



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

2016 NYSAC Fall Seminar Niagara County, New York

Standing Committee on Public Health and Mental Health

Joseph Todora (Sullivan County) – Chair
Hon. Michael Amo (Orange County) – Vice Chair

**2016 NYSAC Fall Seminar
Standing Committee on Public Health and Mental Health
Resolution #1**

Resolution Supporting an End to Executive Administrative Cuts, an Increase in the Base Grant, Per Capita Rate, and State Aid Formula that Constitute Article 6 State Aid Reimbursement for Mandated General Public Health Work Undertaken by Local Health Departments as Population Health Partners of New York State

WHEREAS, the prevention and population health activities of local health departments in New York City and the 57 other counties in New York State are essential to the overall health of the state's residents and communities, and crucial to the success of the state's Medicaid Redesign Team efforts; and

WHEREAS, unhealthy community environments lead to incidents such as the discovery of PFOA in drinking water supplies in Rensselaer County, which has presented significant disease risks to the residents of these communities; and

WHEREAS, New Yorkers can be, and have been, exposed to deadly communicable diseases such as Ebola, the harmful Zika virus, and other communicable diseases that may arrive from other nations via global travelers at any time; and

WHEREAS, stable and timely funding to support core public health services delivered by local health departments under Article 6 of the Public Health Law is necessary for the protection of all communities within New York State; and

WHEREAS, Article 6 of the Public Health Law currently provides a base grant of either a set amount or a per capita rate of local health department (LHD) expenditures on core public health services, and then State reimbursement for 36% of LHD costs beyond the base grant; and

WHEREAS, the state has reduced its annual appropriations for Article 6 Public Health spending by 40% over the last several years; and

WHEREAS, New York State does not allow local government to recover any of its necessary expenditures on fringe benefits for local health department personnel who provide core public health services mandated under Article 6; and

WHEREAS, in state fiscal year 2011-12, the State eliminated the allowance of state aid for so-called "optional services" by local health departments, such as early intervention administration, medical examiners, dental health services, some environmental health activities, certified home health agencies, and more; and

WHEREAS, administrative actions by the New York State Department of Health (NYSDOH) such as the reduction since 2012, and eventual elimination, of revenue offset; the refusal to cover costs associated with the contribution that other local governmental offices make to the work of their local health department Maintenance in Lieu of Rent (i.e. “MILOR”); and a recent refusal to cover technical assistance in rural counties for well water and septic tank problems that can compromise the sanitation and health of communities throughout rural areas of the state; and

WHEREAS, the reduction and eventual elimination of the revenue offset and other administrative actions leads to a reduction in the generation of fee and penalty revenue that, in turn increases the need for local budget cuts, including staff reductions that compromise the capacity of local governments to ensure the provision of the core services necessary to protect the public’s health; and

WHEREAS, NYSDOH has frequently applied changing and inconsistent standards in what it allows as state aid claims without advance notice, from quarter to quarter, region to region, or county to county; and

WHEREAS, inflation-adjusted payments by New York State for Article 6 state aid to local health departments have declined since 2011, and as a result, local expenditures for public health services and subsequent claims for such state aid have declined dramatically, with New York City claims alone dropping by \$85 million and state aid payments to New York City declining by \$120 million; and

WHEREAS, executive administrative reductions to Article 6 State Aid reimbursement have a negative impact on the ability of local health departments to protect the public including:

- enforcing regulations intended to reduce the incidence and risk of Legionnaire’s Disease;
- eliminating the HIV/AIDS epidemic;
- preventing and controlling the spread of communicable diseases;
- responding to the current heroin and opioid epidemic;
- ensuring the safety of the food we eat, the water we drink and the air we breathe;
- ensuring the safety of New Yorkers in camps, beaches and other recreational venues;
- preventing major causes of death and chronic disease such as heart disease, diabetes, asthma and cancer;
- monitoring and control of insect-borne diseases such as Lyme Disease, West Nile Virus, EEE;
- monitoring the public health impact of an influx of unaccompanied minors into the United States and specifically New York State;
- monitoring and responding to international health threats and emergencies, among other public health needs; and

WHEREAS, local health departments deserve respect for their dedication to public health and their expertise in population health; and

WHEREAS, local health departments require adequate state funding as key partners of the New York State Department of Health in population health efforts to achieve statewide goals set in the New York State Prevention Agenda; and

WHEREAS, the current limits on base grants and state aid, combined with increasing administrative cuts and disallowances, are creating a cascading negative financial impact on local health departments and eroding their local public health infrastructure; and

WHEREAS, New York State has imposed a cap on property taxes that further restricts the ability of local government to fund core public health services.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls on the Governor to compensate, within the 2017-18 Executive Budget and subsequent budget years, for significant state funding cuts to local health departments since 2010 by taking the following steps in the Article 6 State Aid for General Public Health Work base grants and reimbursement rates:

1. Instruct the Division of Budget and NYSDOH to end administrative actions that will result in further erosion of state aid to local health departments;
2. Increase the base grants that ensure 100 percent reimbursement of local expenditures:
 - a) Increase the base grant to Full Service LHDs (i.e. those with environmental health units) from \$650,000 to \$750,000;
 - b) Increase the base grant to Partial Service LHDs (i.e. those with environmental health units) from \$500,000 to \$550,000;
 - c) Increase the per capita rate for the largest counties from 65 cents per resident to \$1.30.
3. Increase the beyond-base-grant state aid reimbursement rate from 36% to 38%.
4. Provide 100% reimbursement for the first full year of any new and/or significantly expanded mandates emerging from law, rule or regulation.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the 62 counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Department of Health, and all those deemed necessary and proper.

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Resolution #2**

**Resolution Supporting Rabies Prevention Across the State and Providing
Appropriate Funding Necessary to Achieve this Goal**

WHEREAS, rabies is a deadly disease caused by a virus that attacks the central nervous system, and is almost always fatal once symptoms appear; and

WHEREAS, rabies is most often seen among wild animals such as raccoons, bats, skunks, and foxes; and infected mammals can transmit the rabies virus to humans and other mammals including cattle, cats and dogs; and

WHEREAS, the first signs of a rabies infection is usually change in an animal's behavior, an animal may become aggressive or tame, it may lose its fear of humans, or froth at the mouth; and

WHEREAS, without vaccination dairy farms are at great risk when sending their cattle out to pasture where they could come in contact with rabid animals; and

WHEREAS, rabies vaccination shots are expensive and can cost farms thousands of dollars annually; and

WHEREAS, losing a single animal can be a significant financial burden for a farmer; and

WHEREAS, luckily, humans are typically only exposed to rabies when an infected animal bites them, or when saliva from an infected animal enters an open cut or mucous membrane such as one's eyes, nose or mouth, but those who work on farms are at a greater risk of contracting rabies if working with unvaccinated livestock.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls on the Governor to increase funding available to counties for rabies awareness, vaccination, and treatment in the 2017-18 state budget, proportionate to the number of suspected rabies cases; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the 62 counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Department of Health, and all those deemed necessary and proper.

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Resolution #3**

**Resolution Calling on Governor Andrew M. Cuomo and Members of the
New York State Legislature to Urge Congress to Take Emergency Action to
Combat the Spread of the Zika Virus in the United States**

WHEREAS, the Zika virus is a mosquito-transmitted infection related to dengue, yellow fever and West Nile virus. It was discovered in the Zika forest in Uganda in 1947 and is believed to be common across Africa and Asia; and

WHEREAS, Zika is spread mostly by the bite of an infected Aedes species mosquito (Ae. aegypti and Ae. albopictus); and

WHEREAS, there are more than 749 confirmed cases of the Zika virus across New York State; and

WHEREAS, though the majority of those infected have no symptoms, and those who do usually recover within a week, Zika can have devastating impacts on a pregnancy; and

WHEREAS, Zika can be passed from a pregnant woman to her fetus. Infection during pregnancy can cause certain birth defects including congenital microcephaly and other serious brain defects. There is also mounting evidence of neurological impacts on adults; and

WHEREAS, there is no vaccine or medicine for Zika, which means prevention of the Zika virus and control of the Aedes species mosquito population is of the utmost importance; and

WHEREAS, for prevention and mosquito control to be effective, federal funding needs to be allocated to state and local entities as soon as possible; and

WHEREAS, United States Senator Chuck Schumer has urged Congress to pass emergency funding to fight the spread of Zika and support the development of a possible vaccine for the mosquito-borne viruses; and

WHEREAS, Congress has not approved the full \$1.9 billion in funding President Barack Obama has asked for to fight the disease.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties calls on the Governor and State Legislature to urge the United States Congress to take immediate action to approve funding to fight the spread of Zika; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the 62 counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED that the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

**2016 NYSAC Fall Seminar
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Resolution #4**

Resolution Calling on the Office of Alcoholism and Substance Abuse Services and the Governor of the State of New York to Provide State Funding to Support the Treatment of Individuals with Substance Use Disorders, Who Are Incarcerated in County Jails, in Order to Help Combat the Heroin and Opioid Abuse Epidemic and Other Addictions, Save Lives, and Reduce the Rate of Recidivism

WHEREAS, the rise in heroin and prescription opioid addiction and overdose-related deaths continue to be a major epidemic across New York State; and

WHEREAS, substance use disorders, including heroin and opioid addiction, are very common among incarcerated individuals; and

WHEREAS, according to the National Center on Addiction and Substance Abuse at Columbia University, 65 percent of individuals incarcerated in jails and prisons in the U.S. meet the medical criteria for a substance use disorder and only 11 percent receive any treatment for substance abuse while incarcerated; and

WHEREAS, without access to substance use disorder treatment while incarcerated, many individuals start using drugs again immediately upon release from incarceration; and

WHEREAS, in the first two weeks, after an individual with a substance use disorder is released from jail, the risk of a fatal drug overdose is much higher than at any other time. As a result, individuals are often either dying from overdoses in high numbers after they are released from incarceration or end up getting re-arrested for drug-related crimes; and

WHEREAS, Article 41 of the Mental Hygiene Law charges the Local Governmental Unit (LGU) with the responsibility for the planning, development, implementation and oversight of services to individuals with mental illness, substance use disorders and developmental disabilities at the local level; and

WHEREAS, the LGU works closely with local correctional facilities, community providers and other stakeholders to improve in-jail behavioral health treatment, facilitate community linkages upon reentry and reduce recidivism with very limited resources; and

WHEREAS, while the Office of Mental Health provides some State Aid to counties for the provision of mental health services in the jails, there is no comparable funding provided by the state for incarcerated individuals with substance use disorders; and

WHEREAS, state funding is needed to help provide access to comprehensive substance use disorder services in the jails, including screening and assessment at entry, education and counseling services, peer support, medication assisted treatment and discharge planning to continue treatment post-incarceration; and

WHEREAS, access to substance use disorder treatment in jails, especially to medication assisted treatment for individuals with opioid addiction, is critical for positive post-release outcomes.

NOW, THEREFORE BE IT RESOLVED, that the New York State Association of Counties calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism, by providing state funding for the treatment of incarcerated individuals with substance use disorders in our county jails; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the 62 counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and the Office of Alcoholism and Substance Abuse Services, and all others deemed necessary and proper.