

May 2, 2002

HUMAN SERVICES
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

- | | | | | AS AMENDED |
|----|--|------|-------|-------------------|
| 1. | Item | Page | -2002 | (Intro. 5-2) |
| | DUSZA, CHASE, CUSACK, WEINSTEIN, LARSON, KUWIK, HOLT, FISHER & DALE | | | |

WHEREAS, Diabetes mellitus is a group of diseases characterized by high levels of blood glucose resulting from defects in insulin secretion, insulin action, or both and can be associated with serious medical complications and premature death; but people with diabetes can take measures to reduce the likelihood of serious complications, and

WHEREAS, The occurrence of diabetes mellitus in the United States is estimated at 15.7 million people, or 5.9 percent of the population, with new cases last year were estimated at 798,000, and

WHEREAS, The financial cost of diabetes to Americans was estimated to be \$98 billion in 1997 (the latest year figures were available) for direct and indirect care, and

WHEREAS, While better diagnostic criteria and treatments have improved the lives of more and more people with diabetes, the costs associated with diagnosis and treatment remain a very real burden for most people, and

WHEREAS, One such treatment for controlling diabetes is the drug Glucophage XR, an extended-release once-a-day tablet that has shown to be very effective at controlling blood sugar in people diagnosed with Type 2 Diabetes – which accounts for about 90 to 95 percent of all diagnosed cases of diabetes, and

WHEREAS, The convenience of effective and convenient treatment for Type 2 Diabetes has propelled Glucophage XR to become the number one prescribed pill for lowering blood sugar, and represents an estimated 10% of the income for the maker of Glucophage XR, Bristol-Myers Squibb, and

WHEREAS, Inasmuch as Bristol-Myers Squibb holds the patent for Glucophage XR, less costly generic versions of the drug – which could save consumers an estimated \$1.9 billion a year - are currently locked out of the market until the patent expires later this year, and

WHEREAS, By law, a drug company can receive a six month extension of a drug patent when they conduct pediatric tests; Bristol-Myers Squibb is now claiming that because children can now be prescribed the drug, their patent should be extended not for six months but for three years, and

WHEREAS, The emerging problem of children with Type 2 Diabetes is frightening and a very real concern for parents, physicians, and government; the drug Glucophage XR has been shown to help diabetic children lower blood sugar levels and has also been indicated in helping children with obesity significantly lose weight long before a diagnoses of diabetes, and

WHEREAS, Both houses of Congress have passed legislation that would deny Bristol-Myers Squibb the extension for adult use of the drug, but advocates for people with diabetes have cautioned that lobbyists are currently working to reverse those votes with a compromise that would indeed extend the patent and deny generic alternatives even for adult use only, and

WHEREAS, The cost of prescription drugs is onerous enough for most Americans and the extension of the patent for adult use of Glucophage XR would add to the burden of people with Type 2 Diabetes by denying them access to lower-costing alternatives.

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its support for previously adopted bipartisan legislation in Congress that denied extension of the patent for the Type 2 Diabetes drug Glucophage XR that is set to expire this year, which would pave the way for less-costly generic versions of the drug, and be it further

RESOLVED, That this Honorable Body does hereby urge Congress to stand firm against pressure to roll back votes within either house of the US Congress with any so-called "compromise" legislation that would extend the patent and could cost American consumers billions, and be it further

RESOLVED, That certified copies of this resolution be forwarded to President George W. Bush, US Senators Charles E. Schumer and Hillary Rodham Clinton, and the Western New York Delegation to the US House of Representatives.

Fiscal Impact: None for Resolution.
(5-0)

AS AMENDED

2. Item Page -2002 (Intro. 8-6)
CUSACK, WEINSTEIN, DeBENEDETTI, GREENAN, CHASE, RANZENHOFER, McCARVILLE, LARSON, FISHER, KUWIK, HOLT, DALE & DUSZA

WHEREAS, youth crime and delinquency are serious problems affecting society and, it is important to understand how antisocial behavior develops in order to design applicable programs that interrupt this developmental pathway, and

WHEREAS, the most serious and chronic offenders often show signs of antisocial behavior as early as the preschool years, and

WHEREAS, three important risk factors associated with the early development of antisocial behavior, poor prenatal care, child abuse and neglect and a troubled maternal life course, can be modified, and

WHEREAS, children who exhibit antisocial behavior very early in life are more likely to have impaired neurological functioning, including poor motor functioning, attention deficits, hyperactivity, impulsivity, and impaired language and cognitive functioning, and

WHEREAS, in many cases, these problems can be traced to poor prenatal health conditions that interfere with the development of the fetal nervous system and lead to future anti-social behavior, juvenile delinquency and criminal behavior, and

WHEREAS, research validates evidence that prenatal and early childhood nurse home visitation services provided in Elmira, New York and Memphis, Tennessee have reduced future juvenile crime and delinquency, and

WHEREAS, these nurse home visitation programs helped pregnant women improve their diet, cut down on cigarette smoking and or stop the use of alcohol or illegal drugs that can harm the development of the fetus, and

WHEREAS, the programs have reduced rates of child abuse and neglect and other serious care giving problems by helping young parents deal with depression, anger, impulsiveness, and substance abuse problems, and

WHEREAS, nurse home visitation also helped parents reflect on how they were parented themselves, learn about normal child development and develop the skills needed to “read” their baby’s signals, anticipate their baby’s needs and parent effectively, and

WHEREAS, mothers who are unmarried, do not graduate from high school, and have three or more children are more likely to have children who exhibit behavioral problems. The nurse home visitation program reduces these risk factors by helping young parents develop the confidence and skills necessary to set and achieve goals such as completing their education, finding work and avoiding unplanned subsequent pregnancies, and

WHEREAS, the nurses help young parents consider multiple options, make good choices about the environment in which they will raise their children and take steps to create the kind of lives they want for themselves and their children, and

WHEREAS, the nurse home visitation program focuses on low income, first-time mothers, using trained nurses with strong interpersonal skills making home visits that begin three months into pregnancy and continue for 2 years after a child is born, and

WHEREAS, visiting nurses see families at home every 1 to 2 weeks and focus simultaneously on the mother’s personal health and development, environmental health, and quality of caregiving for the infant or toddler.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body is dedicated to improving the lives of all of the residents in the County of Erie specifically by breaking the cycle of poor prenatal medical care, child abuse and neglect and troubled maternal life course to prevent future youth crime and juvenile delinquency, and further be it

RESOLVED, the low income population in Erie County on a trial basis, through a pilot program using nurse home visitations, could benefit from a pilot nurse home visitation program in preventing youth crime and juvenile delinquency, and further be it

RESOLVED, this pilot program is dedicated to using nurses that reside in the same neighborhoods and communities as the targeted mothers and children, recruiting these nurses through Erie Community College and other local nursing programs, and further be it

RESOLVED, that members of the Erie County health, education, and government community have discussed implementing a Prenatal and early Childhood Nurse Home Visitation pilot program in Erie County, for low income first time pregnant women, and be it further

RESOLVED, that the Erie County Health Department will attempt to identify grant funds that might be available from the New York State Health Department to be utilized by programs to improve the lives of its residents with regard to low income and single mothers that lack prenatal care and that the Erie County Health Department report to same, information to the Human Services Committee no later than one month after passage of this resolution, and further be it

RESOLVED, that a certified copy of this resolution be forwarded to Erie County Executive Joel A. Giambra, Budget Director Joseph Passafiume, Erie County Health Commissioner Anthony Billittier, Erie County Social Services Commissioner Deborah Merrifield, Dr. Charles Ewing, State University of New York at Buffalo Law School, and President William Mariani, Erie Community College.

Financial Impact: None for the resolution

(5-0)

3. Item Page -2002 (Comm. 9E-25)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health operates a Women's Health Services Program that provides family planning services to at-risk adolescents and other medically indigent women and men at various locations within Erie County, and

WHEREAS, the Erie County Department of Health has recently received an amended grant award from the New York State Health Department totaling \$1,321,984 which includes an additional \$65,622 one-time funding award for expansion of family planning services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with New York State to accept the revised grant which is budgeted as follows:

WOMEN'S HEALTH SERVICES
4/1/01- 3/31/02
PROJECT #493

SFG CODE	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
386	PRIVATE PAY	\$ 3,300	\$ 0	\$ 3,300
387	MEDICAID	577,616	0	577,616
360-1012	COMMUNITY FOUNDATION	14,495	0	14,495
549-138	PRIOR YEARS MEDICAID ROLLOVER	179,114	0	179,114
549-166	INSURANCE	7,500	0	7,500
551-100	STATE AID-BDCC	80,000	0	80,000
553	STATE AID-OTHER	324,893	+65,622	390,515
685-2700	INTERFUND-NON SUBSIDY	69,444	0	69,444
	TOTAL REVENUE	<u>\$ 1,256,362</u>	<u>\$ +65,622</u>	<u>\$ 1,321,984</u>

APPROPRIATIONS

800	PERSONAL SERVICES	\$ 597,310	\$ 0	\$ 597,310
805	FRINGE BENEFITS	131,408	0	131,408
810	OFFICE SUPPLIES	6,000	+500	6,500
814	MEDICAL SUPPLIES	72,426	+25,000	97,426
816	MAINT SUPPLIES	350	0	350
821	DUES & FEES	77,537	- 13,000	64,537
822	RENTAL CHARGES	500	0	500
823	REPAIRS & MAINT	64,400	0	64,400
824	LOCAL MILEAGE	7,150	0	7,150
825	TRAVEL-OUT OF AREA	8,900	0	8,900
826	OTHER EXPENSES	40,111	0	40,111
880-2700	INTERFUND-HEALTH DEPT.	20,351	+5,000	25,351
880-2720	INTERFUND-PUBLIC HEALTH LAB	16,940	0	16,940
880-4000	INTERFUND-ECMC	56,500	0	56,500
880-5100	INTERFUND-DISS	10,800	+7,500	18,300
883-2709	INTERDEPT-HEALTH GRANTS	(150)	0	(150)
931	BUILDINGS & GROUNDS EQUIP	41,000	0	41,000

932	OFFICE EQUIPMENT	2,470	+2,850	5,320
933	LAB & TECHNICAL EQUIPMENT	102,359	+37,772	140,131
TOTAL APPROPRIATIONS		<u>\$ 1,256,362</u>	<u>\$ +65,622</u>	<u>\$ 1,321,984</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(5-0)

4. Item Page -2002 (Comm. 9E-26)

COUNTY EXECUTIVE

WHEREAS, the City of Buffalo has entered into a contract with the U.S. Department of Health and Human Services to develop a Primary Metropolitan Medical Response System Plan for managing the human health consequences of a terrorist incident involving the use of weapons of mass destruction, i.e., a nuclear, radiological, biological and/or chemical device capable of creating mass casualties, and

WHEREAS, the Metropolitan Medical Response System must interface with the State and County Emergency Response System plans, and requires coordination with nearby neighboring Metropolitan Medical Response Systems whose mutual aid are expected to be utilized.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a revised contract with the City of Buffalo which extends the contract period through 5/31/02 and amends the budget as follows:

**METROPOLITAN MEDICAL
RESPONSE SYSTEM
10/01/00 - 05/31/02
PROJECT #569**

SFG SUB OBJ	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
360 1001	City of Buffalo	\$ 60,000	\$ 0	\$ 60,000
	TOTAL	<u>\$ 60,000</u>	<u>\$ 0</u>	<u>\$ 60,000</u>
	EXPENSES			
800	Personal Services	\$ 45,092	\$ 6,700	\$ 51,792
801	Overtime	0	211	211
805	Fringe Benefits	9,920	-1,923	7,997

821	Dues & Fees	1,000	-1,000	0
824	Local Travel	1,835	-1,835	0
825	Out of Area Travel	<u>2,153</u>	<u>-2,153</u>	<u>0</u>
	TOTAL	<u>\$ 60,000</u>	<u>\$ 0</u>	<u>\$ 60,000</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(5-0)

5. Item Page -2002 (Comm. 9E-27)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Health has awarded an amended contract totaling \$115,000 which includes an additional \$15,000 for the Erie County Department of Health, and

WHEREAS, the funding will be used to implement the Expanded Syringe Access Program (ESAD) throughout Erie County, and

WHEREAS, the Expanded Syringe Access Program will provide individuals who have medical conditions requiring at home use of sharps, to safely dispose of them and to provide those individuals with information on how they can replace their sharps at a minimal fee.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an amended contract with the New York State Department of Health to provide services budgeted as follows:

WESTERN REGIONAL TRAINING GRANT

07/01/01 - 06/30/02

PROJECT # 505

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
553	STATE AID	<u>\$ 100,000</u>	<u>\$15,000</u>	<u>\$ 115,000</u>
	TOTAL	<u>\$ 100,000</u>	<u>\$15,000</u>	<u>\$ 115,000</u>
	<u>EXPENSES</u>			
800	PERSONAL SERVICES	\$ 60,453	\$0	\$ 60,453

805	FRINGE BENEFITS	16,987	0	16,987
810	OFFICE SUPPLIES	1,100	1,000	2,100
814	MEDICAL SUPPLIES	0	1,000	1,000
821	DUES AND FEES	0	6,600	6,600
825	OUT OF AREA TRAVEL	12,460	1,000	13,460
826	OTHER EXPENSES	8,500	5,400	13,900
830	CONTRACTUAL SERVICES	<u>\$ 500</u>	<u>0</u>	<u>\$ 500</u>
TOTAL		<u>\$ 100,000</u>	<u>\$ 15,000</u>	<u>\$ 115,000</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance and the Department of Law.

(5-0)

6. Item Page -2002 (Comm. 9E-28)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health administers programs for immunizations, and

WHEREAS, polio, diphtheria, tetanus, pertussis, measles, mumps, rubella, Haemophilus influenzae type B and hepatitis B all can cause significant morbidity among children. However, they all are preventable with appropriate vaccination.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a revised grant award for the Immunization Action Plan Program in the amount of \$128,400 which is funded 100% from the New York State Health Department which includes budgetary adjustments as follows:

**IMMUNIZATION ACTION PLAN
04/1/02 -03/31/03
PROJECT # 708**

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
553	STATE AID	<u>\$ 124,400</u>	<u>\$ 4,000</u>	<u>\$ 128,400</u>
	TOTAL	<u>\$ 124,400</u>	<u>\$ 4,000</u>	<u>\$ 128,400</u>
	<u>EXPENSES</u>			
800	PERSONNEL SERVICES	\$ 75,889	\$ 4,477	\$ 80,366

805	FRINGE BENEFITS	17,576	1,037	18,613
810	OFFICE SUPPLIES	6,000	-4,000	2,000
814	MEDICAL SUPPLIES	100	-100	0
821	DUES & FEES	100	3,900	4,000
822	RENTAL CHARGES	0	300	300
823	REPAIRS & MAINTENANCE	100	-100	0
824	TRAVEL & MILEAGE	1,000	750	1,750
825	OUT OF AREA TRAVEL	5,000	-250	4,750
826	OTHER EXPENSES	5,656	9,465	15,121
880-5100	DISS	300	-300	0
932	OFFICE EQUIPMENT	1,000	-1,000	0
933	LAB & TECH EQUIPMENT	11,679	-10,179	1,500
	TOTAL	<u>\$ 124,400</u>	<u>\$ 4,000</u>	<u>\$ 128,400</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(5-0)

7. Item Page -2002 (Comm. 9E-29)

COUNTY EXECUTIVE

WHEREAS, the Department of Health – Division of Public Health Laboratory has analyzed its objects of expense and has determined that in Account 823 – Repairs & Maintenance, expenditures will exceed appropriations by \$2,500, and

WHEREAS, a transfer of funds must be made in order to continue the provision of vital public health services for the remainder of the 2002 fiscal year.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of the Department of Health:

<u>Division of Public Health Laboratory</u>	
Increase – Account 823 – Repairs & Maintenance	\$2,500
Decrease – Account 821 – Dues & Fees	<u>2,500</u>
Net Increase	<u>\$ -0-</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(5-0)

8. Item Page -2002 (Comm. 9E-36)

COUNTY EXECUTIVE

WHEREAS, the Department of Social Services is seeking authorization to conduct a joint program with the Niagara Frontier Transportation Authority (NFTA), several personal care agencies and several transportation companies in an innovative pilot to provide employment-related transportation to clients and former clients working as Personal Care Aides, and

WHEREAS, transportation service is to be made available to Temporary Assistance to Needy Families (TANF) clients and TANF-eligible former clients who are trained and are employed as Personal Care Aides by agencies under contract to the Department, and

WHEREAS, transportation will be provided between a client's home and their work assignments in the homes of persons eligible for personal care aide services reimbursed through the Medicaid program, and transportation will also be provided during the course of a work shift between work assignments, and

WHEREAS, this innovative program is designed to provide transportation to areas not currently served by traditional fixed route bus transportation and for work assignments after the conclusion of normal scheduled bus service, and

WHEREAS, this program is designed to both support the employment of clients and former clients who do not have access to an automobile and to better serve Personal Care cases that are now very difficult to serve because of the lack of transportation for many Personal Care Aides, and

WHEREAS, the pilot will provide transportation services through the use of 100% Federal funds designated and approved for this purpose.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Department of Social Services and/or the County Executive are authorized to amend or enter into contracts with personal care agencies currently under contract to the Department as necessary, and be it further

RESOLVED, the Department is authorized to enter into a memorandum of understanding with the NFTA for the purpose of program implementation and funds transfer, and be it further

RESOLVED, that the following grant budget is established and budget amendments are hereby authorized in the 2002 Adopted Budget:

Department of Social Services, Department 200, Fund 281, Project 604

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
826	Other Expenses	\$295,762
882-2009	Indepart. Master Grant Salary and Fringe Charges	<u>54,238</u>
	Total Expenditures	<u>\$350,000</u>
xxxx	Niagara Frontier Transportation Authority	<u>\$350,000</u>
	Total Revenues	<u>\$350,000</u>

Department of Social Services, Department 200, Fund 281, Project 681

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
801	Personal Services	\$44,457
805	Fringe Benefits	9,781
883-2009	Interdept - Social Services Grants	<u>(54,238)</u>
	Total Expenditures	<u>-0-</u>

and be it further

RESOLVED, that the following positions are hereby created effective May 1, 2002 in the Comprehensive Employment Division Programs grant, Department 200, Fund 281, Project 681:

Number	Title	Job Grade
1	Supervisor of Accounts	9
1	Clerk	1

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.
(5-0)

BARRY A. WEINSTEIN, M.D.
CHAIRMAN