

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: HEALTH SERVICES

DATE: AUGUST 1, 2007

COMMITTEE MEMBERS PRESENT:

SUPERVISORS MASON
SHEEHAN
F. THOMAS
TESSIER
CHAMPAGNE
SOKOL

COMMITTEE MEMBER ABSENT:

SUPERVISOR HASKELL

OTHERS PRESENT:

REPRESENTING THE HEALTH SERVICES DEPARTMENT:
PATRICIA AUER, DIRECTOR, HEALTH SERVICES
GINELLE JONES, ASSISTANT DIRECTOR, PUBLIC HEALTH
SHARON SCHALDONE, ASSISTANT DIRECTOR, HOME CARE
TAWN DRISCOLL, FISCAL MANAGER
LAURA SAFFER, HEALTH EDUCATOR
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL
SERVICES
JOAN SADY, CLERK OF THE BOARD
SUPERVISORS CAIMANO
KENNY
ANITA GABALSKI, DIRECTOR OF THE NEW YORK STATE
DEPARTMENT OF HEALTH GLENS FALLS DISTRICT OFFICE
CHUCK FIEGL, *THE POST STAR*
AMANDA ALLEN, LEGISLATIVE OFFICE SPECIALIST

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

Motion was made by Mr. Tessier, seconded by Mr. F. Thomas and carried unanimously to approve the minutes from the June 27, 2007 Committee meeting, subject to correction by the Clerk of the Board.

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

Ms. Auer noted that the first portion of the agenda consisted of two pending items which were an update on vehicle fleet management and discussion regarding the use of transfats. Beginning with the update on vehicle fleet management, Ms. Auer apprised that although they periodically experienced issues with the system, it generally worked well. She noted that the DPW staff were responsive to concerns, and a good working relationship between the Departments had been developed; however, she said, they did have one staff member who still had to work intensively to coordinate vehicle use and service. Ms. Auer said that compared to a year ago, the system was working very well.

Tawn Driscoll, Fiscal Manager, stated the concern was that in past years the Department had always purchased Chevrolet Cavaliers, with which they had experienced positive results. Recently, however, Ford Focuses had been purchased as the State contract no longer offered the Cavalier, she noted. Ms. Driscoll advised that they were not happy with the Focuses due to reoccurring problems with the vehicles' braking systems. She stated that if these issues continued it was her opinion that an alternate arrangement should be worked out to resume purchasing the preferred Chevrolet Cavaliers. Mr. Tessier advised that Cavaliers were no longer manufactured and that was likely why the State contract had changed to include the Ford Focus. He noted that a comparable vehicle, the Chevrolet Cobalt, was being manufactured in place of the Cavalier.

Another concern, Ms. Driscoll stated, was that the keys for the new vehicles contained a microchip which made it much more difficult to obtain copies of the key. She noted that they had asked for three keys for each new vehicle so that one copy could be given to DPW and she thought that some kind of arrangement had been made to facilitate this.

Mr. Champagne suggested that some research should be performed to determine the differences between the Ford Focus and the Chevrolet Cobalt to determine if the Cobalt would be a more valuable purchase for the future. Hal Payne, Commissioner of Administrative & Fiscal Services, advised that he would follow up on this with the help of Julie Pacyna, Purchasing Agent, to determine which vehicle was better for the Department. Mr. Sheehan suggested that the Department's concerns with respect to the poor performance of the Ford Focus be forwarded to the State for their consideration in determining which vehicles should be listed on the State contracts.

Moving on to the next pending item, Ms. Auer reminded the Committee that at the previous month's meeting, Mr. Sokol had inquired about the use of transfats in relation to restaurants and other food serving establishments, and it was the consensus of the Committee that the subject should be discussed further. She said that Mr. Mason had determined that the presentation on this issue would be postponed until the next month's meeting at the request of Mr. Haskell, who, unfortunately, had been unable to attend the meeting. Ms. Auer noted that Laura Saffer, Health Educator, had been researching the topic and compiling information which she would present to the Committee at their September meeting. She apprised that because Warren County did not have a full service Health Services Department and, as such, did not have the oversight for the inspection and enforcement of laws in restaurants, she had invited Anita Gabalski, the Director of the Glens Falls District Office of the NYSDOH (New York State Department of Health), to discuss the role and position of the District Office. Ms. Auer stated that although they intended to postpone discussion on the topic until the next Committee meeting, Mr. Mason had indicated that they would ask Ms. Gabalski to address the Committee as she had been specifically invited to the meeting and they did not wish to inconvenience her. Because she had not yet entered the meeting, Mr. Mason directed Ms. Auer to continue with the agenda review, pending Ms. Gabalski's arrival.

Proceeding with the New Business portion of the agenda, Ms. Auer advised that she had included several resolution requests for the Committees consideration, the first of which was a request to authorize a new contract with Dawn Bazan to provide Occupational Therapy services. She explained that Occupational Therapist services were not easy to find and this individual resided in Ticonderoga, allowing easy access for patients in the Northern parts of the County.

Motion was made by Mr. Sheehan, seconded by Mr. Tessier and carried unanimously to approve the request for a new contract with Dawn Bazan to provide Occupational Therapy services and the necessary resolution was authorized for the August 17th Board meeting. *A copy of the request is on file with the minutes.*

Ms. Auer stated that the second New Business item listed pertained to a request for travel already approved for Sharon Schaldone, Assistant Director of Home Care, to attend the Pay for Performance Summit in Chicago, IL. She explained that the room rate where the conference was being held was \$141.00 per night for two nights, plus tax of \$43.42. Ms. Auer noted that they were unable to take advantage of their tax exempt status outside of New York State, as per the County Auditor, and the allowable GSA (General Services Administration) rate was \$140.00 per night. She said that she had been advised by JoAnn McKinstry, Deputy Commissioner of Administrative & Fiscal Services, who had reportedly spoken with Mr.

Payne on the matter, that they would need verbal permission from the Health Services Committee, and have it reflected in the minutes to provide to the county auditor, in order to receive the difference of \$45.42 over the GSA approved rate.

Motion was made by Mr. Sokol, seconded by Mr. Tessier and carried unanimously to approve the difference in cost over the GSA approved rate as outlined above.

Ms. Auer apprised that the next request was for authorization for Ms. Schaldone and Ms. Driscoll to attend training. She explained that the Homecare Association of New York State, of which Warren County Health Services was a member, was offering a one-day training course on August 21, 2007, in Rensselaer, NY on the Prospective Payment System (PPS) proposed rules. Ms. Auer stated that she would like both Ms. Schaldone and Ms. Driscoll to attend the training, but would not be attending herself because the training was expensive and more beneficial for staff directly involved with the process on a daily basis. She noted that this training entailed information necessary to the Department, and because there was a charge of \$225.00 for one person, and \$200.00 for the second attendee, permission was needed from the Committee for purchase order approval. Ms. Auer added funds were available within the existing Budget to cover the costs of attendance and a fleet vehicle would be used to travel to the meeting.

Motion was made by Mr. Champagne, seconded by Mr. Tessier and carried unanimously to approve the request for Ms. Schaldone and Ms. Driscoll to attend training as outlined above. *A copy of the request is on file with the minutes.*

Proceeding with the agenda review, Ms. Auer advised that a request for overnight travel was also included to allow Ms. Driscoll to attend a two-day training seminar in Utica, New York, sponsored by the NYSDOH, on the preparation of fiscal documents related to the State Aid Application and Quarterly Expenditure Reports. She explained that the training would be held on November 14th and 15th, 2007 and there was no cost for the training. The cost of lodging, meals, and incidental expenses would be within the government rate of \$60.00 for the room, and \$39.00 for meals and incidental expenses, Ms. Auer apprised. She added that they had requested that a staff person from the Warren County Treasurer's Office, who worked on these programs with the Health Services Department, be allowed to accompany Ms. Driscoll; however, she said, they did not know whether this was possible, due to budget constraints. Additionally, Ms. Auer stated, Ms. Driscoll had elected to travel to the meeting using her own vehicle, as opposed to using a fleet vehicle, and she had stated that she would not charge the County mileage if the Committee did not wish to allow the expense. Funding for the training expenses were available within the existing Budget, Ms. Auer advised.

Mr. Champagne stated that if the Committee were to authorize mileage expenses for Ms. Driscoll it may open a 'pandora's box' of issues as the Board of Supervisors had recently passed resolutions banning the use of personal vehicles with reimbursement of mileage expenses, except in specialized instances. Ms. Auer reiterated that Ms. Driscoll was perfectly willing to use her personal vehicle for the travel with no expectation of compensation from the County; she simply wanted the matter on record for insurance purposes.

Motion was made by Mr. Sheehan, seconded by Mr. Sokol and carried unanimously to approve the request for overnight travel as outlined above. *A copy of the request is on file with the minutes.*

Ms. Auer apprised that included in the agenda was a request for an amendment to Resolution No. 247 of 2007 to include a contract agreement with Paul Gancher, d/b/a Adirondack Hearing Services, that would

allow language to delineate rates per "Region 1 and Region 2" as opposed to "In-Area and Out-of-Area", as had been done with other contractors. She explained that Mr. Gancher was contracted to provide audiology services for the LTHHCP (Long Term Home Health Care Program) and the service, although very rarely used, was included on the Department's operating certificate and must be available. Ms. Auer noted that since Mr. Gancher's services were so rarely needed, he was overlooked when the contract amendments were done to correct language for the other therapists and contractors.

Motion was made by Mr. F. Thomas, seconded by Mr. Champagne and carried unanimously to approve the request to amend Resolution No. 247 of 2007 as outlined above and the necessary resolution was authorized for the August 17th Board meeting. *A copy of the request is on file with the minutes.*

In keeping with Resolution No. 456 of 2007, which affirmed a policy establishing the need for Committee approval in order to cover meal expenses for meetings, Ms. Auer apprised that in the agenda she had included information pertaining to the meetings routinely occurring, their purposes, membership composition and their associated costs. She said that except for the Annual School Nurse /Clinic Nurse Meeting, all were held on a quarterly basis and it would be helpful if the Committee members were agreeable to her presenting them annually to save time and paper. Ms. Auer noted that the majority of these meetings were held in the morning between 7:00 a.m. and 8:30 a.m. at Carl R's in Glens Falls as the meetings could be finished quickly with the members moving on to their respective jobs and meetings, many of which were at the Glens Falls Hospital. She stated that they had shopped around for an alternate site for their meetings, but had not found comparable accommodations that could facilitate them so early in the morning.

Mr. Caimano asked why they had not considered using the Glens Falls Hospital for the site of their meetings as they had a wonderful cafeteria and meeting rooms available. Ms. Auer replied that although she did not disagree that the Hospital would be convenient placement for the meeting, the rooms were very sought out and hard to reserve. In addition, she noted, the Department desired to maintain a separate presence from the Glens Falls Hospital.

Ms. Auer advised that she had attempted to estimate the costs of these meetings; however, she said, it had been difficult because breakfast was offered at these meetings and it was impossible to accurately estimate what each person would order. She noted that it was actually less costly to allow each attending member to order from the restaurant menu rather than ordering the setup of a continental breakfast because most attendees only ordered coffee.

Discussion ensued.

Motion was made by Mr. Tessier, seconded by Mr. F. Thomas and carried unanimously to approve the five (5) requests to host meetings (*Annual School Nurse/Public Health Clinic Nurse Meeting; Quarterly Pandemic Influenza Planning Committee meetings; Quarterly Professional Advisory Committee meetings; Quarterly Utilization Review Committee meetings; Quarterly Emergency Preparedness Committee meetings and Quarterly Emergency Prepared Committee meeting for Home Care, Hospitals, Assisted Living, Long Term Skilled Nursing Facilities and Medical Equipment Vendors*). *Copies of the detailed requests are included with the minutes.*

It was the consensus of the Committee that Ms. Auer should present her requests for permission to host meetings on an annual basis rather than quarterly, as the meetings for the year were known in advance.

Ms. Gabalski entered the meeting at 9:45 a.m.

Ms. Auer noted that Ms. Gabalski had joined the meeting and she advised that although the actual transfats discussion was being postponed until a following meeting, she would like Ms. Gabalski to make her presentation. Ms. Gabalski stated that as the Environmental Health Director for the Glens Falls District Office of the NYSDOH, her Department was responsible for implementing the environmental health regulations for Warren, Washington & Saratoga Counties as none included full service Public Health Departments.

With respect to the transfats issue, Ms. Gabalski apprised that the Inspectors working in her Office actually inspected the restaurant facilities within the Counties as part of their review; however, unfortunately, they had no authority to enforce regulations not made by the State. She added that in the future she hoped that State laws would be passed and included in the State Sanitary Codes banning the use of transfats in restaurants, at which time her organization would be authorized to enforce such. Ms. Gabalski stated that her organization encouraged the Board of Supervisors to adopt regulations banning the use of transfats by restaurants as it would encourage an important Public Health policy. She said that although her staff was unable to police County laws, she felt that similar laws would eventually be adopted by the State and possibly driven by market changes. Ms. Gabalski noted that in both New York City and Albany County steps had already been taken to ban the use of transfats in restaurants altogether.

General discussion ensued with respect to the transfat issue.

Mr. Mason thanked Ms. Gabalski for addressing the Committee and he noted that the issue would be discussed further, including a presentation by Ms. Saffer, at the September Committee meeting.

Ms. Gabalski and Ms. Saffer left the meeting at 9:57 a.m.

Resuming the agenda review, Ms. Auer apprised that the next item referred to a request for authorization to submit an application to NYSDOH to continue to be an agency sponsor for the WIC (Women, Infants & Children) Program for the period commencing September 19, 2007 and terminating September 18, 2012, contingent upon continuity of funding and the receipt of a timely contract. She explained that these applications were reissued every five years, and to the best of her knowledge, no other agencies in the County were interested in sponsoring this worthwhile program which provided tangible and beneficial nutrition benefits and educational programs for women, infants and children in the communities of Warren County.

Motion was made by Mr. Champagne, seconded by Mr. Sokol and carried unanimously to approve the request to submit an application to NYSDOH to continue sponsorship of the WIC Program as outlined above and the necessary resolution was authorized for the August 17th Board meeting. *A copy of the request is on file with the minutes.*

Ms. Auer advised that the next agenda item pertained to a request for referral to the Personnel/Human Resources Committee to fill two vacant positions, the first of which was that of an Account Clerk with a base salary of \$23,645, vacated because the individual in the position had taken and passed the Senior Account Clerk test and subsequently elected to accept an upgraded position at the Westmount Health Facility. She noted that there was a current listing of tested eligibles for the Account Clerk position, on which one of the employees in her Department was included. Ms. Auer said that this employee had expressed interest in

making a lateral move from the current Word Processor position to the Account Clerk position and although she had yet to perform interviews, in the event this employee was selected, she would need to request authorization to backfill the Word Processor position.

The second vacancy, Ms. Auer advised, was that of a Community Health Nurse with a base salary of \$39,948. She explained that this nurse resigned effective July 30, 2007, to take a higher paying job in the State prison system where she would work three 12- hour days per week and receive \$10,000 more annually than her current salary. Ms. Auer stated that, as had been an issue in the past, if they were not able to recruit a "Community Health Nurse", (a RN (*Registered Nurse*) with at least two years of home care/public health experience), they would request to reclassify the position to that of a Registered Professional Nurse, Grade 19, Base Salary \$38,308, or to a Public Health Nurse, Grade 21, Base Salary \$40,962 and amend the Department's Table of Organization accordingly. Ms. Auer apprised that this information had been detailed on the request forms for both positions and she would attend the Personnel/Human Resources Committee Meeting to answer any questions.

Motion was made by Mr. F. Thomas, seconded by Mr. Tessier and carried unanimously to approve both of the requests to fill the vacant positions of Account Clerk and the Community Health Nurse, as well as the request to reclassify the position of Community Health Nurse in the event that an appropriate employee could not be found, and refer same to the Personnel/Human Resources Committee. *Copies of these requests are on file with the minutes.*

Ms. Auer stated that the next agenda item referred to a request to authorize a renewal agreement with Outcome Concept Systems (OCS) for the term commencing September 1, 2007 and terminating August 31, 2008, in the amount of \$6,000. She noted that this contract was for the software program and support services necessary for the OASIS (Outcomes and Assessment Information Set) data collection and submission and the contract amount reflected a \$500 increase over the prior year.

Mr. Mason asked if an RFP (Request for Proposal) was necessary to gain these services and Ms. Schaldone replied in the negative, explaining that the process was not required because there were no other providers of the service in the area. She added that this was the system used to bill Medicare and was necessary to their Department.

Motion was made by Mr. Tessier, seconded by Mr. Champagne and carried unanimously to approve the request for a renewal agreement with OCS in the amount of \$6,000 for the term commencing September 25, 2007 and terminating September 24, 2008, as outlined above, and the necessary resolution was authorized for the August 17th Board meeting. *A copy of the request is on file with the minutes.*

Ms. Auer advised that a request for a Budget transfer was also included in the agenda and she asked Ms. Driscoll to give the Committee an explanation for the request. Ms. Driscoll explained that at the end of 2006 purchase orders had been requested, and approved, for items received and paid for in 2007, but attached to the 2006 purchase order. She said that due to a mis-communication with the Treasurer's Office, although the Department had felt that they had attached purchases to 2006 orders, because the Treasurer's Office had not been sufficiently notified, they had not carried the purchase orders over to 2007 resulting in the need to pay for the purchases from the 2007 Budget. Ms. Driscoll outlined the Budget transfer as follows:

<u>From Code</u>	<u>To Code</u>	<u>Amount</u>
A.4018.0030.424 Preventive/Disease Pgm.-Postage	A.4018.0030.220 Preventive/Disease Pgm-Office Equip.	\$ 645
A.4010.428 Health Services-Data Processing	A.4010.220 Health Svs-Office Equipment	\$11,200

Ms. Driscoll apprised that the transfer would cover the purchase of computer equipment authorized for purchase in 2006, as well as the purchase of a new copier which was desperately needed. She noted that although they had attempted to repair their current copier, it was seven years old and because the necessary repairs were very costly and not covered by the service agreement, it was not fiscally prudent to continue with them. Ms. Driscoll advised that the cost of a new copier was estimated at \$10,000.

Mr. Mason asked if the copier could be purchased at State contract pricing and Ms. Driscoll stated that she was unsure. Mr. Payne advised that the County held a contract with Electronic Office Products for such items and he suggested that Ms. Driscoll contact Mrs. Pacyna on the matter.

Discussion ensued.

Motion was made by Mr. Tessier, seconded by Mr. Champagne and carried unanimously to approve the request for transfer of funds as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Kenny entered the meeting at 10:05 a.m.

Mr. Champagne asked if funds were encumbered when purchase orders were submitted and Ms. Driscoll replied affirmatively. However, she noted, in March of 2007 when the Treasurer's Office had asked for the purchase orders that the Department desired to be carried over from 2006 to 2007, they had not included the order in question because the purchase had already been made and they felt it was not necessary; apparently this was not the case, she added. Ms. Driscoll stated that she was unsure of the internal practices used in this situation and she reiterated that she had been advised by the Treasurer's Office that 2007 funds would have to be used for the purchase, requiring a transfer of funds.

Ms. Driscoll noted that she had spoken with both the Treasurer's Office and the Information Technology Department with respect to confusion caused at the close of each year and requested that a meeting be held for all fiscal employees of the County to straighten out the processes that should be used. She advised that she had learned of similar instances occurring in other Departments caused by such confusion.

Referring to the Report of Revenues, Expenditures and Free/Reduced Fee Care, Ms. Driscoll apprised that as per Mr. Sokol's suggestion she had included the amount billed for Workers' Compensation coverage in the employee benefits portion of the report. She noted that the report reflected figures accumulated for the first quarter of 2007, as there had been a computer problem that had prevented the report from being updated further. Ms. Driscoll advised that the software issue had been rectified and she hoped to provide figures through July of 2007 at the next Committee meeting.

Mr. Caimano noted that while the report seemed to indicate that the Department was on target for expenditures, they had only received one-third of the revenues expected and he asked that this be kept in mind when determining the 2008 Budget request.

Concluding the agenda review, Ms. Auer apprised that copies of the following reports had been included for the Committee's review at their leisure:

- Pandemic Flu Activities;
- Rabies Program Quarterly Report for April-June 2007;
- Transfat Informational Packet;
- Requests to Host Meetings per new Warren County Policy;
- Report of Expenditures and Revenues and Free/Reduced Fee Care.

In closing, Ms. Auer apprised that a short executive session was necessary to address a contract matter.

Motion was made by Mr. Champagne, seconded by Mr. F. Thomas and carried unanimously that executive session be declared to discuss the employment history of a particular person, pursuant to Section 105(f) of the Public Officers Law.

Executive session was declared from 10:09 a.m. to 10:26 a.m.

Upon reconvening, Mr. Mason apprised that during the executive session the Committee had discussed a contract with an auditing firm for health services and their request for increased compensation based on the claim that they had incurred additional duties and costs. Mr. Champagne stated that because these services were under contract with the auditing firm they should be required to maintain the fees indicated therein. Mr. Sheehan said that he agreed with Mr. Champagne's statement, and he added that the fees should be increased only in the instance that the services provided to the County had changed and at that time the Committee could review the contract once again to consider consenting to increased fees. Mr. Kenny suggested that the Committee request that Paul Dusek, County Attorney, review the matter and respond to the auditing firm with the Committee's views.

Mr. Mason summarized that it was the consensus of the Committee that the auditing firm should be required to honor the contract, at the prices stated within, and that Mr. Dusek should review the contract and respond to the firm with the Committee's decision.

Motion was made by Mr. Champagne, seconded by Mr. Tessier and carried unanimously to require the auditing firm to honor the contract, and the prices stated within, and to refer the contract to Mr. Dusek for review and response to the firm.

As there was no further business to come before the Committee, on motion made by Mr. Sokol and seconded by Mr. Sheehan, Mr. Mason adjourned the meeting at 10:29 a.m.

Respectfully submitted,
Amanda Allen, Legislative Office Specialist