

VETERANS & SENIORS COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Veterans & Seniors Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on June 19, 2007.

Members Present:

Legislator Steven H. Stern, Chairman
Legislator Jack Eddington, Vice-Chair
Legislator Cameron Alden
Legislator Jon Cooper (not present)
Legislator Jay H. Schneiderman

Also In Attendance:

George Nolan, Counsel to the Legislature
Renee Ortiz, Chief Deputy Clerk
Ellis Seepersad, Budget Review Office
Catherine Stark, Aide to Legislator Schneiderman
Holly Rhodes-Teague, Director/Office for the Aging
Tom Ronayne, Director of Veterans Service Agency/Human Services Div.
Debra Alloncius, Legislative Rep for AME
Ira Bernstein, Brookhaven Senior Citizen Advisory Council
Joe Dujmic, County Executive's Office
All Other Interested Parties

Minutes Taken By:

Diana Kraus - Court Stenographer

(THE MEETING COMMENCED AT 1:05 PM)

CHAIRMAN STERN:

I call the Veterans and Seniors Committee to order. I ask you to stand for the Pledge of Allegiance led by Legislator Cameron Alden.

SALUTATION

Please remain standing for those who are fighting. I ask you to keep them in your thoughts and prayers.

MOMENT OF SILENCE OBSERVED

Thank you.

Director Ronayne, welcome.

DIRECTOR RONAYNE:

I really have very little to report on today. I think it was only about two weeks ago that we last met.

One thing that I'm pretty excited about, I had reported to the Committee on several occasions that we were lobbying the State to consider Suffolk County as the permanent home for the New York State Veterans Hall of Fame. I'm very happy to announce that on Thursday of last week, Assemblyman Sweeney introduced for indexing, and we have a bill number in the Assembly now and we have the same as in the Senate that I'm told may be voted on this week.

And in essence the narrative that we had drafted for the presentation when we offered our state agenda to the Governor is contained at the back of this. And I would just ask any of the members with any friends Upstate if you might, you know, pick up the phone, work the phones a little bit for us. I've been assured that it's not dead on arrival. I don't know how much support we'll find for it Upstate, but I spoke to most of the -- well, almost all of the Long Island delegation. And they're all in support of it. Everybody has already signed on as cosponsors. But we can certainly use every bit of assistance and influence that any of you might be able to offer us.

CHAIRMAN STERN:

And this is in the Senate and in the Assembly?

DIRECTOR RONAYNE:

Sweeney has the Assembly bill which is 9109. And Trunzo has the same as in the Senate and that is 6161 in the Senate.

CHAIRMAN STERN:

Do you know if there's any scheduled action on this legislation coming up?

DIRECTOR RONAYNE:

One of the Assembly members told me that they were hoping to get to a vote on it this week because they'll be adjourning. So I'm hoping that they do so. Otherwise I guess it'll be re-visited in January.

CHAIRMAN STERN:

Very good. Very good. All right.

DIRECTOR RONAYNE:

Thank you.

CHAIRMAN STERN:

Tom, thanks so much.

Holly, how are you?

DIRECTOR RHODES-TEAGUE:

Good. I don't have a lot to offer after just meeting a couple of weeks ago, but I did want to remind everyone that if you have -- if you have constituents who come in who are not sure if they're getting the hard sell from insurance brokers about the Medicare part D plan, I know it's not even time to purchase a plan or change plans; but there was a lot of problems with some of the companies' representatives who were trying hard sells with senior citizens.

And because of the complaints that we received and other counties received on certain companies or brokers for certain companies, there has been some changes. And some of these companies are not going to be allowed to sell some of the different plans that they were trying to sell until they have controls in place for making sure that things are being done correctly.

We just got information about that the other day. So it's important that if you have constituents who are having problems, if not now in the fall, just remind them give our office a call because we will direct them as to who -- you know, the state insurance department or we'll make the phone calls to state insurance so that we can get these people who are not being as honest as they can be with the seniors to stop doing what they're doing because there has been some success with it. So we were very happy to see that Medicare is taking our complaint seriously for some of these plans because we did have some problems with brokers locally who are not playing fair. So we're happy to see that happening.

CHAIRMAN STERN:

Holly, I'm starting to get a lot of questions in my area from seniors, you know, regarding prescription drugs and EPIC program and the interplay with Medicare part D. And, you know, it seems like for the past couple of years now we've been around and around. And they keep changing the rules. And we all know how frustrating it is.

Does the state have some type of printed material -- part of the problem, of course, is that it's so case specific. But is there some kind of written directive from the state, some kind of set of guiding principles that seniors can look to to determine, I guess, in a cursory way what the interplay between the EPIC program and private insurance or Part D prescription drugs programs can or should be? Is there some at least starting point that they can utilize? Because the big question that I'm getting, I'm sure many of us are getting, is if I have EPIC, I was told EPIC is good. And now I'm told no longer is that the case. And now I am going to have to be, you know, involved in selecting a program.

So is there something that could at least give seniors a good running head start on finding out, you know, how this might all affect them?

DIRECTOR RHODES-TEAGUE:

Each EPIC enrollee received letters from New York State EPIC telling them that they were going to be changing, you know, they were going to be put into an EPIC -- I mean into a Medicare Part D plan unless they had private insurance or if they had some other reason why they could not go into the Part D.

There is a couple of documents that we've received that we're supposed to use with our counselors, the volunteer counselors and things that spell out a lot of the different problems. I mean I could print some of that stuff out so that you have it for your offices. I don't know if it's as usable for the seniors, but I'll take a look at and see.

The other thing is they can call the 1-800 EPIC. You know, EPIC's got the phone number they're supposed to be calling if they really have problems. And we do have the volunteer counselors within our office. So if they're really having a particular problem, they really don't understand what's going on, we do have people who could help them. And we have somebody full-time on our staff I brought in a couple months ago, Joanne Gallagher, who is doing health insurance all the time in our office. So she's available if somebody's got really sticky problems. And we've had a lot of success with her really drilling down Medicare on some issues that we've had. She's had been able to go to bat for some of these seniors who have these obscure issues because she doesn't stop until she can at least get some type of satisfactory answer. So we do have some really good resources in our office now. But I'll look to see if any of those documents are usable for the seniors and I can print them out.

CHAIRMAN STERN:

We have had a lot of our constituents contact Joanne Gallagher. And she's been very helpful.

DIRECTOR RHODES-TEAGUE:

She's great.

CHAIRMAN STERN:

She's been wonderful. Maybe for the rest of us, if you can give us the telephone number? Maybe we can direct those with questions to Joanne.

DIRECTOR RHODES-TEAGUE:

Well, if they call our office the 853-8200 number and just say they need to talk to somebody about health insurance, they'll either get Joanne or one of the volunteers if the volunteers are in that day. And we can start from there.

But again in terms of the EPIC information, they were all sent letters telling them the basics of it. It goes into effect July 1st that they have to starting using the -- and they have to carry two cards. They carry an EPIC card and they carry the Part D plan card that they have. In theory they should be saving money. I don't know how it's all going to play out. I mean they claim on the state level that this will save the seniors, you know, significant money. We'll have to see how it comes down. I don't know if it's worth the aggravation. We'll have to see. You know, when they go to the pharmacy and say I have these cards, what do I do with them and how much do I pay? It's very difficult to know. You know, so -- but I will check and see what paper work I have that maybe we can give out to the seniors.

CHAIRMAN STERN:

Right. Thank you. Anyone? Anybody? All right. Holly, thanks.

Ira? We've invited Ira Bernstein, a member of the Brookhaven Senior Citizen's Advisory Board. Correct?

MR. BERNSTEIN:

Right.

CHAIRMAN STERN:

To join us today. Ira, I know you've been very active in your community working with seniors.

MR. BERNSTEIN:

That's correct.

CHAIRMAN STERN:

Particularly when it comes to issues, the utility bills and LIPA. And I was hoping maybe you could spend a few moments sharing with us some of the things that you've experienced, some of the things that the people that you've been working with have experienced; and, you know, what, if anything, we should be aware of and what we can do.

MR. BERNSTEIN:

Sure. Thank you for this opportunity. And I want to thank members of the Legislature who have been helping us. I want to thank especially Legislator Cameron Alden. It was the letter from one of your constituents, Linda Lane Weber, that got the ball rolling as far as making changes that the way LIPA treats seniors especially those that have medical needs and are disabled.

And after reviewing some of the problems, many seniors we felt have extra electricity to use. And sometimes when it gets to be the point where they go over the normal limit, that LIPA considers them excessive users. And that has led us to try to figure out a way to distinguish, if we can, make a separate category for the disabled.

And also I want to thank Legislator Stern who's been very supportive of this. Those of who that might have caught news 12 last week, we had the lady who wrote this letter originally to us on the program with us. And we try to narrow it down to those people -- we can't do every senior. Unfortunately the way LIPA looks at things is the economics. And they feel that if we have a small population that is not served and is not really being given the right electric rates, they would look into it.

And that's what got me to write, which we showed, this was the declaration of independence for seniors basically saying that the rates are much higher than they should be. People are not asking even for a discount. They're just asking to be treated with the same rates that businesses and other people that work with LIPA that have extra use of the electricity.

So what I did is after I got this petition together, it was originally written by the Brookhaven Senior Advisory, mostly with my help and with others there; and we decided to go around. We gave it out to several of the clubs -- senior clubs. I've been in contact with other towns. We want to get every town really on Long Island involved so we can get an accurate number of how many individuals are affected by this excessive use rate. I have a rough estimate that it's between eight to twelve thousand seniors that are being charged these higher rates because of their need for oxygen or stair climbers, things like that.

And if we can focus on just the small group, I think we can get this point across to LIPA especially since some of the individuals -- I've spoken to LIPA. I'll mention the name of Walter {Hoffer} who is the former head of the New York State Department of Aging. Back in January when we first discussed this, he didn't think there was a way to get this done. He felt that we just don't have the capability at LIPA to do this. But now after seeing how effective the petitions have been and we've got several thousand signatures, I think he's willing to talk and to see if we can actually get a rate change.

Now the other problem that we have is the other county. Nassau County has been included in discussions with us to make an overall change to the LIPA rates. Right now their view, and I've spoken to David Dennenberg of their Legislature, is to try to see if we can work something together. But so far we're meeting with some resistance with -- they have a council with elders, with seniors that feel if we take one group and try to focus on that group, it's not really helping the other groups.

But, you see, I have a different approach to it. And I think you, too, Legislator Stern; is that if we can get one small change and take a ship that has been really sailing in the wrong direction for many years, maybe we can right that. Remember ten years ago when LIPA was originally formed, it was supposed to correct the errors of LILCO. It doesn't seem like that's happening. And there are various reasons why. But I think if we can make a coordinated effort to get both our people in

Nassau and Suffolk together, it has a much greater impact on getting this across. So that's why I'm here to testify.

There are other problems that I've seen. I also want to mention that LIPA went around to many senior communities not too long ago and convinced them that electric -- all electric was a better way to go than the oil and gas. And now that's shown to be terribly ineffective and is very costly. And I've had some seniors in these communities show me bills of over six, seven hundred dollars just for the electric use.

And one of the things I've seen in working with Brookhaven is that a lot of town governments do not really focus on specific issues. They will deal with problems. But I think we have a major issue here to get LIPA to change the rates. And hopefully if we have enough support -- we need help with the petitions. I hope every Legislator here can go back to their community and mention it to any of their senior divisions that we need to get their support wholeheartedly. And then my hope is when we have enough signatures, to go back to LIPA and we state our case. Okay? That's where we're at.

CHAIRMAN STERN:

That's what I found so troubling is that when you have this conversation with seniors who are, you know, similarly situated, they're not asking for any kind of special treatment. They're only asking for fundamental fairness and not to be treated inequitably. So let me -- let me ask you this. Have you done any additional research on what the next steps would be? Let's assume for a moment that elected officials from both Suffolk and Nassau Counties can make this case successfully to LIPA. And let's say that the leadership at LIPA is even willing to do what needs to be done here in fairness. Is this something that LIPA in and of itself has the authority to do? Would there have to be some kind of state intervention for them to be able to change their categories? Really administratively what would be the next step?

MR. BERNSTEIN:

All right. Now, I can't speak from the state level, but I've had conversations with the Assembly -- Mark Alessi who has brought up issues about the takeover of National Grid for LIPA. And there is going to be some money that's going to be made from that. I think once the dust settles and if that does go through, and there is a certain amount of dollars with LIPA available, I think that would be the appropriate way to take a look at the monies involved and try to get that money to the seniors that need it.

But I think really LIPA has to work with us on this. They have got to have some way of qualifying those people whether it be through a doctor or some way that we can get figures. And that's why Walter {Hoffer} and I have to sit down and talk and see if we can get some actual numbers. So if the numbers fit in with their fiscal budget, I guess that is my concern, then we can approach it. And maybe as early as the fall make a presentation.

But again we may have to look at this from Suffolk County only. Because I feel that since we're taking the initiative and we want to be a leader in this -- you know, one of the things that we have to look at is we are other than Alaska the second highest charged electric use state in the country. And that is really something that has to be addressed.

So a lot of people need to realize there are things we can do. The Energy Department, Department of Conservation has talked to me about various ways to conserve. I think if we're going to approach this from a fair and rational way, we've got people to really re-evaluate the use of electricity, especially seniors. We need to have more education and towns work with them on how they can improve their usage while giving those that need a break those changes.

So I would say in the next three or four months, this will determine it. We do have a LIPA Commissioner coming in that, I think, seems to want to listen to these changes. And hopefully with the help of this Legislature, we can get these done.

CHAIRMAN STERN:

All right. Very good. Certainly an issue that we'll be involved with and continuing to follow. But thanks so much for being here.

MR. BERNSTEIN:

Thanks you.

CHAIRMAN STERN:

Anybody? Okay.

MEMORIALIZING RESOLUTIONS

We'll go to our short agenda then. On the agenda today is memorializing resolution number 41, memorializing resolution requesting United States Congress to enact the Elder Justice Act. I'll make a motion to approve.

LEG. ALDEN:

Second.

LEG. EDDINGTON:

Second.

CHAIRMAN STERN:

Second by Legislator Alden. Anybody on the motion? Anybody? I'd just like to make a statement. For me this is actually a special memorializing resolution and a special vote. In my earlier life I had spent time working for United States Senator John Brough from Louisiana who, you know, was a really tremendous champion fighting for the rights of the elderly and the disabled. And many years ago this was originally his legislation. He no longer serves in the Senate. It's now been taken up by others. But it is essentially the same legislation that I was very involved with sometime ago. So it's really a privilege for me to be in this position now and offer up this memorializing resolution. So we'll take the vote. All in favor? Any opposed? Any abstention? Motion carries. **(Vote: 4-0-0-1. Leg. Cooper not present)**

Any other item? Good. We are adjourned. Have a good day.

**(THE MEETING CONCLUDED AT 1:24 PM)
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