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HEALTH COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

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A regular meeting of the Health Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Thursday, February 2, 2017 at 2:00 p.m.

24

MEMBERS PRESENT:

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Legislator William Spencer - Chairman
Legislator Bridget Fleming - Vice-Chair
Legislator Robert Calarco
Legislator Thomas Cilmi
Legislator Leslie Kennedy
Legislator Monica Martinez
Legislator Robert Trotta

34

ALSO IN ATTENDANCE:

35
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George Nolan - Counsel/Suffolk County Legislature
Jason Richberg - Clerk/Suffolk County Legislature
Craig Freas - Budget Review Office
Christina DeLisi - Aide to the Presiding Officer
Elizabeth Alexander - Aide to Legislator Spencer
Liz Sutton - Aide to Legislator Fleming
Alyssa Turano - Aide to Legislator Hahn
Maria Barbara - Aide to Legislator Cilmi
Ali Nazir - Aide to Legislator Kennedy
Katie Horst - County Executive's Office
Jason Hann - County Executive's Office
Dr. Francis LaFauci - Professional Nurses Association
Tracy Trypuc - Suffolk County Board of Health Reappointment Candidate
Mary Finnin - Vice Chair of the Foundation of New York State Nurses
Eileen Daley - Vice President of Association of Nurses in AIDS Care
Patricia Bishop-Kelly - Suffolk County Board of Health Reappointment Candidate
Dr. Erin McGintee - Suffolk County Board of Health Appointment Candidate
All Other Interested Parties

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MINUTES TAKEN BY:

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Lucia Braaten - Court Stenographer

1 (**The meeting was called to order at 2:15 p.m.**)
2

3 **CHAIRMAN SPENCER:**

4 Okay. Thank you very much. I'm going to ask if we could stand for
5 our salute to the flag, to be led by Jason.
6

7 (**Salutation**)
8

9 Thank you. Please remain standing for a moment of silence, as in
01:57PM 10 our tradition, recognizing the service of all the men and women who
11 are both serving this country both at home and abroad.
12

13 (**Moment of Silence**)
14

15 Thank you. Welcome to the first Health Committee meeting of the
16 year for 2017. I've been selected to chair the committee once
17 again. I'd like to extend my thanks to Presiding Officer Gregory
18 for allowing me the privilege of continuing on as Chair of this
19 committee. So we look forward to having another great year, and we
01:58PM 20 hope that we can continue to do our job to help to make sure that
21 we are providing the appropriate oversight, and looking out for the
22 health and welfare of all our constituents and citizens of this
23 great County.
24

25 So the first item is our Public Portion, and our first speaker is
26 Dr. Frances LaFauci. And if she would come up to the podium at
27 this time. Just to reiterate the rules of our committees, that you
28 have three minutes to speak on any topic that you so choose. And
29 at the conclusion of, or when you're finished your remarks, some of
01:58PM 30 the members of the committee may have questions. So thank you very
31 much and welcome.
32

33 **DR. LAFAUCI:**

34 Hi. I'm Dr. Frances LaFauci. I'm the past President of the
35 Professional Nurses Association, and presently serve on the board
36 of the Professional Nurses Association. I've been a registered
37 nurse for 45 years. All of my practice has been here in Suffolk
38 County. And I am Professor Emeritus and the former Dean of the
39 School of Nursing for Suffolk County Community College. And I'm
01:59PM 40 here on behalf of the Professional Nurses Association of Suffolk
41 County. We request that you keep a registered nurse on the Board
42 of Health.
43

44 Nurses make up the largest portion of the healthcare workforce in
45 the United States, and they mirror the diverse population that it
46 serves. We provide leadership to create positive change in health
47 policy and delivery systems.
48

49 The Institute of Medicine's report on the future of health care and
01:59PM 50 nursing in the United States, 2011, calls for RNs to be full
51 partners with physicians and other health care professionals to
52 ensure that the healthcare system provides quality care that is
53 accessible to all and leads to improved health outcomes. Nurses
54 must engage with physicians and other healthcare professionals to
55 deliver efficient and effective care and assume leadership roles in
56 the healthcare system. Nurses must be full partners in the

1 decision-making policy.

2
3 The mission statement of the Professional Nurses Association of
4 Suffolk County is to support, educate and encourage RNs to advocate
5 for those patients in their profession. Therefore, we are
6 requesting that you keep an RN on the Board of Health. Thank you.

7
8 **CHAIRMAN SPENCER:**

9 Thank you very much for those remarks. And as a physician for the
02:00PM 10 past 16 years, and working in a hospital system, and happened to be
11 a hospital where we have had the Magnet Nursing designation for the
12 past, I think, three terms, which is a record, the value of nurses
13 as part of contributing to the success of the overall healthcare
14 and well-being of our patients cannot be underestimated, it's
15 extremely important. I thank you for what you do and for what
16 nurses do.

17
18 **DR. LAFAUCI:**

19 Thank you.

02:01PM 20
21 **CHAIRMAN SPENCER:**

22 I appreciate it. Any other questions? Thank you very much, we
23 appreciate that. Our next speaker is Tracy Trypuc, and she is
24 speaking on the topic of the Suffolk County Board of Health.
25 Tracy.

26
27 **MS. TRYPUC:**

28 It is nice today to have this opportunity to speak before the
29 entire committee. Some of the things that I have learned as a
02:02PM 30 member and Vice President of the Suffolk County Board of Health are
31 that you must be prepared for anything. Whenever it is that you
32 are appointed, the Board could be in the middle of preparing for a
33 public hearing.

34
35 What I'd like to start with, though, is I have had the privilege
36 and the pleasure of serving as a member of the Board of Health, and
37 this really is an honor. So for however long that you serve as a
38 member, it is something that I take to heart. And I have been a
39 very active member. I have done a lot of research with regard to
02:03PM 40 legislation that the Board of Health has assisted with the
41 Legislators in getting passed. I know and understand the different
42 needs of the County with regard to the differences on the North
43 Shore, and the South Shore, and the East End, and the West End with
44 regard to, say, the geography and the demographics. Soil
45 conditions and drainage are all very different in all of those
46 parts of the County. I know this because either I have lived in
47 different parts of the County or I have worked in different parts
48 of the County.

49
02:04PM 50 When I first began, we were in the middle of looking at tattoo
51 regulations in the Suffolk County Sanitary Code, and body art
52 piercing and tattooing. And so I asked if I could go with one of
53 the inspectors and drive through to several different body art and
54 tattoo establishments, because my -- I have long-term health
55 experience. And I used to be a Director of Inspection -- I'm
56 sorry, a Director of Infection Control, and so I wanted to see

1 firsthand how the tattoo regulations were going to be affected in
2 those establishments. So I always wanted to have firsthand
3 experience with whatever it was that we were doing. I --
4 especially with -- does that give me how much time? I can just
5 wrap up. What do I have, 30 seconds?
6

7 **CHAIRMAN SPENCER:**

8 Tracy, your time has expired, but in this circumstance, and you're
9 also on agenda, if you would like to take an extra few moments to
10 wrap up --
11

12 **MS. TRYPUC:**

13 Okay.
14

15 **CHAIRMAN SPENCER:**

16 -- that's fine.
17

18 **MS. TRYPUC:**

19 I additionally spoke out on issues such as the hookah lounge
20 safety, and tanning legislation, and specifically the requirements
21 for calorie menu display items, the dangers of smoking and tobacco
22 use among young people. But very much I was a strong advocate for
23 the energy drink use in children here in Suffolk County and the
24 dangers of that use. And I did work on that for a good 2 1/2
25 years, and that was not an easy job. I must say, I did make some
26 enemies when I was pursuing the research in that legislation, and I
27 could go into that a little more when I sit down. But everything
28 that the Board of Health does bring to the table, I do give it my
29 best effort. It's what I've always been taught, and it's how I
30 always take everything that I do. I look at it, and then I do my
31 research and I bring it back to the Board. And that is one of the
32 most important things that a Board of Health member must do, is to
33 look at the research and bring it back and share it with Board of
34 Health members.
35

36 And I think I'd like to just share this one thing. As a Vice
37 President, by the way, I have chaired meetings in -- when
38 Dr. Tomarken has been absent. But I have a letter that you should
39 have from Ron Gaudreault, who is a colleague on the Board. And I
40 have a letter from Mr. Jim Shepherd in Canada, who I have worked
41 closely with on energy drinks, whose son, unfortunately, passed
42 away due to energy drinks.
43

44 And my final comment is Dr. Ben Luft, who also was a colleague on
45 the Board of Health, had left me with this nice quote. "I worked
46 with Tracy on the Suffolk County Board of Health. She is a really
47 strong leader, hardworking, thoughtful, with the highest level of
48 integrity. She can really be persuasive." And I believe that my
49 integrity is really the issue here, because some people were upset
50 with the fact that I had very strong integrity when it came to my
51 ethics, and that is why I am here today instead of just being
52 reappointed, as I had in the past.
53

54 So, as I said, it has been a privilege and a pleasure to serve on
55 this Board, but I have served the Board the way anybody should
56 serve the Board, and I have served it according to the chapter

1 of -- the Suffolk County Chapter, and I've served it with
2 integrity, honesty, and I am proud of the work that I have done on
3 this Board.

4
5 **CHAIRMAN SPENCER:**

6 Tracy, thank you very much for what you said. And I will add to
7 that, that as Chairman of this committee and serving on the Board
8 of Health, that you have served the Board of Health and you've
9 served this County with honor. You've done it with distinction.
02:09PM 10 You have made a difference in our policy today. As the Legislator
11 that put forth the legislation for the hookah lounges, for the
12 energy drinks, for Tobacco 21, and cosponsored the powdered
13 caffeine, I want to recognize that because of your research, and
14 your hard work, and your dedication, that you made a difference.
15 You are someone that I admire.

16
17 (**Applause**)
18

19 And your service has been exemplary, and you should be applauded.
02:10PM 20 And in the strongest way possible, as Chairman of this committee,
21 we recognize your work, and we do applaud you, so thank you.

22
23 (**Applause**)
24

25 Our next speaker is Mary Finnin. Hi, Mary. How are you?
26

27 **MS. FINNIN:**

28 Fine. How are you?
29

02:10PM 30 **CHAIRMAN SPENCER:**

31 Very good, thank you. Thank you, and you have three minutes.
32

33 **MS. FINNIN:**

34 I distributed in advance a copy of my letter to the members of the
35 committee and I gave it to the Clerk.
36

37 I want to say that, you know, we're here today -- I am also a past
38 President of Professional Nurses of Suffolk County. I'm currently
39 the Vice Chair of the Foundation of New York State Nurses in
02:11PM 40 Guilderland, New York.

41
42 The registered nurses are the largest group of health professionals
43 in this country and we want a seat at the table. We need to have a
44 seat at the table, because we provide healthcare services
45 everywhere in every community throughout this country, throughout
46 this County.

47
48 You don't need -- in many of the counties in New York State, you
49 don't have to be a physician to be the Commissioner of Health. Six
02:11PM 50 or seven large counties like Suffolk does require that you have an
51 MD as The Commissioner of Health, but it's not required universally
52 throughout the state. I just wanted to share that with you,
53 because I know this -- the Charter of Suffolk County weighs heavily
54 with out of three of the seven members should be MDs. I think
55 health care has changed. We need to expand some of those things.
56 And I would like to say that we strongly support and recommend and

1 ask that you appoint Tracy Trypuc to continue on the Board of
2 Health. She's the only nurse on that board.

3
4 There are currently two positions vacant, one -- that are up for
5 appointment at this time. One is currently filled by Tracy Trypuc,
6 who is the Vice Chair of the Board of Health. We request that she
7 be reappointed to that position on the Board and to continue to
8 serve and represent the profession of nursing.

9
02:13PM 10 The other position that's open was a position filled by a
11 physician, and when that dear man passed away, his position was --
12 to complete that term was filled by a non-healthcare provider, a
13 health educator. That term is now up. I recommend that you fill
14 it with an MD so that you continue to meet the criteria, which
15 seemed to be of concern for some of the members, that we have to
16 have at least three. Currently, that will give us four, because
17 Dr. Spencer is a Legislator and also a physician. But should that
18 not be the case, it would continue to have three. So I would
19 support that the second position, which was a physician position,
02:13PM 20 be filled today by a physician. With all due respect to any other
21 candidates, you know, I just think that, you know, it meets the
22 mandate, and also that we want a seat at the table for the
23 profession of nursing.

24
25 I would recommend that this committee also discuss with the
26 Legislature some -- some additions to the Board of Health. We need
27 to expand and have other disciplines represented. Dentists, we
28 need dentists on the Board, you need physical therapists. We have
29 other disciplines. They require Doctoral Degrees, you know, to
02:14PM 30 provide services. So that when these charges were written, some of
31 these disciplines didn't exist, some of them didn't require the
32 scope of practice that they do today; for instance, nurse
33 practitioners who provide services independently throughout the
34 state. So --

35
36 **CHAIRMAN SPENCER:**
37 Let me ask you --

38
39 **MS. FINNIN:**
02:14PM 40 I know my time is up, but I want to speak to have nursing. We're
41 the largest group of providers. We want a seat at the table, and
42 we're strongly recommending that Tracy be reappointed. Thank you
43 very much.

44
45 *(*Applause*)*

46
47 **CHAIRMAN SPENCER:**
48 Thank you, Mary. And as always, you are a very effective
49 communicator, and you've been here before us before.

02:15PM 50
51 **MS. FINNIN:**
52 A couple of times.

53
54 **CHAIRMAN SPENCER:**
55 And we appreciate your advocacy and your passion. Thank you. Our
56 next speaker is Eileen Daley.

1
2 **MS. DALEY:**

3 Thank you. My name is Eileen Daly, I'm a nurse practitioner. I'm
4 the past President of Suffolk County Association of Nurses. I'm
5 Assistant Professor of Nurses at one of the colleges, and I'm also
6 Vice President of Association of Nurses in AIDS Care. And I thank
7 you for this opportunity.
8

9 Dr. Spencer, I couldn't have said more wonderful things than you
02:15PM 10 have about Tracy, so I'm not going to take more time than that.
11 But I do want you to know, as a group of nurses, we are
12 respectfully requesting that you all support Tracy. I couldn't
13 have said it better. And I thank you for your time and your
14 consideration, we appreciate it. The Institute of Medicine
15 couldn't have said it better. We need to have nurses on the Board
16 of Health. She has her Master's in Public Health, which is
17 invaluable. She is the current Chair on the Board of Health, and
18 we really appreciate your support. Thank you.
19

02:16PM 20 (**Applause**)
21

22 **CHAIRMAN SPENCER:**

23 Thank you very much, Eileen, appreciate it. That's all the cards
24 that I have. Is there anyone else that wishes to be heard? Seeing
25 none, we'll close the public comment at this point. And I have no
26 presentations scheduled, so we can move right on to our agenda.
27

28 I am going to cover the agenda, which is very brief, because three
29 of the resolutions are -- two of the resolutions relate nothing to
02:16PM 30 this issue, but the other three resolutions are with the three
31 candidates with regards to two positions. And so one of the issues
32 is because there are two spots and there are three resolutions,
33 that to take those resolutions in any particular order, which means
34 that would the first two have an advantage over the third
35 resolution, and that shouldn't be the case. So we're going to
36 discuss that and we're going to take those resolutions together,
37 and I have a strategy for how we're going to do that.
38

39 So, initially, Introductory Resolution, *I.R. 2124 - To appoint*
02:17PM 40 *member to the 5 & 5 Education and Effectiveness Working Group*
41 *(Adrienne Esposito) (Spencer)*. I'd like to make a motion to
42 approve.
43

44 **LEG. FLEMING:**

45 Second.
46

47 **CHAIRMAN SPENCER:**

48 Seconded by Legislator Fleming. I do see Adrienne is here. She's
49 no stranger to this body. I don't think -- I think we're all
02:17PM 50 familiar with Adrienne. Are there any questions for Adrienne from
51 any of the committee members? And, Adrienne --
52

53 **MS. ESPOSITO:**

54 I don't have anything to add that you don't know already.
55

56 (**Laughter**)

1
2 **CHAIRMAN SPENCER:**

3 We know you very well. You know, I don't know if there's anything
4 in particular, otherwise we're going to vote.

5
6 **MS. ESPOSITO:**

7 Okay.

8
9 **CHAIRMAN SPENCER:**

02:18PM 10 All right. We have a motion and a second. All those in favor?
11 Any in opposition? Any abstentions? Motion is carried
12 unanimously. (*Vote: Approved 7-0-0-0*)

13
14 Thank you, Adrienne. You now have another hat to wear.

15
16 **MS. ESPOSITO:**

17 I'm so delighted.

18
19 **CHAIRMAN SPENCER:**

02:18PM 20 Please be at my Plastic Bag Committee in an hour, too. Thank you.

21
22 (**Laughter**)

23
24 *I.R. 2125 - To appoint member to the 5 & 5 Education and*
25 *Effectiveness Working Group (Jay Peltz) (Spencer),* who's also here
26 and for our first meeting. And Jay is also someone that -- he is
27 not someone that you want to come up against and battle. He's very
28 well prepared, very effective, and we had a great year last year
29 coming to this consensus. So, Jay, thank you for helping us out on
02:19PM 30 this --

31
32 **MR. PELTZ:**

33 Thank you.

34
35 **CHAIRMAN SPENCER:**

36 -- and for your willingness to serve.

37
38 **MR. PELTZ:**

39 My pleasure.

02:19PM 40
41 **CHAIRMAN SPENCER:**

42 I have a -- I'll offer the motion. May I have a second?

43
44 **LEG. KENNEDY:**

45 Second.

46
47 **CHAIRMAN SPENCER:**

48 Seconded by Legislator Kennedy. All those in favor? Any in
49 opposition? Any abstentions? The motion carries. (*Vote:*
02:19PM 50 *Approved 7-0-0-0*)

51
52 Thank you, Jay. We'll be meeting shortly.

53
54 So the issue that we have before us is that we have two vacancies
55 on the Board of Health and we have three candidates. And in the
56 tradition, what we typically do is that we'll have a Screening

1 Committee, and this Screening Committee will interview candidates.
2 And all Legislators are invited to submit candidates for screening.
3 So I think that the Screening Committee did screen five candidates.
4 The Deputy Presiding Officer sat on that committee. I sat on that
5 committee as Chairman of the Health Committee and member of the
6 Board of Health, along with Legislator Fleming and Legislator
7 Martinez. So we invited them to come in and interview.

8
9 I know that some of the concerns, and typically in a body such as
02:20PM 10 this, there's always politics, because you do have two sides of the
11 aisle. And we try to make sure that our committees are represented
12 fairly, but we know that there's a majority and a minority party,
13 as we see nationally and locally at this particular point. So I
14 know that there was some concern that maybe not both sides of the
15 aisle were represented on that Screening Committee, and that's a
16 valid concern.

17
18 But I do think that as far as the work of the Screening Committee,
19 my representative, or the person that I had brought forward
02:20PM 20 initially for the first position that was open, was to have Tracy
21 to continue to serve in that particular position. But there are
22 other Legislators that also brought forth qualified candidates, and
23 we interviewed each of them and gave them due deliberation. During
24 this process, it came to our attention that the position that Pat
25 Bishop-Kelly had been brought on the board to finish out the term,
26 that had also expired, that term had ended. And Pat has not been
27 on the board for a full term. She finished out the term and she
28 was up.

29
02:21PM 30 The term on the Board of Health is six years, and that six years is
31 by design, so that no committee member has to be subject to any
32 particular Legislator or County Executive, their term exceeds them.
33 But, ultimately, it is the responsibility of the Legislature and
34 the Administration to appoint people to committees. So the
35 six-year term is designed to allow them to serve without fear of
36 political reprisal, and to allow them to do their work, and we've
37 held to that tradition.

38
02:22PM 39 So the issue, and one of my concerns, I'm sorry that it has come to
40 be an issue of nurses versus doctors, Democrats versus Republicans,
41 screening committees, all these different things. I want to be
42 very clear that the people who we invited to serve are -- to screen
43 are all qualified. I also want to be clear that I've always
44 supported Tracy. Tracy is a friend and she has distinguished
45 herself. And this was a very difficult position, because she was
46 the candidate that I put forward with regards to this process.

47
02:23PM 48 So the issue is that the County Department or the Board of Health
49 has both County mandates, but there are also State mandates, it's
50 dual in nature. And the State mandate, although it may be
51 antiquated, requires that there are three physicians that sit on
52 the Board of Health at any one particular time. We know that
53 healthcare is a lot more complex than that, and I think that that
54 is probably -- one issue is that we need to work with our State
55 representatives to get that law changed and updated, and make it
56 more reflective of kind of the healthcare landscape in this

1 particular -- in our County and in our society today. So --

2
3 **MS. TRYPUC:**

4 With all due respect -- I'm sorry.

5
6 **CHAIRMAN SPENCER:**

7 So when we currently look at the existing membership of the Board
8 of Health, there is an administrator that sits on Board of Health,
9 Mr. Gaudreault. There is a PhD, Dr. Dewey, that sits on the Board
02:24PM 10 of Health. We have an educator, a practitioner, a public health --
11 actually, Ms. Kelly is both. She's actually someone that is
12 experienced in public health. And we have the Commissioner, as
13 well as the Chair of the Health Committee. So one of the dilemmas
14 that we face was that we found ourselves in a position with me
15 serving on the Board of Health, and after we lost Dr. Luft to that
16 committee, that we had three physicians, but I was one of the
17 physicians. And for the first time, as a Legislator, that I was
18 both a Legislator and a physician, that caused us to be in
19 compliance. So this was brought to my attention.

02:25PM 20
21 I sought out guidance from Counsel, as well as the committee, as to
22 if there was a situation where I would not be reelected or not be
23 appointed to chair this committee, would the Board be in
24 compliance, and the answer, or it seemed to be that the Board would
25 not. So the question would be, well, if I were not reelected,
26 would I be just appointed to the Board of Health? But there would
27 be people sitting in that board that would currently be in the
28 middle of terms. The new Chairman of the Health Committee, if it's
29 not a physician, would now automatically be on that board, and now
02:26PM 30 we have a board that would be out of compliance.

31
32 So, in my introductory remarks to this, setting up this issue, I
33 want to now turn to Counsel. And I think that the Screening
34 Committee asked for an opinion, and, George, if you could tell us
35 kind of your thoughts on the matter.

36
37 **MR. NOLAN:**

38 Well, you know, my thoughts basically reflect what you just stated,
39 that under both the State Law and our County Charter, there's
02:26PM 40 supposed to be three physicians, licensed physicians to be on the
41 Board of Health, and, of course, one of the members also is the
42 Chairman of this Health Committee. So it's a coincidence, a happy
43 coincidence up to this point that you're a licensed physician and
44 you've helped us stay in compliance with these provisions of State
45 and County Law. But in terms of I think best practice, the best
46 approach, I was asked should we have three physicians that doesn't
47 include you, that doesn't include you as the Chairman of the Board
48 of this committee. And my answer is yes, because your tenure here
49 as the Chair of this committee is, I won't say tenuous, but it
02:27PM 50 could end at an election, or if the Presiding Officer says, "I want
51 somebody else to chair that Health Committee next year," or next
52 month, for that matter.

53
54 So to ensure that we stay in compliance with these provisions of
55 law, it's my opinion that we should have three licensed physicians
56 that don't include you as the Chairman of this committee. That I

1 think is the best approach. You know, it's not the only approach
2 we could take, but if you're asking me my opinion what is the best
3 approach, the most logical approach, it's that.

4
5 **CHAIRMAN SPENCER:**

6 At that point, the Screening Committee getting that guidance,
7 looking at all applicants that we had, we then, I think out of the
8 five applicants, only two were physicians, and we made our decision
9 based on those two particular applicants. In that particular
02:28PM 10 situation, seeing that my candidate that I put forward, which was
11 Tracy, was a nonphysician, led to a very painful and difficult
12 reality, but also understanding that I am subject to work within a
13 team and abide by the rule and a reasonable legal opinion, which is
14 how we came to that particular decision.

15
16 So the next issue was Pat Bishop-Kelly's position now becoming
17 open, and so the suggestion that that position should also be up
18 for debate. But in the tradition of this Legislature, any time
19 that we have had someone that has served out an existing term, we
02:29PM 20 -- and they do that as a volunteer, we give them the consideration
21 that they should have their own term. Pat Bishop-Kelly has never
22 had a term on the Board of Health. It was unanimously agreed that
23 she deserved to be able to have her own term, and that's why we had
24 -- that's why this committee had reached that decision, the
25 Screening Committee.

26
27 I know that on this Board, though there's a dissenting opinion, and
28 the third resolution that was brought forward by Legislator
29 Kennedy, and that's why we're in this situation today, where we
02:29PM 30 have three very qualified, great applicants and we have two
31 positions to fill.

32
33 So being the person that put forward my candidate, the person that
34 I felt she deserved an opportunity to continue to serve, that I
35 recognized her service, I made the phone call, I spoke with her
36 personally. It broke my heart to come to that decision. And I did
37 make a commitment that with all the things that Tracy has done in
38 Suffolk County -- we have a horrible heroin epidemic, we have a lot
39 of extreme issues that are important that we need a lot of help
02:30PM 40 with. And I reached out and I said I'm committed to having Tracy
41 work with me and serve with me, and figure out a way that we are
42 able to capture her passion, capture her skills, capture things
43 that she does, and to have her a chair, or be a part of, or
44 something that would allow her to continue the service.

45
46 As difficult as the decision was, I do believe in this County. We
47 have 1 1/2 million people, and healthcare is extremely complex in a
48 Board of Health that consists of six members. And Tracy had the
49 privilege of finishing out a term, being reappointed, serving a
02:31PM 50 full six-year term, and has been on the board for ten years, and
51 she's done it better than anyone that I've known, and she's
52 exceeded me being here. And I know as sure as I'm sitting here
53 that I'm term-limited, and that one day that I will be required to
54 step down and not continue this journey.

55
56 So my frustration, although it was very difficult, if we're able to

1 reappoint Tracy, Tracy will -- in the second term, will serve --
2 will be 16 years. And I think, although that that is important and
3 that the nurses' perspective is important, I don't think that it
4 was the will, as I've spoken with my colleagues, and I'm speaking
5 as Chair, that any person on any committee, and I don't favor it,
6 that these are voluntary positions. There are a lot of
7 perspectives, there are a lot of things. I think that the
8 intention was not -- that a position on the Board of Health was not
9 meant to be a career, it was not meant to be served over a
02:32PM 10 generation. And it was very painful for me to see that, and that's
11 why we're in the position that we are today.
12

13 So, with that being said, having three candidates, the Screening
14 Committee had chosen Dr. McGintee to be the physician, and she is
15 here, and thank you for showing up and being here to take that
16 spot. And Pat Bishop-Kelly was extended the opportunity to serve
17 her own term. And we have Leslie Kennedy's competing resolution,
18 that she says that, you know, she put Tracy forward on her own
19 standing resolution.

02:33PM 20
21 So are there any other comments or concerns? Legislator Trotta.
22

23 **LEG. TROTТА:**

24 I have a question to the Chair. You know, it would seem to me,
25 I've been to the doctor a few times, the nurses, you know, play an
26 integral role in the healthcare system, and I would think that, you
27 know, while I'm not familiar with Tracy, but some nurse, you know,
28 would -- it's almost not logical that there's not a nurse on it.
29 What were your thoughts on that?

02:33PM 30
31 **CHAIRMAN SPENCER:**

32 I believe that's extremely important, but I also think it
33 simplifies healthcare in a sense that this isn't nurses against
34 doctors. I think there are some doctors and there are some nurses
35 that are more aligned in their opinion based on the way that they
36 practice medicine. I think there's nurse practitioners, there are
37 doctorates of nursing, there are physicians assistants, there are
38 allopathic physicians, there are osteopaths, there are PhD's. And
39 so to turn this into a battle of us against them -- I'm a nursing
02:34PM 40 advocate and I think that a nurse should have the opportunity and
41 should serve on that.
42

43 **LEG. TROTТА:**

44 Going to the terms, is there anybody who's -- you know, there's
45 seven people, apparently. Has anybody served two or three terms?
46

47 **CHAIRMAN SPENCER:**

48 No.
49

02:34PM 50 **LEG. TROTТА:**

51 Never?
52

53 **CHAIRMAN SPENCER:**

54 As far as someone has finished a term, Ron Gaudreault finished an
55 outstanding term, and then he was appointed. This is his first
56 full term.

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LEG. TROTТА:

So it's not like someone has been on there for 18 years.

CHAIRMAN SPENCER:

So no one has -- since I've been on there, that no one has served a full term of their own and then reappointed.

LEG. TROTТА:

Well, Rob Calarco has been around a while. Do you know anything about, you know, prior?

D.P.O. CALARCO:

I think that sounds about right. I'm looking at the members now, and Dr. Doucet, who's on the board, was somebody that Jack had put up back in 2010. So she filled a three-year term, they got her for a full term after that. So, no, I don't think any of the members on the board right now had a very longstanding term, and prior to that I can't tell you.

LEG. TROTТА:

You look older.

*(*Laughter*)*

D.P.O. CALARCO:

No, I'm only 16 years in.

LEG. FLEMING:

He looks so young, I think.

LEG. TROTТА:

I'm a firm believer there should be a nurse.

CHAIRMAN SPENCER:

And I agree with you, and I'm a firm advocate of nursing. I wouldn't be here without nursing. I think as far as maybe how we adjudicate this matter, that may be a difference of opinion. And there might be those that may politically try to create a wedge between me and nursing, but I think that my goal --

LEG. TROTТА:

Well, I'm not putting --

CHAIRMAN SPENCER:

-- and my record in terms of fighting for our public health nurses and my position on nurses --

LEG. TROTТА:

There's nothing --

CHAIRMAN SPENCER:

-- has been well established.

LEG. TROTТА:

There's nothing that says that there has to be a nurse, only three

1 doctors?

2

3 **LEG. FLEMING:**

4 Right, three doctors.

5

6 **CHAIRMAN SPENCER:**

7 And that may be one of the things that we can do to advocate
8 expanding the Board to include a nurse, or getting rid of the --
9 maybe the archaic rule that there has to be three physicians, and
02:36PM 10 maybe make nursing -- I would support making -- having a nurse a
11 permanent position on that board, I would support that.

12

13 **LEG. TROTТА:**

14 Is that something we do?

15

16 **CHAIRMAN SPENCER:**

17 No, the State, State Law. And I would even support that as the
18 next position opens up that we are committed to putting a nurse on
19 there. But I think that -- and I'll make the commitment on the
02:36PM 20 record to fight for that. I would even support, if there's a
21 position that opens up and Tracy is not appointed to that, I would
22 even support bringing her back in the future when there's an open
23 position. But I think under this very difficult situation today, I
24 think I stated on the record what my concerns and my reasoning is
25 for the recommendations of how I'm going to vote today.

26

27 **LEG. TROTТА:**

28 Okay.

29

30 **CHAIRMAN SPENCER:**

31 Legislator Cilmi.

32

33 **LEG. CILMI:**

34 Thank you, Mr. Chair. So I want to make it clear that what I'm
35 going to say is no reflection at all on your feelings toward the
36 matter, Doc, or any other members here's feelings toward the
37 matter. It also has no -- it's no reflection on my opinion of the
38 other candidates who are here. It's just sort of a reflection of
39 my experience, and it's not political. It's just sort of a
02:38PM 40 reflection of my experience and how I feel about Tracy.

41

42 I don't really know Tracy that well. We haven't really had a
43 chance to speak very much during my time here. She has been here,
44 as she said, and as we all know, a number of times to advocate for
45 certain positions on the Board of Health, and I recall being very
46 much add odds with some of the things that she has said over that
47 time. That being said, I don't want somebody on a board like that
48 who's going -- who I'm going to agree with 100% of time. I want
49 somebody who is going to share different points of view and
02:38PM 50 because -- although we have been at odds, I like to think I have an
51 open mind, and I put a lot of value on hearing other people's
52 opinions.

53

54 At the same time, I've had the displeasure of having a somewhat
55 difficult time in my family's life in the past couple of months.
56 My mom had a massive heart attack at the end of October, and as a

1 result of that, since then, she's only been home for six or
2 seven days, and she's been in hospital and in nursing homes, rehab
3 homes since then. And so I've had an opportunity over the last
4 three months or so to on a daily basis interact with doctors and
5 nurses in at least those two parts of our healthcare system,
6 hospitals and nursing homes.

7
8 And I have such a -- I've always respected the nursing profession.
9 In fact, the only -- the first picket line I ever stood on, and the
02:40PM 10 only one up until recently with our Deputy Sheriffs, were nurses.
11 But I have such a new found level of respect for, and appreciation
12 for what nurses do. And I think that while I'm totally, totally
13 appreciative of your desire not to make this -- and it's
14 unfortunate that it would turn into a nurses versus doctors kind of
15 discussion, I don't mean for that to be. But, as I've been through
16 this experience, the level of involvement in healthcare facilities,
17 not only with the facility itself, but with patients and with
18 patients' families, that I've experienced with nurses as compared
02:41PM 19 to doctors, and doctors have done wonderful things for my mom and
20 have been very -- have been great with me, the level of involvement
21 of nurses has been so far and away more significant than the amount
22 of involvement that the doctors have had.

23
24 **CHAIRMAN SPENCER:**

25 Absolutely, I agree with you.

26
27 **LEG. CILMI:**

28 And as you as a doctor, I know you're familiar -- I know you're
29 familiar with that, and I know you agree that it's not --

02:41PM 30
31 *(*Applause*)*
32

33 We don't need to -- you know, I'm not -- I don't want anyone to
34 think that this is at all pandering to anybody. So, to that
35 extent, for both reasons, the fact that Tracy and I have disagreed,
36 and she has advocated fiercely on behalf of the positions that the
37 Board of Health has taken, and because of my experiences over the
38 last couple of months, I find myself compelled, really, to support
39 her continued position on this Board.

02:42PM 40
41 You are currently the Chair of this committee. I don't suspect any
42 reason why you would not be Chair of this committee, at least not
43 in the near future. And, as you said, as a medical doctor, you
44 fulfill -- you help fulfill the requirements that we're -- that
45 we're held to on this committee, I guess by State Law; is that
46 correct?

47
48 **CHAIRMAN SPENCER:**

49 Uh-huh.

02:42PM 50
51 **LEG. CILMI:**

52 Does State Law also govern the number of members on the committee?

53
54 **CHAIRMAN SPENCER:**

55 Uh-huh.
56

1 **LEG. CILMI:**

2 Okay. So I would suggest that, in all deference to the other
3 candidates, I would suggest that we leave things the way they are,
4 reappoint Tracy, and then work together towards changing the law
5 that requires what it requires. And that's just -- again, that's
6 just how I feel. So I appreciate the opportunity to say that, and
7 my heart -- my heartfelt appreciation to the nurses in the room,
8 and everybody in the healthcare profession.

9
10 (**Applause**)

11
12 **CHAIRMAN SPENCER:**

13 Thank you. And God bless your mom. And, oh, my God, I just can't
14 imagine what you're going through, and I -- your introspection and
15 your personal reflections are really special. Thank you for that.

16
17 **MS. FINNIN:**

18 Can I clarify one thing?

19
20 **CHAIRMAN SPENCER:**

21 I'm sorry. Once we're in debate, I do apologize, because then it
22 would be a free-for-all. Our rules don't allow for that. We can't
23 have comments from the audience at this point, I apologize. So are
24 there any other comments? Legislator Kennedy.

25
26 **LEG. KENNEDY:**

27 There's a lot of things that have to be clarified here. First off,
28 even the suggestion that this is a nurse versus physician issue is
29 insulting and hurtful to myself as a nurse and to everybody else in
30 the room. It is not -- as a nurse for 30 years, myself, I respect
31 physicians. There is nothing. There have been a few clunkers, but
32 that aside, it is -- medicine is a team that requires both
33 physicians and nurses and other team members. What I feel in this
34 situation is we didn't act like team players. I am going to try --
35 and no insults to the other two people who were selected today. I
36 respect you as a physician, I respect you as a healthcare educator,
37 and I apologize that you are drawn into the web.

38
39 The Selection Committee was -- and I respect the fact that the
40 Health Care Committee is equally divided politically. The
41 Selection Committee was only one party. The other party wasn't
42 notified. To me, as a nurse, I understand it as a Legislator, but
43 as a nurse, an illness is not -- neither a Democrat nor a
44 Republican.

45
46 I understand the reality of where we are here, that there is a
47 tremendous amount of politics. It should not be part of a Board of
48 Health for a county, and that is what I feel is going on here. I
49 am going to try to just end it quickly and not bring in a couple of
50 facts that would be damning. But what I want to say is Tracy and I
51 are not personal friends. I think prior to this I spoke with you
52 twice about two separate issues when I was a Legislative Aide and
53 had a question in there. Tracy is a Democrat, I am a Republican.
54 When it comes to healthcare, it doesn't matter.

55
56 I want Tracy because she is a nurse. We are trained differently

1 than physicians when it comes to healthcare. We put in -- I
2 questioned her about a couple of things. She put in over 200 hours
3 worth of research on one issue. She went traveling and out of her
4 way on her own time, nonpaid, which most nurses do for our clients,
5 to get additional research that could not be handled.

6
7 A Board of Health is incomplete without a nurse. Tracy is an RN, a
8 BSN. She has an MBA, a Master's in Public Health, and God knows
9 what else. That's what I can remember. We need diverse
02:47PM 10 individuals, true, but Tracy in an of herself is a diverse
11 individual. We are betraying medicine by not having a nurse on the
12 board, and I will leave it at that.

13
14 **CHAIRMAN SPENCER:**

15 Thank you, Leslie, and we appreciate that. All right. So Pat
16 Bishop-Kelly and Tracy have had a chance to appear before this
17 Legislature before. Dr. McGintee, who is a new appointee, and
18 she's here, and she traveled out from the East End. And I did want
19 to make sure, when we cover your resolution, that you had an
02:48PM 20 opportunity to come forward and introduce yourself personally, so
21 we'll get to that. So just one moment. Tom, yes.

22
23 **LEG. CILMI:**

24 Thank you, Mr. Chair. You said you had a strategy to deal with
25 this, and I just want to put forward an idea, if that's okay with
26 you.

27
28 **CHAIRMAN SPENCER:**

29 Sure.

02:48PM 30
31 **LEG. CILMI:**

32 Since we do have separate resolutions and we have to take each
33 resolution separately, and that necessarily means that some go
34 before others --

35
36 **CHAIRMAN SPENCER:**

37 Yes.

38
39 **LEG. CILMI:**

02:48PM 40 -- could we -- could we have three presentations, I suppose, by
41 each of the candidates in advance, and then debate the resolutions
42 after all three candidates make presentations? And I just -- we're
43 not going to speak to the prospective --

44
45 **CHAIRMAN SPENCER:**

46 I think that you have, as a member of this committee, if -- to --
47 we could take a vote on that to do it that way. But we did hope to
48 do some of that work in the Search Committee. I don't mind if
49 there's a statement. I think Tracy had a chance to make a
02:49PM 50 statement. If we had the other two candidates, if they wanted to
51 have a remark or --

52
53 **LEG. CILMI:**

54 Yeah. And while I totally respect the Search Committee's work,
55 whenever a committee has been asked to make a new appointee, we've
56 always had that appointee come to the committee --

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CHAIRMAN SPENCER:
Absolutely.

LEG. CILMI:
-- and make a short statement or something and ask questions.

CHAIRMAN SPENCER:
Okay. I think that --

LEG. CILMI:
I don't know that I'd even have any questions, honestly, but --

CHAIRMAN SPENCER:
It's reasonable.

LEG. CILMI:
-- I think it's fair to each of them.

CHAIRMAN SPENCER:
So, first, the new appointee. Then, at this point, I'm going to invite Dr. McGintee, if you would come forward, please. Thank you so much for taking your time. And would you have a seat at the table here, and if you would.

DR. MCGINTEE:
Hi.

CHAIRMAN SPENCER:
Hi. Hi, Dr. McGintee, welcome. If you could just tell us a little bit about yourself, just as you did. If you would take two minutes to just introduce yourself, we'd greatly appreciate it.

DR. MCGINTEE:
Sure. Thank you so much for having me. My name is Erin McGintee. I am a native Long Islander. I was born in Nassau County, but raised in East Hampton. I moved out there when I was four years old, so I grew up on the East End from a family of public servants. My father was a police officer for most of my life, and then he became East Hampton Town Supervisor. My mother was a teacher for her whole career. But I always wanted to go into medicine. I knew from a young age that I wanted to go into the medical field.

I did my medical training at Stony Brook here on Long Island, so I lived in Stony Brook for four years, and then I went on to do a residency in pediatrics down at the Children's Hospital of Philadelphia, and stayed on down there to do additional training in allergy and clinical immunology, which is my specialty now. I trained in both pediatrics at the Children's Hospital, and I trained at Hospital of the University of Pennsylvania for my adult allergy training. I stayed down there for a couple of years, continued to work for the Children's Hospital doing pediatric allergy and immunology, but my family, my heart, my roots were here on Long Island. And so about 7 1/2 years ago, an opportunity opened up to join ENT and Allergy Associates. So I work as an allergist in our Southampton office with -- alongside five ENT

1 physicians.

2
3 I've also, since returning home, partly by way of my specialty,
4 become very involved in tick-borne diseases and tick-borne
5 illnesses on the East End. There's an allergy that's caused by
6 tick bites that I discovered was fairly rampant out on the East End
7 of Long Island and hadn't been reported before I moved out. And I
8 now have almost 370 patients who I care for with this allergy to
9 meat that's caused by bites from the Lone Star Tick. So as I
02:52PM 10 became more interested and got more involved with doctors who have
11 studied this allergy, I got involved with Southampton Hospital and
12 became one of the medical advisors for their Tick-Borne Disease
13 Resource Center.

14
15 So we've become a big group advocating for tick education and
16 providing resources for patients and the community, directing them
17 toward care and addressing questions. We provide public symposia,
18 where we educate the community. We have a 24-hour tick resource
19 line where people can call in and ask questions. And we also offer
02:53PM 20 symposia to healthcare professionals to teach them more about
21 proper management of these tick-borne diseases.

22
23 So that's one of my main areas of public health interest. But
24 having said that, as a pediatrician by training and an allergist,
25 there's lots of other areas of public health that I think are
26 really important. The obesity epidemic and keeping kids up and
27 moving, and minimizing screen time, as a pediatrician and as a mom,
28 that's something that hits very close to home for me. And so that
29 was a reason that I thought that getting involved on the Board of
02:54PM 30 Health, that I might be someone who might be able to contribute.

31
32 I would like to say that I echo what everyone else says in here. I
33 am nursing's biggest fan. Some of my best friends and some of the
34 people I admire most in the world are nurses, and we do work
35 together as a team. And I think that -- I'm not a nurse, but I
36 certainly can appreciate that the important role they play in
37 healthcare, as do other healthcare -- until I became a doctor, I
38 didn't realize quite how many other types of healthcare providers
39 there are, but now, after doing this for 17 years, you start to
02:55PM 40 realize that we're all one big team. So, you know, I appreciate
41 your consideration. And I will say that if I am appointed, I will
42 give it my best. I give 100% to everything I do, so I would be
43 very committed to the position, and, you know, it would be an honor
44 to serve.

45
46 **CHAIRMAN SPENCER:**

47 Thank you, Dr. McGintee. Questions? Thank you very much.

48
49 Pat, I would invite you to come up. Thank you, Doctor. We'll be
02:55PM 50 addressing the resolution shortly. Pat, if you would like to come
51 up, please.

52
53 **MS. TRYPUC:**

54 Legislator Spencer, when Pat is finished, will I be able to come
55 up? Because I didn't --

1 **CHAIRMAN SPENCER:**

2 If someone -- if someone has a question. We let you go first. You
3 did it during public comment, but I have no objection to bringing
4 you back up if there's any questions.

5
6 Hi, Pat, how are you?

7
8 **MS. BISHOP-KELLY:**

9 Hi, good afternoon. Well, I'm Pat Bishop-Kelly and I have served
10 on the Board of Health for three years now. I was finishing out
11 the term of Dr. Parkinson, and I had requested that I be given my
12 own secure term.

13
14 And I just wanted to go through a few things. I've written some
15 things down, because I wasn't sure whether I would be asked to
16 discuss things today. I wanted to perhaps give you, you know, a
17 more full perspective of what I bring to the table, because, as has
18 been pointed out, we all bring our gifts to the table in various
19 ways to the public, to the Board of Health.

20
21 **CHAIRMAN SPENCER:**

22 Pat, if you could, that's fine, and I'm looking forward to this,
23 but keep it about three minutes.

24
25 **MS. BISHOP-KELLY:**

26 Okay.

27
28 **CHAIRMAN SPENCER:**

29 Fair enough.

30
31 **MS. BISHOP-KELLY:**

32 I was confirmed as a member of the Suffolk County Board of Health
33 in 2013. As a result of my body of work in public -- in the field
34 of public health policy, tobacco control, breast cancer policies
35 and more, I imagine that my circumspect approach to public health
36 policy, my ability to work cooperatively and respectfully --
37 respectfully with members of the Legislature from both side of the
38 aisle, and my depth of knowledge and experience on such topics, and
39 the positive nexus of the public-private domain of health policies
40 is responsible for my selection to the Board.

41
42 My work is not just the result of a career as a retired health
43 educator. I came to the Suffolk County Department of Health and
44 was appointed Director of Public Information and Education for the
45 new Tobacco Control Program, the Learn To Be Tobacco Free Program.
46 Prior to that, I was Director of Advocacy for the American Cancer
47 Society, and I also served as Senior Director of Tobacco Control
48 with the American Cancer Society. I remain an active member of the
49 Board of Directors of the American Cancer Society, and I serve as
50 their Advocacy Chair and Legislative Ambassador.

51
52 I've had extensive and well-respected experience working with
53 Legislators from both sides of the aisle on local, State and
54 Federal levels to craft and help pass public health policies that
55 help prevent diseases, help educate children and adults against
56 addiction, assure that those who need treatment and care for breast

1 cancer have full access to the screening and treatment they need,
2 place restrictions on the influence of the tobacco industry has on
3 children and their initiation into nicotine addiction; created and
4 chaired the first Suffolk County Collegiate Health Advisory Council
5 to help extend and focus the ongoing health education of college
6 students beyond the 12th grade.

7
8 I also researched and advocated vigorously for Suffolk County's
9 policies restricting access to energy drinks, and have also worked
02:58PM 10 with Legislator Spencer on this issue. Also served as an advisor
11 in the advocacy capacity for Suffolk's Tobacco 21 legislation.
12

13 I created a public-private partnership with Kiwanis International
14 whereby I, too, have worked collective -- cooperative with nurses
15 from Brookhaven Hospital. I wrote and created an education program
16 with and for emergency room nurses, created a children's workbook,
17 and forged a relationship with Kiwanis International, whereby the
18 entire education program for nurses was paid for, including
02:59PM 19 printing costs, at no cost to the County, Kiwanis paid for this
20 entirely. This program won Suffolk County an award from NACCHO,
21 which is the National Association of City and County Health
22 Officials, as a promising practice, and that award resides with the
23 County Commissioner's Office.
24

25 I have extensive experience in tobacco control and its relative
26 public health policies, education, prevention, treatment and
27 enforcement. I've presented at symposiums, conferences, and I've
28 been a speaker on panel discussions of the various components of
29 tobacco control and breast cancer issues. I have experience in
03:00PM 30 crafting legislation and working closely with Legislators from both
31 Suffolk and Nassau County on restrictions placed on smoking in
32 public places, advertising restrictions towards minors placed on
33 tobacco companies, and access to breast cancer screening and
34 treatment. I've created legislation that not only addresses the
35 issues, but is acceptable by both sides as a critical component of
36 public health policy.
37

38 One must be aware that while many proposals may be very worthy,
39 there must be a circumspect approach to such policies that make it
03:00PM 40 ideologically acceptable and attractive to both, and will serve to
41 benefit the public from both perspectives. These policies must
42 also be enforceable and conform with the abilities of the local
43 laws and statutes to preserve and enforce these policies when
44 necessary.
45

46 **CHAIRMAN SPENCER:**

47 Pat, I think what you've given us is extremely important and --
48

49 **MS. BISHOP-KELLY:**

03:00PM 50 I also wanted to add that I have a book from Dr. Stanton Glantz,
51 who is a prominent tobacco control expert, who's nationwide,
52 actually internationally well known. It was published in 2000, and
53 I worked with Dr. Glantz. I'm published in this book, as well as
54 my advocacy experience in tobacco control in New York State.
55
56

1 **CHAIRMAN SPENCER:**

2 Thank you. Are there any questions for Pat? Leslie.

3
4 **LEG. KENNEDY:**

5 Hello. I just -- I went through your resume, it's very fine. I
6 just want to know, you attended Stony Brook, the School of Social
7 Welfare. Are you a social worker or did you graduate with policy,
8 social policy? What --

9
10 **MS. BISHOP-KELLY:**

11 I was in the middle of my Master's in Social Work and I was -- I
12 was widowed, so I had to -- I was unable to finish school.

13
14 **LEG. KENNEDY:**

15 Okay. All right. So -- but were you going to be a social
16 worker --

17
18 **MS. BISHOP-KELLY:**

19 I was.

20
21 **LEG. KENNEDY:**

22 -- or policy person?

23
24 **MS. BISHOP-KELLY:**

25 I have a degree in Psychology.

26
27 **LEG. KENNEDY:**

28 Yes, I see that.

29
30 **MS. BISHOP-KELLY:**

31 And I have a Certificate in Nonprofit Administration.

32
33 **LEG. KENNEDY:**

34 Yes. Okay. Thank you.

35
36 **CHAIRMAN SPENCER:**

37 Thanks, Pat, thank you very much. So, Tracy, I did give you the
38 opportunity to -- and you gave us a statement in the beginning, but
39 I do -- you know, you were at the podium. You can come up to the
40 table. I want to make sure that we gave you -- and if you would
41 like to take a minute, because I think that you had your three and
42 I extended it beyond six or seven, but if there's a couple of other
43 final points you'd like to make, I did want to make sure that you
44 had a chance to sit at the table.

45
46 **MS. TRYPUC:**

47 I'm sorry. Can you hear me now?

48
49 **MR. RICHBERG:**

50 No, you just turned it off.

51
52 **MS. TRYPUC:**

53 Okay, that's fine. I apologize. I mostly spoke about the work I
54 did at the Board of Health, and I tried to incorporate how my
55 career assisted me with what I did on the Board of Health. But I
56 did want to elaborate on just a few things, because most of you --

1 some of you are newer up here than when I first was appointed, and
2 some maybe are not familiar, because it has been a while.

3
4 When I first was appointed to the Board of Health, I was very
5 active in my community. I worked in my community in -- as a local
6 community coordinator for the Long Island Blood Services. I was a
7 member of the Brookhaven Memorial Hospital Advisory Council, and I
8 did a lot of volunteer work for them. I was -- I am the past
9 President of the Greater Patchogue Foundation, which is a
03:04PM 10 501(c)(3). And I'm the past Chairperson of the Health and Wellness
11 Committee for the Greater Patchogue Chamber of Commerce. I was the
12 first person to form a Health and Wellness Committee at a Chamber
13 of Commerce. I am the past Vice President of the Greater Patchogue
14 Chamber of Commerce, and previous consultant with SUNY Stony Brook
15 Heart Links. I did blood pressure screenings in my community, and
16 I tried to get the blood mobile down as often as I could. I was a
17 member of NADONA, which is the National Association of Directors of
18 Nursing. I am a member of APIC, which is the Association For
03:05PM 19 Professionals in Infection Control, and a member of Sigma Theta Tau
20 International, which is an honor society of nursing, and the
21 chapter here at Stony Brook is Kappa Gamma.

22
23 And I -- in my career in nursing, I have been a registered nurse
24 supervisor, I've been involved in staff education, infection
25 control, making sure that all of the patients have had their
26 vaccinations, all of the staff have had their vaccinations; an
27 Assistant Director of Nursing, and then, for a short while, I was a
28 Director of Nursing at a large nursing home until that nursing home
29 went into readministrative phase.

03:06PM 30
31 And then, unfortunately, at that point, I had had a serious health
32 issue and I needed to recuperate, and then my father was diagnosed
33 with cancer. So you do see that, unfortunately, that gap in my
34 resume. And so I waited a bit, and then I decided that I would try
35 to go back to get my graduate degrees, because that was something I
36 had always wanted to do, and I did. And I'm sharing that with you
37 because some of you may have wondered that.

38
39 While I was going to school, I did manage to do web TV programs on
03:07PM 40 public health and safety, and write articles in women's magazine,
41 also on public health and safety.

42
43 So, in closing, I just would like to say that since I was in high
44 school, I read a book by Michael Crichton about the Andromeda
45 Strain, and I became hooked on public health. And I knew that I
46 always wanted to be involved in public health somehow, some way.
47 And so public health was a part of my career as Director of
48 Infection Control, making sure, again, that the patients and the
49 staff were all safe with regarding -- with regards to their
03:08PM 50 vaccinations and other things.

51
52 **CHAIRMAN SPENCER:**

53 Tracy, I'm so sorry. I really had to --

54
55 **MS. TRYPUC:**

56 I'm saying by being on the Board, the Board of Health, and, of

1 course, naturally, going back to school for my Master's of Public
2 Health.

3
4 And so, finally, I will continue to fight for public health if this
5 is it for me here. I've done a great job, and I will go on and
6 find another place to work, to volunteer to do public health,
7 because I love public health and I believe in fighting for the
8 people of Suffolk County. So even if I'm no longer on the Board of
9 Health, I will be back here before you speaking.

03:09PM 10

11 **CHAIRMAN SPENCER:**

12 Tracy, I'm counting on it. I need you. I told you from the day,
13 and ever since that I've worked with you, and we've had some
14 vigorous debates, and, as I stated earlier, that I do credit you
15 with successful legislation that we've done.

16
17 **MS. TRYPUC:**

18 Yeah, but the problem is, and I'm just ending with this, when we
19 had that Screening Committee meeting, I was told that there were
20 some Legislators that were not happy, that politics had seemed to
21 seep its way into the Board of Health, and I was very surprised by
22 that. And I even said to you, you know --

03:10PM 23

24 **CHAIRMAN SPENCER:**

25 Tracy, I --

26
27 **MS. TRYPUC:**

28 I didn't want to believe it. I have to say this. I didn't want to
29 believe it, but you're right, politics has gotten into the Board of
30 Health, and that is why we're here today.

03:11PM 31

32 **CHAIRMAN SPENCER:**

33 Well, I'm going to continue to honor your service. I'm going to
34 continue to look for ways to have nursing as a permanent position
35 on the Board. I'm going to continue to look for ways to get
36 involved. The people elected me. I have served this position. I
37 work with my heart. For whatever is said to me, it's my job to be
38 able to make some of these difficult decisions. This is one of the
39 most difficult decisions of my life. And some of my colleagues may
40 disagree with me, but one thing is that I have been consistent and
41 I have kept my word, and I will continue to keep my word.

03:11PM 42

43 **MS. TRYPUC:**

44 But not with me.

45
46 **CHAIRMAN SPENCER:**

47 And we're going to make the -- we're going to take the votes here,
48 and we're going to do what we set out to do. And I'm going to look
49 for you to be a partner and to continue to honor your service and
50 we're going to continue to need your service.

03:12PM 51

52 **MS. TRYPUC:**

53 You've already told me how you're voting.

54
55 **CHAIRMAN SPENCER:**

56 Yes, and that's --

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03:12PM

03:12PM

03:12PM

03:13PM

03:13PM

MS. TRYPUC:
And I knew that before I came in the room.

CHAIRMAN SPENCER:
So --

MS. TRYPUC:
You guys have apparently invited the Bishops to something this evening.

CHAIRMAN SPENCER:
Sure, I'm glad you -- whatever you'd like to say on the record, but we've given you your opportunity.

So I've had a request from Legislator Cilmi to, while you're at the table, to pull ***I.R. 1002*** out of order. We usually take the resolutions in the order that they're laid on the table. First one is ***Approving the reappointment of Tracy A. Trypuc as a member of the Suffolk County Board of Health (Kennedy)***.

LEG. FLEMING:
You have to make a motion.

CHAIRMAN SPENCER:
I have to make a motion to take it out of order. So there's a motion to take ***I.R. 1002*** out of order. Is there a second?

LEG. KENNEDY:
Second.

CHAIRMAN SPENCER:
All those in favor? Any in opposition to taking it out of order?

(In Opposition: Legislators Fleming, Martinez and Calarco)

LEG. CILMI:
Before you call the vote, before you call the vote, Doc.

CHAIRMAN SPENCER:
Yes.

LEG. CILMI:
I just wanted to -- you know what, never mind.

CHAIRMAN SPENCER:
So there's 3-3 and one abstention. The order -- the motion that takes it out of order --

LEG. FLEMING:
Who abstained?

CHAIRMAN SPENCER:
I abstained. I abstained on that. ***Motion fails.*** So we're going to take the motions in order.

1 *I.R. 2131 - Approving the reappointment of Patricia Bishop-Kelly as*
2 *a member of the Suffolk County Board of Health (Spencer). I'll*
3 *make a motion to approve.*

4
5 **LEG. FLEMING:**
6 I'll second it.

7
8 **CHAIRMAN SPENCER:**
9 Seconded by Legislator Fleming. All those --

03:13PM 10
11 **LEG. CILMI:**
12 On the motion.

13
14 **CHAIRMAN SPENCER:**
15 On the motion, yes.

16
17 **LEG. CILMI:**
18 Perhaps I should have said this before we actually called the vote
19 on the previous motion to take the other bill out of order. But
03:13PM 20 the reason I asked to do that is because, while I'd like to support
21 Tracy, and I will support Tracy today, once we get to her
22 resolution, there'll be no more -- there'll be no more positions
23 left on the board. And so -- and, quite frankly, I enjoyed the
24 testimony of both doctors that were -- that came before us, and
25 I -- and if, if for some reason Tracy's resolution fails, I would
26 have liked the opportunity to vote in favor of the others. Now I'm
27 left with no alternative but to abstain on both other votes, and
28 that's a position that I'm sorry that I'm in.

29
03:14PM 30 **CHAIRMAN SPENCER:**
31 But that would be that way with any of the candidates, regardless.

32
33 **LEG. CILMI:**
34 Well, no.

35
36 **CHAIRMAN SPENCER:**
37 You're assuming a minority position on that one resolution, but it
38 would be that way with all three. Whoever comes third is going to
39 be in that position, regardless.

03:14PM 40
41 **LEG. TROTTA:**
42 Let's just vote.

43
44 **LEG. KENNEDY:**
45 Let's just vote.

46
47 **LEG. FLEMING:**
48 Call the vote.

49
03:14PM 50 **CHAIRMAN SPENCER:**
51 All right. So all those in favor of Pat Bishop-Kelly? We have a
52 motion by me, second by Legislator Fleming, of Pat Bishop-Kelly
53 serving and being reappointed to the Board of Health. Please
54 signify by aye if you're in favor.

1 **D.P.O. CALARCO:**

2 Aye.

3

4 **LEG. FLEMING:**

5 Aye.

6

7 **LEG. MARTINEZ:**

8 Aye.

9

03:15PM

10 **CHAIRMAN SPENCER:**

11 All those in opposition? All those in abstention?

12

13 *(Abstentions: Legislators Cilmi, Kennedy and Trotta)*

14

15 So we have -- the motion carries. Congratulations, Pat, but it
16 doesn't count until it comes before the full Legislature. *(Vote:*
17 *Approved 4-0-3-0)*

18

03:15PM

19 *I.R. 2132*, which is a new appointment - *Approving the appointment*
20 *of Erin McGintee, M.D. as a member of the Suffolk County Board of*
21 *Health (Fleming).*

22

23 **LEG. FLEMING:**

24 Motion.

25

26 **CHAIRMAN SPENCER:**

27 Motion by Legislator Fleming, second by Legislator Martinez. All
28 those in favor?

29

03:15PM

30 *(In Favor: Legislators Spencer, Fleming, Martinez, Calarco,*
31 *Kennedy and Trotta)*

32

33 **CHAIRMAN SPENCER:**

34 Any in opposition? Any in abstention?

35

36 **LEG. CILMI:**

37 (Raised hand). *(Vote: Approved 6-0-1-0)*

38

39 **CHAIRMAN SPENCER:**

03:15PM

40 *I.R. 1002*, with the two positions, which puts us in a difficult
41 position, counsel what's the --

42

43 **MR. NOLAN:**

44 Well, it's up to the committee. I mean, you could theoretically
45 send all the nominees to the floor, if you wanted to, or you could
46 table this one here or defeat it. It's up to the committee.

47

48 **LEG. KENNEDY:**

49 Motion to approve.

03:16PM

50

51 **CHAIRMAN SPENCER:**

52 Motion to approve by Legislator Kennedy.

53

54 **LEG. CILMI:**

55 Second.

56

1 **CHAIRMAN SPENCER:**
2 Second on the approval motion. Any other motion? All right.

3
4 **LEG. MARTINEZ:**
5 On the motion.

6
7 **CHAIRMAN SPENCER:**
8 On the motion.

9
03:16PM 10 **LEG. MARTINEZ:**
11 Just a quick question. And I know, Tracy, I probably should have
12 asked you when you were here, but do we know if Tracy is an active
13 nurse right now? Are you active?

14
15 **MS. TRYPUC:**
16 (Off of mic) I am not serving as an active nurse right now. I have
17 -- I have my license.

18
19 **LEG. MARTINEZ:**
03:16PM 20 For the record, she's stating that she is not an active nurse. Do
21 you mind, Tracy? I'm so sorry that you sat down. I probably
22 should have asked you when you were up here. Do you mind coming
23 back up? Sorry, Tracy. You were saying?

24
25 **MS. TRYPUC:**
26 That's okay, go ahead.

27
28 **LEG. MARTINEZ:**
03:17PM 29 I was just asking if you were currently active as a registered
30 nurse.

31
32 **MS. TRYPUC:**
33 I have a current nursing license. I am not actively working, and I
34 believe you know why. Do you want me to --

35
36 **LEG. MARTINEZ:**
37 No, you do not need to explain as to why. I just wanted to know if
38 you were work -- if you were active in terms of not actively
39 working, but if your -- if your degree was still active.

03:18PM 40
41 **MS. TRYPUC:**
42 I plan on returning to work in approximately six to nine months,
43 because I am going to physical therapy.

44
45 **LEG. MARTINEZ:**
46 Tracy, you don't have to.

47
48 **MS. TRYPUC:**
49 No, because then it leaves a question here.

03:18PM 50
51 **LEG. MARTINEZ:**
52 I just wanted to know if you were -- you could finish. My
53 apologies, go ahead.

54
55 **MS. TRYPUC:**
56 I should have brought that up. All I need to do to be a nurse is

1 my mind, okay? My mind is fine. I'm having a little difficulty
2 getting around here, and I'm seeing a doctor, and I was going to
3 have surgery.

4
5 **LEG. MARTINEZ:**

6 The reason why I was asking, Tracy, is because I'm a little
7 confused in terms of how the policy and the Board, and I was asking
8 Counsel in terms of, you know, why do we need three physicians, and
9 it is a State Law. And, you know, I was just wondering in what
03:19PM 10 aspects, you know, as to, Doc, and maybe you can answer, you know,
11 having the three physicians. And, obviously, we have to abide by
12 State Law to be in compliance. But, I mean, was there a reasoning
13 as to why the three physicians and maybe not a nurse? I mean, do
14 you happen to know that?

15
16 **MS. TRYPUC:**

17 May I say something? We have had this three physicians in the
18 Charter, which can I have my copy of the Charter, please, because
19 this is starting to get me annoyed. The third physician actually
03:19PM 20 is supposed to be the Chair.

21
22 **CHAIRMAN SPENCER:**

23 We've really gone far afield, so I am going to --

24
25 **MS. TRYPUC:**

26 No, no. This is now addressed to me.

27
28 **LEG. MARTINEZ:**

29 No. My question wasn't meant for all this to begin, Doc. I was
03:19PM 30 just -- I just had a question in my own mind.

31
32 **MS. TRYPUC:**

33 Okay.

34
35 **LEG. MARTINEZ:**

36 Clearly, we need to move forward, which is why I was asking the
37 question.

38
39 **LEG. FLEMING:**

03:19PM 40 Chairman Spencer, if I might make a motion to table this
41 resolution, considering what Ms. Trypuc has added in her ten years
42 of service, and the fact that we as a committee have now voted for
43 two candidates to fill the two positions. So if the general
44 Legislature doesn't -- does approve both of those, then there won't
45 be a position. Perhaps if I could make a motion to table subject
46 to call, so that if this -- it will stay in committee, and then if
47 it's defeated in the general -- if anybody's defeated in the
48 general Legislature and a position opens up, then we'll have the
49 resolution. We can put Ms. Trypuc forward at the -- in the
03:20PM 50 appropriate committee meeting in the future. So I move to table
51 1002 subject to call.

52
53 **CHAIRMAN SPENCER:**

54 Is there a second on the motion?

1 **MS. TRYPUC:**
2 You're not allowing me to address this?

3
4 **CHAIRMAN SPENCER:**
5 Second?

6
7 **LEG. KENNEDY:**
8 No, that was not a second.

9
10 **CHAIRMAN SPENCER:**
11 What was that?

12
13 **LEG. KENNEDY:**
14 That was a wave.

15
16 **MR. NOLAN:**
17 Let's take a vote.

18
19 **CHAIRMAN SPENCER:**
03:20PM 20 All right. So there's a motion to approve and a motion subject to
21 call. Tabling motion takes precedence. All those in favor? Any
22 in opposition.

23
24 **LEG. KENNEDY:**
25 (Raised hand).

26
27 **LEG. CILMI:**
28 This is to what?

29
03:21PM 30 **CHAIRMAN SPENCER:**
31 Table subject to call.

32
33 **LEG. CILMI:**
34 I'm opposed.

35
36 **LEG. KENNEDY:**
37 (Raised hand).

38
03:21PM 39 **CHAIRMAN SPENCER:**
40 Any abstentions?

41
42 **MS. TRYPUC:**
43 I have a right to --

44
45 **CHAIRMAN SPENCER:**
46 All right. The motion is tabled subject to call. *(Vote: Tabled*
47 *Subject to Call 4-3-0-0/Opposed: Legislators Cilmi, Kennedy and*
48 *Trotta)*

49
03:21PM 50 **MS. TRYPUC:**
51 I have a right.

52
53 **CHAIRMAN SPENCER:**
54 Tracy.

55
56

1 **LEG. CILMI:**
2 The meeting is adjourned.

3
4 **CHAIRMAN SPENCER:**
5 I don't have any -- you have a right. What is your right that --
6 I'm sorry, I don't want to -- what is your right, Tracy?

7
8 **MS. TRYPUC:**
9 Well, a question has been asked basically to say whether or not I'm
03:21PM 10 actually even qualified to be a nurse.

11
12 **CHAIRMAN SPENCER:**
13 She answered it.

14
15 **LEG. MARTINEZ:**
16 That was not --

17
18 **CHAIRMAN SPENCER:**
19 You're extremely qualified and you have an active --

03:21PM 20
21 **LEG. MARTINEZ:**
22 Excuse me, Doc, I asked that question. No one is -- no one is
23 questioning whether you're qualified or not. I just want to know,
24 based on the policy that we have in order on State Law the
25 requirements of the position, that was it. No one has ever
26 questioned your qualifications whatsoever.

27
28 **MS. TRYPUC:**
29 We have had doctors that are on the Board and do not appear because
03:22PM 30 they're sick. We have had that in the past, but --

31
32 **CHAIRMAN SPENCER:**
33 Tracy, you're in perfect position to serve. There's nothing
34 prohibiting you from serving.

35
36 **MS. TRYPUC:**
37 I appear at the Board meetings.

38
39 **CHAIRMAN SPENCER:**
03:22PM 40 And there's nothing that -- this is not on that basis.

41
42 There's no other -- any other business before this committee today?
43 Thank you very much. I know this was a deeply emotional, painful
44 session. Thank you very much, everyone, for your attention. We
45 are adjourned.

46
47 *(*The meeting was adjourned at 3:23 p.m. *)*
48
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