

HUMAN SERVICES COMMITTEE
March 19, 2024

Present: Jessica Moser, Chair; Thomas Kalamas, Vice-Chair; Vincent Nortz; and Barry Lyndaker. Josh Leviker had been excused.

Legislator Moser called the meeting to order at 1:52 p.m.

Legislator Moser moved to approve the February 20, 2024, committee meeting minutes as recorded, seconded by Legislator Nortz, and carried.

730 Evaluations update – Patricia Fralick, Director of Community Services

Patricia Fralick began by giving a brief overview of the presentation that included CPL 730 Evaluation, Process (including restoration), Local Data, Reasons for the Increase in Evaluations, and Local Efforts. CPL 730 Evaluations are court-ordered assessments of a defendant's mental capacity. Arranging the 730 evaluation is the responsibility of the Director of Community Services. Currently the county has 730 Evaluation contracts with Dr. Steven Fogelman; Rubenzahl, Knudsen & Associates Psychological Services, PC; and Children's Home of Jefferson County.

The process begins with a court-ordered assessment. The Director of Community Services must designate two (2) qualified psychiatric examiners to examine the defendant to determine capacity. The examiners may be a psychiatrist or psychologist. The average cost for two (2) exams is \$800.00, if the two exams contradict each other then a third exam must be ordered by a third examiner. The completed exam reports are sent to the court and the judge determines if the defendant is fit to stand trial or placed in a forensic hospital for restoration. Restoration is NOT mental health treatment. Restoration is training to stand trial. The goal is to get the person to be able to participate in their legal proceedings. The daily rate for restoration ranges between \$1,262.00 up to \$1,600.00. The 2020-2021 NYS Budget required counties to cover 100% of restoration costs, prior to that it was a 50/50 split.

NYSAC and the Conference of Local Mental Hygiene Directors have been working tirelessly to get the state to develop a different system. Lewis County Data prior to 2023 only tracked the number of 730 evaluations but didn't track the average number of days spent in restoration, and the total amount spent on restoration. In 2020, there was only one 730 evaluation, 2021 only had one, 2022 had three, 2023 had three, and 2024 to date has had none. 2023 shows the average number of days spent in restoration was 58 with a total spend of \$205,467.14. In 2024 to date, the average number of days spent in restoration is 91 with a total spend of \$144,557.14.

The increase is because there is an increased demand for mental health services; the mental health workforce crisis (not enough qualified workers); not enough inpatient psychiatric beds; Bail Reform; Opioid Crisis; lack of available housing; and the NYS “Less is More” Act. These are all factors in a person’s psychiatric stability. If someone is getting regular care and regular medication, they are less likely to offend or receive charges. Bail Reform and the NYS “More is Less” Act reduces the ability of intervention by Mental Health Providers.

The goal locally is to get and keep people engaged in services. The Community partners working together are using interventions such as Single Point of Access (SPOA); Systems of Care (wraparound); Overdose Mapping; Jail Medication Assisted Treatment (MAT) Program; and Credo staff available at Probation and Social Services. In the works are Office of Mental Health (OMH) Mobile Crisis; and Office of Mental Health (OMH) and Department of Health (DOH) Hospital and Community Connectors (improved care coordination).

At the state level New York Association of Counties (NYSAC) and Conference of Local Mental Health Directors (CLMHD) have been working together to education, advocating and lobbying for changes in the statute. In the packet handed out was a resolution created by NYSAC advocating for changes to the 730 Evaluations; Lewis County Competency Restoration Cost and Projections from 2022 – 2023; and an article on Why New York’s Competency Restoration Law Needs to be Amended.

Legislator Nortz questioned what the counties responsibility is for the individuals who are restored and then released, Pat explained that the county is not responsible for them after they are deemed restored. Ryan explained that the biggest frustration is that the Courts are the ones who get to determine when someone is “restored”, and the county has no say in it and pays the bill. Legislator Moser stated that it is the courts who determine when someone is ready to proceed with their hearing after restoration or sometimes the charges get dropped which is less costly to the county but has the same outcome.

Childcare – Casandra Buell, Director of Planning & Community Development; Jenny Jones, Commissioner of Social Services; and Cathy Brodeur, Jefferson-Lewis Child Care Project Director

Jenny Jones introduced everyone to Caitlyn Lawler, who will be taking over the Youth Bureau Program from Deanna Edick.

Casandra Buell began by stating that this was started back in 2020 before the pandemic and then when the pandemic hit this was highlighted as something that is lacking in Lewis County. Lewis County is a childcare desert with 7.8 children for each regulated childcare slot available. The solution would be to invest in a comprehensive hybrid approach to mitigate current childcare challenges by leveraging partnerships and using ARPA funds. The investments that were made by

the county included a training bootcamp coordinated through JCC, Jefferson IDA, and Naturally Lewis at a cost of \$35,000.00, materials and equipment for \$9,000.00, Staffing Program for Hand-In-Hand for \$120,000.00, Retention Program for Hand-In-Hand for \$36,000.00, bringing the total investment to \$200,000.00.

The progress shows that in 2021 and 2022 there were two cohorts that completed the Home-Based Daycare Boot Camp funded through the Jefferson County IDA, Lewis County IDA, and Lewis County. The program is administrated by Community Action Planning Council, along with three of the four County-funded programs. The fourth cohort in this program is ready to kick-off soon. In 2023 and 2024 Lewis County assisted Hand-in-Hand with an NBRC Catalyst application for approximately \$3,000,000.00 and received the award to expand the existing facility in Lowville and develop satellite locations at Harrisville and South Lewis Central Schools. In 2025 Lewis County will work with other school districts to explore the expansion of Center-Based Childcare options within their facilities, develop sustainable subsidy employment programs and expand childcare assistance and partnerships.

Home-Based Daycare Training Boot Camp was development of an accelerated program to empower, educate, and launch new regulated in-home day care facilities in Lewis County through Jefferson Community College. The Home-Based Day Care Materials & Equipment Grant Program was a local grant that would provide up to \$1,500.00 per new provider for items such as carbon monoxide detectors, play equipment, and carious materials. Center-Based Child Care Staffing Program was developed in hoped of adding more available child care slots. This program supported up to four (4) new staff positions with funding available for up to \$30,000.00 per new position for one year. Center-Based Child Care Staff Retention Program was developed to help retain staff. This program provided Lewis County's one center-based childcare center with the funding to give their employees a retention bonus of up to \$1,500.00 per year.

Employer Subsidy Programs shows that childcare is workforce development. It will educate and promote childcare benefits by allowing direct payments and partial subsidy with registered daycare providers. The NBRC Catalyst Grant award was \$3,000,000.00 to help the expansion of the existing childcare facility in Lowville, establish a satellite center in Harrisville Centra School, and establish another satellite scenter in South Lewis Central School. The Harrisville Satellite location is year-round childcare on the school campus, which creates an additional 32 childcare slots, 6 full-time employees, and 2 part-time employees. The opening is April 2024. Lowville Hand-in-Hand headquarters in expanding with the addition of two more rooms which will create 10 toddler and 14 preschool slots, 4 full-time employees and 1 part-time employee. This is expected to open in Spring of 2025. The South Lewis Satellite location is year-round childcare on the school campus, which creates an additional 32 childcare slots, 6 full-time employees and 2 part-time employees. The opening is September 2026.

Cathy Brodeur stated that in childcare centers the wages of employees are 69% to 82% of the overall budget. Childcare Assistance Program is federally funded and provides financial assistance to families that meet low-income guidelines, which are not that low anymore, that need childcare to work, look for work, or attend school or training. Jenny Jones explained that the Social Services Childcare funding is from NYS Child Care Block Grant Allocations. April 1, 2023, through September 30, 2023 there was \$102,248.00, from October 1, 2023 through March 31, 2024 there was another \$102,248.00, and from April 1, 2024 through September 30, 2024 there is \$102,249.00. Social Services pays market rate or below based on age, location, and whether the rate is weekly, daily, or part days. Providers must charge the same rate for subsidy cases and private care.

Cathy stated that there are many types of Child Care. Home-Based Child Care is provided to small groups of children by one or two caregivers in the caregiver's home. Mixed age groups and non-traditional hours may be offered. Center-based Child Care is where children are cared for in same age groupings, in non-residential space, and caregivers usually have an overall director. School Aged Child Care is care for children enrolled in school and is provided during non-school hours (before & after school or school vacations). Legally Exempt (Family, Friend or Neighbor) Child Care is care provided in the child's or caregiver's home, through an agreement between the parent and the caregiver. An "enrolled" provider is eligible to receive Child Care Assistance payments through the County. The County determines eligibility for the family and the provider. It's a process and a partnership.

Jenny showed the breakdown of monthly payments for February 2024 by provider types. Legally Exempt was \$8,731.00; Family Daycare was \$5,493.00; Daycare Center was \$10,166.00; Group Family was \$17,459.00; and SACC was \$660.00. Social Services contracts with Community Action Planning Council (CAPC) for registration and inspection of all registered Childcare providers at a cost of \$40,157.00. All complaints are handled by CAPC too.

Cathy explained that the Jefferson-Lewis Childcare Project (JLCP) is a childcare resource and referral agency offering free and confidential services to parents and families seeking childcare within Jefferson and Lewis Counties. Cost of care remain very high, but the lack of availability was consistently raised as the biggest concern for families at every income level. Cost of care is as sensitive to the economic environment as other expenses. Legally Exempt care has become a better option for families, especially those with infants. The existing capacity of Registered and Licensed programs is not match for the demand. Finding a relative or a friend who can provide LE care has been made easier by the recent income eligibility expansion and the increased payment rates for the Child Care Assistance Program.

The JLCP offers childcare providers an entry point into the childcare field and helps them to continue growing as childcare professional. They offer support in

developing and maintaining a high-quality program. Our trained and experienced staff are available to provide guidance on topics ranging from record-keeping to room arrangement and everything in between. This is a no-cost individualized service. JLCP is also a sponsoring agency for the NYS Department of Health Child & Adult Care Food Program (CACFP). The CACFP assists and trains childcare providers to serve nutritious meals to children in their care and help children develop sound nutritional habits. Providers are reimbursed for meals that meet nutritional and documentation standards. When families have reliable affordable childcare, they have more options to participate in the community and the workforce. JLCP can help employees find childcare. High-quality childcare is an investment in future citizens.

In 2023 Social Services paid \$333,119.00 to local providers. This covered 53 families and 105 children. Program Eligibility is based on income which is now up to 85% of the State median income, the child/children's age and individual needs. The parent must be working at least 10 hours a week and making minimum wage. To check out more information on program eligibility residents can go to <https://hs.ocfs.ny.gov/ccapeligibility/>. Recent program changes are that the parent share is currently 1% of gross income above the Federal Poverty Limit; parents choose their registered or licensed provider; program covers up to 80 absences and 20 program closures; eligibility is guaranteed for 12 months; CAPC is at Social Services twice a month to answer questions.

Enhanced Payment Options to providers include 10% differential for kids with special needs; 5% differential for homeless, in care excess hours, and non-traditional hours care; and 5% differential if provider does the nationally accredited program through CAPC. Other payment practices that Social Services uses are a program CCTA or Kindertrack; providers can submit timesheets online or on paper; Social Services eligibility staff reviews submitted timesheets against the child's schedule; rates set at part-day, daily, and weekly; Social Services pays twice a month; direct deposit payments coming in 2024; and fraud review. Additional Program information is that separated households can each get assistance if eligible; foster parents and article 6 looks at child income only; adoption subsidy, SNAP, Health Care Worker Bonus are exempt from income; households can use multiple providers; if a parent works at the childcare provider special rules apply; and childcare subsidy available for child protective services for child safety.

Jenny Jones concluded by stating that this is a great program and the eligibility guidelines have really expanded. Applications are available online.

The following dockets were reviewed:

1. Appropriating \$150,000.00 in Community Services account line from contingency for current and on-going care, maintenance, and examination services to patients in NYS Office of Mental Health psychiatric facilities pursuant to County Criminal or Family Court orders.

AYE 4 NAY 0

2. Calling for the SFY 2024-25 Enacted Budget to include Reforms to “730” defendants and the return to a 50-50 share between the State and County for the costs of restoration placed defendants.
AYE 4 NAY 0
3. Transferring and appropriating \$33,000.00 in the Stop DWI account line from STOP DWI Reserves to be used for a Probation/Stop DWI vehicle, which was included in the 2024 capital budget and will be paid for using a combination of County Capital funds and Stop DWI funds.
AYE 4 NAY 0
4. Approving agreement between Lewis County Public Health Agency and Birnie Bus Tours, Inc., to provide transportation services for pre-school special education children for the period of April 1, 2024, through June 30, 2025 with annual automatic renewals based on rates of \$515.00 up to \$575.00 depending on the vehicle for the 1st child and then \$38.00 for each additional student.
AYE 4 NAY 0
5. Calling on the Governor to complete Enhanced Federal Medical Assistance Percentage reconciliations that are years overdue and provide a full accounting of funds owed to counties and a schedule for release of these federal funds.
AYE 4 NAY 0
6. Opposing the Governor’s SFY2025 Budget proposal to shift more costs to counties by mandating higher spending for child welfare services in the Flexible Funding for Family Services (FFFS) Block Grant.
AYE 4 NAY 0
7. Urging the Governor and Legislature to become true partners in addressing homelessness by focusing on standard of need which must include the restoration of 50/50 cost sharing for Safety Net Programs and provide actual brick and mortar solutions by making permanent housing the central focus.
AYE 4 NAY 0
8. Urging the NYS Governor and Legislature to ensure that local Social Service Commissioners are directly involved in discussions to reduce costs in the Medicaid Program.
AYE 4 NAY 0
9. Appointing Caitlin Lawler as the Lewis County Youth Bureau Director effective April 3, 2024, for the term of her employment.
AYE 4 NAY 0

There being no other business to come before the committee, Legislator Moser moved to adjourn at 2:45 p.m., seconded by Legislator Kalamas, and carried.

Respectfully submitted,
Cassandra Moser, Clerk of the Board