

**RESOLUTION NO. 604 -2011, REQUIRING LEGISLATIVE
APPROVAL FOR THE SALE OF THE COUNTY'S CERTIFIED
HOME HEALTH AGENCY LICENSE**

WHEREAS, the Bureau of Public Health Nursing in the Department of Health Services provides important health services to members of poor and underserved populations throughout Suffolk County; and

WHEREAS, the Bureau of Public Health Nursing specializes in preventative care, with a focus on elderly, maternal, child and minority health; and

WHEREAS, the Bureau of Public Health Nursing operates under the County's Certified Home Health Agency ("CHHA") license; and

WHEREAS, some private entities in Suffolk County hold CHHA licenses, but refer unprofitable patients to the Bureau of Public Health Nursing; and

WHEREAS, due to the private sector screening policies, the patients currently served by the Bureau of Public Health Nursing would have difficulty obtaining necessary care; and

WHEREAS, public health nursing services are also needed for many legal cases, including child protective services cases, court orders for neglect and abuse cases, as well as children in foster care; and

WHEREAS, the Bureau of Public Health Nursing costs the County a little over \$1.4 million annually while meeting the core government function of protecting the health and welfare of County residents; and

WHEREAS, the Department of Health Services has issued a Request for Proposal ("RFP") to sell the County's CHHA license as a means of generating revenue; and

WHEREAS, such an action would have negative implications for many residents of Suffolk County; and

WHEREAS, the sale of the County's CHHA license would constitute a privatization of a County health care service and, therefore, would be subject to the procedures set forth in § A9-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE; now, therefore be it

1st RESOLVED, that the sale of the County's CHHA license shall not be approved until the Department of Health Services and all other involved County agencies comply with the procedural requirements set forth in § A9-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and be it further

2nd RESOLVED, any contract to sell the CHHA license must be approved by the County Legislature in accordance with § A9-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and be it further

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: August 2, 2011

APPROVED BY:
VETOED

County Executive of Suffolk County

Date: **AUG 1 8 2011**

****VETOED OVERRIDE ADOPTED ON SEPTEMBER 15, 2011****

Intro. Res.

1600

Res. No.

604

August 2, 2011

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	/				
2	Jay H. SCHNEIDERMAN	/				
3	Kate M. BROWNING	/				
4	Thomas MURATORE	/				
6	Sarah S. ANKER	/				
7	Jack EDDINGTON	/				
9	Ricardo MONTANO				/	
10	Thomas CILMI	/				
11	Thomas F. BARRAGA		/			
12	John M. KENNEDY, JR.	/				
13	Lynne C. NOWICK	/				
14	Wayne R. HORSLEY	/				
15	DuWayne GREGORY	/				
16	Steven H. STERN	/				
17	Lou D'AMARO	/				
18	Jon COOPER	/				
5	Vivian VILORIA-FISHER, D.P.O.	/				
8	William J. LINDSAY, P.O.	/				
	Totals	16	1	1	1	1

MOTION	
<input checked="" type="checkbox"/>	Approve
_____	Table: _____
_____	Send To Committee
_____	Table Subject To Call
_____	Lay On The Table
_____	Discharge
_____	Take Out of Order
_____	Reconsider
_____	Waive Rule _____
_____	Override Veto
_____	Close
_____	Recess
APPROVED <input checked="" type="checkbox"/>	FAILED _____
No Motion _____	No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
_____ NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on September 15, 2011 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res. 1600

Res. No. 604

September 15, 2011

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

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8	William J. LINDSAY, P.O.	/				
Totals		17	1			

MOTION	
<input type="checkbox"/> Approve	
<input type="checkbox"/> Table: _____	
<input type="checkbox"/> Send To Committee	
<input type="checkbox"/> Table Subject To Call	
<input type="checkbox"/> Lay On The Table	
<input type="checkbox"/> Discharge	
<input type="checkbox"/> Take Out of Order	
<input type="checkbox"/> Reconsider	
<input type="checkbox"/> Waive Rule _____	
<input checked="" type="checkbox"/> Override Veto	
<input type="checkbox"/> Close	
<input type="checkbox"/> Recess	
APPROVED <input checked="" type="checkbox"/>	FAILED _____
No Motion _____	No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Tim Laube

Roll Call Voice Vote _____

Tim Laube, Clerk of the Legislature