

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: HEALTH SERVICES

DATE: JUNE 26, 2012

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SOKOL
THOMAS
FRASIER
TAYLOR
MCDEVITT

OTHERS PRESENT:

REPRESENTING WESTMOUNT HEALTH FACILITY:
BARBARA TAGGART, ADMINISTRATOR
BETSY HENKEL, COMPTROLLER
REPRESENTING THE DEPARTMENT OF PUBLIC HEALTH:
PAT AUER, DIRECTOR OF PUBLIC HEALTH/PATIENT SERVICES
SHARON SCHALDONE, ASSISTANT DIRECTOR OF HOME CARE DIVISION
TAMMIE DELORENZO, CLINICAL & FISCAL INFORMATICS COORDINATOR
TAWN DRISCOLL, FISCAL MANAGER
DANIEL G. STEC, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS LOEB
MASON
STRAINER
WESTCOTT
WOOD
MICHAEL MCCARTHY, MCCARTHY & CONLON, LLP
JOHN STROUGH, COUNCILMAN, 3RD WARD, TOWN OF QUEENSBURY
DON LEHMAN, *THE POST STAR*
CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

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

Motion was made by Mr. McDevitt, seconded by Mrs. Frasier 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.*

Commencing the agenda review, Ms. Taggart said the first item on the agenda was review of the Westmount Health Facility Financial Report dated December 31, 2011 to be presented by Michael McCarthy of McCarthy & Conlon, LLP. Mr. McCarthy distributed copies of the Report to the Committee members and reviewed it in detail; *a copy of same is on file with the minutes.*

Mr. McCarthy pointed out that Page 1 of the Report contained the Independent Auditor's Report which reflected an unbiased opinion of the Financial Report. Pertaining to the Page 2 Balance Sheets, he mentioned the cash amount for 2011 of \$2,666,371 was significantly higher than the total in 2010 of \$163,267 which he attributed to receipt of two years of IGT (Intergovernmental Transfer) payments received in 2011. He noted the State owed Warren County another year of IGT payments but the anticipated date of payment was unknown and therefore was not booked as a receivable in the Balance Sheets. He added the IGT payment was anticipated for late summer or early fall of 2012. Mr. McDevitt inquired as to the amount of IGT payment anticipated and Mr. McCarthy replied approximately \$1.25 million to \$1.4 million. Mr. McCarthy explained that IGT payments were a

funding mechanism developed by the State to assist County Nursing Facilities with operational budgets. He pointed out that due to the current cash flow, the revenue to expense ratio at Westmount Health Facility was 3:1 which was a strong ratio for a nursing home. Mr. McCarthy commented that the Post Employment Health Benefits had increased from \$3,314,482 in 2010 to \$4,051,589 in 2011, an increase of \$737,107. He added the amount would continue to increase every year at the same rate for the next fifteen years.

Continuing, Mr. McCarthy said Page 3 of the Report reflected a Statement of Revenues and Expenses and he pointed out the Loss from Operations in 2011 totaled \$2,182,684; however, he added, the IGT payments for 2011 totaled \$2,873,771. He noted that IGT payments were essentially Operating Revenues but since the payments were on an irregular basis, the revenue was shown as a Non-Operating Revenue on the Statement. He commented that Page 4 of the Report showed a Statement of Cash Flow. Mr. McCarthy directed the Committee members to the bottom of Page 11 of the Report to a note entitled "IGT Recoupment" and he distributed a handout entitled "Nursing Home Federal Share Net Impacts by County - 2007 through 2011"; *a copy of same is on file with the minutes*. Pertaining to the handout, Mr. McCarthy explained there was a disagreement between the Federal and State Governments as to the method of calculations for the IGT payments. He further explained that due to the disagreement, CMS (Center for Medicaid and Medicare Services) would require reimbursement of overpayment from the State and the State would in turn require re-payment from the County Nursing Homes. According to the handout, he continued, Warren County's re-payment (IGT Recoupment) to the State totaled \$216,179; however, he added, CMS determined that Warren County was entitled to enhanced FMAP (Federal Medical Assistance Percentage) for the same time period in an amount totaling \$317,612. Based on those two numbers, he commented, the State owed Warren County \$101,433 and it would be a matter of whether the State would require re-payment of the \$216,179 before disbursing the \$317,612 or if they would simply pay the counties the difference. Mr. McCarthy mentioned the IGT payments were guaranteed to continue through the 2012-2013 State fiscal year and the intent was to continue the payments as long as the State was able to sustain the program.

Mr. McCarthy noted that Westmount Health Facility currently received the 2011 Medicaid reimbursement rate which was based on 2004 cost reports. He said the 2012 rates had not been finalized but would be based on 2007 cost reports with some changes in the calculations.

Mr. McCarthy directed the Committee members to the management letter included in the Financial Report; *a copy of which is on file with the minutes*. He said the purpose of the letter was to explain the standards for the audit and the responsibilities of both the County and McCarthy & Conlon, LLP. Pertaining to the second page of the letter, under Accounts Receivable, he explained the allowance for doubtful accounts had been increased from \$302,000 on December 31, 2010 to \$456,000 on December 31, 2011 due to concern about the ability to collect on some of the accounts. He stated many counties had an issue with delays on Medicaid approvals from the DSS (Department of Social Services) which created cash flow issues and increased the chance of an account becoming delinquent. Paul Dusek, County Administrator, informed that he had met with the DSS two years prior in order to establish an expedited review process for Westmount Health Facility Medicaid applications. He said he would ensure the expedited review process was still in place.

Mr. McCarthy reported a review of the Facility's Petty Cash Fund had determined a theft of \$50 had occurred at the end of 2011. He said the Petty Cash Box was kept in a locked file but the key had been kept in an unlocked desk drawer. He apprised that a security camera had been installed and monthly counts of the Petty Cash Fund would be performed to ensure no further thefts would occur.

Discussion ensued pertaining to the feasibility and impact of closing Westmount Health Facility.

Motion was made by Mr. McDevitt, seconded by Mrs. Frasier and carried unanimously to accept the Westmount Health Facility Financial Report dated December 31, 2011 as prepared by McCarthy & Conlon, LLP.

Continuing the agenda review, Ms. Taggart requested a new contract with Joseph P. Mangione, Inc. to install a Mag Lock on the front entrance of Westmount Health Facility in an amount not to exceed \$1,795.

Motion was made by Mr. Taylor, seconded by Mrs. Frasier and carried unanimously to authorize the contract as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 20, 2012 Board meeting.*

Ms. Taggart requested to rescind Resolution No. 357 of 2012, which authorized an agreement with Interim Health Care to provide emergency temporary Nursing and Certified Nursing Aide coverage at Westmount Health Facility, due to the contractors inability to meet the terms of the contract.

Motion was made by Mr. Thomas, seconded by Mr. McDevitt and carried unanimously to rescind Resolution No. 357 of 2012 as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 20, 2012 Board meeting.*

Chairman Stec entered the meeting at 10:00 a.m.

Ms. Taggart requested a transfer of funds totaling \$130,106 between various accounts to reflect salary transfers necessary to cover non-bargaining unit salary increases, vacant positions, holiday overtime, and administrative leave.

Motion was made by Mr. Taylor, seconded by Mrs. Frasier and carried unanimously to approve the request for a transfer of funds as outlined above and to forward same to the Finance Committee. *A copy of the Request for Transfer of Funds form is on file with the minutes.*

Ms. Taggart reported staffing levels at Westmount Health Facility as follows: one LPN (Licensed Practical Nurse) and one CNA (Certified Nursing Assistant) on Medical leave; two LPN's and one Dietary employee on Administrative Leave; and vacant positions for one CNA, two LPN's and one RN (Registered Nurse) Supervisor. She noted a salary comparison was included in the agenda packet which reflected an overall decrease in salaries compared to 2011.

Ms. Taggart informed that as of September 2012 laundry services for Countryside Adult Home would no longer be performed at Westmount Health Facility due to a decision to contract the services to an outside vendor. Mr. Thomas asked the effect of this change and Betsy Henkel, Comptroller, replied that a full-time laundry employee would be reduced to part-time. She noted the employee's full-time salary was currently paid 50% by Westmount Health Facility and 50% by Countryside Adult Home. She noted the savings would be derived from the employee's benefits package which she would no longer be entitled to as a part-time employee.

Ms. Taggart requested approval to fill the vacant position of Leisure Time Activity Director, annual base salary of \$31,289, Employee No. 1668, due to a pending retirement in August of 2012. She noted this was a Union position which was not mandated but was reimbursed 53% from the State. She said she had interviewed potential candidates, one of whom had 16 years experience as a Recreational Therapist and had requested a salary range of \$42,000 to \$45,000. She stated the candidate would be an asset to the Facility and she pointed out the current employee's salary was \$40,383. She noted this person was a prime candidate for the position and none of the other

applicants had the necessary qualifications. Mr. Dusek recommended the completion of a salary study for the position to determine the appropriate salary range. He suggested the Committee approve the filling of the vacant position with a salary range to be determined following the presentation of the salary study at the Personnel Committee meeting.

Mr. Taylor asked how long the position had been vacant and Ms. Taggart replied the current employee would retire in August. Mr. Dusek asked if the position was required and Ms. Taggart replied the position was not mandated but was necessary to the Facility. She explained every nursing home employed an activities director or a recreational therapist. Mr. Dusek asked if the Facility had other employees in the Activities Department and Ms. Taggart replied there were two part-time assistants who were not qualified to operate the Department. Mr. Dusek asked if both assistants would be necessary with a full time Director and Ms. Taggart replied affirmatively and noted various activities were scheduled for the residents at all times of the day and on weekends. Mr. Taylor asked how much private nursing homes invested in their activities programs and Ms. Taggart replied that it depended on the size of the facility and the number of residents. Mrs. Frasier expressed that the position was important to the Facility and to the residents. She said the residents looked forward to the activities which improved their quality of life.

Motion was made by Mr. McDevitt, seconded by Mrs. Frasier and carried by majority vote with Mr. Taylor voting in opposition to approve the request to fill the vacant position of Leisure Time Activity Director, with a salary to be determined following completion of a salary study, 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.*

Mr. Taylor said he had a slight issue with the importance being placed on hiring a highly qualified individual since the position involved arranging activities and bus trips. Ms. Taggart informed of her attendance at a Dementia Conference the previous week where an Occupational Therapist had explained the phases of the dementia process and how activities and therapy impacted the lives of dementia patients. She opined that a qualified Leisure Time Activities Director would be familiar with the phases of dementia and would have the ability to improve the quality of life of the dementia patients at Westmount Health Facility.

Ms. Taggart circulated a copy of an obituary of a former volunteer at Westmount Health Facility whose family had requested donations to the Facility in lieu of flowers. She read a thank you card from Supervisor Frasier which was sent following the Memorial Day Service at the Facility.

This concluded the Westmount Health Facility portion of the Committee meeting and the Health Services portion of the meeting commenced at 10:18 a.m.

Martin Auffredou, County Attorney, entered the meeting at 10:18 a.m.

Privilege of the floor was extended to Pat Auer, Director of Public Health/Patient 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 she had included an addendum to the agenda in order to request renewal of the WIC (Women, Infants and Children) Program Grant for a term commencing October 1, 2012 and terminating September 30, 2013, in the amount of \$501,934 and to authorize any COLA (cost of living adjustment) funding which may be offered in connection with this grant.

Motion was made by Mr. Thomas, seconded by Mr. Taylor and carried unanimously to renew the WIC Program Grant as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 20, 2012 Board meeting.*

Commencing the agenda review, Ms. Auer requested to renew the existing contract with the New York State Department of Health (NYS DOH), Health Research Inc. to allow receipt of continued funding for the Public Health Emergency Preparedness Program in an amount not to exceed \$53,500 for a term commencing July 1, 2012 and terminating August 9, 2013, and to amend the 2012 County Budget to increase estimated revenues and appropriations in the amount of \$22,300 to reflect same. She noted the amount received in 2011 was \$50,000 and the funding was mainly used to cover the salaries of the Program employees.

Motion was made by Mr. Thomas, seconded by Mr. McDevitt and carried unanimously to authorize renewal of the contract as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 20, 2012 Board meeting.*

Motion was made by Mr. Thomas, seconded by Mr. McDevitt and carried unanimously to amend the 2012 County Budget as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Auer requested to amend Resolution No. 851 of 2009 in order to add Ruth Driscoll, Adult Nurse Practitioner, to the list of medical providers authorized to serve in Public Health Clinics. She commented that Ms. Driscoll would fill in at the Sexually Transmitted Disease Clinic as needed.

Motion was made by Mr. Taylor, seconded by Mrs. Frasier and carried unanimously to amend Resolution No. 851 of 2009 as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 20, 2012 Board meeting.*

Ms. Auer requested a contract with United Health Care Network to allow reimbursement for various patient services. She explained that United Health Care Network had expanded their insurance product line to provide managed Medicare and Medicaid Services as well as other insurances to individuals in our area and it was necessary to have the contract in order to reimburse them for the services.

Motion was made by Mr. Thomas, seconded by Mr. McDevitt and carried unanimously to authorize the contract with United Health Care Network as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 20, 2012 Board meeting.*

Ms. Auer requested to amend the existing contract with Dorothy Grover, Physical Therapist, to authorize payment of \$250.00 per session for the planning and presentation of educational programs for parents of preschool children and staff education for other therapists. She explained that one of the deliverables for the Children with Special Needs Grant required proof that the Department had provided pertinent education to parents and appropriate health providers. She added that one or two sessions per year would be scheduled and grant funding would be used to cover the associated costs.

Motion was made by Mrs. Frasier, seconded by Mr. Taylor and carried unanimously to amend the existing contract with Dorothy Grover, Physical Therapist, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 20, 2012 Board meeting.*

Ms. Auer requested to fill two vacant Public Health Nurse positions due to resignations. She noted the employees had resigned in order to assume higher salaried positions elsewhere without mandatory weekend or holiday commitments. She said the positions were funded in the budget and the nursing visits were reimbursable services. She said she would like to fill one of the vacant positions and wait to fill the second position until it was deemed necessary. Mr. Sokol asked if there were any candidates for the positions and Sharon Schaldone, Assistant Director of Home Care Division, replied she anticipated there would be several interested candidates. Mr. Dusek recommended that the filling of both positions be approved contingent on Ms. Auer reviewing the rationale for filling the second position prior to doing so. A brief discussion ensued.

Motion was made by Mr. Taylor, seconded by Mr. Thomas and carried unanimously to approve the request to fill the vacant positions as outlined above, with the filling of the second position being contingent on the approval of the County Administrator, 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 to create a new position of Senior Public Health Educator and delete the current position of Health Educator, as well as the part-time contractual position of Emergency Preparedness Coordinator who was currently paid a rate of \$25 per hour. She noted the job duties of the two positions to be deleted would be combined and performed by the newly created Senior Public Health Educator position which would be funded entirely by Emergency Preparedness Grant and State Aid funding. She explained she had worked with Kathy Barrie, Personnel Officer, to develop a Civil Service approved job description which reflected all the job responsibilities. She added she had ensured the position would be acceptable to the NYSDOH and that the grant funding would not be compromised due to the change. She stated the Office of the County Administrator would conduct a salary survey to determine the appropriate compensation for the position prior to the next Personnel Committee meeting.

Motion was made by Mr. Thomas, seconded by Mr. Taylor and carried unanimously to create and fill the position of Senior Public Health Educator and delete the current position of Health Educator and the part-time contractual position of Emergency Preparedness Coordinator; thereby amending the Department's Table of Organization and to forward same to the Personnel Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Auer requested to amend the 2012 County budget to increase estimated revenues and appropriations in the amount of \$11,135 to reflect the receipt of revenue from vehicles sold at auction (\$5,338) and the receipt of insurance recovery funds for a vehicle which had been demolished in an accident (\$5,797) and to increase the Automotive Equipment expense code to reflect the use of these funds towards the purchase of an additional Health Services Fleet vehicle.

Motion was made by Mr. Thomas, seconded by Mrs. Frasier and carried unanimously to amend the 2012 County budget as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Tawn Driscoll, Fiscal Manager, requested a transfer of funds in an amount totaling \$3,200 between various accounts to reflect additional funds required for the purchase of a vehicle and a laptop. She explained that \$200 would be used towards purchase of a new laptop for the Children with Special Health Care Needs Program and \$3,000 would be allocated towards the purchase of a new vehicle in addition to the aforementioned \$11,135.

Motion was made by Mr. McDevitt, seconded by Mr. Thomas and carried unanimously to approve the request for a transfer of funds as outlined above and to forward same to the Finance Committee. *A copy of the Request for Transfer of Funds form is on file with the minutes.*

In reference to the pending item concerning Certificate of Need applications, Ms. Auer reported new opportunities had arisen in response to the Home Care Association (HCA) of New York State's questioning of NYSDOH as to how it would differentiate between the data presented by a CHHA (Certified Home Health Agency) applicant arguing "need" and the extent to which the existing CHHA's in a region may meet the need. She explained the response of the NYSDOH had been to indicate that existing providers would have the option to provide to the Public Health and Health Planning Council (PHHPC) their own data and perspectives on regional need and their ability to meet the need, as well as information pertaining to the effect a new agency would have in their region. She requested Committee approval to prepare a document to be submitted to the NYSDOH addressing the fact that Warren County Health Services was able and willing to continue meeting the needs of the population as the only CHHA in the County. She informed that Ms. Schaldone had already established an extensive list of "bulleted facts" regarding the Warren County CHHA which would articulate the County's position as to why the CHHA was well poised to continue as the only CHHA in the County. She stated the Department would prepare the information to be sent by the Board of Supervisor's under the signature of the Chairman of the Board or the County Administrator on behalf of Warren County Health Services. She noted the deadline for submitting the document was July 26, 2012. Following a brief discussion, it was the consensus of the Committee to submit the information as outlined above.

Ms. Auer said a report on monthly Emergency Preparedness Activities had been included in the agenda packet. She added the current Emergency Response Coordinator would be leaving at the end of August.

Ms. Driscoll reported on the Revenues and Expenditures for 2012 as of June 22, 2012 and noted the Department was currently closing the May billings for the CHHA, LTC (Long Term Care) and MCH (Maternal Child Health) Programs. Pertaining to the Salaries Comparison, she pointed out a decrease in the year-to-date salaries of \$20,101.19 compared to the same time period for 2011. She added there was a slight increase in part-time and overtime salaries compared to 2011.

Ms. Auer distributed copies of the Warren County Health Services Annual Report for 2011. She requested the Committee members review the Report at their leisure and informed she would discuss the Report and request its acceptance at the next Committee meeting.

Mr. Sokol stated a brief executive session was necessary to discuss the employment history of a particular contractor.

Motion was made by Mr. Taylor, seconded by Mr. Thomas and carried unanimously that executive session be declared pursuant to Section 105(f) of the Public Officers Law.

Executive session was declared from 10:33 a.m. to 10:45 a.m.

The Committee reconvened and Mr. Sokol noted there was no action necessary pursuant to the executive session.

As there was no further business to come before the Health Services Committee, on motion made by Mr. Taylor and seconded by Mr. Thomas, Mr. Sokol adjourned the meeting at 10:46 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist