

**HEALTH AND HUMAN SERVICES COMMITTEE
MINUTES
MARCH 21, 2007 – 3:00 P.M.
SCOTT HEYMAN CONFERENCE ROOM**

Present: N. Shinagawa, Chair, M. Robertson, M. Koplinka-Loehr
Excused: M. Sigler, Vice Chair, F. Proto
Staff: A. Cole, T. Schiele, J. Andersson, Health Department; M. Lynch, Public Information Officer; N. Zahler, Youth Services; L. Holmes, Office for the Aging; K. Schlather, Human Services Coalition; J. Wood, County Attorney, K. Fuller, Deputy Clerk

Call to Order

Chair Shinagawa called the meeting to order at 3:02 p.m.

Chair's Report

Mr. Shinagawa reported he had attended the Health Planning Council presentation of "Berger Commission Implementation - How Does it Affect Us?". He said it was very interesting and well-attended.

RESOLUTION NO. – RESOLUTION OF APPRECIATION – NINA MILLER, EXECUTIVE DIRECTOR OF HOSPICARE AND PALLIATIVE CARE SERVICES

It was MOVED by Ms. Roberston, seconded by Mr. Koplinka-Loehr, and unanimously adopted by voice vote of members present, to recommend approval of the following resolution to the full Legislature. RESOLUTION ADOPTED.

The Committee was pleased to move on the resolution that speaks highly of Ms. Miller's work.

WHEREAS, Nina Miller has always been about service, both in high-profile positions, and quietly, methodically, behind the scenes, all to the betterment of life in Tompkins County, New York, and

WHEREAS, Nina was one of the pioneers behind the creation and sustainability of Suicide Prevention and Crisis Services and the concept of an Advocacy Center and served as executive director of Suicide Prevention and Crisis for 13 years, and

WHEREAS, in that role, Nina was instrumental in developing after-hours mental health care and resources throughout the community, ensuring that it was consistent with the quality of coverage available during the day, and

WHEREAS, during a crucial period in the history of Planned Parenthood of Tompkins County, Nina was recruited to serve as the agency's interim executive director, and

WHEREAS, her steady hand and people skills served Planned Parenthood well, as it dealt with a reduction of high-profile services and other community-based issues and above all, she provided leadership and vision, and

WHEREAS, after being involved with the agency since its inception, Nina became Executive Director of Hospicare and Palliative Care Services in October 1995. From then until now, she has been a leading spokesperson for all things hospice, while managing the agency's tremendous growth, its bureaucratic and financial challenges and an amazing array of issues associated with the quality of life...and death...in Tompkins County, and

WHEREAS, due to her vision and leadership, Hospicare and Palliative Care Services has garnered immense community support, through quiet gifts and volunteering, to high-profile events such as Women Swimmin', and

WHEREAS, in retirement, Nina, a loving wife, mother, grandmother, and friend, will not be resting, her board work with the 7th Art Corporation of Ithaca, and other activities, will keep her involved with her community, as always, now therefore be it

RESOLVED, on recommendation of the Health and Human Services Committee, That in recognition of her selfless work and value to our community, the Tompkins County Legislature hereby recognizes Nina K. Miller for a laudable portfolio of achievements, with best wishes for a healthy and happy retirement.

SEQR ACTION: TYPE II-20

Appointment

It was MOVED by Mr. Koplinka-Loehr, seconded by Ms. Robertson, and unanimously adopted by voice vote of members present, to recommend approval of the following appointment to the full Legislature. APPOINTMENT APPROVED.

Mental Health Board

Paula Winner, term to expire December 31, 2010

Health Department

Outdoor Air (Open Burning Complaints) in 2006

Mr. Andersson, Environmental Health Director, provided a written report on the number of Outdoor Air (Open Burning Complaints) in 2006, noting the number of complaints tripled following the amendment to Article IX of the Tompkins County Sanitary Code prohibiting outdoor burning. Mr. Andersson said there were no penalties issued during the year, and although there were several repeat complaints; overall it was a matter of educating the public to the regulations. He did indicate there is the possibility of an individual being fined in the near future as they continue to violate the regulation.

ATUPA (Adolescent Tobacco Use Prevention Act) Update

The 2006 Annual Report regarding the Tobacco/Smoking Program was provided to the Committee. The report indicated there were no violations during the year in the area of underage sales of tobacco products to minors.

T-19 Discussion

Mr. Andersson provided a written sheet regarding T-19 enactment. Following discussions with the ATUPA program workers in Nassau and Suffolk Counties, both of which have adopted T-19, the following information indicates the additional work and benefit of the program:

- Costs associated with T-19 enforcement, including compliance checks, are not eligible expenses under the ATUPA Grant. This includes reprinting the State educational literature, special mailings, and hearing officer.
- The cost to reprint the signage changing 18 to 19 are eligible. If the size can remain at ½ inch the printing could be done in-house.
- Performing compliance checks would double the number of enforcement visits as the individual would have to be 18-years of age for the T-19 compliance visits, in addition to the under 18 minor for the present compliance visits. This translates to six days of staff time.

- Additional office time would be required to develop and distribute educational materials, mailing, etc. It is estimated this would be an additional 10 days; the total for the 16 days is an increase of 24 percent.
- It has been confirmed that there is not a need to have double signage.
- Training for the new regulation would be burdensome for the retailers, particularly those who may send employees to two counties.
- There would be a good deal of confusion for staff dealing with retailers and customers if T-19 was implemented.

Mr. Wood briefly reviewed the proposed local law, noting the amendments that came about as a result of the Board of Health review. He again noted that the local law is very similar to the current New York State law setting the age at 18. He also indicated it may be difficult to determine how to enforce the local law.

Ms. Cole also suggested corrections within the body of the Local Law.

At this time, Mr. Shinagawa asked if there was a motion to hold a public hearing for the proposed Local Law that would increase the legal age to purchase tobacco products to 19. No one wished to make the motion.

Mr. Shinagawa said he would like to continue a brief discussion on the topic.

Ms. Cole indicated the Board of Health did not wish to pursue the Local Law as there is a lack of scientific evidence that T-19 is an effective strategy. Mr. Andersson also stated the Board of Health said the law would not have a very large impact if Tompkins County were the only one with this law; it would only mean youth would be traveling outside county lines to make a purchase.

Mr. Shinagawa said he was pleased to have the opportunity to discuss T-19, particularly since it was coming from youth who felt strongly about its benefits. He said that although Alaska and Utah have increased the legal age to purchase tobacco products it is not clear whether the reduction in sales is a result of the increase in age or other tobacco cessation initiatives. Mr. Shinagawa said he was pleased to have the discussions, which resulted in a more thorough knowledge of the tobacco programs provided by the County to its residents.

Ms. Robertson expressed her appreciation for the opportunity to explore the feasibility of T-19. She asked whether higher education facilities in the area offer any similar programs to the students. Mr. Schiele said the entire State's program for tobacco control includes a grant called "The Cessation Center", which is presently operated by United Health Services. This program's charge is to have health care providers implement the clinical practice guidelines for smoking cessation. The purpose is to get the doctors to talk to patients about smoking cessation and refer them to appropriate programs/providers offering services. At this time Gannett Center (Cornell University) and Ithaca College have signed onto the program; anyone coming in for services will be asked if they smoke and if so, will be provided advice on how to quit. In addition, Cornell University has a 25-foot ban on smoking around any building entryway or window. Ithaca College, although starting to limit areas has not yet implemented as aggressive a program as Cornell.

Mr. Shinagawa shared his personal experience of student smoking while attending Cornell University. He noted that during his high school years he was exposed to a tremendous amount of material regarding the hazards of smoking; upon entry at a higher education facility, there was virtually no material present. Mr. Schiele said that all information from ATUPA indicates that college-age students are now the prime target for the tobacco industry. He also said that many individuals believe

themselves to be a casual, occasional smoker, are also likely to become addicted. Mr. Shiele believes the State Strategic Plan is undergoing amendments that will address this situation.

Mr. Shinagawa spoke of the issue of smoking and suggested that although it did not seem practical for the County to adopt T-19 due to the cost and staffing requirements he was grateful for the Reality Check students to bring it to the County's attention. Mr. Koplinka-Loehr suggested that perhaps a resolution endorsing a statewide law to increase the age to 19 would send a message to the State authorities as well as indicating to the Reality Check students that the County is concerned about smoking. Mr. Koplinka-Loehr will work with Mr. Schiele and Mr. Shinagawa to do so. Mr. Shinagawa also said he would personally report on the matter to the Reality Check students.

Upcoming Environmental Health Mandate

Ms. Cole notified Committee members of an upcoming environmental health mandate that will require staff to provide education to operators as well as certify equipment for both tanning booths and tattoo parlors. It is expected the mandate will become effective at the beginning of 2008. Mr. Andersson noted that there are many facilities within the County offering tanning that may only have one tanning bed. Each will require staff to perform the mandated tasks. He indicated there will be mandated fees associated with the required work, although it is not clear if fees will fully cover staff time.

Approval of the Minutes of March 7, 2007

It was MOVED by Ms. Robertson, seconded by Mr. Koplinka-Loehr, and unanimously approved by voice vote by members present, to approve the minutes of March 7, 2007, as amended. MINUTES APPROVED.

Office for the Aging

Ms. Holmes spoke briefly regarding the Health Planning Council presentation of "Berger Commission Implementation - How Does it Affect Us?" She said it provided a good overview of the statewide perspective of all nursing homes. In addition, she appreciated the focus and attention to what is occurring locally. Much of the discussion focused on the perspective of home-care versus nursing home care. Upon a review of residents at Lakeside it was thought that sixty could be placed in assisted living which would then, if Lakeside were able to continue to operate, reduce the number of beds in the skilled nursing facility from 260 to 160. Ms. Holmes said that recent reports indicate that when looking ahead ten to twenty years it appears that although the population increases the need for skilled nursing care will level off. It is thought this will be due to several factors such as finding alternatives to remain in homes, better health, etc.

Mr. Shinagawa shared information recently appearing in *Forbes* magazine indicating that health care positions were among the top ten employment opportunities for individuals. With regard to Lakeside's closure and the Berger Commission's recommendation for a new provider, a competitive State bid process will be required.

Human Services Coalition

Ms. Schlather, Director, provided members with written information outlining the process to be taken for agency funding review. She indicated that normally site visits occur to twenty-five percent of the agencies; she will provide information to the Committee so those who desire may attend as well.

Continuum of Care Grant

Ms. Schlather reported that several weeks ago she was notified of a reduction in the Continuum of Care Grant funding for the year. She explained that a funding request was made for a total of \$203,585, for the fiscal year 2007. This figure was determined by eliminating Unity House that is no longer in operation, and utilizing that funding to request two-year funding for Chartwell House, and one-year funding for the Corn Street Apartments. When the application was processed by HUD, they only agreed to one-year funding, cutting the amount requested for Chartwell House in half, and then incorrectly assumed the funding request for Corn Street Apartments was also a two-year request and cutting that in half also. A full accounting of the matter is shown below.

HUD Continuum of Care Funding requested in fiscal year 2006 for year 2007 –
\$120,252 – two-year renewal – Tompkins Community Action – Chartwell House
\$ 83,333 – one-year renewal, Tompkins Community Action – Corn Street Apartments
\$203,585 Total Request

Award Received for year 2007 –
\$ 60,126 – Tompkins Community Action – Chartwell House Renewal, received one-year instead
of two-years requested
\$ 41,667 Tompkins Community Action – Corn Street Apartments Renewal, received one-half
year instead of one-year requested
\$101,793 Total Award Received of \$203,585 Requested

Ms. Schlather said a letter of appeal showing the mistake in the Corn Street funding has been sent, but thus far HUD has indicated the error will not be corrected. Although an application for the full amount may be made for the year 2008, there will be a shortage of \$41,667 anticipated for Corn Street for 2007. Ms. Schlather has been in contact with Congressman Hinchey's office to assist in obtaining the funding lost as a result of the error. Ms. Schlather speculated that one of the reasons HUD denied the two-year funding could be because they like to see new housing projects as part of the request. The Continuum of Care will ask for a formal debriefing from HUD.

Ms. Robertson spoke of contingent funds within the budget to assist with the shortage and for jail board outs and suggested that perhaps a project could be funded to provide transitional housing for women exiting the jail. Ms. Schlather is hopeful that \$210,000 would be approved for 2008 if a new project accompanied the request.

Ms. Robertson requested information be provided on the Homeless Street Count Survey recently conducted. It was noted that although records indicate approximately 44 individuals per night in shelters, the survey indicated 150 individuals were homeless. She would like detail of where the approximate 110 stay.

Adjournment

On motion the meeting adjourned at 4:05 p.m.

Respectfully submitted by Karen Fuller, Deputy Clerk