

**Welfare to Work Commission  
Of the Suffolk County Legislature**

**Minutes of the May 13, 2011 Meeting**

**Present:** Richard Koubek, Chair; Kathy Liguori, Vice Chair; Legislator Kate Browning; Roland Hampson; Debbi Joseph; Frank Casiglia; Rob Greenberger; Jack Caffey; Vinnie Cassidy for Pam Killoran Nina Leonhardt; Eric Lopez; Bridget DePasquale; Don Friedman; Gwen Branch; Michael Haynes; Ellen Krakow; Fred Combs for Joan Grant; Mike Stoltz; Jeffrey Reynolds.

**Excused:** Idania Aponte; Peggy Boyd; Judy Cahn.

**Guests:** Craig Freas, Suffolk County Legislature Budget Review Office; Terry Smith, Dolan Family Health Center; Theresa Jacobellis, Dolan Family Health Center; Roger Podd; SCDOL.

**1. Minutes:**

- a. Minutes of the March Commission meeting were adopted unanimously on a motion by Frank Casiglia, seconded by Kathy Liguori.
- b. Minutes of the April meeting were adopted unanimously on a motion by Don Friedman, seconded by Jack Caffey.

**2. Presentation on the Suffolk Health Centers by Craig Freas:** Chair Richard Koubek reminded the Commission that they had previously discussed an impending fiscal crisis facing the Suffolk health centers due to a State \$15.5 million “clawback” of funds along with about a 5% cut in 2011 State funding. Initially, in March of 2011, State officials spoke of a 20% reduction in funding which was deemed untenable. Mr. Koubek further noted a new urgency to this issue with the impending closure of the Elsie Owens Center in Coram and severe cutbacks in services at the Dolan Family Health Center in Huntington. He then introduced Craig Freas of the Suffolk County Legislature’s Budget Review Office who presented an overview of the health centers and the fiscal crisis facing them.

- a. Mr. Freas provided a history and overview of the role played by the Suffolk County health centers. Lacking a public hospital, the County opted in the 1980s for a system of health centers or clinics to serve medically indigent and medically-underserved populations. There are currently 10 clinics, which annually serve 75,000 patients or about 5% of the County population.
- b. Some of the clinics are county-run with county licenses (e.g., Riverhead.) Others are hospital run with county licenses (e.g., Good Samaritan/ MLK in Wyandanch.) And others are hospital run with hospital licenses (e.g, Dolan Family Health Center/Huntington Hospital and the Elsie Owens Center/Stony Brook University Medical Center in Coram.)
- c. The health centers have multiple revenue streams: Medicaid/Medicare; managed care; ADAP/ADAP plus private insurance; sliding fee scales;

self pay; federal and State grants; Article 6 aid to municipalities; Suffolk County general fund revenues. The State has proposed a 5% reduction in funding for Suffolk health centers in the 2011 budget. Mr. Freas stated that a cut of 10% to any center is untenable.

- d. A dispute has arisen between Suffolk County and the State regarding Article 6 State public health aid for municipalities. The State is arguing that the County health centers have been providing “optional” services such as adult chronic care (as opposed to “preventive care” which is allowable under Article 6) and has asked for a “clawback” of \$15.5 million for these “non-reimbursable optional services” going back to 2008. The County is arguing that the State approved these services and that the “clawback” is based on a State change in rules and regulations – not a change in law – that did not have the required public-comment process. The matter is in litigation. There also are discussions taking place between County and State health officials as well as State elected representatives in the hope of achieving a political compromise. Should the “clawback” be resolved, the County will still lose \$5 million a year going forward because the State has now made clear that it will not reimburse “optional” services such as adult chronic care. The loss of this \$5 million is compounded by the 5% reduction in 2011 State funding for the centers.
- e. A number of solutions to the funding crisis have been proposed:
  - i. The County Executive has proposed closing the Coram Center by July 1<sup>st</sup> (although this requires State approval which will not be forthcoming.) He has also proposed reducing the Dolan Center funding by 40%. Both of these are hospital run/hospital contracted centers. He has also proposed cutting funding for the remaining eight centers by 5-7% and he has requested assistance through the HEAL-NY grant program.
  - ii. The Legislature has three pending resolutions:
    - 1. IR No. 1354-2011 would use \$600,000 in pay-go funds to offset the Dolan and Coram reductions.
    - 2. IR No. 1265-2011 would establish a commission to recommend more equitable cuts.
    - 3. IR No. 1470-2011 would direct the County Health Commissioner to distribute the reductions more equitably.

3. **Presentation on the Dolan Family Health Center by Terry Smith:** Mr. Koubek noted that Terry Smith, Director of the Dolan Family Health Center, was invited to case study the impact of the funding reductions on one center which, in the case of the Dolan Center, is slated for a 40% funding reduction. Mr. Smith stated that Dolan serves 9,100 patients a year of which some 3,000 may be lost due to the cuts. Mr. Smith pointed out that patients turned away from Dolan will have to seek help at a hospital emergency room where the cost is significantly higher: approximately \$250 per visit at a health center vs. about \$600 at an emergency room. He provided an overview of the center’s services and the strong support it receives from the Huntington community, which has created a \$4.2 million endowment for the Dolan Center. He pointed out that only the interest on this endowment can be used to

support the center. He noted that Dolan is a privately-run center that uses sound business practices such as requiring an income test with sliding scale rates and using cost-effective electronic medical record procedures.

4. **Commission Action on the Health Centers:** The Commission reached consensus that, pending the outcome of the political discussions and legal actions, there was nothing that could be done now to support the health centers. However, should the funding crisis not be resolved, and should IR No. 1265-2011 be adopted by the Legislature creating a commission to study equitable distribution of center funding reductions, the Welfare to Work Commission could provide support to the new commission by holding public hearings at which patients could tell their stories of how the health centers have served their needs. A number of Commission members voiced concern about the long-range funding and solvency of the centers in view of policy changes at the federal and State levels of government including the Affordable Care Act and Medicaid.
5. **Sober Homes Oversight Board Resolution:** Richard Koubek thanked the members of the Commission's Sober Homes Committee, as well as the consultants, who met to make recommendations regarding a possible Legislative resolution to create a Sober Homes Oversight Board. The Committee's recommendations were distributed and are appended below. The recommendations were submitted to Legislator Kate Browning who passed them on to the legislative counsel charged with drafting the resolution. Mr. Koubek also commended SCDSS for taking a lead role in the sober-homes issue.
6. **Child Care Committee:** Tabled due to lack of time.
7. **Announcements:** Roland Hampson briefly reported on the EOC TASA program for teenagers. He will provide details at the next meeting.
8. **Next Meeting:** Friday, June 17<sup>th</sup>, 9:30 AM in Conference Room A of the SCDOL One Stop Center.

### **Recommendations of the Welfare to Work Commission's Sober Homes Committee on the Creation of a Suffolk County Sober Homes Oversight Board**

Below are the recommendations formulated at the May 3<sup>rd</sup>, 2011 Sober Homes Committee of the Welfare to Work Commission of the Suffolk County Legislature regarding the proposed content of a Suffolk County legislative resolution creating a Sober Homes Oversight Board.

There are currently four sober home RFQs submitted to SCDSS. It is understood that SCDSS is creating a pilot project that could expand beyond the parameters set in the RFQ. It was agreed that:

1. Ultimately, the network of approved sober homes should expand to reach independent sober home providers.
2. At this point in the RFQ process, with limited County funding, and no OASAS funding, the current RFQ will create a model for what could become a network of approved sober-home providers.

3. It may eventually be necessary to loosen the current restrictions, including the RFQ requirement that the sober home submit proof of licensing as an OASAS substance abuse and alcohol treatment provider, in order to expand the reach of the RFQs to independent providers.
4. SCDSS has the staff, funding and expertise to monitor only the health and safety criteria in the RFQ.
5. The Sober Homes Oversight Board will play a critical role in helping SCDSS monitor the treatment/recovery portions of the RFQ with members of the Board:
  - a) refining the SCDSS sober-homes criteria;
  - b) designing a tool to conduct inspections;
  - c) conducting site visits under the direction of the SCDSS Housing Department and the Suffolk County Division of Community Mental Hygiene Services.
  - d) [Note from Dr. Edward Hernandez, SCDSS Deputy Commissioner: The Oversight Board is an advisory board, much the way the Welfare to Work Commission functions now. SCDSS despite everything is ultimately responsible to oversee the operation of the sober homes under the RFQ. The Board can recommend rules and regulations, but SCDSS is the authority that must finalize them. The Board can investigate complaints or receive them and make recommendations, but cannot be empowered to oversee the process. SCDSS cannot be relieved of its fiscal and regulatory responsibilities nor would a voluntary board want to be in a position to take them on. I am asking the Oversight Board's responsibility be put in a proper perspective. A perspective where we can take full advantage of the expertise assembled, while maintaining the proper level of responsibility.]

Here is a summary of what the Committee believes the legislation should state about the powers and structure of the SC Sober Homes Oversight Board.

1. The Board will finalize rules and regulations, in cooperation with SCDSS, regarding implementation of the criteria contained in the sober homes RFQ.
2. The Board will be empowered to oversee complaints about RFQ approved sober homes and to conduct inspections of these approved sober homes in cooperation with SCDSS.
3. The Board will be required to submit an annual report of its activities to the Legislature with a copy to the Welfare to Work Commission of the SC Legislature.
4. The Board will be required to meet at least 4 times a year.
5. Board members will receive term limits (to be decided.)
6. The Board will consist of 17 members (none of whom can be sober-home providers) with one seat assigned by the legislation to:
  - a. SCDSS Housing Department.
  - b. Suffolk County Division of Community Mental Hygiene Services
  - c. SC Police Department
  - d. SC Probation Department

- e. The New York State OASAS LI representative
- f. The New York State Office of Mental Health LI representative
- g. A representative of SC ambulance/EMT providers
- h. Brookhaven Town Code Enforcement Department
- i. LI Council on Alcohol and Drug Dependence (LICADD)
- j. South Oaks Hospital
- k. Hope House
- l. Outreach
- m. LI Congregations, Associations and Neighborhoods (LI CAN)
- n. LI Recovery Advocates (LIRA)
- o. Suffolk County Quality Consortium
- p. Two consumers recommended by a Board member or nonprofit organization serving people in recovery.
- q. The Chair of the SC Legislature's Health and Human Services Committee

Respectfully submitted:

Legislator Kate Browning  
Richard Koubek, Chair, Welfare to Work Commission  
Kathy Liguori, Vice Chair, Welfare to Work Commission  
Mary Brite, Outreach  
Joanne Collins, Family Service League  
Pat Hartley, Pederson Krag  
Dr. Edward Hernandez, Deputy Commissioner, SCDS  
Ellen Krakow, Nassau/Suffolk Law Services  
Pamela Mizzi, PRC  
Jeffrey Reynolds, LICADD  
Stacey Spata, YMCA