

**VETERANS and SENIORS COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE**

Minutes

A regular meeting of the Veterans and Seniors 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 **October 30, 2003**.

MEMBERS PRESENT:

Legislator William J. Lindsay, Chairman

Legislator Cameron Alden

Legislator Andrew A. Crecca

Legislator Lynne C. Nowick

ALSO IN ATTENDANCE:

Alexandra Sullivan, Deputy Chief Clerk

Art Lozeau, Director, Veterans Services

Holly Rhodes, Director, Office of the Aging

Fran Simms, aide to PO Postal

Ruth Berger, Family Service League

George Pettingill, Ombudservice of Suffolk County

Deborah Weiner, Retired and Senior Volunteer Program

Terry Pearsall, aide to Legislator Lindsay

Joe Muncey, Budget Review

MINUTES TAKEN BY:

Diana Kraus - Court Stenographer

(THE MEETING WAS CALLED TO ORDER AT 10:39 AM)

CHAIRPERSON LINDSAY:

Sorry, for the delay. We're going to call to order the Seniors and Veterans Committee. Would

everybody rise, please. We'll have the pledge of allegiance led by Legislator Crecca.

(SALUTATION)

CHAIRPERSON LINDSAY:

We have a very sparse agenda. We also have three speakers. George Pettengill, would you come forward, George?

MR. PETTENGILL:

I was wondering is it possible that Mrs. Ruth Berger could go first?

CHAIRPERSON LINDSAY:

Sure thing. Why don't you all come up together and make yourself at home and sit at the table.

LEG. ALDEN:

Any votes?

CHAIRPERSON LINDSAY:

Just a Sense.

George, if you don't mind, if you just stay put for a second, we have one order of business. And then Legislator Alden has to leave for a dedication at the college.

We have one **resolution Sense 61-2003 Memorializing resolution requesting United States Congress to provide free life insurance to members of the Armed Forces serving in active duty.**

We don't provide life insurance until now? Whatever. Do I have a motion?

LEG. ALDEN:

I make a motion. But in a way it's a shame that they just don't word this that they'd like all the benefits that Congress provides to themselves. Because I think that would take care of all this. It's unfortunate that somebody's serving in the Armed Forces, if the KIA -- I think that they get a \$75 burial or a \$750 burial and their family gets nothing. But you do much better if you're a congressman or congresswoman.

CHAIRPERSON LINDSAY:

That's a disgrace. Anyway, on this resolution, we have a motion. Do I have a second?

LEG. NOWICK:

Second.

CHAIRPERSON LINDSAY:

All in favor? Thank you. Thank you, Legislator Alden.

Okay, George.

MR. PETTENGILL:

Mr. Chairman, if I may, I'll defer to Mrs. Ruth Berger, who is Director of our Ombudsman Program.

CHAIRPERSON LINDSAY:

I'm sorry.

MS. BERGER:

Good morning.

CHAIRPERSON LINDSAY:

Good morning, Ruth.

MS. BERGER:

I'm Ruth Berger. I'm the Director of the Long Term Care Ombudsman of Suffolk County. We are basically advocates for people who live in nursing homes, adult homes and assisted living facilities in Suffolk County. We are mandated under the Older Americans Act. And there's a program such as ours throughout the country. In New York State, we have a State Ombudsman in the States Office for the Aging. And in New York the program is organized by counties.

We're a very big program here in Suffolk County. Next to New York City, we are the biggest program in the state. We have some 100 facilities, nursing homes, adult homes, assisted living, etcetera. We have about fifteen thousand people in long-term care facilities that we cover. We have approximately eighty volunteers. We train volunteers. There's 36 hours, a very good training. And then we assign them to a facility where they go for about four hours a week to make sure that the residents know their rights, that their rights are not being violated,

to resolve any concerns, any complaints and to try to help them have the best possible quality of life.

Problems range from cold coffee and bad food to physical abuse; and everything in between. And we feel we have a pretty good track record in helping to resolve a lot of the issues. We have a good relationship with almost every facility except for a few who just resent us on general principles. But as I was told once, we know we're stuck with you, Mrs. Berger, but we don't need to have you here looking over our shoulder. We're not inspectors. We are really just there to focus on the resident. We are resident oriented. We work with families. We work with outside agencies. We work with whoever it is that can help us to get information and to resolve any of the problems that we encounter.

I brought a bit of material along so you can get an idea of what we are about. Several years ago -- about three years ago, for example, we got a call from Legislator Conti's office about somebody in the community who complained that Atria Assisted Living had charged a \$5,000 community fee upon entrance. We had gotten one or two complaints similar to that before, but we didn't pay a whole lot of attention because we felt private enterprise, they can charge this if people were willing to pay for it. When we got this third call, we decided we should look into it. We tried to find out what this \$5,000 entry fee was all about. We could never find out. We got all kinds of different answers. It was for special trips, it was for groundskeeping, it was for transportation. They were very inconsistent. And so we felt that it was worth looking into further. And we referred it to the Attorney General's Office.

It took several years, but finely a settlement was reached between the Attorney General and Atria whereby certain people would be reimbursed the money that they were paid. And in your folder you will find a copy -- we had a press conference on it. And we put a copy of some of the information that one of the papers printed on this. We have to be patient and persistent. I think that's the key to what we do; patient and persistence. But we felt -- we really did feel good about that.

In another facility we found that there was a nursing assistant who was really harassing and abusing a resident psychologically and verbally. We spoke to the administrator. We were able to get some support from the roommate of this resident. That CNA was discharged. Administrators don't want people who don't treat their residents well. It just doesn't -- it doesn't sit well with them. And they know it's not the way to run a facility.

The adult homes, I'm sure you've read in the last year or two New York City had some terrible scandals in adult homes. We in Suffolk County have many adult homes. We had about 63. Three of them have closed recently with more on the books to close. One of them I call my 12-year victory. It's taken me 12 years to get one of them closed. And it didn't happen until we called in the Committee on Quality Care for the Mentally Ill who agreed that it was uninhabitable for human beings. When they close a facility, there's always a problem of what you do with the people who live there. We are included with people from the other agencies -- Social Services, Committee on Quality Care, Department of Health -- to find other kind of facilities for them to live in. It's not always easy, but fortunately we are included and we know all of the adult homes that are around. So we can usually either say it will be okay or it will not be an appropriate placement. So we're involved at many levels.

We also work state-wide. Part of the State-wide Coalition Ethicasy Groups, we're working on legislation to have all assisted living licensed. Believe it or not, all assisted living facilities are not licensed and we don't go into them. We have no mandate to go into them. However, we do get phone calls from time to time because there have been some major problems. About two weeks ago I got a call from the sister of somebody. And it happened this sister was a nurse telling me that her sister in the facility was given the wrong medication, had to be rushed to the hospital. I did refer to somebody at the Department of Health. They're the regulatory agency, but I don't know what will happen in that case. So that's one of the things that we would like to see. We would like to see in nursing homes mandated ratios. There are no ratios that are mandated in nursing homes. Sometimes a CNA, a Certified Nursing Assistant can have 30 or 40 people that she's responsible to take care of. And that just is inhuman. Nobody can take care of that many people. Nursing homes residents need a lot of care.

We are also involved in Operation Restored Trust, which is a program of Medicare and Medicaid fraud. We do 13 presentations a year in nursing homes and adult homes or assisted living facilities about what to look for. To make sure that the Medicare/Medicaid systems are not being abused. A new piece -- something new that we haven't requested before of our volunteers but we think we'll do this -- we are doing this now as of this training -- we think that there should be a Code of Ethics for Ombudsman. And we have decided to include it. You know, in view of HIPA and all of the highly regulatory things that have come in place for, I guess almost every agency, people -- especially people who do hands-on kind of work, or who work closely with people who are very vulnerable and certainly or constituency is a very vulnerable one, we are asking certain things of them. And I thought you might like to see that

as well.

And lastly, I've included a copy of my last year's outcomes report. I'm responsible to do one for my agency every year. It gives you -- it breaks down the kinds of complaints we are getting. Are they residents' rights, is it an admission and transfer problem, what are the problems. We have to do a quarterly report to the State. It's an all statistical report. My ombudsmen report to me. I, in turn, have to feed that by a quarterly report, which is then fed into the federal government. It's called a National Ombudsman Reporting System. So that when you get in the newspaper an article saying that 3,202 nursing home residents were physically abused in the last year, you will know that our statistics are included in that.

The other important number here and it sort of surprised us as well is that we have had an increase of complaints by 43% in the year 2002. And we wondered why. Well, a number of reasons. There's a terrible shortage of staff in nursing homes. So residents are not being taken care of properly. There's sometimes neglect even unintentional neglect can cause people to be hospitalized. And in several cases there have been some deaths. We also have added new nursing homes in the last two years. We added three or four new nursing homes in this County. And we also have more volunteers who are reporting. So our figure went up 43% in the year 2002 of complaints that we received. But we were able to close a total of 45% of the complaints. Some of them, of course, were holdovers from the year before.

So we are a very busy program, a very active program. And we feel a very important program. We appreciate all the support we have gotten here, we've gotten from the Office For The Aging. And, I think, we haven't been to this Committee in several years and so I think you haven't met us before. And we just thought we wanted to let you know what we're about.

CHAIRPERSON LINDSAY:

Ruth, I thank you for coming in and telling us about the good work that your program does. I really think that you deserve your angel wings for this type of work. I have a number of questions, though, if you don't mind. The incident that you talked about where the Attorney General was able to recoup some of these entrance fees -- is that what they're called?

MS. BERGER:

Well, some call it community fee, some call it by another name.

CHAIRPERSON LINDSAY:

On what basis was he able to get them to refund the money?

MS. BERGER:

I think on the basis that there were no services that were given for this fee.

CHAIRPERSON LINDSAY:

Because it's a common practice. I mean, why I know about this is my father-in-law just went into an assisted living. And they charged -- I don't know the term but we asked the same question, what is it for? And it's a sizable amount of money.

MS. BERGER:

I know.

CHAIRPERSON LINDSAY:

It's like five or \$6,000 if I recall right.

MS. BERGER:

Well, maybe we can help you get that money back.

CHAIRMAN LINDSAY:

That would be wonderful.

MS. BERGER:

Okay.

CHAIRPERSON LINDSAY:

That would be wonderful. But it really struck a cord because I just had this discussion with my wife last week about what is that money for?

MS. BERGER:

You didn't get any statement listing what this money would cover, did you?

CHAIRMAN LINDSAY:

I don't believe so.

MS. BERGER:

Okay. I'd be glad to talk with you about it. Let me know the facility and see if we can --

CHAIRMAN LINDSAY:

Where is the legislation that will license assisted living?

MS. BERGER:

It's been pending now for about two years, I think. It's kind of been -- it's not dead. It's still there. I think it's in the Aging Committee of the State Legislature.

CHAIRMAN LINDSAY:

If you could get us, you know, the number of the bill, the sponsor --

MS. BERGER:

I have that.

CHAIRMAN LINDSAY:

You know, maybe we could push through a Sense resolution from the Legislature asking for it because I think there is a need for it especially with the explosion of assisted living in our community.

MS. BERGER:

Right.

CHAIRMAN LINDSAY:

Now, nursing homes are licensed. But part of that license doesn't require a certain staffing level?

MS. BERGER:

No, no. It's been a real problem for us. It's something we have pushed for for years. Again, there is -- the legislation at this point is dead. That is not going to be considered this year. But we feel it's essential. It's really essential.

CHAIRMAN LINDSAY:

So, in other words, I could open a nursing home and dramatically under-staff it?

MS. BERGER:

Well, you would be licensed by the State and the State would come in and they would look at a number of things.

CHAIRMAN LINDSAY:

Cleanliness?

MS. BERGER:

They won't say to you there should be one nursing assistant for every six residents. They will not tell you that. And if you go into a nursing home, they will say we have excellent staffing. In fact, they're required to post the staffing for each of the -- for each of the shifts, yes. And they do post it now. But what happens if a nursing assistant calls in? Are they replacing it with a substitute? Or are they just saying, you're going to have to cover an extra ten or twelve people because were short-staffed. Particularly weekends, particularly holidays. Going in the evenings, sometimes you can't find a living soul around on the floors. I've been in facilities in the evening where I could not find a person at the desk or on the floor. So we feel that it's essential to have mandated ratios.

Now, the nursing homes will say we can't find CNA's. To a certain extent that is true. There isn't a great pool of people out there who want to do a difficult job like being a Certified Nursing Assistant. And it is the most difficult job in the facilities as far as I'm concerned. They do the actual hands-on work. Bottom of the pay scale. They're looked down upon because they're only the CNA's but they do an essential job; the most important.

CHAIRMAN LINDSAY:

And the last question. And I know legislator Nowick has some questions. How many volunteers do you have in your organization?

MS. BERGER:

Right now I have about eighty. In fact, we're just finishing a training today. Holly will be

coming to talk about the County services for seniors and also to present the diplomas.

CHAIRMAN LINDSAY:

How many hours typically does a volunteer give a week?

MS. BERGER:

We ask them to do about four hours a week in the facility plus we do a monthly inservice training to educate them, to give them a chance to discuss problems they have. And, you know, to work together as a group. They need the support as much as anybody else does. It's a tough job. It's a tough volunteer job. And we have very exceptional people who volunteer.

CHAIRMAN LINDSAY:

Well, Ruth, I thank you for coming today and informing us of your good work. And on behalf of this Committee in the Legislature, please express our thanks to all your volunteers.

MS. BERGER:

I will and I thank you.

CHAIRMAN LINDSAY:

Legislator Nowick.

LEG. NOWICK:

That goes for me also, Ruth. Thank you very much. I just had a few questions. The first question is, I'm trying to understand, do you go to every nursing home in Suffolk County? And you just -- how often do you go to each one?

MS. BERGER:

We have somebody assigned to every nursing home in the County. And that volunteer goes to the same facility every week for about four hours a week so that they get to know --

LEG. NOWICK:

So once a week they go to the nursing homes?

MS. BERGER:

Yes.

LEG. NOWICK:

Have you compiled a list of all the nursing homes, like a report card that we could see?

MS. BERGER:

I don't do that, but it is available.

LEG. NOWICK:

Not a report card. I mean, I know it's not a County report card, but how your report card -- how much each nursing home stacks up against the other.

MS. BERGER:

I can't do that legally. I'm not allowed to rate facilities. If somebody calls me, and they need information and they want a recommendation, I can either refer them to a place that I think would be appropriate; for example, one or two of my facilities have a group of younger people with MS. In fact, one of them we had a couple of marriages last year, which was very nice. So if somebody younger calls up and there's an MS or MD problem, I would refer them there. Or if there's some other special kind of need, an Alzheimer unit. I can't rate.

LEG. NOWICK:

So there's no way that you could compile a --

MS. BERGER:

No, but they can go on the web. And we can refer them to a website that is -- I think it's CMS. The Centers for Medicare and Medicaid have a website where they can get the rating and see the latest surveys of all the nursing homes.

MR. PETTENGILL:

If I may, if you punch in Medicare, you will find an item that says Nursing Home Compare.

LEG. NOWICK:

Oh, okay.

MR. PETTENGILL:

Then you designate the state you want to look at, the county you want to look at. Every one of

the 38 nursing homes in Suffolk County is on that web, rated, if you will, or classified by a number of about ten different criteria. One that interests me a lot is pain management. It didn't use to be -- they used to say old people don't feel pain. Well, that decision has been changed. Another one is bed sores. How many are there in the facility and what's the percentage. So apart from the fact the data is presented by the nursing home itself, and we can say to ourselves I wonder if the data is all valid, but in any case, that's the best source of information we know of.

LEG. NOWICK:

That would be compiled by Medicare?

MR. PETTENGILL:

That's correct.

MS. BERGER:

Yes.

LEG. NOWICK:

Now, is it -- is it the State that goes into the nursing homes? Does the County get involved with going to the nursing homes? I know -- I think it's in May when they go to all the nursing homes and they do their run-through. The State does that.

MS. BERGER:

No, no. The State does an annual survey of the nursing homes; unannounced survey.

LEG. NOWICK:

Now, does the County go to the nursing homes?

MS. BERGER:

No, the County's not involved in nursing homes, I think, unless there's some kind of an epidemic.

LEG. NOWICK:

Okay. But their survey, the state survey is quite involved, isn't it? Don't they go around and spend a week at each nursing home?

MS. BERGER:

They spend two to three days; sometimes three to four days.

LEG. NOWICK:

Yes.

MS. BERGER:

Sometimes they will do a follow-up survey, if necessary. They will answer complaints. There's a hotline number. And people can call in complaints. Quite frankly, I've been extremely frustrated with the State Health Department because I feel that we find things -- and this is true throughout the state because I speak to my peers in the state -- we find things, we know problems exist, where they go in and they have no findings. In fact, right now I'm dealing with one facility where a resident died of neglect. The son really did a very good chronology when the father was admitted and what had happened. The State came up with no findings. I'm trying to get that case reopened.

LEG. NOWICK:

I thank you for the information because I was under the impression that the State did a rather thorough search of each nursing home. I think it's probably during the nursing home month; May, June, somewhere around there.

MS. BERGER:

No. They have to go on an annual basis.

LEG. NOWICK:

Yes, annually.

MS. BERGER:

Oh, yes, but it doesn't necessarily have to be, you know, say it was done in May one year, it may not happen until -- anywhere from nine to fifteen months is what they say.

LEG. NOWICK:

Those nursing homes know exactly when the visit is coming.

MS. BERGER:

They do. They do. Unfortunately they do because, you know, they call the guy down the road, and say, hey, they've just been here.

LEG. NOWICK:

And I did understand there a shortage of nurses, too, which I guess would affect the nursing homes and the ratio that you're talking about.

MS. BERGER:

Sure.

LEG. NOWICK:

Well, thank you for your good work. It's very, very important. I appreciate it.

CHAIRMAN LINDSAY:

George, do you have some more to add to this?

MR. PETTENGILL:

Thank you.

MS. BERGER:

This is the last day of training. I must get back to my volunteers.

CHAIRMAN LINDSAY:

Go right ahead. Thank you, Ruth, for visiting with us.

MS. BERGER:

Thank you so much.

MR. PETTENGILL:

Thank you for the opportunity to converse with you this morning. I have to say that it feels good to have such a friendly reception. You probably are aware that the ombudsman program is one of about 40 programs of the Family Service League, which is located in Huntington but serves the whole County. And Karen Boorshtein is here. She is Associate Director of the Family Service League, which our program comes under. This program is funded by federal, state and county funds. So that you have a part in making sure it continues. And we owe you

information on a regular basis to make sure that you have the chance of -- to have good oversight. The program is contracted through Holly Rhodes-Teague, the County Office For The Aging to the Family Service League.

I'm here this morning to speak about a veterans situation that I spoke to Legislator Cameron Alden before he had to leave. And he was sympathetic to what I was about to present; what I am about to present. Basically I'll just -- does each of you have a copy of a letter with George Pettingill at the bottom of it? I left five of them in different locations there. You have that, Legislator Nowick?

There are several copies. I'd like to refer to it and go through it.

Chairman Lindsay and fellow Legislators, suppose you were in a nursing home receiving government assistance to pay your bills, and that you were a veteran or the surviving spouse of a veteran. If the US Department of Veterans Affairs in Washington said you were entitled to \$90 a month of federal money as a pension for your own personal use, would you want to receive that pension? Being on Medicaid would entitle you to a personal allowance of \$50 a month. But the pension of \$90 would almost triple that for a total of \$140 a month of money you can keep. If getting that pension depended on the nursing homes processing your application for you the way they happily process a Medicaid application from which they get large amounts of government money, should the nursing home do that one time application for you, you may be surprised to learn that most nursing homes in Suffolk County in New York state are unwilling to process veterans' applications to the United States Government DVA, Department of Veterans Affairs. They say it's too much bother. They put those objections in writing. And I haven't handed them to you, but two associations of nursing homes in the County have officially come out against legislation which we have gotten as far as the Rules Committee in Albany for three years, which the Rules Committee has declined to take up. For these reasons as an Ombudsperson and as a World War II veteran, I am requesting that your Committee or better the County Legislature ask our Senators and representatives to enact legislation requiring nursing homes to process US government pension applications on behalf of their residents for whose care they're well paid from taxpayer funds.

Now, I've drafted in an amateur fashion a possible rough outline of a resolution which is the second sheet in the packet of materials you have. The importance of this is considerable. I want to put in a good word for the work that County Legislator -- I'm sorry -- County Veterans

Affairs Director, Art Lozeau, is doing. We have had tremendous cooperation from him and his office and his predecessor. For example, they not only will provide the veterans -- the federal veterans applications, they will visit a nursing home on occasion to help the nursing home if they want to process these applications and send them to Washington. And about three or four out of the 38 nursing homes in Suffolk County do do this, as matter of decency and perhaps patriotism.

Art has also developed a fille- out form so that you and I can look at it and see well, what do you think goes in this space. You look at the mock form that's filled out and you get a pretty good idea. It is a rather large form. And one of the things that Legislator Alden suggested might go into a resolution is an urging that the VA, the Department of Veterans Affairs, Washington try to shorten this 12-page application. I think it's 12 pages. And Art, am I right that the form was changed recently?

MR. LOZEAU:

It's a newer version.

MR. PETTENGILL:

It's a newer version of the form. It's longer?

MR. LOZEAU:

Yes.

MR. PETTENGILL:

Well, I guess we need what Legislator Alden suggested, try to simplify it according to acts that have been passed saying we need plain language and simpler forms. There is also a letter which I wrote and I am Vice President of the New York State Ombudsman Association to the Legislative Gazette in Albany. And that says "Paperwork stands between veterans and \$90 pension." You have that.

Now, going back five years, this Legislature in good conscience tried to deal with this subject before by -- and you see in a Newsday story dated May 1998, which there is an occasion by the County Executive and I have to quickly add the Legislature was fully supportive of saying this is wrong. Well, it's been wrong for five years and more. And Albany has not chosen to change it. So it's for that reason that I'm here to appeal to you to develop a resolution that could urge

federal legislation.

We are attempting to work on this same subject cooperatively with other counties in the state and cooperatively with other states so that the whole subject is a little less of a surprise. But I'll bet none of you knew that our veterans, most of them, and surviving spouses of veterans who are also eligible, if they meet certain conditions -- there are conditions so not every veteran, every spouse is eligible. But -- and I won't go into those right now. But probably the majority of veterans and surviving spouses are. And how are they going to get help from a nursing home when most -- approximately 80% -- 80 to 90% of nursing homes in the County on the application form when they come in, do not even ask the question are you a veteran. Or are you a spouse of a veteran? We have developed a veterans information sheet which we provide the nursing homes urging them to add it to their packet. And many of them have. So now they're starting to ask the question do we have any veterans living here? That is essentially what I'm here to request. And if there's any information I can provide, I'll be glad to do that.

CHAIRMAN LINDSAY:

George, I thank you for bringing this to our attention. I ask my two colleagues if you would like to join me in a Sense resolution asking the federal government to enact this simple change. It seems like a simple --

MR. PETTENGILL:

Yes, it is.

LEG. CRECCA:

Yeah. The only thing I'd add is I think we should send the Sense resolution to the Senate and the Assembly also asking them to do on a State level that they tried in 1998. It can't hurt to send it to both places. You know, maybe one of them will act on it. The other question is, this pension, it doesn't kick in as a result of going to the nursing home or it does?

MR. PETTENGILL:

It does kick in as a result of going to a nursing home. In its wisdom the Congress developed this only for people in nursing homes, only for people who are on Medicaid in nursing homes. But that comprises 85 to 90% of everybody in a nursing home.

LEG. CRECCA:

Right.

MR. PETTENGILL:

Most nursing home residents are on Medicaid. The person must have served one day during hostilities, from World War II to Korea to Vietnam, etcetera. They must have been in the military for 90 days. And there maybe a couple of other small provisions. So it is defined that these people are eligible. Also, I should mention, the person may not have a spouse living. The way that works is, if I'm in a nursing home and my wife is living in the community and she dies tomorrow, tomorrow I become eligible to apply. So it's necessary to keep contact with the spouses to see if they're still living.

The same is true of a surviving spouse. I'm a veteran, I would qualify. I die, my wife is in a nursing home, she is eligible to receive that pension if she meets -- if I met the qualifications. As a surviving spouse provided she is not remarried. So you must be single at the time of application.

CHAIRMAN LINDSAY:

If the person in the nursing home is already receiving a veterans pension, not this pension, but for active service?

MR. PETTENGILL:

The federal VA, if the person was receiving another pension, it was probably considerably larger, could have been four, five, \$600, that's not authoritative, but it probably was considerably larger, this is referred to as a reduced -- the VA's language is a reduced veterans pension. Once you're in the nursing home on Medicaid, the federal government will not give you a pension above \$90, nor will they give you one below \$90.

CHAIRPERSON LINDSAY:

I see.

MS. BERGER:

And you don't have to have been in warfare. You simply have to have been in uniform for one day during the time we were in hostilities. And that period for World War II is, they define it as

something like a six-year period.

CHAIRMAN LINDSAY:

Thank you, George for coming in informing us about this.

LEG. CRECCA:

Yeah, thanks for the education on the issue.

MR. PETTENGILL:

Thank you. And thank you for support of this idea.

CHAIRPERSON LINDSAY:

You're welcome.

MR. PETTENGILL:

Chairman Lindsay, I'd like to be in touch with you about this \$5,000 extra fee because although the official decision was based on Atria, there are other places that have seen the light, started to take that away. I was in touch with the Attorney General's Office yesterday and will be again soon. And I would like to pursue that if we may.

CHAIRPERSON LINDSAY:

Sure. I'll see you after the meeting if you can hang around.

MR. PETTENGILL:

Very good. I'll be glad to.

CHAIRMAN LINDSAY:

Thank you. Deborah Weiner.

MS. WEINER:

Good morning. Thank you for listening to RSVP's problems again. I know I was just here. But as I previously said when I spoke at your last meeting, RSVP has lost \$13,971 in three contracts in 2003. We haven't been able to replace a coordinator on the east end where volunteers are recruited and where the telephone reassured's program has oversight. And we've had to stop reimbursing mileage to all of our volunteers. The mileage is tiny. We only

pay nine cents a mile. But still it can help fill a tank of gas for these good people who volunteer at soup kitchens, hospitals, schools, head-start classrooms, more than a hundred other places in Suffolk including the Ombudsman Program.

When I was here last, Legislator Crecca mentioned that you would investigate whether a resolution to restore RSVP to 2002 levels was practical at this late date. If it has been written, thank you. If not, I ask you to please restore RSVP's three contracts in the 2004 budget to its full 2002 levels. We have been struggling this year to maintain the program with fundraising but it's difficult to pay fixed expenses with fundraising. I did put down all of our pseudo-codes at the bottom.

LEG. CRECCA:

Deborah, what was the 2002 levels?

MS. WEINER:

The 2002 levels, I don't have them. I looked over Holly's shoulder, but I've told you what each contract was cut by. Now, when I looked at the 2004 budget, I notice that there was some small increases put back. But they still have not gone up to 2002. I believe 2002 the administrative grant was something like 28; friendly visiting was close to 59. But I was remiss and I didn't bring those down. But what we're finding is that we could barely run the programs in 2002 without fundraising because of all the mandated reporting. Actually reporting probably takes a third of every dollar. But this is something that has to be done. It's taxpayers' money. But at least if we were restored to 2002, we could manage to continue the way we had been doing.

CHAIRMAN LINDSAY:

Deborah, you know what your funding levels are in '04?

MS. WEINER:

Yes, I just looked over Holly's shoulder and she showed me.

LEG. CRECCA:

Well, what is that? Because I'm showing zero here, which I know is not correct. Can we ask Holly to come up?

CHAIRPERSON LINDSAY:

Come up, Holly.

MS. WEINER:

In that budget it does say what the 2002 actual was.

CHAIRMAN LINDSAY:

Yeah, but what I'm trying to arrive at, Deborah, is how much money you need.

LEG. CRECCA:

Holly, what are they listed as? What's the contract agency listed as?
RSVP still?

CHAIRMAN LINDSAY:

It shows on mine that it was zero.

MS. RHODES-TEAGUE:

That was all changed mid-way through the --

CHAIRPERSON LINDSAY:

So the line that shows zero isn't correct, Holly?

MS. RHODES-TEAGUE:

No, no. It says Suffolk Community Council next to it.

LEG. CRECCA:

They changed the name.

MS. RHODES-TEAGUE:

We get the money. We switched all that over mid-year when Deborah got her own Board of Directors.

LEG. CRECCA:

Okay.

CHAIRPERSON LINDSAY:

So what is Deborah short?

LEG. CRECCA:

I have it here.

MS. RHODES-TEAGUE:

I don't know what it's short from 2002. I have what's in the recommended --

LEG. CRECCA:

I have both. Just bear with me one second because I have to look in two different places.

CHAIRPERSON LINDSAY:

You can handle it, I know you can.

LEG. CRECCA:

I can do it. All right. For 2002 I have RSVP as one contract agency not broken up. And they were getting \$28,091 is what I'm showing. It says RSVP/administration. And that was Senior Support Program and was a different budget line. And then they were zeroed out in 2003. I think that's because they went to Friends Of.

MS. RHODES-TEAGUE:

Correct.

LEG. CRECCA:

And then Friends Of in 2003, they have three different lines. One was 22 under Friends Retired. Senior Volunteer Program was --

MS. RHODES-TEAGUE:

The request that they have 25,282? And their recommended was 25,788. Is that was you have?

LEG. CRECCA:

Yes.

MS. RHODES-TEAGUE:

Okay.

LEG. CRECCA:

That's on that one line.

MS. RHODES-TEAGUE:

Right.

MS. WEINER:

They were short about \$3,000. And then there are two other contracts Title 3B and Title 3D.

LEG. CRECCA:

Are those pass-throughs, Holly?

MS. RHODES-TEAGUE:

Some of them are -- yeah, most of them are funded somewhat and then there's a couple that is County funds. But for the most part this money is all -- all money that comes in from other places. You know, there's some match to it.

LEG. CRECCA:

On the other two programs, you mean on the Title 3 programs --

MS. RHODES-TEAGUE:

3B is federal money.

LEG. CRECCA:

I'm sorry, what's that?

MS. RHODES-TEAGUE:

3B is federal money which is the one that Deborah was just talking about. Deborah, is that the 53,000? I'm not even sure.

MS. WEINER:

Yeah. And that -- I believe last year -- in 2002 was close to --

MS. RHODES-TEAGUE:

59,027 in 2002. And recommended is 54,320.

LEG. CRECCA:

I don't have that.

MS. RHODES-TEAGUE:

It's just above -- are you looking at the recommended budget?

LEG. CRECCA:

No. Just tell me what the name of the contract -- organization name is.

MS. RHODES-TEAGUE:

All right. Under --

CHAIRPERSON LINDSAY:

You have on your master sheet under requested 2004, that column.

Wouldn't that be the recommended?

MS. RHODES-TEAGUE:

The pseudo code is GVB1.

LEG. CRECCA:

So it's under what organization?

MS. RHODES-TEAGUE:

Friends of Ours VP.

LEG. CRECCA:

I don't have that. It doesn't mean it doesn't exist. I just don't have it on the sheet that I have in front of me.

MS. RHODES-TEAGUE:

Well, under that contract, again, it was 59,027 in 2002 adopted. And it's now 54,320 under the recommended.

MS. WEINER:

So there's about 8,000 with the two contracts. And then the third one is the Title 3D, the Health Promotion Program.

MS. RHODES-TEAGUE:

I have to find it.

MS. WEINER:

We do so much good work for the County --

LEG. CRECCA:

They're listed all over the places. That's why.

MS. WEINER:

That's right.

LEG. CRECCA:

Holly, maybe -- should I make this recommendation, Mr. Chairman? Maybe right after the meeting, I have a couple minutes before I have to leave. With your permission I'll take Deborah and Holly and sit down with somebody from Budget Review and try to figure it out.

CHAIRPERSON LINDSAY:

I'll join you.

LEG. CRECCA:

That would be wonderful.

MS. WEINER:

Thank you.

CHAIRPERSON LINDSAY:

We'll see if we can figure it out where they're hiding the money, Deborah. Okay.

LEG. CRECCA:

Thanks, Deborah.

CHAIRPERSON LINDSAY:

Okay, Miss Holly, while we have you at the microphone, hello. How are things going? What can we do for you, if anything?

MS. RHODES-TEAGUE:

I'm hoping that you're going to be good to us when you adopt the budget next week. We had asked for additional funds to be in there for the nutrition programs. The RFP for nutrition is out as we speak. We're waiting for the responses to come back. When they come back, we'll then make a determination on who gets what funding throughout the County because that gets Re-RFP'd every three years.

CHAIRMAN LINDSAY:

What happened from the County Exec's --

MS. RHODES-TEAGUE:

Additional funds were put into the budget.

CHAIRMAN LINDSAY:

By the Exec's proposal?

MS. RHODES-TEAGUE:

Yes. We put it in -- the reason why we put -- one is for living wage because we know what's going to happen.

LEG. CRECCA:

We didn't touch any of the nutrition programs.

CHAIRPERSON LINDSAY:

We didn't touch that.

MS. RHODES-TEAGUE:

Thank you so much.

CHAIRMAN LINDSAY:

Be quiet while you're ahead of the game.

MS. RHODES-TEAGUE:

I'm not saying another word. So that RFP is out, though. So we're anticipating that hopefully we'll be able to keep it at least to the same meal counts that we had. We'll see what happens.

So we've been busy with that.

We also have an RFP out for the three family care-giver support program for counseling for res bit, for -- what was the third one? There's three parts to it. But those are RFP's we're looking at now. And we're hoping to get some services out through that, though the County next year with that. It's been a long process for the care-giver support money for that. We're spending an awful lot of money on home care under the 3E money. So we've been busy with RFP's, which take a long time. You know, it's a long process to get them through the system, so we're working on that right now.

We're also waiting for the budgets to come out so we can start doing contracts again.

CHAIRMAN LINDSAY:

Okay.

MS. RHODES-TEAGUE:

We're busy.

CHAIRMAN LINDSAY:

Thanks, Holly.

MS. RHODES-TEAGUE:

Sure. Anything I can do for you? Give or take? No?

CHAIRPERSON LINDSAY:

Thank you.

LEG. CRECCA:

I need somebody to watch my kids this afternoon.

MS. RHODES-TEAGUE:

If they go with my four, that's fine.

CHAIRMAN LINDSAY:

Art, you want to come forward and --

MS. RHODES-TEAGUE:

Are you going to get the information then from Ruth on those bills? Because -- on the assisted living bills? Because I can probably get some of that information, if you need it.

CHAIRPERSON LINDSAY:

Yeah, if you could.

MR. PETTENGILL:

We'll be glad, also, to supply what we know about it. We have a certain take on whether certain things are missing from two prominent bills. One is the Governor's; and one is the -- there are 13 assisted living bills in the Legislature in Albany right now.

CHAIRMAN LINDSAY:

It would be helpful if you could get us the clarified information.

Art?

MR. LOZEAU:

Art Lozeau, Director of Veterans Service Agency. I have a number of items. The first I want to support Mr. Pettengill on the \$90 legislation. We rely heavily on the Ombudsman Program to get the veterans or the surviving spouses to claim that \$90 benefit. Our office gets calls. And one of the things -- about nursing homes. And we always cover this and send out the packet that Mr. Pettengill mentioned. I would like to see to the VA cut down the length of the form, but they probably won't. It's because they put in a whole lot of different factors in each form. I don't think that's worth pursuing, but I call it the little pony that we prepared that darkens out, fill this in and give the selections. It's helpful to those who fill out the form. Normally it's the caregiver. And it's usually the first time they'll ever get to a VA form and the last time. So I just want to voice support for that because Mr. Pettengill and his people do an outstanding job on that. We do send people to nursing homes from the service agency when requested. And I field a lot of questions on that. So the program is working. But face it, you are dealing with whether the social worker is motivated enough to fulfill it. And legislation would make them motivated by law.

I want to emphasize that I want to keep my VSO slot that is currently recommended for abolishment by the Legislature's Budget Office. I spoke about it at the hearing last week. We have funded for it. The reason why we didn't fill it last year, it was a tier I employee who took advantage of the early retirement program. And we could not fill it in 2003 in order to maintain the savings that the program wanted to get. So we're sort of being penalized by our

recommendation from the Legislature's Budget Office to cut me one VOS slot. I highly recommend against that. I mean, for instance, we could use them to go to more nursing homes, as an example. So I just want to emphasize that point.

CHAIRMAN LINDSAY:

What does VSO stand for?

MR. LOZEAU:

Veterans Service Officer. One of the people that process the claims.

On the -- this was just mentioned here at the beginning of the meeting, they talked about insurance for soldiers. The specific dollars amounts that are given to a soldier killed in action is \$7,000 plus or minus for funeral expenses; some of which is taxed. Beyond that, if the soldier has signed up for and paid \$20 a month out of his or her pay for Servicemen's Group Life insurance, SGLI, then they'll be \$250,000 to the beneficiary. The beneficiary could be the spouse, brother, parent, whatever. A lot of young soldiers don't do that if they're not married. If they're married, the service requires that the wife or the spouse sign that they recognize that the soldier is not going to sign up for SGLI. So bottom sum line of the dollars that come out immediately from the soldier killed or dies on active duty is the \$7,000 immediate assistance for funeral expenses, \$250,000 if they signed up for the policy.

If the death is due to service, then there is something called Dependency Indemnity Compensation that has a little substance to it; in essence means that the surviving spouse gets about \$984 a month, plus \$234 a month for each child, plus educational benefits for 45 months equaling about \$680 a month. Enough to go to a state institution. And a \$10,000 life insurance policy that the VA gives because of the death while in service. That's what happened to this soldier in Babylon that was killed in Iraq and the -- he did not sign up for it and the mother got the 10,000 dollars policy.

There is legislation going forward to try to get the US government to pay that. I have when I go to veterans organizations, I always encourage the leadership and their legislative agendas to have some sort of program whereby -- I mean if we come up with a base level of millions of dollars to go to settlements in the World Trade Center, I don't know why the government can't pay -- if it costs \$20 for \$250,000, why they can't pay an extra eighty to get more. Something like that. But I truly agree that -- with this Sense that something should be done with this insurance so we we're not nickle and diming the survivors and saying well, there's this and that, etcetera, sorry, you're not covered, he didn't want to spend 20 bucks a month, he doesn't get

insurance. So, I think that should be floored.

And the only other item is upcoming events for Veterans Day. On November 9th, Sunday at two o'clock at the Long Island National Cemetery is their annual Veterans Day ceremony. At the same time, it turns out, is scheduled in the Town of Huntington, they're dedicating their Vietnam Veterans Memorial, the names of which are people that either lived or currently live in the Town of Huntington. That's at two o'clock on Sunday November 9th. And I'm told it's going to be very well attended. I think there's an official in Washington who happens to come from the Town of Huntington, he's a Vietnam vet, that's going to be coming. I believe he comes out of the upper ranks of the Department of Homeland Security. But that's all I was informally told. Then, of course, on Monday November 10th, there's the annual Veterans Emergency Transportation dinner dance at Villa Lombardi's. And then on Tuesday, Veterans Day itself, November the 11th at one clock at Calverton is their annual Veterans Day ceremony.

CHAIRMAN LINDSAY:

What is the one on the 9th? That's at Calverton as well; right?

MR. LOZEAU:

No. On the 9th it's at the Long Island National Cemetery in -- near Farmingdale at Pine Lawns. That's the one -- it's linked -- Long Island National Cemetery. That's at two o'clock at the main flagpole of the cemetery. And that's the VA's National Cemetery Veterans Day Ceremony. The Calverton one is on November the 11th at one o'clock. And that's all I have.

CHAIRMAN LINDSAY:

Maybe, Art, you could send a memo to the Committee about those different events, especially the Veterans Day events.

MR. LOZEAU:

Sure.

CHAIRPERSON LINDSAY:

Because I know I would like to attend some of them.

MR. LOZEAU:

Okay. All right.

CHAIRMAN LINDSAY:

Thank you. Before we adjourn, I'd like to recognize that we have a class from Amityville High School here. And why don't you stand up, guys. Thank you for coming and visiting with us.

(APPLAUSE)

CHAIRPERSON LINDSAY:

This is a riveting discussion we're having. Come back any time. We'd love to have you. Thank you.

If there's no other business before the Veterans and Seniors Committee, we stand adjourned.

(THE MEETING WAS CONCLUDED AT 11:35 AM)