

NASSAU COUNTY LEGISLATURE

PETER J. SCHMITT,
PRESIDING OFFICER

HEALTH AND SOCIAL SERVICES COMMITTEE

ROSE MARIE WALKER,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

May 7, 2012
3:40 p.m.

REGAL REPORTING SERVICES
516-747-7353

A P P E A R A N C E S:

ROSE MARIE WALKER
Chairwoman

FRANCIS X. BECKER
Vice-Chairman

VINCENT MUSCARELLA

NORMA GONSALVES

JUDI BOSWORTH
Ranking

DELIA DeRIGGI-WHITTON

ROBERT TROIANO

LIST OF SPEAKERS

MARY ELLEN LAURAIN. 5
PAUL BRODERICK. 8
SCOTT SKRYNECKI 10

2 CHAIRWOMAN WALKER: I call the Health
3 and Social Services Committee to order, and ask
4 the Clerk to take the roll, please.

5 CLERK MULLER: Legislator Troiano?

6 LEGISLATOR TROIANO: Here.

7 CLERK MULLER: Legislator DeRiggi-
8 Whitton?

9 LEGISLATOR DeRIGGI-WHITTON: Here.

10 CLERK MULLER: Ranking member,
11 Legislator Bosworth?

12 LEGISLATOR BOSWORTH: Here.

13 CLERK MULLER: Legislator Gonsalves?

14 LEGISLATOR GONSALVES: Present.

15 CLERK MULLER: Legislator Muscarella?

16 LEGISLATOR MUSCARELLA: Here.

17 CLERK MULLER: Vice Chairman Becker?

18 LEGISLATOR BECKER: Present.

19 CLERK MULLER: Chairwoman, Legislator
20 Walker?

21 CHAIRWOMAN WALKER: Here.

22 CLERK MULLER: We have a quorum.

23 CHAIRWOMAN WALKER: Thank you. There
24 are four items on the agenda today. The first is
25 Clerk Item 154-12, which is a local law to

2 prohibit the sale of synthetic cannabinoids in
3 Nassau County.

4 May I have a motion?

5 LEGISLATOR GONSALVES: So moved.

6 LEGISLATOR MUSCARELLA: Second.

7 CHAIRWOMAN WALKER: Moved by Legislator
8 Gonsalves, seconded by Legislator Muscarella.

9 The item is before us.

10 MS. LAURAIN: Good afternoon. Mary
11 Ellen Laurain, Department of Health. Item 154 is
12 a local law to prohibit the sale of synthetic
13 cannabinoids. Synthetic cannabinoids -- I'm
14 afraid I'm going to say cannibalism, I don't know
15 why -- they are frequently sold under the guise
16 of potpourri and incense. They are used to mimic
17 marijuana, synthetic marijuana, and they contain
18 the material that mimics THC, which is in
19 marijuana. It's a plant-base material that is
20 coated with chemicals.

21 If there are any specific questions.

22 CHAIRWOMAN WALKER: I have to tell you,
23 I have trouble getting that word out also. I
24 don't know why.

25 MR. LAURAIN: We call it synthetic

2 marijuana. These items are primarily sold in
3 smoke shops and convenience stores. They are
4 used to mimic the effects of marijuana, a
5 synthetic form. There have been dramatic
6 increases in calls to poison control centers;
7 some of the side effects have been renal failure,
8 death, cardiovascular, loss of consciousness.
9 They are very popular among young people.

10 LEGISLATOR MUSCARELLA: And because it's
11 legal now -- I'm sorry. Because it's legal now,
12 kids think that it's just fine and there's no
13 problems with it.

14 MS. LAURAIN: Right. Correct.

15 LEGISLATOR MUSCARELLA: And it produces
16 a high.

17 MS. LAURAIN: Yes. Basically, the
18 chemical mimics the THC, an off-produce of
19 marijuana.

20 CHAIRWOMAN WALKER: And it's obviously
21 very easy to get a hold of.

22 MS. LAURAIN: Yes.

23 CHAIRWOMAN WALKER: Legislator Bosworth.

24 LEGISLATOR BOSWORTH: Thank you,
25 Legislator Walker.

2 The minority had also submitted a bill
3 very similar to this. It's certainly something
4 that I think we all support. So I'd just like to
5 respectfully request that we be allowed to be
6 listed as sponsors, as well.

7 CHAIRWOMAN WALKER: Certainly.

8 LEGISLATOR BOSWORTH: Thank you.

9 CHAIRWOMAN WALKER: Any other
10 legislators?

11 LEGISLATOR MUSCARELLA: Just one more.
12 There is pending state legislation on this also,
13 is that correct?

14 MS. LAURAIN: Yes. And the Commissioner
15 of Health has issued a, I think it's called a
16 Stop of Sale.

17 LEGISLATOR MUSCARELLA: Okay.

18 MS. LAURAIN: There is pending. I'm not
19 sure of the timeframe for it.

20 LEGISLATOR MUSCARELLA: It normally
21 takes a lot longer in state, to pass state
22 legislation than it does locally. But that
23 shouldn't stop us from acting in this case.
24 Thank you.

25 CHAIRWOMAN WALKER: Any public comment?

2 (No verbal response.)

3 All those in favor?

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item passes seven to zero.

8 Clerk Item 171-12 is an ordinance
9 supplemental to the annual appropriation
10 ordinance in connection with the Department of
11 Social Services.

12 May I have a motion?

13 LEGISLATOR GONSALVES: So moved.

14 LEGISLATOR BECKER: Second.

15 CHAIRWOMAN WALKER: Moved by Legislator
16 Gonsalves, seconded by Legislator Becker.

17 The item is before us.

18 Mr. Broderick is going to speak.

19 MR. BRODERICK: Good afternoon,
20 legislators. Paul Broderick, Deputy
21 Commissioner, Department of Social Services. The
22 item before you, Number 171-12, is a \$100,000
23 grant appropriation. It is \$100,000 provided to
24 the county for anti-fraud efforts to go after
25 people who are defrauding the daycare program in

2 Nassau County. It is 100 percent grant funded.
3 It was a competitive grant. I'm proud to say the
4 members of DSS worked together to apply for the
5 grant, and we were successful in getting \$100,000
6 into the county. Any questions?

7 CHAIRWOMAN WALKER: I just have a
8 question. Have we found that we have a lot of
9 people trying to commit fraud in that area?

10 MR. BRODERICK: The state, this is New
11 York State I'm quoting, they estimate it could be
12 up to 30 percent of the daycare program. The
13 daycare program is approximately \$52 million in
14 Nassau County alone last year. We have the
15 Director of Investigations to join us today.

16 We have aggressively gone out not only
17 after recipients of daycare services but also the
18 providers to uncover people who are either
19 fraudulently, you know, eligibility, people who
20 come in and their eligibility is not what they
21 say it is, or the providers who, in some
22 instances, try to double bill us. So we've been
23 very aggressively going after that in the last
24 year. I'm very happy with some of the results.
25 Maybe Scott can fill you in, just to share with

1 you.

2
3 I think it was kind of exciting because
4 the state really didn't take the initiative and
5 they don't give us a lot of tools. But we
6 figured you know what? Here's where the county
7 is, so we're pulling together various resources
8 form not only within DSS, but we worked with IT,
9 whoever can assist us with these goals. And we
10 were successful in getting \$100,000, which was
11 good news, to the county. And it does send a
12 positive message that we're not just going to sit
13 back and allow people to defraud the taxpayers.
14 Maybe Scott can give you a couple of examples.

15 MR. SKRYNECKI: Last year, in April
16 2011, we initiated, on our own, a new program to
17 combat waste, fraud, and abuse in the daycare
18 area. We're happy to announce that in the first
19 year alone we saved approximately \$2.3 million
20 just by increasing the level of scrutiny for --
21 on applications for daycare. We feel that this
22 grant will enable us to expand that, particularly
23 in the area of provider fraud. Really what we've
24 been doing so far is looking at applications
25 coming in and targeting and picking out people

2 who are holding back and not disclosing their
3 true income or other information that would allow
4 them to qualify. With this grant we'll be able
5 to expand into the area of providers, with the
6 goal of, we target one provider and they might
7 have 20, 30 recipients who are affecting the
8 system. So, in essence, we'll have a bigger bang
9 for our buck on the provider side, is what we
10 believe.

11 CHAIRWOMAN WALKER: Legislator Bosworth.

12 LEGISLATOR BOSWORTH: Thank you.
13 Certainly, you are to be commended for putting
14 together this grant and bringing that money in.
15 Certainly, I think we all want to make sure that
16 those that are provided with the service of those
17 that are eligible for it.

18 My question really centers around the
19 fact that I had read recently that Suffolk County
20 had raised their child care subsidy eligibility
21 and actually caused a lot of hardship for some
22 families who had, at some point, qualified and
23 now no longer did. I was just wondering, have we
24 looked at the eligibility requirements? Have
25 there been any changes or has it pretty much

1 stayed the same?

2 MR. SKRYNECKI: It's a difficult
3 question, but I'll try. I do have an answer for
4 you, though.
5

6 Last year, I guess it was last year. We
7 were looking at various options. What we did
8 was, the eligibility is based on a couple of
9 different factors, different variables.
10 Basically, it all boils down to income, income
11 levels of the recipients coming in. We, as a
12 county we said we're in a fiscal crisis. What
13 are we going to do? Are we going to change the
14 eligibility to -- that will basically diminish
15 the number of people receiving the benefit or we
16 could say some of the recipients might have to
17 pay a little bit more. So are we going to cut
18 the number of availability or are we going to
19 raise the amount that they have to contribute,
20 because it is a subsidized program. We elected
21 to raise the cost to the individuals, without
22 having any waiting list.

23 So, what essentially we did was,
24 individuals who contributed within a certain
25 economic strata had to contribute up to 20

1 Health & Social Services Committee - 5-7-12 13
2 percent for the child care, and there are
3 protections in there. The county worked with the
4 child care counsel. It was something of a give
5 and take, and we agreed upon, you know, what we
6 thought was equitable based upon various union
7 concessions or people have freeze in salaries and
8 things like that. How are we going to do this
9 without hurting the ultimate recipient? So,
10 Nassau does not have a waiting list. Nassau has
11 not changed the income eligibility. So it was
12 225, I believe, percent of the income; that has
13 not changed. So Nassau doesn't have a waiting
14 list. Whereas, Suffolk, I believe now, is 150
15 percent. The contributions from families is, the
16 maximum is up to 20 percent, and I think Suffolk
17 has surpassed that. So we really didn't cut the
18 program, per say. We're just saying we're
19 spreading it out so that the taxpayer -- everyone
20 is pulling a little bit harder at this point in
21 time, and we thought that was most equitable. We
22 did that in collaboration with, as I mentioned,
23 the Child Care Counsel. We had numerous meetings
24 and a public hearing on it. We went back and
25 forth twice on that. So we felt as if that was

2 most equitable not only to the recipients, but
3 the taxpayers and the county workers all around.

4 I hope that answered your question.

5 LEGISLATOR BOSWORTH: Actually, it does.
6 Thanks so much.

7 MR. SKRYNECKI: Thank you.

8 CHAIRWOMAN WALKER: And I do have to
9 tell you I'm very glad to see that we don't have
10 a waiting list because I hate to see that anyone
11 who really needs that service -- sometimes you
12 can sit on a waiting list for a long time and,
13 you know, we're certainly not helping those
14 people at all. To me, it's amazing that we've
15 saved \$2.3 million, has been saved, because of,
16 you know, you reaching out and trying to find out
17 who is committing fraud and doing the wrong
18 thing. And that's in every area. I really have
19 to commend, you know, the department and Scott,
20 you, in particular, for the hard work you're
21 doing and making a difference. You want the
22 money to be there for the people who need it.
23 It's very sad to think that some people go above
24 and beyond to, you know, get something that
25 they're really not entitled to.

So, thank you very much for that.

MR. SKRYNECKI: That was one of the primary emphasis. The county exec did not want a waiting list. It was just basically working together to say, hey, how does this system -- the state is saying 30 percent, up to 30 percent could be fraudulent. What could we do to reduce that number to save money? That's actually, we achieved that goal, and we want to do more. This will allow us, this \$100,000 will allow us to do that.

Thank you.

CHAIRWOMAN WALKER: Thank you.

Any other questions or comments?

(No verbal response.)

Any public comment?

(No verbal response.)

All those in favor?

(Aye.)

Any opposed?

(No verbal response.)

Motion carries, seven to zero.

Clerk Item 175-12 is an ordinance supplemental to the annual appropriation

2 ordinance in connection with the Department of
3 Social Services. I'm sorry. It's an ordinance
4 in connection with the Department of Health.

5 MS. LAURAIN: Hi. Mary Ellen Laurain,
6 Department of Health.

7 CHAIRWOMAN WALKER: I'm sorry.

8 LEGISLATOR GONSALVES: So moved.

9 LEGISLATOR MUSCARELLA: Second.

10 CHAIRWOMAN WALKER: Moved by Legislator
11 Gonsalves, seconded by Legislator Muscarella.

12 I'm sorry, Mary Ellen.

13 MS. LAURAIN: That's okay. Hi. Mary
14 Ellen Laurain, Department of Health.

15 Item 175-12 is a supplemental
16 appropriation in the amount of \$323,569. This is
17 for the Adolescent Tobacco Use Prevention Act.
18 This is New York State Department of Health
19 funded. Its purpose is to do compliance checks
20 and to assure tobacco retailers are not selling
21 cigarettes to children under 18. The program
22 has, I would say, a 96 percent compliance rate.

23 CHAIRWOMAN WALKER: Any comments or
24 questions from the legislators?

25 (No verbal response.)

2 Any public comment?

3 (No verbal response.)

4 All those in favor?

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 Motion carries, seven to zero.

9 The final item on our agenda is Clerk
10 Item 176-12, which is an ordinance supplemental
11 to the annual appropriation ordinance in
12 connection with the Health Department.

13 Motion?

14 LEGISLATOR GONSALVES: So moved.

15 LEGISLATOR BECKER: Second.

16 CHAIRWOMAN WALKER: Motion by Legislator
17 Gonsalves, seconded by Legislator Becker.

18 MS. LAURAIN: Item 176-12 is a
19 supplemental appropriation in the amount of
20 \$106,553. This is for the child family safety
21 grant. It is 100 percent funded through New York
22 State Office of Children and Family Services.
23 This is the child fatality review team. It
24 consists of many agencies, whose purpose is to
25 review deaths of children under 18 whose deaths

2 was unexpected or unexplained. And the purpose
3 is to better understand and prevent future
4 fatalities. We are one of two health departments
5 in the state who have this program.

6 CHAIRWOMAN WALKER: Any questions or
7 comments from the legislators?

8 (No verbal response.)

9 Any public comment?

10 (No verbal response.)

11 All those in favor?

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 Motion carries, seven to zero.

16 There are no other items on the agenda.

17 Can I have a motion to adjourn?

18 LEGISLATOR BECKER: So moved.

19 LEGISLATOR GONSALVES: Second.

20 CHAIRWOMAN WALKER: So moved by
21 Legislator Becker, seconded by Legislator
22 Gonsalves.

23 All in favor?

24 (Aye.)

25 Health is adjourned.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Health & Social Services Committee - 5-7-12
(Whereupon, the Health and Social
Services Committee adjourned at 3:55 p.m.)

C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby state:

THAT I attended at the time and place above mentioned and took stenographic record of the proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and accurate transcript of the same and the whole thereof, according to the best of my ability and belief.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2012.

FRANK GRAY