



Health & Human Services Committee

Committee Meeting

60 Central Ave.
Cortland, NY 13045
<http://www.cortland-co.org>

~ Agenda ~

Thursday, March 14, 2024

11:00 AM

Room 302

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=m247a62ec59e008124f261fcd23757625>

Thursday, March 14, 2024 11:00 AM | 1 hour | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 2341 372 5063

Password: iuPakWE7r72

Join by phone

+1-415-655-0001 US Toll

Access code: 234 137 25063

Call to Order

Attendee Name	Present	Absent	Late	Arrived
Committee Member Christopher Newell	☐	☐	☐	
Committee Member Douglas Bentley	☐	☐	☐	
Committee Chair Ronald J. Van Dee	☐	☐	☐	
Committee Member Cathy Bischoff	☐	☐	☐	
Committee Member William McGovern	☐	☐	☐	
Committee Member Reed Cleland	☐	☐	☐	
Committee Vice-Chair Keith VanGorder	☐	☐	☐	

Minutes Approval

1. Health & Human Services Committee - Committee Meeting - Feb 8, 2024 11:00 AM

Resolutions

ON MOTION OF VAN DEE

AGENDA ITEM NO. 1

Authorize Agreement for Expanded In-Home Services for the Elderly (EISEP) and Caregiver Respite Programs - Office for Aging

WHEREAS, the Expanded In-Home Services for the Elderly (EISEP) and Caregiver Respite programs provide critical services to frail older adults; AND

WHEREAS, the Office for Aging requires the services of outside service providers and private organizations to fulfill its charge; AND

WHEREAS, the Office for Aging wishes to enter into a contract with CNY Seniors d/b/a Home Instead Senior Care of Ithaca, for the provision of non-medical personal care, chore/housekeeping services, and caregiver respite; AND

WHEREAS, the total amount of all EISEP and Caregiver Respite contracts shall not exceed the available funds allocated to each program as follows:

EISEP Services	\$130,652
Caregiver Respite	\$2,500

; NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, and subject to any appropriation of funding by the Legislature, be and hereby is authorized to execute said agreement.

ON MOTION OF VAN DEE

AGENDA ITEM NO. 2

Authorize Local Aging Adult for Satellite Services (LASS) Site Laptop Memorandums of Understanding - Office for Aging

WHEREAS, the Cortland County Office for Aging (CCOFA) has entered into agreements with the following entities to provide Local Aging Adult Satellite for Services (LASS) programs:

Town of Preble - Contract No. 325-23
Cortland Chenango Rural Services - Contract No. 326-23
Scott Club, Inc. - Contract No. 327-23
Virgil United Methodist Church - Contract No. 328-23
Town of Truxton - Contract No. 329-23

; AND

WHEREAS, the CCOFA purchased six laptops in October of 2022 utilizing HDC5 Consolidated Appropriations Act funds for the enhancement of older adult programming; AND

WHEREAS, the CCOFA has determined it would be beneficial for the LASS programs to have equipment capable of connecting their sites to the CCOFA Age Well Center to engage in shared programming opportunities; NOW THEREFORE BE IT

RESOLVED that the Cortland County Legislature be and hereby approves the County Administrator and the CCOFA Director, upon review and approval by the County Attorney or designee, to sign Memorandums of Understanding for the loan and use of the aforementioned laptops to the organizations outlined herein for the purposes previously stated for the period April 1, 2024 to March 31, 2029 with the option for renewal.

ON MOTION OF VAN DEE

AGENDA ITEM NO. 3

Appoint Member - Older Americans Act Advisory Council

WHEREAS, the By-Laws of the Older Americans Act Advisory Council of the Cortland County Office for Aging state membership shall be 15-25 voting members with at least fifty percent of the membership to be at least sixty years of age that represent target group seniors according to the Older Americans Act of 1965, as amended, and shall also include representatives of health care provider organizations, including veterans and supportive services provider organizations, be broadly representative of all aspects of the county, and include local elected official and the general public; AND

WHEREAS, Article 4, Section 4, states the term shall be for three years, or appointed to complete a term of a person who has resigned, the new person's length of term is defined as the period of the original member's term, with a maximum of two consecutive terms; NOW THEREFORE BE IT

RESOLVED, that the following be and hereby is appointed to the Older Americans Act Advisory

Name	Capacity	Term Number	Term Expiration
Sharon Torres	Community Member	1 st Term	12/31/2026

ON MOTION OF VAN DEE

AGENDA ITEM NO. 4

Resolution Calling for the SFY 2024-25 Enacted Budget to Include Reforms for Determining the Capacity of a Defendant to Stand Trial

WHEREAS, section § 730 of the Criminal Procedure Law (CPL) provides that defendants charged with felonies who are mentally ill and/or developmentally disabled and who are determined by a court to be unable to understand the charges against them or participate in their own defense (often called “730’s”) are sent to New York State-operated forensic hospitals solely for the purpose of trying to restore them to competency so they can stand trial; AND

WHEREAS, the origin of CPL § 730 dates back over five (5) decades to the laws of 1970, and parts of it have been declared to be unconstitutional; AND

WHEREAS, competency restoration provides necessary medications but primarily provides services such as courtroom training to familiarize the defendant with courtroom procedures so they can participate in their trial; AND

WHEREAS, in the cases for which restoration is appropriate, most defendants can generally be restored within 90-150 days; AND

WHEREAS, unfortunately, there are also numerous situations where defendants have been kept in restoration for periods of three, six, or even 10 years; AND

WHEREAS, these lengthy confinements have been declared to be unconstitutional by the U.S. Supreme Court as shown in the case of *Jackson v. Indiana* (1972), which provides that states may not indefinitely confine criminal defendants solely on the basis of incompetence to stand trial; AND

WHEREAS, the Office of Mental Health (OMH) has diverged from agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration; AND

WHEREAS, the SFY 2020-21 budget required counties to pay 100 percent of the OMH State Operations costs for individuals receiving court-ordered mental health competency restoration services at State-operated Forensic Psychiatric Centers; AND

WHEREAS, as the full payors of these services, the commissioners must have timely access to any pertinent client information as deemed necessary to effectively manage their responsibilities under the Mental Hygiene Law; AND

WHEREAS, the county cost of these services is over \$1,300 per day and current statute does not require a timeline be established for when a defendant is unable to be restored; AND

WHEREAS, the county cost of restoration for one defendant can be upwards of \$400,000 per year; AND

WHEREAS, in New York State, counties, through the county tax levy, already bear an overwhelming portion of the financial burden for supporting individuals suffering from serious mental illness, and the requirement to assume 100% of 730.20 competency restoration costs has taken away millions of dollars from critical behavioral health programming in the community; AND

WHEREAS, given the advances in the behavioral health and the modernization of the criminal justice system, it is time for the State to reform the statutory authority governing competency restoration to ensure that only individuals who are appropriate subjects of 730 court orders are sent for restoration in accordance with the current state of these two systems; AND

WHEREAS, the Legislature has introduced S.1874 (Brouk)/A.5063 (Gunther), which seeks to address the reforms necessary to update the archaic requirements of current statute, many which have been deemed unconstitutional and includes a critical requirement to reinvest any savings derived by the counties back into the local mental hygiene systems of care as follows:

- CPL § 730.10 shall be modified to make clear that restoration is not mental health treatment, so the judiciary is better informed that a 730 order does not treat underlying mental health conditions;
- CPL § 730.20 shall be reformed to establish specific criteria for 730 examiners, streamlining the process to establish equity across the system, and that the psychiatrist or psychologist conducting the psychiatric exam tell the court whether or not there is a reasonable chance of restoration, thereby granting the court an opportunity to allow diversion to mental health treatment;
- OMH will consistently follow their agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration;
- CPL § 730.20 shall adjust the fee for reimbursing psychiatric examiners;
- CPL § 730.50 shall limit the time defendants are ordered for restoration services; AND BE IT FURTHER
- MHL § 9.33 shall allow individuals to be transferred to Article 9 facilities if it is determined that a defendant is unable to be restored;
- MHL § 43.03 shall require Local Governmental Units (counties) to reinvest savings from these reforms into community mental health services

; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature calls on the State to support all provisions outlined in S.1874 (Brouk)/A.5063 (Gunther); AND BE IT FURTHER

RESOLVED, NYSAC shall forward copies of this resolution to Governor Kathy Hochul and the New York State Legislature encouraging them to include these reforms in the SFY 2025 Enacted Budget.

ON MOTION OF VAN DEE

AGENDA ITEM NO. 5

Authorize Agreements for Contractual Psychiatrists - Mental Health Department

WHEREAS, the Mental Health Department is in need of psychiatrists to serve its population and provided required NYS CPL 730 and MHL 9.60 evaluations; AND

WHEREAS, it would be in the best interest of the County to provide these services through an outside vendor contractor who specializes in these unique evaluations; AND

WHEREAS, Dr. Annas and Dr. Kumar, both licensed psychiatrists, are contractors selected to provide this to the Mental Health Department; NOW THEREFORE BE IT

RESOLVED, that the 2024 Cortland County Budget be and hereby is amended as follows:

Decrease:

A43105-51010-4200 \$40,000

Increase:

A43115-54615 \$40,000

; AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review by the County Attorney or designee, be and hereby is authorized to enter into an agreement with Dr. Annas and Dr. Kumar, M.D. for Mental Health Department required NYS CPL 730 and MHL 9/60 evaluation services.

ON MOTION OF VAN DEE, BISCHOFF

AGENDA ITEM NO. 6

Authorize Contracts/Delegate Authority -Community Impact Dollars for HEALing Community Study - Mental Health Department

WHEREAS, the Cortland County Mental Health Department has been awarded an increase in Community Impact Dollars (CID) from \$262,813 to \$483,949 as part of the Columbia HEALing Community Study (HCS); AND

WHEREAS, the HCS leadership committee has designated the funds to be used for funding evidence-based practices and communications interventions matching the approved Columbia budget and action plans; AND

WHEREAS, it is the recommendation of the Health and Human Services Committee to authorize the Cortland County Administrator, Chair of the Cortland County Legislature's Health and Human Services Committee and the Director of Community Services for Cortland County to approve the designation of funds to the following Cortland County contracted agencies; with these budget adjustments:

2023-2024 Columbia Approved	Original CID	Updated CID
Access to Independence	\$24,590	\$32,343
Cayuga Addiction & Recovery Services	\$30,782	\$251,918
CACTC	\$33,291	\$33,291
Cortland County Health Dept.	\$37,191	\$37,191
Family & Children's Counseling Services	\$136,959	\$129,206
TOTAL	\$262,813	\$483,949

; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Administrator, Chair of the Cortland County Legislature's Health and Human Services Committee and the Director of Community Services for Cortland County will approve the designation of funds to various Cortland County contracted agencies; AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review by the County Attorney or designee, be and hereby is authorized to execute agreements with approved county contracted agencies for these funds;

AND BE IT FURTHER

RESOLVED, the Director of Finance is authorized to pay the approved county contracted agencies from the appropriate expense account.

Monthly Reports

1. Health Department Monthly Report
2. Mental Health Department Monthly Report

Discussion Items

1. Committee Update of Opioid Settlement Funding

Adjournment