

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

STEVE LEVY
COUNTY EXECUTIVE

2011 AUG 18 P 4:39
Suffolk County Executive Office

August 18, 2011

Mr. Timothy Laube
Clerk of the Legislature
Suffolk County Legislature
Veterans Memorial Highway
Hauppauge, New York 11788

RE: - August 2, 2011 – Legislative General Meeting

Vetoed 2011 Resolution: Res# 604-2011 Requiring Legislative Approval for the Sale of the County's Certified Home Health Agency License

Dear Mr. Laube:

Attached please find the above resolutions, which have been acted upon as indicated.

Very truly yours,

Brendan Chamberlain
Intergovernmental Relations Director

Received by Ed Howard Date 8/18/11 Time 4:39P

BC:gg
Enclosure

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	-

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

**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**