

HEALTH & HUMAN SERVICES COMMITTEE MEETING MINUTES  
May 10, 2022

The Health & Human Services Committee of the Broome County Legislature met on Tuesday, May 10, 2022 via Zoom.

Members Present: J. Shaw (Chair) C. O'Brien, M. Hilderbrant, M. Kaminsky, K. Beebe.

Members Absent: None

Others Present: R. Weslar, A. Martin, C. Hall, M. Tanzini, J. Scott, Legislature; J. Garnar, M. Ponticiello, C. Wagner, C. Whalen, County Executive; J. Knebel, OMB; N. Williams, K. White, DSS; M. McFadden, Health Department; M. Whitcombe, OFA; R. Murphy, OET; T. Dellapenna, Risk & Insurance; C. Segrue, Personnel; V. Gialanella, resident.

The Health & Human Services Committee meeting was called to order by the Chair at 4:32 PM. Mr. Hilderbrant made a motion to move the agenda, seconded by Mrs. Beebe.

The Committee took the following action with regard to the matters before it:

#11 [RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS PROGRAM CORPORATION FOR NATIONAL AND COMMUNITY SERVICE \(CNCS\) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2022-2023](#)

Carried. Ayes-5, Nays-0

#12 [RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS STATE OFFICE FOR AGING \(SOFA\) PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2022-2023](#)

Carried. Ayes-5, Nays-0

#13 [RESOLUTION AUTHORIZING RENEWAL OF THE CAREGIVER SUPPORT INITIATIVE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2022-2023](#)

Carried. Ayes-5, Nays-0

#14 [RESOLUTION AUTHORIZING AN AGREEMENT WITH THE FOOD BANK OF THE SOUTHERN TIER FOR FOOD DISTRIBUTION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2022](#)

In response to a question from the Committee, DSS Commissioner Nancy Williams stated that Broome County DSS will not be running the Food Bank. Instead, this program makes funding available to qualified residents who need emergency food vouchers to be used at the Food Bank of the Southern Tier.

Carried. Ayes-5, Nays-0

#15 [RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH KEYSTONE MATERIAL TESTING, LLC FOR HOME INSPECTION SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2019-2022](#)

Carried. Ayes-5, Nays-0

#16 [RESOLUTION AUTHORIZING AN AMENDMENT TO THE DEPARTMENT OF HEALTH'S ADMINISTRATION OF A PORTION OF THE HUD LEAD HAZARD REDUCTION PROGRAM FOR 2019-2022](#)

Carried. Ayes-5, Nays-0

#17 RESOLUTION AUTHORIZING RENEWAL OF THE CREATING HEALTHY SCHOOLS AND COMMUNITES PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2022-2023

Carried. Ayes-5, Nays-0

#18 RESOLUTION AUTHORIZING AN AGREEMENT WITH S.E.P.P. MANAGEMENT COMPANY, INC., FOR OFA MINI-BUS TRANSPORTATION SERVICES FOR THE OFFICE FOR AGING FOR 2022

In response to a question from the Committee, OFA Director Mary Whitcombe stated that S.E.P.P. is no longer providing transportation due to financial reasons and difficulties outlined by the COVID-19 pandemic. OFA already utilizes its own transportation, and it was a natural transition for S.E.P.P. to utilize the County's service. The transportation services will be utilized for group outings to promote social isolation prevention.

Carried. Ayes-5, Nays-0

#21 RESOLUTION AUTHORIZING ACCEPTANCE OF AN ADULT PROTECTIVE SERVICES ARPA PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2022-2023

In response to a question from the Committee, DSS Commissioner Nancy Williams stated that this funding will be used to promote outreach measures geared toward seniors. There has been an increase in cases with seniors who are experiencing mental health challenges and this program will also help address those needs. This program serves adults over the age of 21.

Carried. Ayes-5, Nays-0

#22 RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH LICENSED CHILD CARING INSTITUTIONS FOR FOSTER CARE, HOME FINDING AND ADOPTION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2022-2023

Carried. Ayes-5, Nays-0

#24 RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF HEALTH

Carried. Ayes-5, Nays-0

#25 RESOLUTION AUTHORIZING ACCEPTANCE OF THE MEDICAL RESERVE CORPS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2022

Carried. Ayes-5, Nays-0

#35 RESOLUTION AUTHORIZING THE WILLOW POINT REHABILITATION AND NURSING CENTER TO WRITE OFF UNCOLLECTIBLE ACCOUNTS FOR 2017-2020

Carried. Ayes-5, Nays-0

The Chair introduced WPRNC Administrator Adam Aranov to present on a recently enacted New York State staffing mandate (presentation attached).

There being no further business to come before the Committee at this time, a motion to adjourn was made by Mrs. O'Brien seconded by Mrs. Beebe. The meeting adjourned at 5:04 PM.

# **NYS Staffing Mandate**

Based on Leading Age Guidance and Willow Point Data

# What is the Staffing Mandate?

**NYSDOH Staffing Mandate**

**Statutory Requirement - Start Date April 1, 2022**

**3.5 Hours per resident per day**

**At least 1.1 hours RN or LPN**

**At least 2.2 hours CNA**

# **What is LeadingAge NY?**

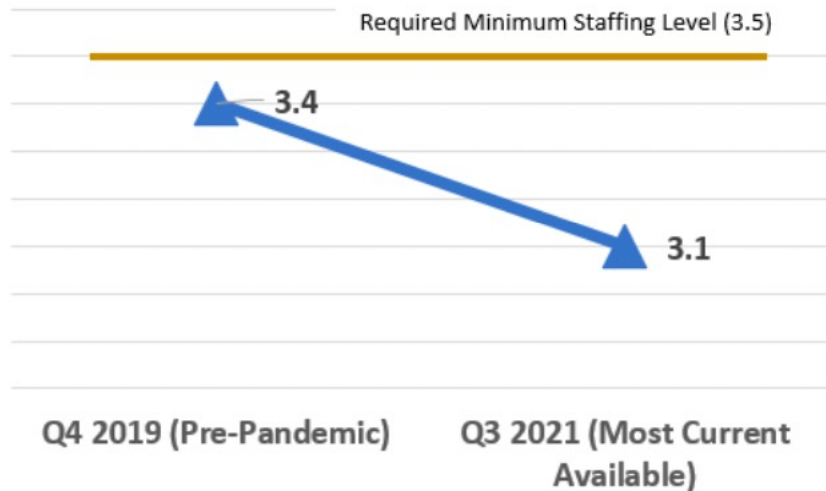
**LeadingAge New York represents not-for-profit, mission-driven and public continuing care providers.**

**They are an Advocacy Group that provides research and education.**

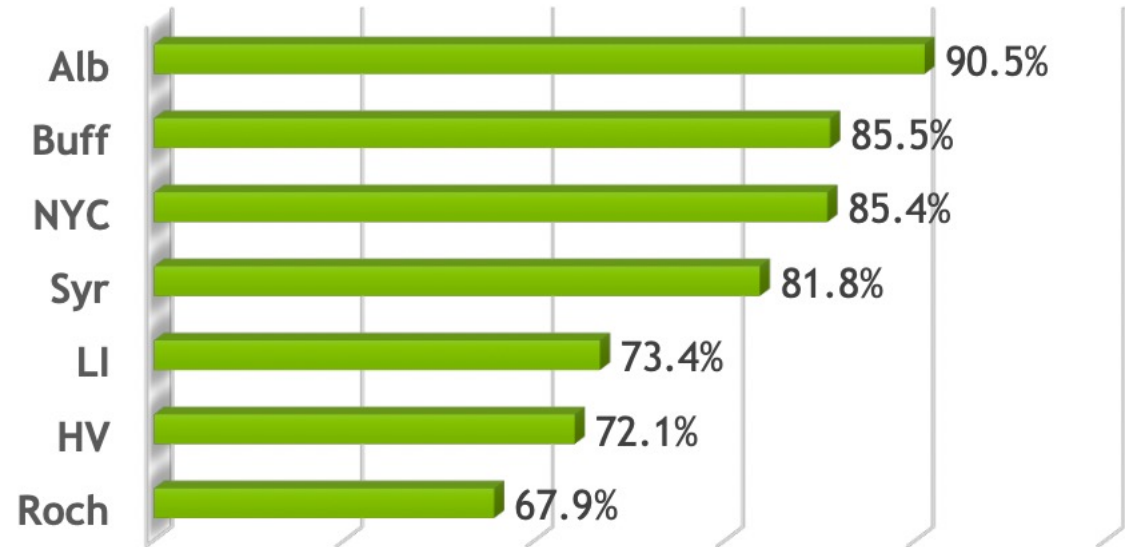
**They represent over 5,600 facilities and organizations.**

# % Of NON-COMPLIANCE

## Pre-Pandemic Vs. Mid Pandemic Average Hrs. in NY



## % of Homes FAILING To Comply



**Willow Point: 90% Non-Compliance**

# Current Staff at WPNH

Including Agency and National Guard Troops

**CNAs: ~100**

**Nurses: ~60**

**We are LOSING the National Guard troops at the end of May**

**Estimated 500 UNFILLED hospital-based nursing positions open locally – NOT including nursing homes.**

# CNA Needs At WPNH

## Standard Staffing

**Total FTEs Per Unit: 10**

**Total For 7 Units:**

**FTE:70**

**PTE/Per diem/Temp: 70**

**Total CNAs: 140**

## 3.5 Hour Staffing Mandate

**Total FTEs Per Unit: 12**

**Total For 7 Units:**

**FTE: 84**

**PTE/Per diem/Temp: 84**

**Total CNAs: 168**

I would need to hire 14 extra Full Time CNAs at a cost of ~\$792k  
And 14 Part Time/Per Diem/Temp at a cost of ~\$396k – Total: ~\$1.2m



# Nurse Needs At WPNH

## Regular Staffing

**Total FTEs Per Unit: 5**

**Total For 7 Units:**

**FTE: 35**

**PTE/Per diem/Temp: 35**

**Total Nurses: 70**

## 3.5 Hour Staffing Mandate

**Total FTEs Per Unit: 6**

**Total For 7 Units:**

**FTE: 42**

**PTE/Per diem/Temp: 42**

**Total Nurses: 84**

I would need to hire 7 extra Full Time Nurses at a cost of ~\$546k  
And 7 Part Time/Per Diem/Temp at a cost of ~\$243k – Total: ~\$789k

# Enforcement

## Penalty for Non-Compliance

**\$2000 Per day**

**OR**

**\$300 – if we can document mitigating circumstances**

# Our Response

1. As Leading Age has advised, we will continue to document and expend all efforts to bring more staff in to comply with the mandate.
2. With the assistance of the County Administration and OMB we are exploring options to raise rates for staff.
3. Willow Point will remain in a state of emergency.
4. Leading Age is in the process of bringing a Class Action Lawsuit against the state of NY to suspend this mandate, as it affects ALL of the facilities they represent.