

MARCH 23, 2006

HUMAN SERVICES COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
  - a. INTRO. 5-13 (2006)  
**SMITH:** Establishing an Educational Wrap-Around Initiative for Recipients of Social Services (3-0)
2. INTRO 5-7 (2006)  
**KONST, LOCKLEAR, IANNELLO, LOUGHRAN & THE MINORITY CAUCUS**  
WHEREAS, on September 7, 2005, County Executive Joel Giambra announced that the County of Erie was working with IBM and the NYS Associations Of Counties to track Medicaid Fraud, through an initiative called VERIFY NY, and

WHEREAS, on December 14, 2005 a communication, 32E-9, was received from the County Executive to give the Department of Social Services authorization to enter into a contract with NYS Association of Counties to participate in the VERIFY NY program, and

WHEREAS, communication 32E-9 stated the Department of Social Services will develop the necessary components of this program and will seek necessary funding through a budget amendment to fund this initiative in early 2006, and

WHEREAS, upon the adoption of this resolution the Erie County Legislature has not received any funding request for this initiative, and

WHEREAS, Rockland County has entered into an \$89,000 contract with the New York State Association of Counties as part of a pilot program to use the VERIFY NY software to detect potential Medicaid abuse, and

WHEREAS, Rockland County has also entered into a memo of understanding with the state Medicaid Inspector General and the state Department of Health to act as lead agency in the investigation of questionable Medicaid billing practices, and

WHEREAS, a preliminary analysis of Rockland County's claims by the VERIFY NY program revealed that: (i) of \$3.2 million in billing by internists and specialists who serve Medicaid recipients, with nearly \$900,000 considered to be questionable, and (ii) of the 200,000 claims by 420 Medicaid providers, 42-percent submitted bills that exceed normal levels, and (iii) an analysis of pharmacies that provide

prescriptions to Rockland County Medicaid recipients revealed even higher numbers of \$67 million in pharmacy Medicaid billing, more than \$12 million was identified for further investigation, and

WHEREAS, the Erie County Fiscal Stability Authority ("ECFSA") has been allocated "Efficiency Grants" to assist Erie County in its endeavors to implement a matrix of initiatives for making Erie County operate more efficiently, which matrix of initiatives has been accepted by the ECFSA in its approval of the County's Four Year Plan and 2006 Budget; and

WHEREAS, combating Medicaid Fraud and Abuse is item # 56 on the Matrix and is discussed on page V-112 of the Four Year Plan.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby request the Erie County Commissioner of Social Services to appear before the next meeting of the Legislature's Human Services Committee to discuss the progress Erie County has made in participating in the VERIFY NY Program, the Costs to the County for participation in this program, who is the lead County Official that will be the liaison between IBM and the County of Erie, the time frame on which we can expect a copy of the detailed report that VERIFY NY provides to Erie County and who has Erie County hired to act as our lead agency in the investigation of questionable Medicaid billing practices, and be it further

RESOLVED, that the ECFSA be requested to pay all costs associated with the implementation of the Verify NY program using ECFSA efficiency grants; and be it further

RESOLVED that certified copies of this resolution be sent to the Commissioner of Social Services Michael Weiner, Erie County Controller Mark Poloncarz, the ECFSA Chair and Erie County Executive Joel Giambra.  
(3-0)

3. COMM. 5E-18 (2006)  
**COUNTY EXECUTIVE**  
RESOLVED, the Erie County Legislature does hereby confirm the appointment of the following individual to the Erie County Council on the Disabled for the term stated to serve the remainder of the term for Ivy Diggs-Washington, who has resigned:

<u>Name and Address</u>	<u>Term Expiration</u>
Andrew Kiener 139 Alberta Drive Amherst, New York 14226	June 30, 2007

(3-0)

4. COMM. 6E-8 (2006)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services would like to proceed with the next phase of a broad based Medicaid Provider Audit Project, and

WHEREAS, this project will include the utilization of the Verify NY process to identify Medicaid providers that have an extended and unusual billing history, and the Verify NY process will allow the County the ability to review and analyze such Medicaid adjudicated claims and to assess whether sufficient cause exists to perform a program audit, and

WHEREAS, this resolution authorizes the addition of one staff position within the Special Investigations Division of the Department to coordinate the audit project and also funds a contract with the New York State Association of Counties as previously authorized by Legislative resolution, and

WHEREAS, there is no fiscal impact to this resolution as the positions and contract costs are to be claimed against Medicaid administrative costs for which there is no additional local share necessary in 2006.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2006 Adopted Budget:

Department of Social Services, Department 120, Fund 110

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
500000	Full-time Wages	\$37,446
502000	Fringe Benefits	15,353
510000	Local Mileage Reimbursement	3,000
510100	Out of Area Travel	7,000
516010	New York State Association of Counties	119,700
530000	Other Expenses	<u>10,000</u>
	Total Expenditure	<u>\$192,499</u>
407540	State Aid Social Services Administration	\$96,249
411540	Federal Aid Social Service Administration	<u>96,250</u>

Total Revenue \$192,499

RESOLVED, that the County Executive and the Commissioner of Social Services are authorized to execute necessary contracts and agreements for this program, and be it further

RESOLVED, that the following staff position is created:

(1) Sr Special Investigator JG 10

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of the Department of Social Services, the Commissioner of Personnel, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

(3-0)

5. COMM. 6E-14 (2006)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services issued a request for proposals to allocate funding for the purpose of supporting culturally diverse community agencies that can deliver programming to prevent the placement of children in foster care, and

WHEREAS, based on review of proposals submitted and evaluated, the Department recommends funding three community providers including Dr. Bennett Smith Sr. Family Life Center, Hispanics United of Buffalo and Community Action Organization of Erie County, and

WHEREAS, the focus of these providers will be in the delivery of unique service provision that is not available in the traditional and intensive preventive services programs for which the Department otherwise currently contracts, and

WHEREAS, there is no fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2006 Adopted Budget:

**Department of Social Services, Department 120, Fund 110**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE/ (DECREASE)</u></b>
516010	Dr. Bennett Smith, Sr. Family Life Center	\$150,000
516010	Community Action Organization of Erie County	80,000
516010	Hispanics United of Buffalo	100,000
516010	Mandated Preventive Services Enhancements	<u>(330,000)</u>
	Total Expenditure	<u>-0-</u>

and be it further

RESOLVED, that the County Executive and the Commissioner of Social Services are authorized to execute necessary contracts with the above providers, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.  
(3-0)

6. COMM. 6E-15 (2006)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services has received an award of Federal funds in the amount of \$386,484 based on an exceptional record of successful adoption placements finalized in the 2004-2005 Federal Fiscal Year, and

WHEREAS, the funds must be spent by August 1, 2006 consistent with New York State guidelines and according to a plan developed in consultation with the New York State Office of Children and Family Services for activities that support finalization of adoptive placements and for activities that prevent foster care placements, and

WHEREAS, six providers are awarded an amount of \$20,000 to be utilized in accordance with New York State requirements to further expand adoption finalizations in the current year, and

WHEREAS, four of the six providers achieved a goal of 65% of identified children with adoptions finalized within a one year period and two other providers are awarded funds based on the need to provide services to the minority population in light of the recent closure of St. Augustine Center, and

WHEREAS, three contract providers including Children Awaiting Parents, Child and Family Services and Joan A. Male Family Support Center with existing successful unique programs are deemed sole source providers, and

WHEREAS, a final component of this plan involves the purchase of a color copier which will be made from an existing State contract, and

WHEREAS, there is no fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2006 Adopted Budget:

**Department of Social Services, Department 120, Fund 110**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE/ (DECREASE)</u></b>
516010	Children Awaiting Parents	\$60,000
516010	Child and Family Services	100,000
516010	Joan A. Male Family Support Center	80,000
516010	Berkshire Farms	20,000
516010	Gateway/Longview	20,000
516010	Global Village/New Directions	20,000
516010	Hillside Children's Center	20,000
516010	Buffalo Urban League	20,000
516010	Sara Minnie Badger	20,000
561410	Lab and Technical Equipment	26,484
	<b>Total Expenditure</b>	<b><u>\$386,484</u></b>
414000	Federal Aid Child Welfare Services	\$386,484
	<b>Total Revenue</b>	<b><u>\$386,484</u></b>

and be it further

RESOLVED, that the County Executive and the Commissioner of Social Services are authorized to execute necessary contracts and agreements for this program, and be it further

RESOLVED, due to the immediate need to fund these critical programs, the requirement for Request for Proposals is waived, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

(3-0)

7. COMM. 6E-17 (2006)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds in the Long Term Care Insurance Education and Outreach Program (LTCIEOP) grant and the Health Insurance Information, Counseling and Assistance Program (HIICAP) grant for the period April 1, 2005 to March 31, 2006, and

WHEREAS, the Department of Senior Services (Department) is responsible for informing and educating the general public about long term care insurance, including those policies that are available through the New York State Partnership for Long Term Care, and for assisting older adults with questions related to Medicare under the HIICAP program, and

WHEREAS, the Department has reviewed the budgets and actual costs of carrying out each program's objectives, and

WHEREAS, the Department desires to allocate the funds to ensure specific program services are fully provided, and

WHEREAS, the LTCIEOP and HIICAP grant budgets need to be revised in order to achieve these goals, and

WHEREAS, no County funds are required.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the LTCIEOP grant, 163LTCIEOP0506, be revised as follows:

	Current Budget	Changes	Amended Budget
<b>APPROPRIATIONS</b>			
500000 Salaries	\$17,907	-\$1,600	\$16,307
502000 Fringe Benefits	5,372	-\$1,400	3,972
510000 Local Mileage Reimbursement	1,000	<u>-900</u>	100

510100 Out of Area Travel	600	-600	0
516020 Professional Services & Fees	5,500	1,500	7,000
530000 Other Expenses	3,421	-3,421	0
545000 Rental Expenses	3,400	-3,400	0
561410 Lab & Tech Equipment	15,000	-5,000	10,000
980000 ID DISS Services	3,300	14,821	18,121

TOTAL APPROPRIATIONS

0

and be it further

RESOLVED, that the budget for the HIICAP grant, 163HIICAP0506, be revised as follows:

	Current Budget	Changes	Amended Budget
<b>APPROPRIATIONS</b>			
500000 Salaries	\$11,754	-\$100	\$11,654
510000 Local Mileage Reimbursement	1,500	-875	625
510100 Out of Area Travel	1,400	-848	552
516020 Professional Services & Fees	3,000	-2,280	720
530000 Other Expenses	2,300	5,353	7,653
545000 Rental Expenses	1,000	-1,000	0
980000 ID DISS Services	1,200	<u>-250</u>	950
Total Changes		<u>\$0</u>	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget, Management and Finance, the Comptroller's Office, and the Department of Senior Services.

(3-0)

8. COMM. 6E-19 (2006)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for geriatric counseling services under the Elder Caregiver Support Program Grant (III-E), and

WHEREAS, the Department of Senior Services has conducted a competitive process to solicit eligible agencies and consultants to provide short-term counseling to caregivers experiencing emotional strain from the burden of caring for elderly loved ones, and

WHEREAS, the Department wishes to contract with all of the eligible providers who applied for contract consideration.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and hereby is authorized to enter into contract with the following providers of geriatric counseling services under III-E grant for the period January 1, 2006 through December 31, 2006:

Catholic Charities Manpower Services, Inc.  
Paul H. Gevirtzman, LCSW-R  
Jewish Family Service of Buffalo and Erie County  
Mary J. Nixon, LCSW-R

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, Division of Budget, Management and Finance, the Comptroller's Office, the County Attorney and the Department of Senior Services.  
(3-0)

9. COMM. 6E-24 (2006)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services will receive a \$30,000 cash donation from the United Way of Buffalo and Erie County for preventive services aimed at supplementing the successful Closing the Gap initiative, and

WHEREAS, the Closing the Gap initiative has been fully supported with non-tax levy dollars over the last three year period, and

WHEREAS, this funding is to be used to supplement an existing contract with the Joan A. Male Family Support Center which is a lead agency in the Full Service Schools component of the Closing the Gap initiative, and

WHEREAS, the Full Services Schools initiative places casework staff in school buildings to provide an outreach specialist function to assist students as needed in assessment, counseling, referral and intervention, and

WHEREAS, staff assigned focus on the unique needs of individual students and bridge the gap between students, teachers, administrators, support staff and community service providers, and

WHEREAS, there is no fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2006 Adopted Budget:

Department of Social Services, Department 120, Fund 110

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
516010	Joan A. Male Family Support Center Full Service Schools (Prev DF)	<u>\$85,714</u>
	Total Expenditure	<u>\$85,714</u>
418430	Donated Funds – PINS and Preventive	\$30,000
407680	State Aid Services for Recipients	<u>55,714</u>
	Total Revenue	<u>\$85,714</u>

RESOLVED, that the County Executive and the Commissioner of Social Services are authorized to execute necessary contracts and agreements for this program, and be it further

RESOLVED, due to the immediate need to fund this program with an established lead provider agency, the requirement for Request for Proposals is waived, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

(3-0)

**THOMAS J. MAZUR  
CHAIRMAN**