

**SOCIAL SERVICES COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE**

Minutes

A regular meeting of the Social Services Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York on Tuesday, **June 4, 2002**.

Members Present:

Legislator Paul Tonna - Chairman
Legislator Vivian Fisher - Vice-Chair
Legislator Brian Foley
Legislator William Lindsay
Legislator Lynne Nowick
Legislator Caracciolo

Also In Attendance:

Paul Sabatino II - Counsel to the Legislature
Dan Hickey - Commissioner of Social Services
Sylvia Diaz - Deputy Commissioner of Social Services
Ed Pavlak - Department of Social Servies
Linda Sabosto - FCSA
Scott Towers - FCSA
Maureen Kelly - AME
Phyllis Garbarino - AME
Nancy Manteiga - AME
Cheryl Felice - AME
Vinny Iaria - Probation
Ed Hogan - Aide to Legislator Nowick
Ellen Martin - Aide to Legislator Tonna
Kim Brandeau - Budget Review Office
Todd Johnson - County Executive's Office
Lauren Vitale
All other interested parties

Minutes Taken By:

Donna Barrett - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 11:45 A.M.*)

CHAIRMAN TONNA:

Okay. We're all going to rise for the Pledge of Allegiance led by our new student intern. Lauren Vitale.

SALUTATION

CHAIRMAN TONNA:

Thank you very much. That was pretty good. Put her right on the spot, you know. Okay. I hope everyone's doing well, gearing up for the summer, summer vacations, early retirements. What we're going to do is I have a card which I think we'll go with first, then we're going to have a presentation by your Commissioner of Social Services, then we'll go to that long agenda of one bill. Okay. So Ed. Hi Ed. I'm sorry.

MR. PAVLAK:

Pavlak.

CHAIRMAN TONNA:

Okay, there you go. Sit down, make yourself at home.

MR. PAVLAK:

I think I've been here before.

CHAIRMAN TONNA:

Okay. Just for the record, if you could, just state your name, rank serial number, all that other stuff.

MR. PAVLAK:

My name is Ed Pavlak. I'm a caseworker supervisor for Suffolk County Department of Social Services Child Protective Services. I'm here mostly to speak about case load sizes within the Department of Social Services with the investigations part of the department. I know recently there was an article in the newspaper, and everybody's interested. And I thought I would take this opportunity just to come by and talk to you briefly and give the perspective from the staff level. Currently in investigations, there are 51 caseworkers and 13 trainees. There are a total of one 1938 active cases.

CHAIRMAN TONNA:

Fifty-one caseworkers, 21 trainees.

MR. PAVLAK:

Thirteen trainees. There are 1938 active cases, and there are 2449 investigations. What I did was I just really wanted to have everybody here understand what the caseload size is at this time and what the size, the investigation size is, on a per worker basis. And I had to do a little bit of math because trainees are only allowed to carry a maximum of ten cases for the first six months and they are slowly increased to 20 over the next six months until they are in the cycle and they have then a full caseload.

So just to make things even, I figured all the caseworker trainees at 12 cases, and then I did the math from there. At this point, that

2

leaves 51 caseworkers handling 1780 cases. There's 35 cases per caseworker. And using that same math, there are 44 investigations per caseworker.

CHAIRMAN TONNA:

Wait. Okay. Let's -- basically through your extrapolation saying that the average trainee is getting 12 cases, what you're saying is that basically the --

MR. PAVLAK:

What's left.

CHAIRMAN TONNA:

Is about approximately evenly distributed an average of 35 cases per caseworker.

MR. PAVLAK:

With 44 investigations per --

CHAIRMAN TONNA:

What does that mean?

MR. PAVLAK:

There's a difference between a case and an investigation. You consider a case you would think of maybe as a family unit and an investigation would be allegations within that family unit. And frequently, there are more than one set of allegations that we'll start with a family with one set of allegations and --

CHAIRMAN TONNA:

So I have a family of five.

MR. PAVLAK:

Right.

CHAIRMAN TONNA:

You have an abusive parent, an alleged abusive parent. So each of those five children would count as a case.

MR. PAVLAK:

Right.

CHAIRMAN TONNA:

Each investigation you might have -- what you're saying is there's a few more investigations than just cases.

MR. PAVLAK:

Right.

CHAIRMAN TONNA:

Now, the question I have for you, 35 cases, what does that mean within a given month, within a give day, within a given week, within a given year?

MR. PAVLAK:

That was what a caseworker is typically carrying. That's a snapshot,

3

it's a very up to date snapshot as of 6/1/02.

CHAIRMAN TONNA:

When does a case -- just the history of a case. There's an allegation, it gets assigned to a caseworker.

MR. PAVLAK:

True.

CHAIRMAN TONNA:

Okay, a child protection worker. Now that's an active -- that would act as an active case.

MR. PAVLAK:

Yes.

CHAIRMAN TONNA:

Great. When -- when does that stop being the case? When they remove the child or when they determine that it was a specious allegation?

MR. PAVLAK:

They have a -- Child Protective Services 60 days to make that determination. Anytime during that investigation they can remove the children. Any time during that investigation, there could be additional allegations, new allegations, which essentially starts a whole new investigatory cycle on that particular case. So you can be on the 40, 59th day of a case, being ready to close it out and you can get a new report, and that's case cycle's back for another 60 days of investigation.

CHAIRMAN TONNA:

And -- all right. So we're back with you now. Go ahead.

LEG. FISHER:

I have a question.

CHAIRMAN TONNA:

Go ahead

LEG. FISHER:

I'm sorry. You threw out a lot of numbers very quickly, and I think you lost me part way through because you had said there are 51 workers who are left with 780. Now, when I did that division, I came up --

CHAIRMAN TONNA:

1700.

LEG. FISHER:

Oh, that's what happened, because I come up with 14, and you said 35, so I just wondered about the arithmetic there.

MR. PAVLAK:

Legislator Fisher, that's the dream, 14.

LEG. FISHER:

Absolutely. So I was wondering about the --

4

CHAIRMAN TONNA:

The dream is zero, that everyone takes care of their children. If I had a dream, I mean, my dream would be nobody's abusing their children.

LEG. FISHER:

Dream big, right? Okay. Thank you. I just needed to clarify that.

CHAIRMAN TONNA:

Okay. Go ahead, we're with you.

MR. PAVLAK:

Okay. So the point that I want to make is that the -- I don't know right now exactly what size caseload the agency is working with. I believe they think that 23 is a fair caseload, and that's with all the supportive services, the legal unit working properly, all of the community services workers in the place to do the small work, the other transportation types of things, the visiting things. We are far, far over that -- that number, that at least 50% other the 23 cases, at least 50%.

CHAIRMAN TONNA:

Well, if you're 50% over, that means you have 46 cases.

MR. PAVLAK:

No, 50% of 23 would be another 12 cases, and that would put you at 35.

CHAIRMAN TONNA:

All right.

MR. PAVLAK:

And my feelings are that's extreme. My feelings are that the caseworkers are at this point overwhelmed with the amount of work, that the connection system has made it, in one way it's made it better, but in one way it's made it much worse, because there's so much data entry and so many things that have fallen back to the caseworker. On the -- on the positive side, case research is a lot easier with the connection system. You can get information fairly quickly.

CHAIRMAN TONNA:

Can you tell me about this connection system. What are you talking about.

MR. PAVLAK:

Connections is the computer system that the state purchased and put in place, perhaps five or six years ago, now, that it links all the caseworkers, it allows louse all the caseworkers that are in the unit or in the agency to look at share-case information. It makes that part of it very easy, but because every allegation must be addressed in the connection system, it makes it a very onerous system to use when you want to close out an investigation or indicate an investigation or do something that to an investigation. And it makes it -- it makes it difficult and it's time consuming.

5

CHAIRMAN TONNA:

But, on the other hand, but putting that data into the system, then you are building a certain data base, right?

MR. PAVLAK:

There is a monstrous data base, that's for sure, and it continues to --

CHAIRMAN TONNA:

But it just -- doesn't it help you the next time that that case might arise because now already so much is already documented?

MR. PAVLAK:

It certainly does. You know, it makes it easy to access that information. Normally you would have to search out another case

record. A lot of our case records, after a short period of time, go into some type of storage area, then you have to call for it from the storage area to bring it back.

CHAIRMAN TONNA:

Doesn't is it -- on the repeat offenders, doesn't it in the -- save you time?

MR. PAVLAK:

Yes, it does.

CHAIRMAN TONNA:

Okay. All right. Just to get a sense. I mean, none of us -- I don't think any of us as Legislators have ever dealt with the system, so.

MR. PAVLAK:

And you know, the bottom line is you're going to address the overdue situations with Commissioner Hickey and the other people from the Administration, but this is one the real things that impacts on the overdues. There is just not enough time in the day to do all of the work that has to be done, that the caseworkers allow things to slip to back burner. They do what they have to do to --

CHAIRMAN TONNA:

Well, let me ask, if you don't mind, two or three questions in response. Did I interrupt you? Do you -- just two or three things. One is I'm interested in finding out what you suggest, first of all. Second of all, I would ask that just from a sense, I think what saying is you're understaffed, right?

MR. PAVLAK:

That's exactly what I'm saying.

CHAIRMAN TONNA:

By 50%. Because you need to make up that 50% caseload or whatever.

MR. PAVLAK:

Probably not 50%, but we are understaffed by some level. I think that once -- that with adequate staff, this overdue problem and some of the other problems could be brought under control. It's not like we would need 50% more staff, but we certainly could use a dozen more workers.

6

CHAIRMAN TONNA:

Right. Then I would ask you also what would be -- since you've been there -- how long have you been there?

MR. PAVLAK:

Twenty-eight years.

CHAIRMAN TONNA:

So tell me what you think about another early retirement in your department.

MR. PAVLAK:

At this point I don't think in investigations the early retirement is going to have much effect.

CHAIRMAN TONNA:

Why is that?

MR. PAVLAK:

Everybody's gone. We have -- our staff, 50% percent of it has less than three years experience, or three years or less, I think.

CHAIRMAN TONNA:

So you're telling me that you don't think anybody's going to retire.

MR. PAVLAK:

Well, a few will retire.

CHAIRMAN TONNA:

A few meaning three or four, or a few meaning 10 or 15?

MR. PAVLAK:

In investigations, I can probably name two -- I think four. I think four in investigations that I know of.

CHAIRMAN TONNA:

Are you retiring?

MR. PAVLAK:

I'm planning -- I'm thinking.

CHAIRMAN TONNA:

I want you to know right upfront I'm never going to vote for an early retirement program, but still, that doesn't mean other Legislators won't. But generally speaking -- so you don't think it's going to be that much of a problem in your department, yet you need more staff.

MR. PAVLAK:

There's not many -- the old timers are -- have just slowly slipped away, you know, people have just retired through the regular course of events.

CHAIRMAN TONNA:

Yeah, the early retirements every year is the regular course of events.

MR. PAVLAK:

We have a lot of -- we have an awful lot of people who -- staff who are in this continuous process of looking for other employment. And when other options come up, they certainly take them. I know Mr. Iaria from the Probation Department is here, and I think if you look at his roster, it would look like a who is who of Child Protective Services. We're losing another worker to the Health Department, we've lost a lot of workers to the Health Department, Probation, to other parts of the department. It's -- it's a difficult job, and it's made much worse by the level of cases, by the number of cases that each worker is asked to handle. They're not bad people, they are just great, they are wonderful people. And I can't emphasize that there are people who come in and they put in hours and hours of their own time to keep on top -- to stay on top of everything, but they need help. They really need help.

CHAIRMAN TONNA:

Thank you. Legislator Foley has some questions, and I'm sure Legislator Fisher.

LEG. FOLEY:

Thank you, Mr. Chairman. Thank you for coming to today's committee meeting to give us your -- let's -- collective and wisdom born from the years that you've been in -- in this particular division. Now, you mentioned the fact that there is about 35 cases per worker, but is it not the case that there are workers that have a far higher caseload than that?

MR. PAVLAK:

Certainly is.

LEG. FOLEY:

And others have -- so the average may be 35, but could you explain to the committee that when, in fact, if you're including the new workers who have a far lower caseload, gives us examples of how there are caseworkers that have far in excess of 35, and what their number may be?

MR. PAVLAK:

I personally know the high caseload. The highest number is in the 80s.

LEG. FOLEY:

Is in the 80s. And what is the state number that -- that they wish each worker would have? What's the --

MR. PAVLAK:

There is no more state limitation -- there's no more state direction in that area. That -- that legislation or laws, they disappeared a couple of years ago.

LEG. FOLEY:

Let's put it this way, what -- what would be the standard that they would put in place?

8

MR. PAVLAK:

Within the department, our department, I believe, uses the standard of 23 cases.

LEG. FOLEY:

And what was the state standard at one time? Lower to mid 20s?

MR. PAVLAK:

Lower to 20s. I don't recall exactly. I just don't know.

LEG. FOLEY:

So we've established the fact that it's between the low and mid 20s. And while news articles have written -- have reported the fact that the average, and the information given out by the departments is that the average is 30 to 35. In fact, they are caseworkers who have almost four times the number of -- of cases that --

MR. PAVLAK:

Well, investigations.

LEG. FOLEY:

Investigations. Okay. Upwards of 80.

MR. PAVLAK:

There is one over 80, and there are several over 70 and over 50 is not uncommon.

LEG. FOLEY:

Okay. Now that's investigations. What about -- what's the other -- what's the other unit?

MR. PAVLAK:

Well, service delivery.

LEG. FOLEY:

Service delivery, what's the norm for service delivery?

MR. PAVLAK:

Much lower, but I did not really -- when I worked out the math on this, I didn't really look at service delivery.

LEG. FOLEY:

The real key is investigations to determine whether or not there is a real problem?

MR. PAVLAK:

I'm sorry, I didn't understand the question.

LEG. FOLEY:

The real issue is investigations?

MR. PAVLAK:

Well, I presented for investigations because I knew the committee was going to be looking at the investigation issue of overdue reports. And I thought that I would just be able to give you some insight about why the overdue level is so high. But there is another problem when

9

you're talking about service delivery that is also a problem, the staffing is no better there than it is in investigations and foster care is the same problem.

LEG. FOLEY:

If we look at investigations where it's as high as 80, which to me is obviously an alarming figure, are there any -- when you speak to your Nassau counterparts, there are other counties in the state, if you had that occasion, do you know what their numbers are per caseworker?

MR. PAVLAK:

I've had conversations with workers from Albany County and conversations with workers from Nassau County. Recently from Albany County, the girl that I took to, said that they had many workers that had 90 and 100 cases.

LEG. FOLEY:

Ninety to 100.

MR. PAVLAK:

Again, this is idle conversation.

LEG. FOLEY:

I understand.

MR. PAVLAK:

And I also some time ago talked to Nassau County workers who also said

the same thing, they were in that level. Although, I think that the situation in Nassau has gotten much better. I don't quite know how.

LEG. FOLEY:

By hiring more staff.

MR. PAVLAK:

I don't know why. I can't explain it. When I read Newsday about Nassau, I can't believe that they're in better shape than we're in, or even equal to us, but I don't know.

LEG. FOLEY:

Just through the Chair, if I may again, you be mentioned earlier the number of people who have left Probation -- left rather CPS and gone to -- to other departments. Is that a more recent phenomenon? Because I recall even at the time when Commissioner Wingate was here that he used to raise the same concerns and we used to ask him, how could we help to try have them him keep the workers within CPS. Now is it more of a recent -- has there been an acceleration of the number of workers who have left CPS? In your experience -- put it a different way, in your experience of 28 years, has that been more a phenomenon of recent years than years ago? Or is that something that's common to that particular division?

MR. PAVLAK:

It's hard for me to -- to really address that question. What I have a sense of is more people are actively looking now than I ever recall before. They're actively going out, they're taking civil service test, they're going back to school, pursuing careers in education,

10

they're actively looking for something else.

LEG. FOLEY:

The reasons that they have given -- the reasons that they have given for looking elsewhere are what?

MR. PAVLAK:

The obvious reason, and this is the overriding factor is caseload size. People -- you do this for three, four, five years, and you just have a tendency to say enough, I need relief here, I need a job that I can accomplish, a job that I can do.

LEG. FOLEY:

Now, if there's this rapid turnover, how long does it take if you bring a new person on board to have then fully acclimated to -- to the department?

MR. PAVLAK:

The first six months is essentially all training. The second six months is slowly moving the person into the system and bringing him up to speed with caseload. And at the end of a years, the feeling is that you have a fully trained person. And again, that's really not absolutely true. That -- you need a lot of seasoning and a lot of experience to be a good CPS worker.

LEG. FOLEY:

So it's closer to -- closer to two years.

MR. PAVLAK:

Well, it's hard -- again, it's hard to put a time on anything. Some people just -- it's like a duck to water. They get into it and the can just do it, and other people it's just a hard, hard thing for them to get down.

LEG. FOLEY:

So well over 50% -- you say close to 50% of the workers have less than four years or five years.

MR. PAVLAK:

I don't think the exact number, but I know Commissioner Hickey or somebody in his party will know that number. But I believe it is around 50%.

LEG. FOLEY:

Those who are leaving the department are among the newer employees as opposed to more experienced ones.

MR. PAVLAK:

The long termers are invested and they tend to stay, but the new employees, you know, they're -- they're casting around all the time.

LEG. FOLEY:

Thank you, Mr. Chairman. Thank you.

CHAIRMAN TONNA:

Thank you. Thank you very much, he had. I appreciate you coming in.

11

MR. PAVLAK:

Thank you for the opportunity to speak with you.

CHAIRMAN TONNA:

It's not problem. All right. Commissioner Hickey. Now, Commissioner Hickey, I know you just came back from vacation, so you must be very well rested. Yeah right. Anyway. I find coming back from vacation

is the worst thing in the world, because every bit of sleep that I caught on vacation, you loose after the first two days.

COMMISSIONER HICKEY:

I agree. Good morning, everybody.

CHAIRMAN TONNA:

Good morning. Just for the record, identify yourselves.

MS. DIAZ:

Sylvia A. Diaz, Chief Deputy Commissioner.

COMMISSIONER HICKEY:

Dan Hickey, Commissioner.

MR. MORRIS:

Assistant Administrator for Family and Children Service Administration.

COMMISSIONER HICKEY:

First I'd like to just congratulate Ed Pavlak, who just spoke, on his 28 years of services. Ed runs our Emergency Services Unit, which operates 24 hours a day, seven days a week. And they are frontline staff who go out and investigate cases immediately, and they have a fine job over the years. I came today, and I wrote Presiding Officer Tonna a letter regarding the Newsday article.

CHAIRMAN TONNA:

Does everybody on the committee have that letter?

COMMISSIONER HICKEY:

And I have copies here, so I'd like to pass it around right now, if everybody doesn't have a copy.

CHAIRMAN TONNA:

I think we have it. We have copies.

COMMISSIONER HICKEY:

In the reporting of the raw numbers of overdue investigations, the Newsday article is, in fact, some what misleading. We have based comprised from the state-wide data system that is -- that is applicable, it's the New York State Office of Family and Children Services Connection System. We have tapped into that data base to look at counties that have over a thousand open investigations. In other words, large counties. In fact, if you look at the tables that we have provided here, Suffolk County is among the best in terms of completing investigations in the State of New York. And if you look at table four, it will show you a comparison of how we do --

CHAIRMAN TONNA:

Which table are we looking at right now?

COMMISSIONER HICKEY:

If you look at table three, you will see in the month of February, we were -- we were one of the best, we had a 36% overdue. Nassau County had 46, Broome County had 70% overdue, Albany County had 82% overdue. These are among the large counties that have over --

CHAIRMAN TONNA:

Meaning over the 60 days?

COMMISSIONER HICKEY:

Over the 60 days, yes. And there can be a myriad of reasons for that. And the connotation that work wasn't done is very misleading because as Ed said, the staff do work very hard. Many times those investigations remain open for a time because they are waiting for documentation from family physicians and hospitals and schools and other institutions that are not always quick to respond to our investigations and our needs to collect paper work. So there are a myriad of reasons why they do not come -- get completed in addition to the fact that the caseworker has to come into the office and enter information into the system, which as Dick explained to you can be very onerous process.

CHAIRMAN TONNA:

Dan, just to take us through this, because again some of us, for example, I see on table three that 36.36, now in a certain sense, you know, when you compare it to other counties by percentage, it's better than some counties. But if you take 36.36%, that's still not zero percent.

COMMISSIONER HICKEY:

That's correct.

CHAIRMAN TONNA:

Right. The concern that I have is what does that really translate into? If it's just documents that are waiting to close out a case, that's one thing. It's not -- there's no human, you know, cost, but if we're talking about, and that's why I just want to understand it to a certain extent, you get -- you get a parent who's beating up on their one or two children, okay, and we've heard stories from caseworkers, we've heard these terrible stories that I don't want to mentally have them in my mind, but those kids with being dealt with, right?

COMMISSIONER HICKEY:

That's correct.

CHAIRMAN TONNA:

What you're talking about is to close a case with some, you know, what, medical reports or something like that?

COMMISSIONER HICKEY:

There may be a great deal of outstanding information that is required before that case is --

13

CHAIRMAN TONNA:

But the kids are not in harm?

COMMISSIONER HICKEY:

These kids are not in harm. These kids are actively investigated. One of the things -- maybe to take you back to the beginning a little bit is the -- a phone call or an allegations will come into the state reporting system, the state hotline. That report is then transmitted to our office. The state requires us to make a contact with the person who reported that incident within 24 hours and to make a personal contact with the victim and the victim's family within seven days. In fact, Suffolk County has a much stricter policy. In 90% of the cases, we actually make a face to face visit with that family and with that victim within 24 hours. That is our own internal policy that we've had now for over 15 years. And that -- the reason for that is to make an assessment right upfront as to whether or not that kid is in any jeopardy. And Ed's group is largely responsible for making those investigations because he is available and his staff is available 24 hours a day. If during that assessment they see that that child is in some kind of imminent risk, they will remove that child immediately from the family. And then -- and then during the remaining 60 days after that initial investigation has taken place, it gets turned over to a regular CPS investigative worker who is required to, you know, interview neighbors, all of the family members, schools, you know, any collateral information that we can gather to determine the risk of that child and to make a determination as to whether that child has to be removed from the home.

CHAIRMAN TONNA:

Right. So there- there is a -- to use a medical term, there is a triage going on, right? Within 24 hours of an investigation or of an allegation, somebody's going down there to physically access the situation, right, face to face.

COMMISSIONER HICKEY:

That's correct. Correct.

CHAIRMAN TONNA:

Okay. So if there are welts on the kid or cigarette burns or all the things that we've heard, that send off red signals, you know, red flags.

COMMISSIONER HICKEY:
Absolutely.

CHAIRMAN TONNA:
Okay. So from a human capital standpoint, we're not getting a kid that's going 60 days being abused before you get this. That's not what's happening.

COMMISSIONER HICKEY:
That's not what's happening.

CHAIRMAN TONNA:
Within 24 hours. Okay. So the overdue case, all right, of 60 days generally speaking are -- what you're saying is these are cases that we're -- we are -- the ball's in somebody else's court waiting to receive paperwork from us. No. We're waiting to receive paperwork from them.

14

COMMISSIONER HICKEY:
Partially, and also the fact that the worker has to come into the office and have the time to take this mass of information and put it into the computer system.

CHAIRMAN TONNA:
Is there anything that says that the worker himself has to do it? Why can't we get somebody just to do some data entry?

COMMISSIONER HICKEY:
Because it takes a worker of certain level to be able to interpret the case notes to make sure the information gets into the system correctly, because we will be using it later to collate this with other cases and to reopen investigations. So it has to come in at a certain level. It's not something that I think that a clerical would do in that case.

CHAIRMAN TONNA:
Well, let me -- let me ask you just -- I don't know if there are laws that govern this or how you do it. We have medical transcriptionists in our business. They are familiar with the terminology, you know, whatever else, and they can actually read doctors notes and transcribe them into a data base for us on a regular basis. Is there anybody who might be part time, a case worker who doesn't want to do any more case work, but don't mind coming in or light duty or somebody who's injured or somebody who would know exactly what to ask, familiar with the terminology and nomenclature of the business and just be able to pound out these thing to get that paperwork in?

COMMISSIONER HICKEY:
No. We do have other people in the unit who assist the caseworkers with

paperwork, typing, visitations, moving children around. I would have to defer and let you speak to an actual caseworker. I think, you know, a lot of them have their own script and handwriting. I mean, there are a myriad of things of interpreting your own notes to make sure. And, you know, the basic thing here is that we are concerned about children's safety, so we would certainly not want to rely on something being misinterpreted or misinputted into a system that somebody has requisite knowledge of.

MR. MORRIS:

I just want add it is -- it can -- it can -- we can make sound like it's just paperwork, and paperwork is actually -- computer work is a big piece of it. But there's another important thing that -- that needs to be mentioned too is that one of the things that we require locally is to distribute the decision, it's not just the decision of a caseworker, it's the decision of a caseworker and the supervisor together. So the two of them sit down and conference every case before -- before a closing is made. So once that closing is made, it doesn't just fall on the -- on the caseworker. The supervisor's now got a pile of cases that he or she has to -- has to go through to make sure that the record reflects what was discussed in the conference, and that indeed the child is safe as that case is being closed. So what you're describing when you don't know the intricacies of the system sounds like a good idea, but it doesn't work in practicality. In fact, we've used community service workers to open cases for us a lot of times, because if a case is going to be

15

closed, that's -- that one outcome, if it's just going closed, indicated or unfounded. But you have your indicated cases are going to be turned into a case too. They're going to have a case plan that has to be tracked and worked and maybe even brought to the attention of the courts. And we often have community service workers we do all of the menial tasks of opening those cases. So we do do that system up to a point. But the -- what the important thing to realize here is that it's data collection and then a decision based on that data.

CHAIRMAN TONNA:

Okay. But the 36%, which again, it might not be as bad as other counties, but still for me looking at the numbers; 36% beyond -- what you're saying is if I understand this correctly now, 36% for two reasons. One, basically, the ball's in somebody else's court and they have to get documentation back to your workers. Or secondly, your workers, the clerical work -- not the clerical -- the administrative work or the data input work has not been completed, and that's what's making -- generally those two things.

COMMISSIONER HICKEY:
(Shaking head yes).

CHAIRMAN TONNA:

Okay. All right. I'll come back to this. Go ahead.

LEG. FISHER:

Actually, you were just touching on my question, which was what defines a closed case? When is a case considered closed? And it seems that what you were representing was that when a determination is made that there is -- it's an unfounded allegations, or if you have to proceed further with a determination to bring the case to court. That's what defines the case as being closed?

MR. MORRIS:

You actually use the word that defines a case being closed, and that word is determination. That's what we're required to do under state laws, to reach a determination. And the determination broadly will be either indicated or unfounded. If a case is unfounded, it's sealed, it's kept if we need it in the future and we can pull evidence out of that case, if we need it in the future. And the majority of our cases are unfounded. But let's look at indicated, because that's more important, that's much more time consuming. The indicated case, you can have a situation that appears to be isolated and there's no ongoing risk to the child. So that case is just simply closed, it's indicated, it's kept on file with the stare register, and it's closed.

LEG. FISHER:

So when it's an indicated case, that means that it's closed and found to be unfounded?

MR. MORRIS:

No. Indicated means that there is some credible evidence to support the initial allegation.

LEG. FISHER:

Some credible evidence.

16

CHAIRMAN TONNA:

Something's done already though.

MR. MORRIS:

Im sorry.

CHAIRMAN TONNA:

Then something's done already and the case is closed.

MR. MORRIS:

Well, sometimes it may not be. It's closed indicated, but in most cases

--

CHAIRMAN TONNA:
What does that mean?

LEG. FISHER:
Explain that.

MR. MORRIS:
Closed indicated means, for example, I yelled at my son, called him -- called him a name and kicked him out of the house. And somebody makes a report. And the caseworker comes out and investigates the situation, gathers data and --

CHAIRMAN TONNA:
But doesn't reach the level of abuse to remove a child from a family, but there's something here for the future. The next time he yells and then smacks him around a couple of times -- okay.

MR. MORRIS:
Right. Now, most of the time when we indicate a case, we have a responsibility to come up with a case plan. What are we going to do to make sure this child remains safe? And that can range all the way from removing the child from the home to providing counseling or what have you. And then we have to come up with a case plan, and then the case either goes to Foster Care, if the child is removed, or it goes to Services to monitor the family and make sure that the services are received.

LEG. FISHER:
It doesn't have to go to court to go to Foster Care?

MR. MORRIS:
Yes. If the child is placed in foster care, you have to have the approval of the court, that's correct.

LEG. FISHER:
Okay. So that's part of the that determination to move further with the case, but that still considered closed, because now you've reached the determination --

MR. MORRIS:
No. The investigation is closed.

17

LEG. FISHER:
The investigation is what we're talking about.

MR. MORRIS:
That's right.

LEG. FISHER:
The investigation is now closed. And I suppose because the determination and the judgment is such an important piece of it, this is why you said that the investigation has to be handled by the caseworker who has the history and -- and the training and knowledge to make a judgment throughout the process.

MR. MORRIS:
That's correct.

LEG. FISHER:
Okay. That really clarifies is it for me, because it seem to be the gathering of data and inputting data, but what you're saying is that as that data comes in, there's continuous judgement, there's continuous determination and looking toward what kind of recommendations would be made vis a vis that case and the family.

MR. MORRIS:
That's correct. In the jargon that we -- that we deal with, it is an assessment of child safety, and that's an ongoing process.

CHAIRMAN TONNA:
Would you say the large majority of 36.36% of -- and again, that's just a snapshot as of February, but would you say the majority of those are cases waiting a determination of basically specious allegation or whatever? In other words, they're not indicated. They are -- are these -- are these the cases that say, well, nothing really happened there?

MR. MORRIS:
Most of them, I believe, are, yes. Most of them, I believe, are. But I think the other thing --

CHAIRMAN TONNA:
Well ,most of them, the vast majority -- this is -- I'm just trying to get an understanding of the 36 --

MR. MORRIS:
My guess would be, and it's only a guess, would be --

CHAIRMAN TONNA:
Do you have any --

MR. MORRIS:
Seventy or 80%.

CHAIRMAN TONNA:
Seventy or 80%.

MR. PAVLAK:

Right. Would be --

18

CHAIRMAN TONNA:

Ed, I just want a shake a head or no --

MR. FOLEY:

He has to come back to the table.

CHAIRMAN TONNA:

All right, we'll come back. I just want to get a sense of -- in other words, what I'm trying to find out is these things are as -- they are not -- they're more administrative non serious cases rather than -- I mean, you're dealing with a child's life always, but still I just want to make sure. I think -- I think when reading the Newsday article, my concern was, okay, that we are overstaffed, which -- I mean understaffed, which we know we're understaffed, but that the serious problem is that children are really at risk. Okay. Really, really, not just really at risk, really, really at risk, and we still want to have it work functional. So Ed, please, don't shake your head too much. We still want to have it functional. We care about, you know, people with immense responsibility they have with whether it be 80 or 70 or 60 children in their -- in the palm of the hands between safety and, you know, terrible, physical, mental, sexual abuse. But I just want to make sure that when we're looking at an industry like this where 36%, the cases are overdue with regard to their 60 day standard, that, you know, it's not about people getting, you know, beaten a couple of extra times before we step in.

MR. MORRIS:

No. I could confidently say no. But that's not to say -- I mean, we're human and something could escape our attention.

CHAIRMAN TONNA:

I understand. We understand that. Okay. Brian, you have a question and then we'll go back to the presentation.

LEG. FOLEY:

Thank you, Mr. Chairman. To another dimension here. And this really is a question that could be applied to any department and that is, there really is a correlation between the continuity of service by an -- by an employee in the given division as opposed to having a lot of turnover. Now, we heard earlier from one of the more experienced members of -- of this division, and we heard this over the past number of years of the number of -- the amount of turnover within your given department. Can you tell us how you intend -- since this has been a chronic problem over a period of years, it's not just in the last year or two years -- as I

said earlier even Commissioner Wingate had spoken about -- about the turnover. And at that time, I had said as well as others, if there is this kind of turnover and concern whether or not there needs to be a number of things, number one, more employees, number two, perhaps even some kind of counseling services even for the employees themselves so they can take about what their concerns are about the work they are doing and try to help them stay within that particular job. So what can you tell the committee -- what managerial initiatives have you undertaken or would you undertake or will you undertake to try to have employees stay within that particular unit? Because what I'm hearing here today I don't think it's something that you find in to many other departments, have this kind of turnover. So what can be done from a management point of

19

view to help these employees so they can better help these kids, because we all know, the longer service within a given division, the better the quality of the service. You don't have as much of a turnover. You don't have as much of a learning curve for new employees. So if you could please answer the question.

COMMISSIONER HICKEY:

I'll answer that question generally, and we will send you some specific information, because other the past two and a half years, particularly since the last retirement and we had, you know, concerns about the number of people who left at that time that we have taken a number of efforts. And we will always have turnover no matter where we are, but turnover is no longer the problem that it once was. It is, you know, less than than the state wide average for counties our size. My Personnel Director, John Liguori, has been very actively involved with the State of New York, with our local Civil Service Department and many organizations to look at this problem, because it is a problem state wide with turnovers in case-caseworkers.

LEG. FOLEY:

What I would -- what I would like -- through the Chair, if I may, what I would like to take a look at if you have the statistics, not just with other County, but within your own --

COMMISSIONER HICKEY:

We do. Yes, we do. I do not have them with me, but we --

LEG. FOLEY:

I know -- within the last five to eight years to see -- to see what that kind of turnover is or was, and I think that would be instructive to see.

COMMISSIONER HICKEY:

A number of things that we've -- we've done is that we've had the Civil Service Department develop exams and give them, like, every year where

they used to wait until every two years, and then we ran out of people on the lists, and we had to put provisionals on. You know, as Dick said, it takes six months just to be able to hand somebody 10 or 15 cases. And if they're provisionals and we have to spend that effort and training just to turn them over with a list, it's a horrendous workload on the department. So we have actively worked with Civil Service to keep lists active and to recruit. We have gone out the colleges and recruited there. We have allowed seniors now to take tests prior to them getting their graduate certificate, so that, you know, we have a constant influx of new blood in the system. So our recruitment efforts also go out to the newspapers and -- and many, many public organizations. So we are always actively involved.

To the extent that we lose people. We hire people with college degrees from various backgrounds. This may not be everybody's calling, and certainly when another job comes along that pays more money, people will leave. I don't think there's anything that we will ever do about that. We look at our turnover statistics, and we look at the reasons why people leave, and they leave --

LEG. FOLEY:

Just through the Chair, are there exit interviews that you give to -- to
20

your employees?

COMMISSIONER HICKEY:

Yes. We have exit interviews that have been conducted over the years --

LEG. FOLEY:

And through the Chair, if I may. Mr. Chairman. If you give exit interviews for everyone who leaves the department, what is -- what are the main reasons given by the employees for leaving.

COMMISSIONER HICKEY:

I'll provide that information to you with the statistics. I do not have it at the tip of my fingers.

LEG. FOLEY:

All right. I think that would be --

COMMISSIONER HICKEY:

There is nothing -- there is nothing remarkable that stands out. Of course, employees will always complain about workload, and I -- I agree with Dick. We do want to see our caseloads lowered. Twenty-three to 25 is an ideal situation. And as you're training new staff, the old staff have to take on a larger burden. That's a fact of life. We always have had an active recruitment policy for caseworkers. We get automatic

refills for caseworkers, in fact, for the past two months, we had 68 out of 68 positions filled in the Investigative Service Unit. Now, Mr. Iaria got four -- four of our staff in the Probation who left us in the past two or three weeks. That's a fact. They pay more money. We've actually had some caseworkers come back from Probation who have liked working for us better.

LEG. FOLEY:

So they are no vacancies within the Investigations Unit?

COMMISSIONER HICKEY:

Well, now we have four.

LEG. FOLEY:

Just four.

COMMISSIONER HICKEY:

Three actually, I'm sorry, we filled one. You know, one of the situations too, and I have to say this --

LEG. FOLEY:

That's -- that's 68 positions?

COMMISSIONER HICKEY:

Sixty-eight positions in Investigations, three vacancies.

LEG. FOLEY:

If you -- if you would look -- look at some caseworkers having 80 cases, how -- how would you lower -- what would be the management plan to lower that to -- to manageable level?

COMMISSIONER HICKEY:

21

I would have -- I would have to look in -- you know, I wouldn't want to take guess at that, Brian. I would have to look at why -- I mean, I know why maybe people have more than the average while people are training, but why it wouldn't be equally distributed --

LEG. FOLEY:

The questions that I would ask -- the questions that I would ask is how many have in those remarkable high numbers whether it's a handful, whether it's 20, whether it's five or three or 30, and then take that as a snapshot and then ask the question how do we help -- even though we have almost all of the positions filled, how do we reduce that number to a manageable level?

COMMISSIONER HICKEY:

We -- we may at some point in time have to consider shifting some resources in the department. We have other areas of investigative units doing different things now that -- that are not priorities, and we're look at possibly creating new abuse teams out of -- out of additional staff. We did ask for an additional abuse team in last year's budget, that was deleted.

LEG. FOLEY:

Just finally, Mr. Chairman. You mentioned it earlier, but I think it -- it bears repeating. If you look at the Newsday article where the spokesman for the department said that the majority of overdue investigations in the County are those that will likely end up being unsubstantiated.

COMMISSIONER HICKEY:

Unfounded is the --

LEG. FOLEY:

Okay. Unfounded. But the operative here is that it will likely -- there's a presumption going into the case that it would likely be unfounded. How do you -- how do you think that --

COMMISSIONER HICKEY:

I think what Dick has said here, even if a case was completed or unfounded or was indicated but closed with no further action, we have no crystal ball that could tell us what's going to happen tomorrow, Brian.

LEG. FOLEY:

Thank you, Mr. Chairman.

LEG. FISHER:

Dan, could I just follow up on something that you just said?

COMMISSIONER HICKEY:

Yes.

LEG. FISHER:

You said that there are 68 positions, that you had filled 68 positions, you now have four openings --

COMMISSIONER HICKEY:

Three.

22

LEG. FISHER:

Three. Then is the problem that we need to create more positions rather than just an attrition problem?

COMMISSIONER HICKEY:

What we've seen other the last couple of years is an increase in the number of reports that are coming through the state-wide system. At the same time, when we complete investigations, we are seeing that the number of unfounded reports are also increasing, so apparently what is happening

--

LEG. FISHER:

Kids are getting smart. When they get mad, they call up --

COMMISSIONER HICKEY:

No. I think people -- people, particularly people in Suffolk County, we have 50 school districts, we have a very educated population, you know, people such as yourself, who are required, reporters, see things that don't look right, they call in. They don't ignore it.

LEG. FISHER:

Right. And our consciousness as teachers in the classroom is much greater, and so we would want to be sure --

COMMISSIONER HICKEY:

And nurses and hospital staff are very highly educated, and we have a very good system of community-based organizations that get that information out there. And I think that's why we receive more reports than some of the other counties. Thank God most of those reports are unfounded and they're minor things. But we do, we make that 24 hour contact, we make that assessment right upfront, and if we feel that that child is in danger --

LEG. FISHER:

But getting back to my question, and Mr. Chair, this is very important, which is just not the problem of revolving door employment that people are leaving, you may need more positions than what you have.

COMMISSIONER HICKEY:

Well, I think I said that.

LEG. FISHER:

Not that people are leaving, but that the number of positions in your department is 68, needs to be increased.

COMMISSIONER HICKEY:

This department -- based on increases that were occurring in 2001, this department had requested for the 2002 Budget an additional abuse investigative team, which was not --

CHAIRMAN TONNA:

How many was that?

LEG. FISHER:

How many?

23

COMMISSIONER HICKEY:

It's about seven staff. It's a supervisor, five caseworkers and --

LEG. FISHER:

Okay. So you -- you requested -- and how many were added?

COMMISSIONER HICKEY:

None to the investigative team.

LEG. FISHER:

None. Okay. So then that's the issue, not just that people are leaving, but that you don't have enough positions there in the department.

CHAIRMAN TONNA:

Also, how long does it take to train somebody, again? You want to put a staff together today, you want to put a new staff of seven, before they become fully operational, it's over a year, right?

COMMISSIONER HICKEY:

The training is about a year. I mean, some -- some may acquire a full caseload before that, some may take a little longer.

COMMISSIONER HICKEY:

So we'd be talking longer, because you have to advertise for the positions --

COMMISSIONER HICKEY:

As Ed said before, some people take to it like a duck to water and some people take a little longer to learn the computer -- you know, I mean, people have different -- different skills that they bring with them that may make them quicker or slower. But it's -- on average, it's at least nine months to a year before they're really out there doing a full caseload.

LEG. FISHER:

I mean, Commissioner, can we just look back at table three again. I just wanted to ask one more question about the numbers. If the -- now, you're saying the average caseload here on this table is 27, Mr. Pavlak had said 35, and I know that there's -- that there's wiggle room there because you have trainees and their numbers, etcetera. Okay.

COMMISSIONER HICKEY:

Yes. And the numbers go up and down daily.

LEG. FISHER:

Okay. My question is how does someone wind up with over 80?

COMMISSIONER HICKEY:

I would have to look into that particular situation to be able to answer that question.

LEG. FISHER:

With 80 investigations, is it they have large families?

COMMISSIONER HICKEY:

24

It doesn't make sense that somebody would be so far out there on the end that the supervisor wouldn't take some of their cases away and give them to somebody else, but I'd have to look into that.

LEG. FISHER:

Okay. And you'll let us know how that can happen.

COMMISSIONER HICKEY:

Yes.

LEG. FISHER:

Okay. Thank you.

CHAIRMAN TONNA:

Legislator Caracciolo.

LEG. CARACCIOLO:

Dan, there's a recurring theme that I've observed over the years of sitting around this horseshoe, and that is we go through this annual ritual of budgets proposed and budgets disposed, department heads making their requests known in the Spring of the year, budgets being presented to the Legislature in September, and then the Legislature disposing of that budget in November. And oftentimes I find people like yourself, department heads, who make the request for additional staff, and it's ignored. It's not included in the budget, and as a result, we get around to November and the same department heads are silent, silent when we have the committee hearing on the Operating Budget and just sit there. And unless someone like myself raises the issue, they don't volunteer the fact that we made a request, it's being denied --

LEG. FISHER:

You're right.

COMMISSIONER HICKEY:

I'm sorry, I was here -- I was here appealing that those positions and that some of the money that was being established for institutional care

was --

LEG. CARACCIOLO:

But there has to be a recognition on both the Executive Branch and the Legislative Branch as we prepare an Operating Budget of what our priorities are, not just sweep it under the rug and say to department heads, don't make waves, and don't go to Legislative hearings and tell them what you need, because we're telling you're not getting what you need. So there is an a fundamental issue that has to be addressed, Mr. Chairman. And I would hope this year that you would take up the call to make sure during budget deliberations that you and we collectively reach out during that process in September and October to every department head by memo going over their needs that are being unmet and determining on a priority basis what we have to address in terms of manpower shortfalls. Otherwise issues like this will continue to be recurring and cost inefficient. And the very people we are all sworn to protect and help, their needs will not be met. So let's stop the charade, let's get down to business, let's roll up our sleeves, beginning now when we begin to hear the needs of this department and this department head and not wait until it's too late

25

and another six months or 12 months have gone by, and the very people that I know you have a passion of helping are not helped.

COMMISSIONER HICKEY:

Well, one of the thing that I would like to say we are -- we have never been given that instruction that we can't bring forward our needs, but we are asked to live within the 4% cap in terms of our staff because those are --

CHAIRMAN TONNA:

By law, you have to.

COMMISSIONER HICKEY:

-- discretionary funds. And I will tell you, I am making a request right now that will exceed my 4% cap. I am not hiding anything.

CHAIRMAN TONNA:

Well, the -- a couple of things.

LEG. CARACCIOLO:

Just one more point, Mr. Chairman. And not to exacerbate this issue, but Legislative colleagues who want to be generous to employees that have served this county faithfully and with commitment over many, many years, like the previous speaker, 28 years of service, we have to weigh and put into balance the needs of people first so that we don't lose valuable employees unless we are going to assure that we are

going to replace those employees.

CHAIRMAN TONNA:

Or cost savings that only those positions that we don't need to replace the employees.

LEG. CARACCIOLO:

That is another consideration.

CHAIRMAN TONNA:

That's not true in Social Services.

LEG. CARACCIOLO:

Because you can't all ways. You can't say to dedicated employees we want to help you along for the rest of your life -- with the retirements incentive, and we should when we can, without replacing them and -- and factoring in the learning curve of, depending on the position, a few weeks to a few years. And, you know, that all has to be taken into consideration, and there has to be a plan to deal with those needs up front.

CHAIRMAN TONNA:

Right. Just in general, and maybe just to summarize it, unless any other Legislator had some points, I think each Legislator who asked questions, if I could summarize in my mind what is of concern is the Social Services Committee is responsible for the Legislative oversight predominantly of Social Services Department. And we -- we have dealt with, at least now for Legislators like Caracciolo, Foley and myself who have been here for a while, I know the very first probably thing that I dealt with as a Legislator is the whole issue of child

26

protection workers. And I know it's -- it's an ongoing thing, but these are the most vulnerable members of society. And I -- I think that since we haven't had any major scandal, at least in the nine years, there has been no, you know, situation where a case has been brought up where a child protection worker didn't get to somebody and somebody died after -- because it was backlogged after, you know, four months in a file somewhere or something like that. We've never had any situation, at least as I know as a Legislator, but we want to keep to be vigilant, and we want make sure that that never becomes the case.

And at the same time, I, you know, I think that we know that there's a high incidency of turnover in, you know, in the Investigations just by the nature of the work. I mean, it takes a special type of person to be able to deal with such evil, when you think about it, people abusing children, innocent children. That takes, you know,

especially, you know, when you think about it, their own children or, you know, whatever else. I just -- I still can't believe looking in my own children's eyes that anybody could ever, you know, abuse a child. It takes a very special type of worker and a commitment to be able to do that. So we know that we have dedicated workers. We would like to make sure that if there's any place, and I'll even say this before police, before anything else, we want to make sure that you make your requests known, so that in the God awful event that something -- somewhere something happens, we know that we've done everything possible to make sure that we've provided the resources that your department needed in this critical area. And that's really what I think we wanted to make sure that that doesn't get caught up in bureaucracy, in budgets, in all of the nonhuman aspects of politics.

COMMISSIONER HICKEY:

I've never been shy, Paul.

CHAIRMAN TONNA:

I know. I know. And I appreciate that. Just to the Legislators here, many who head committees, I would just say that -- I would ask that each Chairperson be responsible for their -- for their committee to hold whether it be in Health, or, you know, Veterans or, you know, Education and make sure that their budgets that you have those conversations so that we know if they're understaffed in certain areas even though the administration submits a certain budget, that we argue on the behalf of the staffing for those positions. Okay. Sure.

LEG. NOWICK:

Commissioner.

COMMISSIONER HICKEY:

I'm sorry, go ahead.

LEG. NOWICK:

Would you have any idea how many people in your department or especially in this department we're talking about, the Investigative Unit, would be retiring if the early incentive was approved?

COMMISSIONER HICKEY:

The last incentive, the department lost, I believe, about 140 staff,

27

and about 60 of those came from the Family and Children Services Division. So that's clerical, that's everybody mixed together. That was about double what we normally get, because we normally get in Family and Children Services 30 to 35 retirements on an annual basis. I would anticipate that it would be no more than that, and probably somewhat less, because at present, 55% of the staff in that division

have less than three years of service. And I don't think they're going to be retiring.

LEG. NOWICK:

So how many is that?

COMMISSIONER HICKEY:

We are going to lose mostly upper level supervisory type staff and senior type staff.

LEG. NOWICK:

And idea of a number that you think?

COMMISSIONER HICKEY:

I have -- I have no idea. I can tell you that based on the criteria of the 25/50 that the department has 125 staff in total who meet that criteria. But there are people who are also over the age of 55 years, who have at least ten years of service who could also opt to retire if they wanted to, and that's about another 350 people. So we -- we have a total of 500 who could, my guess is that it's going to be an around 120, 130 department wide, and that's my guess right now.

CHAIRMAN TONNA:

So tell me 120, what would that do to your operations? I mean, overall, because each one -- that's a lot of people. That's everything, but if it's upper management or upper level staff, I mean, those people have to be replaced. Okay. Well, we're going a sense. Thank you. Thank you very much for your time.

LEG. FOLEY:

Mr. Chairman, perhaps Mr. Pavlak would -- if he wants to, come back to the table.

CHAIRMAN TONNA:

Ed, you have anything you want to add? You have to come up and --

MR. PAVLAK:

No.

CHAIRMAN TONNA:

No. Okay. Thank you. Thank you very much. Okay. We're going to go to the agenda, which is, you know, you can see it's a long agenda, one bill. Okay.

INTRODUCTORY RESOLUTIONS

1667-02. Accepting and appropriating 100% grant funds from the NYS Department of Labor to provide additional funding for the New York Works Block Grant 2 Program. (COUNTY EXEC)

CHAIRMAN TONNA:

I'm going to make a motion -- okay. I'm going to make a motion to approve 1667, seconded by Legislator Fisher and place it on the consent calendar.

LEG. FISHER:

Place on the consent calendar.

CHAIRMAN TONNA:

Okay. All in favor? Opposed? By the way, it's not prime, so I don't think we can do that. APPROVED (VOTE: 6-0-0-0)

all right. Thank you very much. Wait, what else? You know what? Dan, okay. Just -- Legislator Postal is on vacation right now asks, requests DSS to give a letter of stipulation with regard to Mr. Donnelly based on a settlement of a lawsuit against Social Services and the County. The letter was to acknowledge the events preceding settlement of a suit. I have no idea what I'm talking about right now.

MS. DIAZ:

Would you like me to help you?

CHAIRMAN TONNA:

Yes. I guess we're sitting down one more time. I'm going to ask Legislator Fisher if she could take over at this point. All right. Go ahead.

MS. DIAZ:

At a previous Social Services Subcommittee Meeting, Legislator Postal referenced a Medicaid case, which she felt appeared to be inappropriately handled by the Medicaid staff. We're prepared today to address some of the comments made. We are careful to preserve the confidence of the -- you know, the confidentiality of the applicant in our summary, but I have Al Sidelman here and also --

CHAIRMAN TONNA:

This is one of the -- this is the question, is anybody from Legislator Postal's staff here? You know, to tell you quite honestly -- to tell you quite honestly, I would prefer that when Legislator Postal can be here since it was her request, right? I mean, that would be -- she's away on vacation. Just find out and then -- have you -- have you talked to Legislator Postal about this?

MS. DIAZ:

Actually she -- I've been advised that she was in touch with the County Attorney's Office, and the letter, in fact, had been prepared.

I saw a draft of that letter.

CHAIRMAN TONNA:

This is -- okay. This is what I would ask. There's a letter -- there's dialog between Legislator Postal and ourselves?

MS. DIAZ:

Oh, yes. We've -- we're -- well, she's been working with the County Attorney's Office. They're preparing the stipulation letter, and I

29

believe that that was approved and is moving forward.

CHAIRMAN TONNA:

All right. This is what I would ask, Sylvia, if you could do me this favor, could you call her office, she's away on vacation right now, she'll be back, obviously on Tuesday, and maybe you can say that the Chairman of Social Services just requested that there's follow up with her with regard to this issue. Okay?

MS. DIAZ:

Okay. Just one quick thing. In the interest of supporting some of our employees, we've come to these meetings, I've come in the last year working at Social Services, and I've been made aware of circumstances whereby employees have been referred to as not necessarily helpful, comments, negative comments, about employees in the past by the public by whomever, but by and large, you know, the majority of our employees do a terrific job. And I'd like to go on the record and put into the record some of the letters of recommendation I receive on a monthly basis about our employees. And letters really speaking to the extra care that they take with some of our clients. So I have a memo here prepared and a couple of letters that I think --

CHAIRMAN TONNA:

Maybe we could also -- if you have those, maybe what I'll do is distribute them to all Legislators through our thing to read. And I would say every Social Service Committee, if you have specific letters that you want to make reference to, Sylvia, you know, just give them out so that people can see of the positive things. That would be wonderful. I mean, I can feel the love. It's great.

MS. DIAZ:

Thank you very much.

CHAIRMAN TONNA:

Thank you very much. All right. Thank you. We're adjourned.

(*THE MEETING WAS ADJOURNED AT 12:45 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY