Association of Albany Home Care Corporation to provide emergency nursing coverage to Westmount Health Facility, commencing March 1, 2010 and terminating with 30 days written notice by either party, in an amount not to exceed \$1,000. She noted that the NYS DOH (New York State Department of Health) and the NYAHS (New York Association of Homes & Services for the Aging) both recommended that nursing home facilities have a back up staffing plan in the event of an emergency. She gave the example of an H1N1 virus outbreak as the type of emergency where these services might be required. She noted that the contract would be for emergency coverage only and she would utilize her existing staff first. She added that the Facility had an internal emergency staffing plan. Mr. Loeb asked if the contract was for temporary professional staffing and Ms. Taggart replied affirmatively. She explained that if there was a crisis situation, which effected the ability of her staff and per diems to cover the facility, the Visiting Nurse Association of Albany Home Care Corporation would provide the necessary nursing coverage to operate the Facility. Mr. Taylor questioned the fee schedule and Ms. Taggart gave the example of a RN (Registered Nurse) for weekdays at a rate of \$43.75 per hour and an LPN (Licensed Practical Nurse) at a rate of \$36.75 per hour. She commented that the rates were more than the salaries offered at Westmount Health Facility but the fee was reflective of the fact that they would be available when needed.

Mr. Sokol questioned if a cap should be placed on the amount that could be expended for this

contract and Mr. Pitkin responded that the amount was listed as not to exceed \$1,000. Mr. Taylor questioned if the \$1,000 was a retainer fee and Ms. Taggart replied affirmatively. Mr. Taylor asked if the funds had been budgeted and Ms. Taggart replied that they would use the Facilities unrestricted fund balance. Mr. Champagne asked why the issue had not arisen last year and Ms. Taggart responded that she had brought the issue up at a previous meeting and she had been working with Mrs. Nenner to interview four different agencies. Mr. Pitkin questioned if the contract would only be necessary if there was a nursing shortage and Ms. Taggart replied affirmatively. She reiterated that the Facility had an internal emergency staffing plan that would be utilized first. Mr. Sokol noted that the contract would only be utilized in the event of an extreme emergency. Mr. Pitkin asked if the contract had been in place last year, how frequently would it have been utilized. Ms. Taggart responded that it would not have been necessary to use the services of the agency at all last year. Ms. Hayes noted that the NYS DOH had requested that the facilities have back up staffing plans in place in the event of a nursing shortage. She added that if there was an outbreak, such as the H1N1 virus, there was a likelihood that the entire staff could become ill. She advised that if there was no back up plan it would become necessary to relocate the residents to other nursing homes or hospitals that might not have the necessary space available.

Motion was made by Mr. Champagne and seconded by Mr. Pitkin to authorize the contract with Visiting Nurse Association of Albany Home Care Corporation, as outlined above.

Mr. Loeb asked if there was no cost to the County if the services were not used and Ms. Taggart replied affirmatively. Mr. Pitkin asked what the \$1,000 represented and Ms. Taggart replied that it was the cost of entering into the contract. Mr. Geraghty asked if it was a retainer and Ms. Taggart replied affirmatively. Mr. Geraghty asked why the cost of the contract had not been budgeted and Ms. Taggart responded that it was something that they had been working on in 2009. She added that they had been in the process of determining which agency would be used.

Following a brief discussion, motion was made by Mr. Champagne, seconded by Mr. Taylor and carried unanimously to deny the contract with the Visiting Nurse Association of Albany Home Care Corporation.

Chairman Monroe asked if the agency would guarantee a certain number of nurses would be available to Westmount Health Facility in the event of an emergency and Ms. Taggart replied affirmatively. Mr. Stec voiced his opinion that there was a value to the agency guaranteeing the availability of nurses; however, he suggested, that they be contacted to determine if the \$1,000 retainer fee could be waived.

Mr. Champagne withdrew his motion to deny the contract with Visiting Nurse Association of Albany Home Care Corporation and Mr. Pitkin withdrew his second to the motion.

Mr. Sokol called the question and the motion was carried by majority vote to authorize the contract with Visiting Nurse Association of Albany Home Care Corporation, as outlined above, with Messrs. Champagne, Loeb and Taylor voting in opposition. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting. (Please Note: Subsequent to the meeting, Ms. Taggart advised that there was no fee for this contract unless the County utilized the service. The amount of \$1,000 listed was to earmark funds under the Westmount Health Facility contract*

code, in the event the services were required.)

Ms. Taggart requested to reclassify the Assistant Director of Nursing (ADON) position, base salary of \$58,700 to a Minimum Data Set (MDS) Coordinator position, base salary of \$48,700, due to a restructuring of responsibilities. She noted that there would be a reduction in salary of \$10,000. Mr. Thomas asked what the MDS Coordinator's duties would be and Ms. Taggart replied that they would calculate the needs of the residents in relation to billing. Mr. Pitkin asked if the nature of the job had been significantly changed and Ms. Taggart responded that the primary function of the ADON had been as an MDS Coordinator.

Motion was made by Mr. Taylor, seconded by Mr. Pitkin and carried unanimously to reclassify the ADON position to an MDS Coordinator position, as outlined above and to forward same to the Personnel Committee. *A copy of the resolution request form is on file with the minutes. (Please note: Subsequent to the meeting it was determined that the \$10,000 reduction in salary had been accomplished during the Budget process and reflected in the 2010 Budget.)*

Ms. Taggart stated that a report on staffing levels had been included in the agenda packet. She noted that they had recently filled a vacant RN position on the 11:00 p.m. to 7:00 a.m. shift. Mr. Sokol stated that there had been a nursing shortage for quite a while and it had been difficult to fill vacant positions. Mr. Loeb questioned the paygrade for an RN on the 11:00 p.m. to 7:00 a.m. shift and Ms. Taggart replied that it was approximately \$24 per hour plus shift differential.

Ms. Taggart said that a report on overtime usage was included in the agenda packet. She noted that there were four holidays included in this time period, which had increased the amount of overtime used. Mr. Pitkin suggested that it would be beneficial to the Committee members if the overtime reports were shown in comparison to the previous year. Ms. Taggart responded that she had provided the information in the past and would do so in the future.

Ms. Taggart requested authorization to attend the American College of Health Care Administrators 41st Annual Convention in Callicoon, New York from March 14-17, 2010, using a County vehicle. She noted that the Convention would give her 16 credits towards the required 48 credit hours necessary to maintain her license and she added that funds were available in her budget. Joan Sady, Clerk of the Board, questioned the cost of the convention and Ms. Taggart replied that the registration fee was \$99 and the cost of the hotel room was \$330 for three nights.

Motion was made by Mr. Thomas, seconded by Mr. McDevitt and carried unanimously to authorize Ms. Taggart to attend the Convention as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Ms. Taggart reported that one of the residents of the Facility had recently passed away. She noted that the resident had been the President of the Resident's Council and a letter had been received from the family thanking the staff for her care.

Ms. Taggart announced that Brenda Hayes, Director of Countryside Adult Home, would assume the position of Director of Nursing at Westmount Health Facility. Mr. Sokol explained that he, Todd Lunt, Director of Human Services, Ms. Taggart and Pat Murphy, Interim Director of Nursing, had interviewed several candidates. He added that they had narrowed it down to two

possible candidates and had decided that Ms. Hayes was the most qualified applicant for the position. The Committee members responded with applause.

This concluded the Westmount Health Facility portion of the Committee meeting and Ms. Taggart exited the meeting at 10:14 a.m.

Privilege of the floor was extended to Brenda Hayes, Director of Countryside Adult Home, who distributed copies of the agenda to the Committee members; a copy of the agenda is on file with the minutes.

Ms. Hayes stated that there were two pending items for Countryside Adult Home. The first item, she said, pertained to drafting a policy regarding the admittance of out-of-county residents. She advised that the item should be deleted from the pending item list and that they should only accept out-of-county residents after they had been approved for payment. It was the consensus of the Committee to remove this item from the pending items list.

Ms. Hayes apprised that the second pending item was a tabled action regarding the discontinuation of laundry service at Westmount Health Facility. She said that she had contacted William Lamy, Superintendent of the Department of Public Works, who had informed her that the septic system at Countryside Adult Home was not capable of handling the added burden of laundry service. She added that she would like to remove this item from the pending item list, as well. It was the consensus of the Committee to remove this item from the pending items list.

Ms. Hayes requested to amend the current contract with Westmount Health Facility for laundry services to include the cost of personnel. She advised that currently Countryside Adult Home was billed for the cost of laundry service plus the cost of half the salary of the employee responsible for the laundry. She added that from an accounting standpoint it would be easier if the cost of the salary was included in the contract.

Motion was made by Mr. Champagne, seconded by Mr. McDevitt and carried unanimously to amend the current contract with Westmount Health Facility for laundry services, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting.*

Ms. Hayes requested that the County establish a sub-Committee to determine the future of Countryside Adult Home. She advised that there had been discussions pertaining to the possibility of privatizing, closing or selling the Facility and she felt there should be a sub-Committee to make that determination and deal with the repercussions of the decision. Mr. Sokol noted that there would be a lot of discussion prior to the County making a decision. Mr. Pitkin agreed that a specialized task force was needed in order to make the best decision for the County. It was the consensus of the Committee that a special sub-Committee would be established to determine the future of Countryside Adult Home.

Ms. Hayes requested to extend the current contract with Dr. Bryan Smead at Hudson Headwaters Health Network, commencing January 1, 2010 and terminating December 31, 2012, in an amount not to exceed \$11,989 for 2010; \$12,349 for 2011; and \$12,719 for 2012.

Ms. Hayes suggested that the contract include a 90 day termination clause, in the event that

the County decided to close Countryside Adult Home. She noted that every year in the past there had been a 3% increase to the cost of this contract. She added that she had requested a three year contract which included a 3% increase each year of the contract. Mr. Sokol noted that Dr. Smead had originally requested a 5% increase as compared to the 2009 contract. Mr. Thomas stated that a 3% increase was too high. Mr. Loeb apprised that the rate of inflation for the health care industry was different from the average rate of inflation. He added that Glens Fall Hospital had a zero percent rate of increase for their staff for 2010 and for 2011 the staff would receive a 2% increase. Mr. Sokol advised that he did not feel comfortable with a three year contract that included a 3% increase for each year. He asked what the repercussions were if the County decided not to contract with Dr. Smead and Ms. Hayes responded that the residents would have to be taken to individual doctor visits. She added that a visiting doctor was not mandated but it was a very convenient service for the Facility. Mr. Taylor asked how often Dr. Smead visited the Facility and Ms. Hayes responded that it was one day a week for two to four hours. Mr. Pitkin suggested a one year contract with a 2% increase.

Following a brief discussion, motion was made by Mr. Pitkin, seconded by Mr. Champagne and carried unanimously to authorize a contract with Dr. Smead for one year with a 2% increase, pending Dr. Smead's acceptance of the offer. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting.*

Ms. Hayes informed the Committee that there was a resident at Countryside Adult Home, who had not yet been approved for Home Relief benefits. She added that the current outstanding bill for the resident was \$25,742.60. She noted that she was working with the Department of Social Services to attempt to receive approval and it was possible that the County Attorney's Office might need to get involved in order to recover payment. She advised that she had been able to get approval for Medicaid for the resident, which covered the cost of medicine and doctors visits. Mr. Champagne asked if the resident was considered private pay and Ms. Hayes responded that residents were considered private pay if they were not approved for benefits such as Home Relief.

This concluded the Countryside Adult Home portion of the Committee meeting and Ms. Hayes exited the meeting at 10:27 a.m.

Sheila Weaver, Commissioner of the Department of Social Services and the representatives from the Public Health Department entered the meeting at 10:30 a.m.

Privilege of the floor was extended to Pat Auer, Director of Public Health, who distributed copies of the agenda to the Committee members; a copy of the agenda is on file with the minutes.

Ms. Auer welcomed the new Committee members to the Health Services Committee.

Ms. Auer noted that a report on Emergency Preparedness Activities had been included in the agenda packet. She questioned the Committee to determine if they would like to keep receiving this report or if they would prefer that it be discontinued. It was the consensus of the Committee that Ms. Auer continue to provide them with a report on Emergency Preparedness Activities.

Ms. Auer stated that the Department of Public Health had a plentiful supply of both the

seasonal flu vaccine and the H1N1 vaccine. She advised that they had offered the vaccines to the local school districts and they had placed an advertisement in the paper pertaining to the availability. Mr. McDevitt said that he had visited the Department of Public Health and had been convinced by staff to receive both vaccines.

Ms. Auer updated the Committee on the Point of Care (POC) Initiative by saying that in comparison to last year the completion of patient care documentation was faster and easier. She said that she was aware that Mr. Taylor was spearheading benchmarking goals for the County and added that she had developed a list of financial tracking goals for the Department and she distributed copies of the list to the Committee members; a copy of same is on file with the minutes.

Tammie DeLorenzo, Clinical & Fiscal Informatics Coordinator, apprised that they had been using the POC System for one year and the timeliness of the billing cycle continued to be improved upon. She said that they had closed the October billing and less than two weeks later they had closed the November billing. She advised that the final goal was to close monthly and to bill no more than 30 days out, as compared to the previous billing cycle of up to 75 days out.

Mr. Champagne requested an explanation of how the payments got from the payer to the County. He suggested a flow chart to assist the Committee in better understanding the process. Ms. DeLorenzo said that they could bring a flow chart to the next Committee meeting. She advised that Tawn Driscoll, Fiscal Manager, had worked directly with many of the payers, who wanted to pay by EFT (Electronic Fund Transfer). She added that the EFT payments were collected by the Treasurer's Office and would then be distributed to the correct Public Health account code.

Ms. DeLorenzo explained the TPL (Third Party Liability) Project to the Committee members by saying that Medicaid and Medicare had an agreement where it was understood that Medicaid was the payer of last resort. She added that Medicaid had been paying claims which should have been the responsibility of Medicare. She stated that this was a country wide issue that now needed to be corrected. She advised that Medicaid and Medicare had developed a legislative agreement to look at all the claims which had been submitted and develop a percentage that had been overpaid by Medicaid. She added that a check for that amount would be sent from Medicare to Medicaid. She further added that the County's only involvement in this part of the TPL Project was to provide copies of medical records as requested. She continued by saying that legislatively, that portion of the Project had been terminated. She stated that Senator Gillibrand was working diligently with the Home Care Association of New York State in finding a permanent placement for the TPL Project.

Ms. DeLorenzo explained that by December 31, 2009, the Public Health Department had to review all claims filed between October 2007 and September 2008 and any claims for patients that were dually eligible, had to be submitted to Medicare in order to receive a denial. She added that this process would result in the County receiving payments from Medicare that they would need to pay back. She apprised that she and Ms. Driscoll had met with the Treasurer's Office to determine a way to receive the funds without inflating the Department's revenues. She advised that the Department had already received payment for the claims and the only cost to the Department was hundreds of hours of excess work.

Ms. DeLorenzo said that there were agencies that had received millions of dollars in 2009 that they would have to pay back in 2010. She apprised that New York State, Massachusetts and Connecticut were spearheading an amendment to the deficit reduction plan to make it permanent so that the same issue did not arise in the future. She advised that the Treasurer's Office would set up a liability account for the receipt of the Medicare payments so that they could be more easily paid back. Ms. Driscoll stated that there was a TPL Summary included in the agenda packet.

Ms. Auer requested that Sharon Schaldone, Assistant Director of the Department of Public Health, explain some of the benchmarking from a patient standpoint. Ms. Schaldone explained that in 2000 they had gone to a prospective payment system, which was driven by the Oasis data, that allotted a certain amount of funding per patient based on the answers to a number of questions. Since then, she continued, Medicare had put out reports called Home Health Compare Reports and the benchmarking completed for the patient's specific care contained about ten separate items. She gave the examples of improvement in ambulation and ability to administer their own medications. She stated that they were researching different benchmarking companies because starting in 2010 patient satisfaction surveys needed to be completed for Medicare by a Medicare approved agency. She said that they had always sent out patient satisfaction questionnaires at discharge and the rate of return was approximately 50%.

Discussion ensued.

Returning to the agenda review, Ms. Auer requested to renew the current contract with Upper Hudson Primary Care Consortium to continue with the Community Health Assessment Initiative, commencing January 1, 2010 and terminating December 31, 2010, in an amount not to exceed \$5,000. She advised that at the upcoming NYSAC (New York State Association of Counties) meeting, Warren County had been asked to report on this project.

Motion was made by Mr. Pitkin, seconded by Mr. Champagne and carried unanimously to renew the current contract with Upper Hudson Primary Care Consortium, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting.*

Ms. Auer requested a contract with Capital Care Medical Group to provide supplemental medical evaluations for approved children in the Early Intervention and Preschool Special Needs Programs, commencing February 22, 2010 and terminating with 30 days written notice by either party. She explained that they had a contract with Developmental Pediatrics but they were merging with Capital Care Medical Group. Mr. Loeb asked if services were paid for as used and Ms. Auer replied affirmatively. She added that there was no contract fee as the contract was set up as fee for service.

Motion was made by Mr. Champagne, seconded by Mr. McDevitt and carried unanimously to authorize the contract with Capital Care Medical Group, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting.*

Ms. Auer requested to increase the rate paid to per diem Nurses to reflect the recent salary increases of the CSEA (Civil Service Employees Association) Nurses. She advised that the per

diem rates were slightly higher than the regular Nurses rates, as they did not receive benefits from the County. She apprised that it was more cost effective to use per diem Nurses because they did not receive overtime pay.

Motion was made by Mr. Thomas and seconded by Mr. Champagne to increase the rate paid to per diem Nurses to reflect the recent salary increases of the CSEA Nurses and to forward same to the Personnel.

Mr. Champagne noted that a considerable amount of funds could be saved by not having to pay overtime to the nursing staff. Mr. Pitkin asked how much the increase would be. Todd Lunt, Director of Human Resources, said that Resolution No. 29 of 2008 had set the rate increases for the per diem Public Health Nurses (PHN) through 2011, separately from any other per diems used. He advised that the County had decided that non-union employees would not receive a salary increase for 2010. He continued that there were 13 employees that would be effected by this increase; however, he added, there were per diem employees that worked at Westmount Health Facility and the Office for the Aging that did not receive an increase for 2010. Mr. Champagne asked the percentage of increase for CSEA employees and Mr. Lunt replied 3.5%. Mr. Champagne asked the hourly rate for 2009 as compared to 2010. Mr. Lunt responded that the PHN rate was \$22.29 per hour for 2009 and \$23.07 per hour for 2010. Ms. Auer apprised that when the rates were set they were higher than that of staff PHN's because the justification was that if a staff PHN worked on a weekend, they would be paid overtime which was saved when using a per diem PHN. Ms. Schaldone commented that the staff PHN's were needed as well because the per diem PHN's could not complete admissions. She added that every full-time RN and PHN in Warren County Health Services was offered two days off during the week prior to the weekend so that they would not be required to work overtime. She added that 3 out of 45 Nurses took advantage of the two weekdays off.

Following further discussion, Mr. Thomas withdrew his motion and Mr. Champagne withdrew his second to the motion. It was the consensus of the Committee to table the discussion until the next Committee meeting.

Ms. Auer apprised that she had a conversation with Mr. Sokol and Pat Tatich, Director of the Planning & Community Development Department, regarding the grants that the Department applied for. She said that the Department of Public Health received a lot of grant funding and added that the State was changing and reducing the amount of many of the grant funding awards. She noted that many of the grants required that the funds be expended prior to the grant funds being awarded. She said that grants which awarded the funds up front needed to be analyzed. She advised that although they had never taken advantage of it before, each grant allowed a certain amount of funding for administration costs. She apprised that she had discussed the possibility with Ms. Tatich of utilizing the administration portion of grant funding to cover the cost of hiring a grant administrator for the County. She added that administration of the grants was time consuming. Mr. Sokol stated that the Planning & Community Development Department would meet the following week and he asked Mr. Taylor if the issue could be added to the agenda. Mr. Taylor replied affirmatively.

Ms. Auer requested approval for Pat Belden, Public Health Nurse, to enroll in the job related course, Introduction to Family & Community Health, at Albany School of Public Health, starting January 20, 2010 and ending in May 2010. She advised that Ms. Belden was working on her Masters Degree in Public Health and had been awarded a full tuition scholarship and she was

requesting reimbursement for the cost of the course book, which would be approximately \$76.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to approve Ms. Belden's enrollment in a job related course, as outlined above and to forward same to the Personnel Committee. *A copy of the Application for Approval to Enroll in Job Related Courses by Employee form is on file with the minutes.*

Ms. Auer commented that some counties did not reimburse their volunteers at the IRS (Internal Revenue Service) rate for mileage reimbursement. She noted that the Department only had a few volunteer Parent Transporters for the Children with Special Needs Programs; however, she added, some of the volunteers lived quite a distance away. She questioned whether the County wanted to continue paying the IRS rate or if they wanted to establish a lower rate for volunteers. Mrs. Sady reported that the Office for the Aging had budgeted a lower mileage rate for their volunteers but the County Auditor would not reimburse at the lower rate because there was no County policy in place to authorize the reduction. She added that the Finance Committee would be discussing a lower mileage rate for volunteers at their upcoming meeting. She stated that Public Health could not lower the mileage rate for volunteers until the County adopted a policy to that effect. She added that once the policy was adopted it would be County wide and no further action would be required.

Ms. Auer requested to amend the current contract with New Meadow Preschool to include a provision for evaluations for preschool children, commencing February 22, 2010 and terminating with 30 days written notice by either party, to be paid at New York State Department of Education established rates, monthly upon the receipt of written evaluations.

Motion was made by Mr. Champagne, seconded by Mr. McDevitt and carried unanimously to amend the current contract with New Meadow Preschool, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting.*

Ms. Auer requested to ratify the actions of the Chairman of the Board to request a certificate of insurance, which would allow the Sexually Transmitted Disease (STD) Clinic to be held at 526 Glen Street in the City of Glens Falls.

Motion was made by Mr. Pitkin, seconded by Mr. Champagne and carried unanimously to approve the request as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting. (Subsequent to the meeting it was determined that a resolution would not be necessary as the STD Clinics would be held at the Public Health Offices in the Municipal Center.)*

Ms. Driscoll stated that a report on revenues and expenditures as of January 20, 2010 was included in the agenda packet. She noted that a two year salary comparison had been included at the bottom of the page. She advised that salaries for 2009 had been \$306,200.31 less than had been budgeted and were \$128,774.02 less than the 2008 actual salaries. She added that overtime and part-time salaries had also been reduced.

Ms. Driscoll advised that the 2009 Year to Date Actual total of \$8,679,580.04 did not include November billings totaling \$309,000 for the Certified Home Health Care, Long Term Care and

Maternal Child Health Programs or \$18,319 to the State for the Early Intervention Program. She added that grants totaling \$65,576 were also not reflected in the 2009 Year to Date Actual. She noted that the Bioterrorism Grant would be a significant amount as it would include the funding for the H1N1 virus.

Ms. Driscoll explained that the Preschool Program had started on July 1, 2009 and the billing could not be submitted until April 2010. She said the cost of the Preschool Program was approximately \$2 million and the County was reimbursed 59.5%. Ms. Auer noted that due to the way the billing cycle operated it was difficult to report on the previous year's actual totals in January.

Discussion ensued.

Ms. Auer informed the Committee that a report on free and reduced care had been included in the agenda packet.

Ms. Auer requested authorization to charge off uncollected accounts totaling \$182,100.74 for 2007 as bad debt. Ms. Driscoll added that these were uncollectible accounts for 2007 from the Homecare Net System, for which as of December 31, 2008 an Allowance for Doubtful Accounts had been reserved in anticipation of possible write offs, in the amount of \$137,961.48. She said that the net effect would be \$44,139.26.

Motion was made by Mr. McDevitt, seconded by Mr. Champagne and carried unanimously to charge off uncollected accounts as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting.*

Ms. Auer advised that there was another situation with a Preschool provider, who had billed for the entire tuition although they did not have a speech therapist on staff. She added that the children in question had daily speech therapy listed on their IEP (Individual Education Plan). She apprised that a formal complaint had been filed with the New York State Department of Education. She added that the total bill was approximately \$28,000 and the Preschool provider was requesting payment. Mr. Pitkin asked if the County had to pay even though the service was not provided and Ms. Auer replied affirmatively and added that there was no way to unbundle the services.

Mr. Champagne asked if this was the same situation that had been discussed in previous Committee meetings. Ms. Auer replied in the negative and added that this was a different Preschool provider. She explained that with the previous situation there had been some compensatory circumstances that were corrected once a speech therapist was hired and the sessions were made up. She explained that in this present case there were two children involved and there had been no speech therapy services for four months, so there was no possibility of making up the back services. She said that the school district had filed a complaint for non-payment of services. She explained that the reason that she had brought this issue to the Committee was because she had a difficult time with the concept of paying for a service that was not provided. Mr. Taylor asked if Ms. Auer was stating that there was no way to determine what amount should be paid. Ms. Auer explained that there was no way to ask the Preschool provider to just bill for the services that were rendered as the rate was a bundled rate for all services.

Mrs. Nenninger stated that the County had a contract which provided for tuition payment of approved programs through the New York State Department of Education. She explained that this was a Preschool Program and the school district determined the services to be provided but the County was obligated to make the payments and have a contract with the approved providers. She added that the providers submitted a bundled rate for the services. She explained that due to the County withholding payment, the school district and the State had become involved in the process and the State was now reviewing the process. She advised that in the previous situation there had been compensatory services and a plan of correction that met the State requirements.

Discussion ensued.

Mr. Sokol asked Ms. Auer if she wanted to table the discussion for one month. Ms. Auer responded that she wanted to wait to determine what the outcome would be once the State Department of Education had made their determination. She noted that she did not like to be knowingly out of compliance. Mr. Loeb asked who was responsible for the monitoring of the Preschool Programs and Ms. Auer noted that it was the school districts responsibility. Mr. Pitkin suggested that the County not pay the tuition in order to draw the school districts attention to the need to monitor the programs. Ms. Driscoll stated that whether or not the County paid the Preschool provider, she would enter the amount as a liability. Mrs. Nenninger stated that over the next month further information relating to the situation would be available. It was the consensus of the Committee to table the issue for further discussion at the next Committee meeting.

As there was no further business to come before the Health Services Committee, on motion made by Mr. Champagne and seconded by Mr. Pitkin, Mr. Sokol adjourned the meeting at 11:46 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist