

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: MENTAL HEALTH

DATE: FEBRUARY 2, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS O'CONNOR
GIRARD

COMMITTEE MEMBER ABSENT:

SUPERVISOR SHEEHAN

OTHERS PRESENT:

CHAIRMAN MONROE
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES

JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES
NICOLE LIVINGSTON, DEPUTY CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
KEVIN HAYES, WASHINGTON COUNTY ADMINISTRATOR REPRESENTING THE OFFICE OF COMMUNITY SERVICES FOR WARREN AND WASHINGTON COUNTIES:
ROBERT YORK, DIRECTOR OF COMMUNITY SERVICES
PAM KAISER, ASSISTANT DIRECTOR, FINANCIAL
LARRIE GOUGE, PROSPECT CHILD & FAMILY CENTER
JULIE BEEBE, LIBERTY HOUSE FOUNDATION
TIMOTHY PLACE, COMMUNITY WORK & INDEPENDENCE, INC.
DEBRA ROWELL, COMMUNITY WORK & INDEPENDENCE, INC.
MARK DONAHUE, COMMUNITY WORK & INDEPENDENCE, INC.
JONATHAN ALEXANDER, *THE ADIRONDACK JOURNAL*
CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST
PLEASE SEE ATTACHED SIGN-IN SHEET FOR ALL OTHER WASHINGTON COUNTY REPRESENTATIVES PRESENT.

Mr. O'Connor called the meeting of the Mental Health Committee to order at 9:35 a.m.

Agendas were distributed to the Committee members; *a copy of which is on file with the minutes.*

Mr. O'Connor stated that the meeting had been called at the request of Robert York, Director of Community Services for Warren and Washington Counties. Mr. O'Connor introduced himself and requested that everyone in attendance introduce themselves, as well.

Mr. York provided a Power Point Presentation; *a copy of which is on file with the minutes.* He said that he wanted to give the Committee a general overview of the Office of Community Services. He explained that they were one Office that served as the Mental Health Department for both Warren and Washington Counties. He added that most counties operated their mental health department or community services office only within their own county. He said that Warren and Washington Counties were the only two counties in New York State that had combined resources to form one Local Government Unit (LGU) for the purposes of mental hygiene.

Mr. York stated that the Office of Community Services consisted of five employees. He said that they received funding from and worked with three State agencies; the New York State (NYS) Office of Mental Health (OMH); the NYS Office of Alcoholism and Substance Abuse Services (OASAS); and the NYS Office of Mental Retardation and Developmental Disabilities (OMRDD).

Mr. York apprised that the NYS Mental Hygiene Law (MHL Article 41) directed local governments to either provide for or arrange preventive, rehabilitative and treatment services for the mentally ill; the mentally retarded and developmentally disabled; and those suffering from the disease of alcoholism and substance abuse. He added that many counties operated services for the community and some counties had a combination of operated services and contracted services. He further added that there were a few counties, including Warren and Washington Counties, that contracted out all services.

Mr. York explained that MHL Article 41 required the establishment by the County of an LGU, that was given the authority to provide or arrange for local or unified services. He added that the Office of Community Services acted as the LGU, and had been given the authority by both Warren and Washington Counties. He stated that Warren and Washington Counties had combined in the 1970's to form one LGU for mental hygiene services. He added that this had come about when there was funding available for community mental health centers, that required a certain population base in order to qualify. At that time, he continued, the Counties had decided to form one LGU for both Counties, in order to qualify for the funding.

Mr. York stated that MHL Article 41 required each LGU to have a Community Services Board (CSB) and stipulated that for counties with a population of less than 100,000, the CSB could consist of either 9 or 15 members. He added that both Warren and Washington Counties had separate 9 member CSB's that met jointly at 3:00 p.m. on the second Thursday of each month, with the exclusion of August.

Mr. York explained that in the 1970's all NYS counties had been invited to apply to become "Unified Services" counties and added that only five counties had been approved for this status: Rensselaer, Rockland, Warren, Washington and Westchester. He said that a benefit of being part of Unified Services was that the county's share of the Local Assistance - Regular (LA-R) funding was reduced. He advised that Warren County's local share of the LA-R was 12.9% and Washington County's local share was 3.01%. He added that all other counties paid 50% local share of the LA-R funding stream.

Mr. York apprised that MHL Article 41 required the direction and administration, by each LGU, of a local comprehensive planning process and required each CSB to have separate subcommittees for Mental Health, Mental Retardation and Developmental Disabilities; and Alcoholism and Substance Abuse. He said that the subcommittees were comprised of CSB members, LGU staff, contract providers and consumers and met on a quarterly basis. He added that the CSB for Warren and Washington Counties had also established a Children and Youth Subcommittee to address the specific needs of children and families.

Mr. York listed the nine agencies that the Office of Community Services contracted for services to the three disability categories, as follows:

- ▶ Warren/Washington Association for Mental Health (AMH);
- ▶ Behavioral Health Services (BHS) through Glens Falls Hospital;
- ▶ Community Work and Independence, Inc. (CWI);
- ▶ Council for Prevention (CFP) of Alcohol and Substance Abuse;
- ▶ Hudson Headwaters Health Network (HHHN);
- ▶ Liberty House Foundation (LHF);
- ▶ United Cerebral Palsy (UCP) (also known as Prospect Child & Family Center);
- ▶ Voices of the Heart (VOH); and
- ▶ 820 River ST., Inc.

Mr. York advised that the LGU was also responsible for fiscal management and reporting; the Single Point of Entry/Access (SPOA) process; and Assisted Outpatient Treatment (AOT). He said that the LGU provided technical assistance to the contracted agencies, as far as fiscal reporting. He explained that SPOA was a process for reviewing and assigning referrals for residential and case management services. He said that the State had mandated that the LGU have a process to ensure that people with the highest needs received services. He stated that the AOT was a program that allowed for outpatient court orders. He explained that people who met a certain criteria pertaining to non-compliance of court orders or who were a danger to themselves or others, could be court ordered to follow an outpatient plan.

Chairman Monroe questioned how the allocation of the local share for the Unified Services was determined and Mr. York responded that it was a funding percentage that had been established by the Unified Services Program at the time of application and added that factors such as, the population of the County; the number of County residents that were in a State institution; and the amount of available State and Local funding had been used to calculate the percentage. He said that five counties had been approved for participation in the program; however, he added, at one point the State had ceased the approval process and no longer accepted other county applications. Chairman Monroe asked if the percentages had been established by the State and Mr. York replied affirmatively.

Mr. York referred to the handout entitled 'Proposed Elimination of Unified Services Enhanced Funding: Impact to Warren and Washington Counties'; *a copy of which is on file with the minutes*. He said that page 2 of the handout contained two pie charts; one that represented Warren County's share under the current Unified Services Funding; and one that represented Warren County's share under the proposed funding. He explained that Warren County's total Mental Hygiene budget was \$2,809,643. He added that the total LA-R was \$555,766, of which the State's share was currently \$484,072 (87.1%) and Warren County's share was \$71,694 (12.9%). He advised that under the proposed funding, the State's share would be \$277,883 (50%) and Warren County's share would be \$277,883 (50%), an increase of \$206,189.

Referring to page 3 of the handout, Mr. York stated that it contained two pie charts, which represented Washington County's share under the current Unified Services Funding; and one that represented Washington County's share under the proposed funding. He said that Washington County's total Mental Hygiene budget was \$2,681,446. He explained that the total LA-R was \$449,209, of which the State's share was currently \$435,688 (96.99%) and Washington County's share was \$13,521 (3.01%). He added that under the proposed funding, the State's share would be \$224,605 (50%) and Washington County's share would be \$224,605 (50%), an increase of \$211,084. He noted that the majority of both Warren and Washington Counties' budgets were State and Federal Aid and were listed on the pie charts as 'Other State Aid'.

Mr. York apprised the Committee that page 4 of the handout showed a table that represented the impact of the proposed funding on the Office of Community Services, the Association for Mental Health, Liberty House Foundation, Community Work and Independence, Inc. and the United Cerebral Palsy Association. He explained that the table listed the allocation of the LA-R funding, which totaled \$1,004,975. He added that the table also showed the Counties and State shares under the current Unified Services; the Counties and State shares under the proposed funding; and the amount of funding that would be shifted to local governments under the proposed funding.

Pam Kaiser, Assistant Director for the Office of Community Services, explained that the tables on page 5 were similar to the previous table; however, she added, on this page there were separate tables for Warren and Washington Counties. She noted that the two tables also showed the impact on the individual agencies and the the amount of funding that would be shifted to local agencies under the proposed funding. She advised that none of the agencies that would be impacted survived solely of the LA-R; however, she added, in some cases the LA-R was a large part of the agency's total operating budget.

Ms. Kaiser explained that the Office of Community Services, which was the LGU, received \$110,646 from Warren County and \$110,592 from Washington County in the 2009 budget. She added that in the shift from State to local burden the Office of Community Services would lose \$41,050 from Warren County and \$51,967 from Washington County.

Ms. Kaiser stated that page 6 of the handout showed two pie charts which represented the 2009 Warren County Office of Community Services budget under the current Unified Services Funding and the proposed funding and page 7 of the handout which represented the 2009 Washington County Office of Community Services budget under the current Unified Services Funding and the proposed funding. She stated that the total operating budget of the Office of Community Services was \$276,790 for Warren County and \$276,190 for Washington County.

Mr. York stated that Warren and Washington Counties had saved a significant amount of funds through Unified Services since the 1970s. He advised that another impact from the elimination of Unified Services would be that when inmates were screened for mental health and had to be admitted into a facility, there would be a larger chargeback to the counties. He continued that the current chargeback to the counties was at the same percentage as the Unified Services funding (Warren, 12.9%; Washington, 3.09%); however, he added, with the elimination of Unified Services the chargeback would increase to 50%. He advised that when a defendant in a criminal court case plead not guilty by reason of insanity or mental defect, the court ordered a 730 evaluation, which was performed by two psychologists. He added that if the defendant was deemed not competent and was institutionalized, there would be a chargeback to the counties at 50%.

Mr. York apprised the Committee that Governor David Paterson had proposed the elimination of Unified Services as part of the 2009-2010 State budget proposal and if it was adopted it would be retroactive with an effective date of January 1, 2009. He noted that his understanding was that this was part of Governor Paterson's budget proposal, which would 'clean up' the first four months of 2009 with the fiscal year that began April 1, 2009. Kevin Hayes, Washington County Administrator, said that the elimination of Unified Services was part of Governor Paterson's amendment to the current budget. He advised that there had been a gap in the current budget, therefore Governor Paterson made the budget proposal in July 2008 to amend the 2008-2009 State budget.

Mr. York stated that the Office of Community Services had sent letters to Senator Elizabeth Little, Assemblywoman Teresa Sayward, Assemblyman Roy McDonald and Governor Paterson pertaining to the impact of the proposed elimination of Unified Services. He added that the statewide Association of Mental Hygiene Directors had determined that the best approach was to advocate for a phase-in process to the proposed funding. He advised that the main purpose of Unified Services was to have the counties complete unified planning, pool funding and bring patients out of the institutions. He added that all of the counties were now accomplishing the goals that had originally been brought about by the Unified Services;

therefore, the State did not feel they could continue to justify the lower rate that was offered to Unified Services Counties.

In answer to a question pertaining to how many of the services were State mandated, Mr. York responded that the counties were mandated to have an Office of Community Services with a full-time director; however, he added, the specific services were not mandated. He noted that since Warren and Washington Counties had a joint Office of Community Services, one Director met the requirement of the mandated full-time Director for both Counties.

Mr. York requested that the representatives from the individual agencies that would be impacted by the loss of Unified Services present a brief overview of their agencies services.

Julie Beebe, Executive Director of the Liberty House Foundation, stated that Liberty House was located on Bay Street in the City of Glens Falls and was a psychiatric vocational rehabilitation program that had provided services to Warren and Washington Counties since 1972. She said they employed 12 people and served approximately 90 individuals per year, providing over 5,000 units of service. She added that 46 of the clients they served were working in the community. She advised if the LA-R funding was not allocated to the programs, the impact to the Counties would include an increase in unemployment, welfare, Medicaid and temporary assistance applications.

Ms. Beebe apprised the Committee that the impact on the Liberty House Foundation would be devastating, as the LA-R was over 25% of their operating budget. She said that they anticipated a reduction to their workforce, the transportation service that was provided, as well as other services and a reduction in the number of clients that could be served. She noted that almost every family in Warren and Washington Counties was affected by a family member with a mental illness or developmental disability.

In answer to a question pertaining to if there were similar programs throughout New York State, Ms. Beebe responded that the Liberty House belonged to an international and State membership of clubhouses and added that there were some in Albany, Syracuse and Utica. She stated that the philosophy of the Liberty House Foundation was that if you worked side by side with the individuals they would begin to regain confidence and build trusting relationships. She added that the goal of the Liberty House Foundation was to get the individuals off social security, welfare and Medicaid benefits and move them to an employment situation where they would receive health care benefits.

Mr. York advised that this type of specialty service was critical to the community. Ms. Beebe said that the proposed reduction represented 20 individuals per year that could not be served. Mr. Girard asked where the clients were referred from and Ms. Beebe responded that they received referrals from Glens Falls Hospital, individual therapists and practitioners, the residential and day programs, as well as vocational/educational programs for people with disabilities. In answer to a question pertaining to whether the Liberty House Foundation created the jobs, Ms. Beebe responded that they found the jobs within the community. She explained that they had a work adjustment training program where the individuals would work in one of the variety of units which were described in the brochure. She added that they then took the skills of the individuals and developed jobs with employers in the community to utilize those skills. She noted that Glens Falls Hospital had been a regular employer of the Liberty House Foundation clients. She said that they also offered support to the families of the individuals.

Ms. Kaiser noted that the elimination of Unified Services funding would equate to 1,400 out of the 5,000 units of service per year. Ms. Beebe explained that a unit of service included transportation to and from Liberty House Foundation, a 5-hour work adjustment program, a quality meal at a cost of \$1 per day, psychiatric assessment and vocational rehabilitation services.

Larrie Gouge, of Prospect Child & Family Center also known as the United Cerebral Palsy Association, said that many of the individuals who were served had at one time lived in an institution. He added that they were trying to keep the individuals in their homes as long as possible and eventually help them to be part of the community and live in group homes or apartments as adults. He advised that Prospect Child & Family Center employed 240 people and served approximately 1,200 individuals per year; however, he added, this portion of the program served approximately 200 individuals per year. He said that the funding that was received was essential to assist with advocacy, referral and linkage. He stated that they provided support for uninsured and under insured individuals who required therapy. He advised that a major emphasis at Prospect Child & Family Center was to serve the most severely handicapped individuals, such as those with cerebral palsy and multiple disabilities. He added that approximately 1/3 of the individuals served were under age 21 and had a diagnosis such as cerebral palsy or autism.

In answer to a question pertaining to what percentage of those served were from which County, Mr. Gouge responded that it varied from year to year; however, he approximated that it was 60% Warren County and 40% Washington County. In answer to a question concerning what was included in a unit of service, Mr. Gouge responded that there were a variety of services and a unit of service could be a therapy service, medical service, a psychologist visiting the home or behavior management.

Timothy Place, of Community Work & Independence, Inc. (CWI), said that the CWI was formed in 1963 and had originally been named Community Workshop. He stated that the CWI had started as a shelter workshop servicing a few individuals; however, he added, now they offered a full range of services including residential, day programs, employment services, an Article 16 clinic and community based services to provide support to individuals in a home. He advised that the CWI employed 400 people and served approximately 1,000 disadvantaged and disabled adults. He apprised the Committee that the Unified Services funding provided the funding for the Workshop, which provided support and employment for 71 disabled adults with North Country Ventures. He said that the primary duties of the Workshop was to assemble and package products sold through the New York State Set Aside Contract. He added that the CWI also contracted through private companies for products which they sold such as, Halloween makeup kits. He stated that the CWI assisted consumers in the continuation of employment with a focus on moving individuals from Workshop employment to competitive employment. He said they had a partnership with SCA Paper, where individuals were employed full-time and through the New York State Set Aside Contracts they provided over \$3 million in sales to SCA Paper.

Mr. Place stated that the CWI transported their consumer employees to and from the Workshop for 4, 5 or 6 hour shifts. He added that transportation was provided throughout Warren, Washington and Saratoga Counties. He apprised the Committee that these individuals had limited employment opportunities outside of the CWI and some had been served for over 35 years. He advised that this division of their organization was currently operating at a \$300,000 loss and they were taking steps to turn that around. He added that with the budget cuts and the deficit they needed to decide whether or not they could

continue to operate the Workshop. He said that if they did continue, the program would need to be significantly modified. He stated that some of the other State budget reductions affected other operations at the CWI, which supplemented the Workshop. He said that if the Workshop was no longer viable, the consumers would draw on other programs such as, welfare, unemployment and temporary assistance. He noted that there were 11 CWI employees that operated the Workshop. He said that he had met with Senator Little's Office and Assemblywoman Sayward's Office to explain the impact of the proposed budget.

In answer to a question of how the individuals were paid, Mr. Place responded that the individuals with competitive employment were paid through their respective employers. He added that the CWI obtained a waiver that allowed the individuals to be paid below the State minimum wage, due to the fact that the majority of them were not capable of performing standard hourly work. He said that the individuals underwent a study and were paid a prorated amount based on the outcome. In answer to the question of whether transportation was provided for individuals who worked for competitive employers, Mr. Place replied in the negative.

Mr. York advised that the Warren/Washington Association of Mental Health would also be impacted by the proposed budget but had been unable to attend the meeting. He added that they provided case management and day program services with the Unified Services funding. He said that they served the severely mentally ill and operated a low demand day program.

Mr. York stated that the purpose of the meeting had been to give a brief description of the services of each agency and to explain how the proposed State budget would impact them. He advised that one of the things that the Office of Community Services was doing to try to manage the impact of the budget reductions was to make the Assistant Director position a part-time position.

Mr. York stated that most of the decisions that were being made were beyond the control of the Office of Community Services and the individual agencies. He reiterated that Warren and Washington Counties had saved much money through Unified Services since the 1970s. Mr. O'Connor advised that one of the largest obstacles was that once the Counties had adopted their budgets it was difficult to find additional funds to make up for a State budget reduction of this magnitude. He said that both Counties would need to discuss the issue with their respective Board of Supervisors and suggested that Mr. York should attend both of the meetings to explain the impact.

Mr. York apprised the Committee that the New York State Office of Mental Retardation and Disabilities had indicated that if the Counties were unable to pay their full 50%, the State would still pay their 50% portion regardless.

Discussion ensued.

Mr. Hayes said that it was inevitable that the proposed budget would be adopted and he suggested that the agencies revise their respective budget requests to determine their lowest possible operating budget. Mr. York said that he was sure the agencies would be able to comply with the request. Albert Nolette, Washington County Deputy Treasurer, asked who determined the amount of LA-R funding and Mr. York responded that it was the State.

Mr. O'Connor stated that Mr. York would return to the Committee if he received further

information from the State. Chairman Monroe stated that the Warren County Board of Supervisors would be appreciative of anything that the individual agencies could do to reduce their operating budgets and lessen the impact of the elimination of Unified Services funding.

There being no further business to come before the Mental Health Committee, on motion by Mr. O'Connor and seconded by Mr. Girard, Mr. O'Connor adjourned the meeting at 11:40 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist