

PUBLIC SAFETY COMMITTEE MEETING MINUTES
APRIL 27, 2021

PUBLIC SAFETY COMMITTEE MEMBERS PRESENT: Ward, Hogan, Haff, Hicks, O'Brien, Clary

PUBLIC SAFETY COMMITTEE MEMBERS ABSENT: Rozell

SUPERVISORS: Hall, Henke, Fedler, Shaw, Griffith

Debra Prehoda, Clerk

Al Nolette, County Treasurer

Roger Wickes, County Attorney

Melissa Fitch, County Administrator

AGENDA AS PRESENTED IN COMMITTEE NOTICE:

1. Call to Order
2. Accept Minutes – March 30, 2021
3. Department Reports/Requests:
 - A. Coroners – Discuss DNA Cards
 - B. EMS Advisory Board
 - 1) Transportation Costs & Reimbursement Rates
 - C. Alternative Sentencing – Department Updates
 - D. Public Defender – Office Updates
4. Other Business
5. Adjournment

Chairman Ward called the meeting to order at 1:02 P.M. via teleconference.

A motion to accept the minutes of the March 30, 2021 meeting was moved by Mr. O'Brien, seconded by Mr. Hicks, and adopted.

DEPARTMENT REPORTS /REQUESTS:

CORONERS – Coroner Lemieux discussed DNA cards. Coroner Lemieux stated Dr. Sikirica brought up the DNA cards two years ago with Warren, Washington, and Saratoga County Coroners but it fell to the wayside because of COVID and not meeting and they are requesting permission to use DNA cards on requested autopsies by the Coroners. About fifty autopsies were performed last year and he mentioned three specific cases where the DNA information would have very beneficial. The cards cost about \$478 for one hundred and the secured pouches for the cards cost \$105. A motion to amend Coroners budget to create appropriation line for supplies in the amount of \$600 was moved by Mr. Hicks and seconded by Mr. O'Brien. Discussion. DNA cards are currently being used in Warren, Saratoga, and Fulton counties. Dr. Sikirica stated these cards are very relevant today for several reasons such as paternity issues, ancestral DNA, cold cases and used by the Drug Enforcement Administration to go after drug dealers – a packet of drugs found at the scene that has touched DNA on it and though DNA may be from the victim or maybe from the dealer and can rule out the victim if they have the DNA sample. The samples are collected on a small plotter card with identification written on the card and then placed in the foil pouches for preservation of the DNA. A judge's order would be needed to release this card. If this information could be helpful in the future it is something worthy to look at. The court order would list where the DNA sample is going to be sent and a processing fee could be charged. Coroner Lemieux stated in the proposed policy the DNA is stored at the morgue at Glens Falls Hospital for one year and then after that year stored by the Coroner's Office in a locked cabinet in the Coroner's office. The County Attorney stated there is no such thing as the Coroner's office and this is a horrible security risk. This is probably the most important information you can collect on anybody. These DNA cards would have to be very, very securely stored. He thinks you need permission to keep this DNA; authority to collect in the first place, keep and maintain. He stated you now have an obligation created on the part of the county to secure, store, and have this DNA available that we are not doing right now so if we do this

and something goes wrong it will be the county's problem. He has not seen anything that allows us to this in the first place. If the County had an obligation to do this, we would already be doing it and this is creating a new obligation; voluntarily undertaking a new obligation. Dr. Sikirca stated tissue is saved after every autopsy and histology for slides for twenty years at the hospital and that is mandated. The Coroners should have an office for secure storage of their records, and a phone for messages. Messrs. Hicks and O'Brien withdrew their motion and second. Mr. O'Brien asked that the County Attorney do the research and bring this back to the appropriate committee and Chairman Ward concurred. Mr. Haff would like to know the cost involved. The County Attorney agrees with Dr. Sikirca on the need for a Coroner's office for the records. Mr. Lemieux stated he would like an office as would Coroner Aiken. Mr. O'Brien, Chairman of the Government Operations Committee, stated he has asked the Superintendent of Buildings and Grounds to research finding an office for the Coroners and will address this at their next meeting. Chairman Ward stated the DNA issue is tabled until we get some more legal research and will take the topic back up at the next meeting. The only legal issue to research is the authority to actually collect it and retain it for non-investigative purposes. If we decide to do this it is a new obligation and the County Attorney is just making the committee aware of the issues involved in this undertaking. Chairman Ward recommended checking with other counties, their process and authority. Coroner Lemieux did prepare a draft policy and Chairman Ward will provide that to the Supervisors and County Attorney.

Coroner Lemieux stated a couple of years ago through a grant they received three tablets, four computers and a management system through Image Trend called Envoy. He received a call from the State Health Department notifying him that as of August 31st the State will no longer fund the management system. In his opinion it is not worth picking up this cost on our own and he does not think the program is worth it. The opinion of the other Coroners is unknown and Chairman Ward will contact them.

EMS ADVISORY BOARD – Transportation Costs & Medicaid Reimbursement Rates – Mark Spiezio, Chief Operating Officer at Cambridge Valley Rescue Squad, has been asked by the EMS Advisory Board to make this presentation, Medicaid Reimbursement - Adjustment in EMS Reimbursement Rates, slides attached. The catalyst for bring this up now was the County receiving stimulus funds and this might be a way to kind of get some of that funding to EMS who have certainly been part of the COVID response since the beginning and now with the vaccination effort. "Washington County ranks 51st or lower in ALL Medicaid ambulance categories of the 58 counties in New York State. In the mileage rate category, the rate has not been adjusted since 1988." It is financially difficult for some agencies to continue to do the job that they do because of the low Medicaid reimbursements with the increase in payer mix and not well funded with municipal dollars. Proposed increasing the milage rate over a five year plan. It is Mr. Spiezio's understanding that the County sets the reimbursement rates. Chairman Ward asked Mr. Campbell, Chairman of the Finance Committee, and he agreed to look into how the rates are determined and how the County receives reimbursement. The County Treasurer recommended talking to Public Health and the Health and Human Services Committee meets tomorrow. Chairman Ward plans to ask Board Chairman Hall if he can form a working group to look into performance standards and look into some different models that will help with reimbursement and the future of EMS. This will help with planning for the future and to help avoid a crisis in the future.

ALTERNATIVE SENTENCING – Mike Gray, Director, addressed the following items with the committee:

- Department Activities Updates:
 - Completed Shine Hill roadside pickup with the youth in the JCR program,
 - Completed the roadside pickup on the three pull-offs north of Whitehall on Rt. 22,
 - Weather permitting will be completing the Cambridge Town Building,
 - Mowing starting next week,
 - May 12th clean-up of county parks,
 - Summer Projects – Moss Street cemetery, benches to complete in Fort Ann, and Greenwich town park.
 - All performance based programs are meeting expectations so no concern with revenue,
 - 70 clients released under supervision down from a high of about 123 due to the courts opening back up.

PUBLIC DEFENDER – Mike Mercure, Public Defender, provided the following update:

- Assistant Public Defender – FT – Resigning as of May 26th. A motion to approve backfill, full time Assistant Public Defender, and forward to the Personnel Committee was moved by Mr. O'Brien, seconded by Mr. Hicks, and adopted.
- New ILS caseload standard has gone up from the weighted caseload standard from 2020 of 1678 to the revised weighted caseload standard number for 2021 of 1701. The revenue year to date is \$445,298 mainly from various Hurrell-Herring grants and between \$5,000 and \$7,000 in non-Hurrell-Herring reimbursement from state prison inmate cases.
- ILS (Indigent Legal Services) did issue new standards of representation. It is appropriate to assign counsel for pre-criminal investigations and for pre-child welfare investigations; representing individuals before they are charged with crimes or neglect filed against them in Family Court. According to the new standards it is not inappropriate to assign counsel before a neglect petition or before criminal charges. This is not necessary in every situation or done frequently. The County Attorney stated this will add to his workload.
- Staff is working in office on alternating schedules and getting busier.

PROBATION – Chairman Ward stated he received an email from Dan Boucher, Probation Director, informing him that the NYS Department of Corrections and Community Supervision renewed their rent agreement for the one office they use at \$750 per month/\$9,000 annually. The space was basically unused for 2020 but the rent due for 2020 was paid in full.

OTHER BUSINESS:

Mr. Haff has a concern with the statement that Chairman Ward would make a working group and he also understands that there is some sort of working group for the Amish in the northern part of the county/Code Enforcement. He questioned procedurally why the committee did not endorse the forming of a working group and members. The County Attorney stated a working group often times consists of people that are not Supervisors that come together to try to come up with solutions or recommendation to the Board and a subcommittee would have to be just Supervisors. Neither group can take any action only make recommendations. Mr. Haff questioned the authorization to form a working group. The County Attorney stated it is within a committee chairman's purview to form a working group to look into an issue and come up with recommendations. He stated we have to be careful with all these working groups out there that we don't lose track of what they're doing.

The meeting adjourned at 2:17 P.M.

Debra Prehoda, Clerk Washington County Board of Supervisors

Medicaid Reimbursement

Adjustment in EMS Reimbursement Rates

Vicky Campbell, Chair & Captain - Salem Rescue Squad

Bruce Mason, EMS Coordinator

Paul Zinn, EMS Deputy Coordinator & Captain - Granville Rescue Squad

Mark Spiezio, Chief - Cambridge Valley Rescue Squad

Introduction & Purpose

Washington County ranks 51st or lower in ALL Medicaid ambulance categories of the 58 Counties in New York State. In the mileage rate category, the rate has not been adjusted since **1988**. The 8 EMS / ambulance services that provide coverage in Washington County rely heavily on insurance reimbursement for services rendered. Historically and comparatively, EMS agencies have not been well funded with municipal dollars. Additionally, the Medicaid payer mix has increased exponentially in the past decade.

Without changes in the funding mechanisms for EMS agencies there is real potential for one or several agencies to simply “go out of business” which will create a significant gap in services.

Current Medicaid Rates

	Wash. Cty.	Rank	High	Low	Average	Medicare	Vermont	Update
Mileage	\$2.00	51/58	\$3.76	0	\$2.74	\$7.36	\$5.28	1988
BLS-(E)	\$147.44	51/58	\$217.41	\$144.16	\$173.65	367.39	\$290.17	2019
BLS-(NE)	\$147.44	55/58	\$257.41	\$144.16	\$175.21	229.62	\$181.36	2019
ALS (E)	\$193.01	56/58	\$193.01	\$307.17	\$223.23	436.28	\$344.58	2019
ALS (NE)	\$193.01	56/58	\$307.17	\$171.00	\$224.75	No Data	\$217.63	2019
ALS-Fly	\$60.00	20/38	\$125.00	0	\$73.41	No Data	No Data	2006

Medicaid Payer Mix

	% of Medicaid Payer Mix	Billable Volume
Argyle	<i>No Data</i>	465
Cambridge	26%	1507
Easton-Greenwich	11%	502
Fort Ann	<i>No Data</i>	615
Fort Edward	28%	2182
Granville	21%	1070
Salem	22%	310
Skenesborough	25%	622

Agency Data

	Annual Expenses	Billable/Total Volume	Cost / Call (Billable)	% Revenue from Billing	Municipal Funds (WC)
Argyle	\$336,800	465 / 525	\$724.30	64%	\$33,000
Cambridge	\$889,357	1507 / 2034	\$590.15	84%	\$7,500
E-Greenwich	\$404,000	502 / 798	\$804.78	77%	\$14,150
Fort Ann	\$462,407	615 / 873	\$751.88	65%	\$139,862
Fort Edward	\$751,946	2182 / 2814	\$344.62	96%	-0-
Granville	\$739,727	1070 / 1543	\$691.34	92%	-0-
Salem	\$215,000	310 / 379	\$693.55	64%	\$15,500
Skenesborough	\$323,764	622 / 758	\$520.52	96%	-0-

“GAP” created in Washington County

- ★ In contrast to EMS agencies in other Counties, Washington County EMS Agencies receive very little in municipal dollars.

- ★ **Total Municipal Dollars Washington County = \$210,012** [64% to 1 agency]
 - Valatie Rescue Squad = \$527,925 Towns of Chatham, Ghent, Kinderhook, Stockport, & Stuyvesant (Columbia)
 - Town of Warrensburg = \$70,000 (Warren)
 - Town of Saratoga = \$324,694 (Saratoga)
 - Town of Schodack = \$134,301 (Rensselaer)

“COST” of Doing Business

	Paid Hrs./Week
Argyle	180
Cambridge	340
Easton-Greenwich	174
Fort Ann	285
Fort Edward	400
Granville	252
Salem	64
Skenesborough	180

★ Pay equity

- EMTs - \$13.50 to \$16.50 / hour
- Paramedics - \$17.50 to \$21.00 /hour
- Dunkin Donuts - \$14.50
- Peckham's Flagger - \$20.19
- Telescope (labor start) - \$14.51

★ Training

- EMT Course Tuition = \$900 / 150 hrs.
- Paramedic Course Tuition = \$9,000 / 1500 hrs.

★ Equipment, Supplies, & Capital Expenses

- “Refurbished” Cardiac Monitor = \$15k +
- New Ambulance = \$180-\$220k
 - Remount = \$130k

What would an increase mean?

- ★ **Currently, EMS Agencies LOSE money on a Medicaid Call.**
 - ALS1 + 20 mile transport = \$233.01
 - Average amount to be covered by all revenue is \$556.14. Average required by insurance is 82% = \$456.04 needed per call.
 - ***Difference of \$223.03 per call***
 - Payer mix +/- **22%**
- ★ Increases are necessary in all categories, especially mileage (last updated 1988)
- ★ ***Increase of \$0.50 per mile on a 20 mile transport = \$10 per call. That would likely pay for the fuel for that round trip.***

Proposal - 5 Year Plan

	Current	Immediate	Yr 2	Yr 3	Yr 4	Yr 5
Mileage	\$2.00	\$2.50	\$2.75	\$3.00	\$3.25	\$3.50
BLS	\$147.44	\$170.00	\$180.00	\$190.00	\$200.00	\$210.00
ALS1	\$193.01	\$205.00	\$220.00	\$240.00	\$260.00	\$275.00
ALS2	\$193.01	\$220.00	\$240.00	\$260.00	\$280.00	\$300.00
ALS-Fly	\$60.00	\$75.00	\$87.50	\$100.00	\$110.00	\$125.00

An behalf of the EMS Advisory Board and EMS agencies in Washington County, THANK YOU! We are very excited to have had this opportunity and appreciate your concern regarding the health and sustainability of the EMS agencies in the County!