

Public Health & Social Services Committee Regular Meeting Minutes

DATE & TIME: April 3, 2017 – 6:00 PM
LOCATION: COB, 6th Floor, K. L. Binder Library
PRESIDING OFFICER: Chairman Craig Lopez
LEGISLATIVE STAFF: Nettie Tomshaw
PRESENT: Legislators Lopez, Allen, Belfiglio
ABSENT: Legislators Heppner, Roberts
QUORUM PRESENT: Yes

OTHER ATTENDEES: Thomas Briggs Legislator, Ken Crannell Deputy County Executive, Lee Cane LWV, Paul Fowler - The Fowler Advocacy, Gail Ferris

- Chairman Craig Lopez called the meeting to order at 6:03 PM.
- Richard Engnath, founder of the HTLV/XMRV National Registry was scheduled to meet with the committee, however was not in attendance.

Motion No. 1: **Moved to Approve the Minutes of the January 30, 2017 meeting**

Motion By: Legislator Belfiglio
Motion Seconded By: Legislator Allen
Discussion: None
Voting In Favor: Legislators Lopez, Allen, Belfiglio
Voting Against: None
Votes in Favor: 3
Votes Against: 0
Disposition: Minutes approved

Resolutions for the April 18, 2017 Session of the Legislature

Resolution No. 95: Setting A Public Hearing On Proposed Local Law No. 1 of 2017 (A Local Law Prohibiting The Possession, Distribution, Or Use Of Tobacco Products By A Minor In Ulster County) To Be Held On Tuesday, May 9, 2017 At 6:00 PM

Resolution Summary: This revised resolution sets a public hearing on PLL No. 1 of 2017 which limits minors who are under the age of 18 to exposure of tobacco products.

Motion No. 2: **Resolution No. 95 moved for discussion**

Motion By: Legislator Allen

Motion Seconded By: Legislator Belfiglio

Discussion: Chairman Lopez noted this resolution came before the committee last month however postponed pending sponsor input. See last month's minutes. Legislator Thomas Briggs noted Section 5; "Penalties for Violation by a Minor", has been revised – all attorneys weighed in concluding the recommended revised penalties. Legislator Belfiglio supports prohibiting the purchase of tobacco products to people under the age of 21, however shared concern the local law may back log the court system further. Chairman Lopez expressed the need for the Sheriff's office to be on board with this proposed local law, and does not want to see vital resources diverted away from officer's more pressing issues. Legislator Allen agreed with the amendments made to the resolution noting 100 hours of community services was excessive. Committee discussion ensued and concluded approval to move forward with a public hearing.

Motion No. 3: **Moved to adopt Resolution No. 95**

Motion By: Legislator Allen

Motion Seconded By: Legislator Belfiglio

Voting In Favor: Legislators Lopez, Allen, Belfiglio

Voting Against: None

Votes in Favor: 3

Votes Against: 0

Disposition: Resolution adopted

Resolution No. 148: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Westchester Medical Center – Department Of Health

Resolution Summary: This resolution contract with Westchester Medical Center is for professional forensic pathology services. Financial Impact \$432K 100% County, 5/1/17 – 4/30/18.

Discussion: Ken Crannell explained the need to restructure the medical examiner's office this year as the county pathology contractor for the past 10 years gave notification last summer their desire to terminate the contract. Ken shared the county history of having an examiner drive down from Rensselaer, whose workload increased over time, making it difficult to continue, thus leading up to a positive one stop shop contract with Westchester Medical Center. This contract will provide one full time forensic pathologist to perform forensic pathology services for the county at the HealthAlliance Hospital-Broadway Campus in Kingston. This will include autopsies and a fully documented death report for each case submitted to the County Medical Examiner. Autopsy projections for this year are 150 due to the aging population, drugs, and multi-car accidents among others. This contract rolls three previous contracts into one resulting in approx. \$150/case more. Mr. Crannell provided the committee with a breakdown of pathology service cost history and projections.

Motion No. 4: **Moved to adopt Resolution No. 148**

Motion By: Legislator Allen

Motion Seconded By: Legislator Belfiglio

Voting In Favor: Legislators Lopez, Allen, Belfiglio

Voting Against: None

Votes in Favor: 3

Votes Against: 0

Disposition: Resolution adopted

Resolution No. 177: Opposing A Full Repeal Of The Affordable Care Act Without A Comparable And Immediate Replacement Plan That Is Ready For Implementation

Resolution Summary: This resolution sponsored by Legislator Chris Allen opposes a full repeal of the ACA without a comparable replacement plan ready for implementation.

Motion No. 5: **Resolution No. 177 moved for discussion**

Motion By: Legislator Allen

Motion Seconded By: Legislator Belfiglio

Discussion: Legislator Allen sponsor of this resolution put forth Resolution No. 135 last month for consideration that was supported and adopted by the committee and republican caucus however withdrawn prior to the March legislative session. A motion was made to strike everything on Resolution 177 and replace it with Resolution 135 language however the sponsor was not in favor and later the motion was withdrawn.

The committee attempted negotiations to amend the resolution by removing the thirteenth whereas and corresponding resolve.

Millions of men and women benefit from the Federal funding of health care clinics/programs that provide reproductive, anatomical and sexual health screening services and testing at reduced/subsidized rates, so the Federal defunding of such clinics/programs would have a detrimental effect on the health of Millions of Americans while also having an adverse financial impact on Millions of Americans; but again the sponsor was steadfast in his resolve maintaining his substantive resolution in its original form which includes areas of the ACA the sponsor expressed works well enough to be protected. Committee discussion ensued. A motion to postpone the resolution was then defeated. Ultimately the committee voted on Resolution No. 177 as submitted by the sponsor and was defeated 1-2. The sponsor intends to file a petition to discharge. For the record Chairman Lopez voiced disappointment the discussion turned political unnecessarily after having a non-partisan alternative last month. Legislator Allen for the record noted there was no political motivation behind the resolution.

Motion No. 6: **Motion to Amend Res. 177 Striking all Language and Replace it with all Res. No. 135 Language.**

Motion By: Legislator Belfiglio

Motion Seconded By: Legislator Allen

Voting In Favor: Legislators Lopez, Belfiglio

Voting Against: Legislator Allen

Votes in Favor: 2

Votes Against: 1

Disposition: Motion defeated and later Withdrawn

Motion No. 7: **Motion to Amend Resolution No. 177**

Motion By: Legislator Belfiglio

Motion Seconded By: Legislator Lopez

Voting In Favor: Legislators Lopez, Belfiglio

Voting Against: Legislator Allen

Votes in Favor: 2

Votes Against: 1

Disposition: Motion defeated

Motion No. 8: **Motion to Postpone Resolution No. 177**

Motion By: Legislator Belfiglio

Motion Seconded By: Legislator Lopez

Voting In Favor: Legislators Lopez, Belfiglio

Voting Against: Legislator Allen

Votes in Favor: 2

Votes Against: 1

Disposition: Motion defeated

Motion No. 9: **Motion to Approve Resolution No. 177**
Motion By: Legislator Belfiglio
Motion Seconded By: Legislator Lopez

Voting In Favor: Legislators Lopez, Belfiglio
Voting Against: Legislator Allen
Votes in Favor: 1
Votes Against: 2
Disposition: Motion defeated

New Business – Guest Paul Fowler, Fowler Advocacy and Gail “Shannon” Ferris

Chairman Lopez welcomed Paul Fowler with the Fowler Advocacy and his girlfriend Gail Ferris “Shannon”, who came before the committee to share Ms. Ferris’s five year odyssey locating an oral surgeon within Ulster County that would accept her insurance and Medicare spend down without a medical doctors consent due to the complexity of her individual medical situation, spend down requirements and transportation logistics. Mr. Fowler was able to locate a surgeon at Westchester Medical Center and has a scheduled appointment next week. Mr. Fowler expressed his desire to share their experience with the hope others will not have to endure the same setbacks and frustrations. He expressed the need for more oral surgeons in our community. Mr. Fowler noted he was able to help a friend locate and receive a kidney faster than he could find a participating and willing oral surgeon. Mr. Fowler plans on meeting with Congressman Faso in May.

Legislator Belfiglio suggested a medical family advocate/ombudsman for Ulster County residents may be helpful.

Chairman Lopez expressed the Resource Center for Accessible Living, (RCAL) in Ulster County is a good source for information/advocacy as well.

Chairman Lopez asked if there was any other business, and hearing none;

Adjournment

Motion Made By: Legislator Belfiglio
Motion Seconded By: Legislator Allen
No. of Votes in Favor: 3
No. of Votes Against: 0

TIME: 7:30 PM

Respectfully submitted: Nettie Tomshaw, Legislative Staff
Minutes Approved: May 1, 2017