

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: HEALTH SERVICES**

**DATE: MARCH 26, 2010**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS SOKOL  
THOMAS  
CHAMPAGNE  
PITKIN  
LOEB  
MCDEVITT

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR TAYLOR

**OTHERS PRESENT:**

REPRESENTING WESTMOUNT HEALTH FACILITY:  
BARBARA TAGGART, ADMINISTRATOR  
BETSY HENKEL, COMPTROLLER  
BRENDA HAYES, DIRECTOR OF NURSING  
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  
PAUL DUSEK, COUNTY ATTORNEY  
PATRICIA NENNINGER, SECOND ASSISTANT COUNTY ATTORNEY  
SUPERVISORS MERLINO  
STEC  
STRAINER  
JOAN SADY, CLERK OF THE BOARD  
DON LEHMAN, *THE POST STAR*  
THOM RANDALL, *THE ADIRONDACK JOURNAL*  
CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Sokol called the meeting of the Health Services Committee to order at 9:30 a.m.

Motion was made by Mr. McDevitt, 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.

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 requested authorization for a contract with PNP Computer Services, Inc. for annual software support, commencing April 1, 2010 and terminating March 31, 2011 for a lump sum amount of \$7,153.50. She advised the Resident Observation Module was added in 2009 and PNP Computer Services did not charge service fees for the first year which accounted for the increase of \$1,125 for the 2010 contract. She noted the Facility had utilized the services of PNP Computer Services since 1995. Mr. Pitkin asked if there were other companies that offered the same software and Ms. Taggart replied affirmatively. Mr. Pitkin questioned if research had been completed to determine if it was possible to obtain a lower cost and Ms. Taggart responded that she had looked at several companies and PNP Computer Services offered the best price.

Motion was made by Mr. Champagne, seconded by Mr. McDevitt and carried unanimously to authorize the contract with PNP Computer Services, 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 April 16, 2010 Board meeting.*

Included in the agenda packet, Ms. Taggart apprised, was the final draft of the Westmount Health Facility Mission Statement which she read for the record. She stated she was working with Glens Falls Printing to have the Mission Statement engraved on plaques that would be placed at each nursing unit, in the foyer and in the conference room. Mr. McDevitt complimented Ms. Taggart on the Mission Statement.

Ms. Taggart requested authorization for a contract with McCarthy & Conlon, LLP for completion of a Certificate of Need (CON) Limited Review of the Sprinkler System at Westmount Health Facility as required by the DOH (Department of Health) for a total amount not to exceed \$300. She advised Mike McCarthy, of McCarthy & Conlon, LLP had been at the Facility earlier that week to complete the Annual Cost Report at which time they had also discussed the details of the Sprinkler Project. She said Mr. McCarthy had completed many CON's and had offered to complete the CON required for the Sprinkler Project. She added she had provided Mr. McCarthy with the contractual study and projected costs which had been completed by Excel Engineering. She advised it would take 4 to 6 weeks to receive approval once the CON was submitted to the DOH. She added once approval was received they could issue the Request for Proposal and begin construction.

Following a brief discussion, motion was made by Mr. Champagne, seconded by Mr. Pitkin and carried unanimously to authorize the contract with McCarthy & Conlon, LLP as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 16, 2010 Board meeting.*

Ms. Taggart said a report on staffing levels had been included in the agenda packet. She informed there was a vacant part-time RN (Registered Nurse) position on the 7:00 a.m. to 3:00 p.m. shift. She noted the Facility had limited per diem staff for RN's and LPN's (Licensed Practical Nurses). Mr. Champagne asked the definition of part-time for the Facility and Ms. Taggart responded in the case of the vacant part-time RN position it was two days a week. Mr. Loeb asked if the availability of nurses had improved as compared to 2000 and Ms. Taggart replied the Facility had hired a few nurses over the last two months and she believed there was still a shortage of nurses but there were some in need of placement. Brenda Hayes, Director of Nursing at Westmount Health Facility, said per diems were used by the Facility due to a high number of staff who were entitled to the maximum amount of vacation days due to longevity. Since she had transferred to Westmount Health Facility, Ms. Hayes added, she had attended two job fairs and had obtained several employment applications. She continued she had completed five job interviews that week and some of the applicants were nursing students who would work as per diem CNA's (Certified Nursing Assistant) while completing their education.

Ms. Taggart apprised that an overtime comparison report of the previous month for 2009 and 2010 was included in the agenda packet. She reviewed the report with the Committee and noted there was a decrease of 169 hours of overtime usage as compared to the report presented at the previous meeting. She explained the RN Supervisor had been on vacation and

a new RN had been in orientation on the 11:00 p.m. to 7:00 a.m. shift. She noted one LPN had been on Family Medical Leave during the reported time period but was back on regular duty. She advised there had been two Dietary employees on vacation and one who had used bereavement time. Mr. Sokol asked if there were sufficient funds in the overtime accounts for the remainder of the year. Ms. Hayes responded they would watch the amount of usage closely to ensure there was no abuse of overtime usage. Mr. Pitkin stated the format of the overtime report was difficult to understand and requested that future reports be a comparison of the year to date overtime usage for 2009 and 2010.

Ms. Taggart apprised following a survey from the DOH, Westmount Health Facility would like to contract with a consultant to assist the Facility with revamping clinical processes for laboratory services. As a result of the February 25, 2010 DOH violations, she continued, Civil Money Penalties were levied in the amount of \$7,000. She noted Westmount Health Facility had taken immediate action to modify the existing policies and procedures and the citation was downgraded to a level indicating no actual harm. She explained the incident had centered on transcription and follow up physician orders, specifically the orders related to laboratory testing. She added the Plan of Correction was sent to the DOH on March 19, 2010. On March 16, 2010, she continued, three hours of consultation services with NYAHS (New York Association of Homes & Services for the Aging) were utilized for the review of the Plan of Correction. She added In-Service would be conducted by a NYAHS consultant for Westmount nursing staff on March 29, 2010. She noted the current NYAHS consultant fee was \$185 per hour.

Mr. Loeb questioned the type of laboratory services that were conducted at Westmount Health Facility and Ms. Taggart replied they completed blood draws and monitored the Coumadin dosages. Ms. Taggart added that Saratoga Hospital was the laboratory under contract with the Facility. Mr. Champagne asked if the violation had been with the laboratory at Saratoga Hospital or with Westmount Health Facility and Ms. Taggart replied the violation pertained to policies and procedures within the Facility. Ms. Hayes expounded the violation pertained to documentation and the DOH had given advice on future procedures. Mr. Champagne asked if the fine was \$7,000 and Mr. Sokol replied affirmatively and added there was a possibility of receiving a 35% reduction in the amount of the fine.

Mr. Sokol stated he had contacted representatives of the DOH who informed him there was no reason to anticipate that Ms. Taggart would be unable to complete her job functions. He added there were challenges at the Facility, such as morale issues, which Ms. Taggart and Ms. Hayes were working to correct. He advised the representatives from the DOH had formed a favorable impression of both Ms. Taggart and Ms. Hayes. He apprised the violation had been with the blood monitoring policies and procedures and Ms. Taggart had not been cited due to the issue. According to the DOH Investigator, he continued, all of the necessary changes were implemented immediately in an effective manner.

Mr. Sokol advised that an executive session was required to discuss the employment history of a particular person and for the giving and receiving of legal advice under attorney/client privilege regarding the County's rights pertaining to the DOH violation.

Motion was made by Mr. Pitkin, seconded by Mr. Loeb and carried unanimously that executive

session be declared pursuant to Section 105 (f) and 108 (3) of the Public Officers Law.

Executive session was declared from 9:56 a.m. to 10:19 a.m.

Committee reconvened.

Pursuant to the executive session, motion was made by Mr. Champagne, seconded by Mr. Thomas and carried unanimously to ratify and extend the actions of the Chairman of the Board to enter into an agreement with NYAHSa for professional consultation services relating to the February 25, 2010 DOH violations at Westmount Health Facility in an amount not to exceed \$4,000. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 16, 2010 Board meeting. (Subsequent to the meeting it was determined that the above action required an amendment to the 2010 County budget to increase estimated revenues and appropriations in the amount of \$4,000 and the request was forwarded to the Finance Committee.)*

Motion was made by Mr. McDevitt, seconded by Mr. Loeb and carried unanimously to authorize settlement of Civil Money Penalties relating to the February 25, 2010 DOH violation at Westmount Health Facility for an amount not to exceed \$7,000 with an understanding that the settlement include a term which reduced the penalty by 35%. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 16, 2010 Board meeting. (Subsequent to the meeting it was determined that the above action required an amendment to the 2010 County budget to increase estimated revenues and appropriations in the amount of \$7,000 and the request was forwarded to the Finance Committee.)*

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 stated a report on monthly Emergency Response and Preparedness activities was included in the agenda packet. She reported approximately 7,600 doses of H1N1 and Seasonal Influenza vaccines had been administered this season.

Ms. Auer said there had been discussion at the previous meeting of the possibility of working with the Planning & Community Development Department to determine if it would be possible to develop an inter-Department Memorandum of Understanding to utilize administrative funds from various grants received through Health Services to pay a portion of the salary for a Planning & Community Development Department employee to assist the Health Services Department with grant administration. Upon further discussion with Patricia Tatich, Director of the Planning & Community Development Department, she continued, it was determined that the Department had neither the personnel nor the technical expertise and familiarity with the Health Services Programs to be of assistance.

Regarding the Preschool provider reimbursement issue, Ms. Auer advised that the provider had retained the services of an attorney but further information was not available at this time.

Ms. Auer requested to fill the vacant positions of WIC (Women, Infants and Children) Assistant,

base salary of \$24,908, Employee No. 10754, due to resignation; and WIC Program Aide, base salary of \$23,799, due to promotion. She explained the WIC Assistant had resigned and the current WIC Program Aide would be promoted to WIC Assistant with the vacancy created being filled. Mr. Champagne asked if the positions were necessary and Ms. Auer replied affirmatively and added they were 100% grant funded.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to approve the request to fill the vacant positions as presented and to forward same to the Personnel Committee. *Copies of the Notice of Intent to Fill Vacant Position forms are on file with the minutes.*

Ms. Auer requested authorization for a contract with WICKS Education Associates, Inc. to provide a clinical teaching site for nursing student Catherine Fisher, commencing April 19, 2010 and terminating December 31, 2010 at no cost to the County. She noted the nurse was working on her certification for wound and continence care.

Motion was made by Mr. Pitkin, seconded by Mr. McDevitt and carried unanimously to approve the request as presented. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 16, 2010 Board meeting.*

Ms. Auer requested authorization for a contract with Catherine Fisher, RN to allow a nurse preceptor agreement for clinical field experience in wound and continence care nursing with Sheryl Havens, Public Health Nurse, commencing April 19, 2010 and terminating December 31, 2010. She noted Ms. Fisher would pay Warren County Health Services \$500 for this service and would be reimbursed by the Glens Falls Hospital.

Motion was made by Mr, Pitkin, seconded by Mr. Thomas and carried unanimously to approve the request as presented. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 16, 2010 Board meeting.*

Ms. Auer requested to amend Resolution No. 121 of 2009, which authorized agreements with various agencies for paraprofessional services, to increase the rates for Home Health Aide services with North Country Home Services from \$24.39 per hour to \$24.86 per hour, commencing January 1, 2010 and terminating with 30 days written notice by either party. She noted the increase was due to Medicaid guidelines and North Country Home Services would terminate the contract if the increase was not approved. She added the amount owed due to the increase retroactively to January 1, 2010 was \$1.41.

Motion was made by Mr, Pitkin, seconded by Mr. Champagne and carried unanimously to amend Resolution No. 121 of 2009 as presented. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the April 16, 2010 Board meeting.*

Ms. Auer requested to amend the 2010 County budget to decrease estimated revenues in the amount of \$18,750 to reflect the termination of the EISEP (Expanded In-Home Services for the Elderly Program) contract with the OFA (Office for the Aging) which would be effective on March 31, 2010. She explained a total of \$25,000 in revenue had been budgeted and \$6,250

had been billed for the first quarter. She added the employee associated with the Program had retired in January 2010 and there was no need to decrease appropriations as the salary of the employee had not been budgeted. She noted the EISEP contract would be transferred to Greater Adirondack Home Aides.

Motion was made by Mr. Champagne, seconded by Mr. Thomas and carried unanimously to amend the 2010 County budget as outlined and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Mr. Sokol asked if the use of credit card payments for services had been implemented and Ms. Auer replied that it had been authorized but had not been used thus far.

Ms. Auer stated a report on revenues and expenditures as of March 23, 2010 had been included in the agenda packet. Tawn Driscoll, Fiscal Manager of the Health Services Department, noted the 2009 revenue accrued included receipt of approximately \$1.1 million for Preschool and Immunization services and \$1 million for WIC food vouchers. Regarding 2010 revenues and expenditures, she continued, they had received notification from the State that there were COLA's (Cost of Living Allowances) that could be applied for which totaled \$6,299. She said a payroll comparison for 2009 and 2010 year to date was included at the bottom of the report and showed a decrease of 9.5%. Mr. Pitkin requested that a copy of the Salary Comparison Report for the Health Services Department be sent to Westmount Health Facility so that they could use a similar format and Mr. Sokol responded acknowledged the request.

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 10:34 a.m.

Respectfully submitted,  
Charlene DiResta, Sr. Legislative Office Specialist