

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207



Meeting Agenda

Thursday, February 25, 2021

5:00 PM

Held Remotely

Health Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES
2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "I" FOR 2020
3. LOCAL LAW NO. "I" FOR 2020: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK TO PROHIBIT SMOKING IN COMMON AREAS OF MULTIPLE UNIT DWELLINGS

CURRENT BUSINESS:

4. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO PROVIDE PAID LEAVE FOR THE PURPOSES OF RECEIVING A COVID-19 VACCINATION
5. AMENDING RESOLUTION NO. 40 FOR 2018 REGARDING ELECTRONIC MEDICAL RECORDS SOFTWARE FOR THE ALBANY COUNTY DEPARTMENT OF HEALTH

County of Albany

*Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207*



Meeting Minutes

Thursday, January 28, 2021

5:00 PM

Held Remotely

Health Committee

PREVIOUS BUSINESS:

Present: Legislator Raymond F. Joyce, Legislator Dustin M. Reidy, George E. Langdon, Alison McLean Lane, Matthew J. Miller, Peter B. Tunny, Sean E. Ward, Wanda F. Willingham and Robert J. Beston

1. APPROVING PREVIOUS MEETING MINUTES

A motion was made that the previous meeting minutes be approved. The motion carried by a unanimous vote.

2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "I" FOR 2020

A motion was made that this proposal be tabled by the Sponsor. The motion carried by a unanimous vote.

3. LOCAL LAW NO. "I" FOR 2020: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK TO PROHIBIT SMOKING IN COMMON AREAS OF MULTIPLE UNIT DWELLINGS

A motion was made to table this Local Law by the Sponsor. The motion carried by a unanimous vote.

CURRENT BUSINESS:**4. AUTHORIZING AN AGREEMENT WITH ELLIS HOSPITAL REGARDING MORGUE AND LABORATORY SERVICES**

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

5. AUTHORIZING THE RENEWAL OF A CONTRACT FOR RE-ENTRY SERVICES WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

6. AUTHORIZING AN AGREEMENT WITH THE HOMELESS AND TRAVELERS AID SOCIETY REGARDING CASE MANAGEMENT SERVICES FOR THE COUNTY RE-ENTRY PROGRAM

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

7. AUTHORIZING AN AGREEMENT WITH INFORMATION MANAGEMENT ASSOCIATES REGARDING PATIENT AND BILLING SOFTWARE AT THE DEPARTMENT OF MENTAL HEALTH

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

RESOLUTION NO. 383

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “I” FOR 2020

Introduced: 10/13/20

By Mr. Efekoro:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “I” for 2020, “A Local Law of the County of Albany, New York To Prohibit Smoking in Common Areas of Multiple Unit Dwellings” be held remotely by the County Legislature, with information available on the County website, at 7:15 p.m. on Tuesday, October 27, 2020, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Law and Health Committees – 10/13/20

LOCAL LAW NO. “I” FOR 2020

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK TO PROHIBIT SMOKING IN COMMON AREAS OF MULTIPLE UNIT DWELLINGS

Introduced: 10/13/20

By Mr. Efekoro:

Section 1: TITLE

This Local Law shall be known as the “Albany County Smoke-Free Common Areas Law.”

Section 2: STATUTORY AUTHORIZATION

This Local Law is hereby adopted pursuant to the provisions of the New York Municipal Home Rule Law § 10(1)(ii)(a)(12).

Section 3: FINDINGS; PURPOSE

This Legislature finds that, each year, 41,000 people die prematurely from exposure to second hand smoke. According to the U.S. Surgeon General, there is no safe level of secondhand smoke exposure. E-cigarette aerosol (often called vapor) can also contain harmful and potentially harmful substances including nicotine, ultrafine particles, flavoring chemicals, volatile organic compounds, and heavy metals. For tenants and owners of multiple unit dwellings, such as apartments and condominiums, tobacco smoke and vapor from a neighboring unit that infiltrates their homes results in daily exposure to many hazardous chemicals due to secondhand smoke and vapor which travels through lighting fixtures, cracks in walls, shared heating and ventilation, around plumbing, and under doors.

Therefore, it is the purpose of this Local Law to protect the public health and welfare of the residents of Albany County by prohibiting smoking and “vaping” in common areas in multiple unit dwellings.

Section 4: DEFINITIONS

As used in this Local Law, the following terms shall have the meanings indicated:

INDOOR COMMON AREA – Every interior enclosed or unenclosed area of a multiple unit dwelling that residents of more than one unit are entitled to enter or use, including but not limited to halls, [pathways], lobbies, interior courtyards, elevators, stairs, community rooms, clubhouses, [playgrounds,] gym facilities, [swimming pool areas, parking garages, parking lots, grassy or landscaped areas, patios, balconies,] restrooms, laundry rooms, cooking areas, eating areas, and meeting rooms.

OUTDOOR COMMON AREA – Every exterior area of a multiple unit dwelling that residents of more than one unit are entitled to enter or use, including but not limited to pathways, stairs, playgrounds, swimming pool areas, tennis courts, basketball courts, parking garages, parking lots, mail areas, and grassy or landscaped areas.

MULTIPLE UNIT DWELLING – Any dwelling which is rented, leased, or subleased out to be occupied [or is occupied] as the temporary or permanent residence or home of three or more families or groups of tenants living independently of each other in separate dwelling units.

DWELLING UNIT – Any room or group of rooms located within a dwelling which forms a single habitable unit with facilities which are used or intended to be used for living or sleeping by human occupants.

SMOKING – The combustion of any cigar, cigarette, tobacco or any similar article or any other combustible substance in any manner or in any form.

VAPING – The release of tobacco, nicotine, or e-cigarette aerosol or vapor in any manner or in any form via e-cigarette, Juul, or other similar device.

Section 5: PROHIBITION

Smoking and vaping are prohibited in indoor common areas of multiple unit dwellings, and within 5 feet of any outdoor ventilation intake, including but not limited to ventilation intakes located on attached balconies or patios.

Section 6: PENALTY FOR VIOLATIONS

Any property owner, property manager and/or other person having control of a multiple unit dwelling who violates any provision of this Local Law shall be subject to the imposition of a civil penalty by the Commissioner of Health of not more than \$500 for each violation.

Section 7: ENFORCEMENT AND ADMINISTRATION

Property owners, property managers and/or other persons having control of a multiple unit dwelling shall include in their lease agreements dated after the effective date of this law that smoking and vaping are prohibited in all indoor common areas of the building(s).

Property owners, property managers and/or other persons having control of a multiple unit dwelling may pursue evictions for violations of this law, to the extent allowable by state and local law.

Property owners, property managers and/or other persons having control of a multiple unit dwelling shall post conspicuous signage at major entrances to the

building(s) and in [all applicable] indoor common areas, stating that smoking and vaping are prohibited in all indoor common areas of the multiple unit dwelling.

Section 8: SEQRA COMPLIANCE

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 9: SEVERABILITY

If any provision of this Local Law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, the remaining provisions of this Local Law shall remain in full force and effect.

Section 10: EFFECTIVE DATE

This Local Law shall take effect upon filing with the Secretary of State.

RESOLUTION NO. 56

AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO PROVIDE PAID LEAVE FOR THE PURPOSES OF RECEIVING A COVID-19 VACCINATION

Introduced: 2/8/21

By Ms. Lekakis, Messrs. Ethier, Kuhn, A. Joyce, Feeney, Beston, Bruschi, Burgdorf, Ms. Chapman, Messrs. Clay, Cleary, Commisso, Ms. Cunningham, Messrs. Domalewicz, Drake, Efekoro, Fein, Grimm, R. Joyce, Langdon, Ms. Lockart, Messrs. Mauriello, Mayo, Mss. McLaughlin, McLean Lane, Messrs. Miller, Perlee, Peter, Ms. Plotsky, Messrs. Reidy, Reinhardt, Ricard, Smith, Tunny, Ward, Mss. Whalen and Willingham:

WHEREAS, No greater threat to the health and safety of the employees of the County of Albany has been experienced than that which was brought by the COVID-19 global pandemic, and

WHEREAS, The goal of vaccination is paramount to the continued welfare of the employees of the County and the community as a whole, and

WHEREAS, It is inconceivable that employees of the County may have to decide between their income and their health and safety, and

WHEREAS, It is therefore necessary to ensure such decisions need not be contemplated by providing employees of the County of Albany with the necessary paid time-off so that they may receive the COVID-19 vaccine, and

WHEREAS, By Resolution No. 136-b for 1999, this Honorable Body adopted employee rules and regulations which are applicable to all non-union employees of Albany County, and

WHEREAS, Contained therein is Article VI: Paid Leaves of Absence for employees of the County, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Albany County Employee Rules and Regulations, adopted pursuant to Resolution No. 136-b for 1999, as amended, are hereby amended to read as follows:

ARTICLE VI: PAID LEAVES OF ABSENCE

O. Special Paid Leaves (Excused Time).

9. Special Leave for COVID-19 Vaccination. An employee shall be granted up to four (4) hours paid leave per year for the purpose of being vaccinated for COVID-19. The employee will be required to report to work for the balance of the work day when such procedure requires less time than the employees scheduled work day.

- a. Such leave shall be charged in such increments as may be approved by the employee's supervisor but in no case shall such increments be less than one-quarter ($\frac{1}{4}$) hour.
- b. All requests to use special leave for COVID-19 vaccination must be submitted to an employee's supervisor as soon as the need to be absent from work for the purposes of being vaccinated for COVID-19 is known to the employee. Failure to provide proper notice may result in the denial of leave.
- c. Satisfactory proof that such vaccination was scheduled and/or administered may be requested by the supervisor of the employee or the Department of Human Resources.
- d. Submission of forged, fraudulent or altered documentation for satisfying subsection "c" herein shall be handled pursuant to subsection seven (7) of section I of this Article.

and be it further,

RESOLVED, that to the extent permissible under law, this grant of paid leave shall apply to both union and non-union employees, but nothing herein shall be deemed to impede, infringe, diminish or impair the rights of an employee under any law, regulation or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining agreement, and be it further,

RESOLVED, that this Resolution shall take effect immediately and apply retroactively to employees who can provide satisfactory proof that they used accruals for the purposes of receiving the COVID-19 vaccine on or after December 1, 2020, with such accruals previously used being restored to the employee in accordance with the terms of this Resolution, and be it further,

RESOLVED, that this Resolution shall expire and be deemed repealed on December 31, 2022, and be it further,

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this Resolution to the appropriate County Officials.

Referred to Health and Personnel Committees – 2/8/21



DANIEL P. McCOY
County Executive

ELIZABETH F. WHALEN, MD, MPH
Commissioner of Health

DEPARTMENT OF HEALTH
COUNTY OF ALBANY
175 GREEN STREET
ALBANY, NEW YORK 12202

The Dr. John J.A. Lyons
ALBANY COUNTY HEALTH FACILITY
(518) 447-4580 FAX (518) 447-4698

MARIBETH MILLER, BSN, MS
Assistant Commissioner for Public Health

SHANNA F. WITHERSPOON, MPA
Assistant Commissioner Finance and Administration

January 26, 2021

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairman Joyce:

Albany County Department of Health (ACDOH) requests permission to amend resolution 40 of 2018 and increase the contract amount with OCHIN Inc., which provides electronic medical records software for our clinical and nursing practice. During installation, our staff required additional training that was not budgeting in the contract and there was a period of time when we saw an uptick in client visits, which is what the invoices are based on. We are requesting the contract amount be amended to \$266,993, which is an increase of \$74,000. Based on current volume and past invoices this will cover the contract until the end date of 12/31/2022.

Please don't hesitate to contact me if you have any questions or need additional information.

Sincerely,

Elizabeth F. Whalen, MD, MPH
Commissioner of Health

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank A. Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Minority Counsel

Enclosures



Albany County Department of Health is nationally accredited and meets rigorous public health standards set forth to best meet the needs of our community.



County of Albany

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NY 12207

Legislation Text

File #: TMP-2265, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Request to Amend Resolution 40 of 2018 and Increase Contract Amount with OCHIN, Inc. for Electronic Medical Records

Date:	1/26/2021
Submitted By:	Dr. Elizabeth Whalen
Department:	Health
Title:	Commissioner of Public Health
Phone:	518-447-4584
Department Rep.	
Attending Meeting:	Dr. Elizabeth Whalen

Purpose of Request:

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- Contractual
- Equipment
- Fringe
- Personnel

- Personnel Non-Individual
- Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant
 - Choose an item.
 - Submission Date Deadline Click or tap to enter a date.
- Settlement of a Claim
- Release of Liability
- Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
OCHIN, Inc.
1881 SW Naito Parkway
Portland, Oregon 97201

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$266,993
Scope of Services: OCHIN will provide an EHR/EMR comprehensive software solution for up to 40 users that will replace existing clinical and nursing program management systems and provide functionality to integrate e-prescriptions, medical billing functions and external data exchange for our Sexual Health Clinic, Immunizations and Tuberculosis Clinic.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes No

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes No

Anticipated in Current Budget: Yes No

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: 100%

Local: Click or tap here to enter text.

Term

Term: (Start and end date) 1/1/2018 - 12/31/2022

Length of Contract: 60 months

Impact on Pending Litigation Yes No

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Resolution 40 of 2018

Date of Adoption: 2/12/2018

Justification: (state briefly why legislative action is requested)

The Albany County Department of Health is requesting to increase the contract with OCHIN Inc., which provides electronic medical records software for our clinical and nursing practice. During installation, our staff required additional training that was not budgeted in the contract and there was a period of time when we saw an uptick in client visits, which is what the invoices are based on. We are requesting the contract amount be amended to \$266,993, which is an increase of \$74,000. Based on current volume and past invoices this will cover the contract until the end date of 12/31/2022. This was anticipated in the Department's budget.

RESOLUTION NO. 40

**AUTHORIZING AN AGREEMENT WITH OCHIN REGARDING
ELECTRONIC MEDICAL/HEALTH RECORDS SERVICES**

Introduced: 2/12/18
By Heath Committee:

WHEREAS, The Albany County Department of Health (ACDOH) through the County Purchasing Agent issued a request for bids regarding Electronic Medical/Health Records, and

WHEREAS, The Department of Health reviewed three bids and recommended awarding the contract to OCHIN as the lowest responsible bidder regarding Electronic Medical/Health Records, and

WHEREAS, The Commissioner has requested authorization to enter into a sixty month agreement with OCHIN for Electronic Medical/Health Records for the period commencing January 1, 2018 and ending December 31, 2022, in the amount of \$192,993 now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a sixty month agreement with OCHIN, Portland, Oregon in an amount not to exceed \$192,993 to provide Electronic Medical/Health Records Services for the period commencing January 1, 2018 and ending December 31, 2022, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 2/12/18

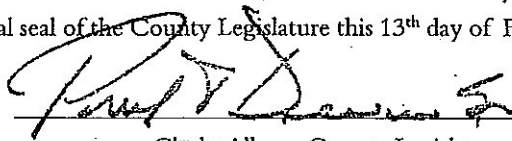
cc: Shanna Witherspoon
Jearmine Conway
Marie Ostoyich
Barb Borden

State of New York
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 12th day of February, 2018, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 13th day of February, 2018.



Clerk, Albany County Legislature.

OCHIN
CONTRACT DATES: 1/1/18 -12/31/22
CONTRACT AMOUNT: \$192,993.00

CONTRACT AMOUNT:	\$	192,993.00
EXPENSES THROUGH, INCLUDING AUGUST 2020 INVOICE	\$	<u>189,521.19</u>
UNSPENT BALANCE AS OF 1/15/21	\$	3,471.81
INVOICES TO BE PAID:		
SEPTEMBER 2020	\$	2,137.73
OCTOBER 2020	\$	2,176.03
NOVEMBER 2020	\$	1,501.47
DECEMBER 2020	\$	<u>1,462.48</u>
	\$	7,277.71
PROJECTED INVOICE TOTALS 1/1/21 - 12/31/22	\$	70,000.00
2,500.00 PER MONTH FOR 24 MONTHS, PLUS 10,000.00		
FOR UNFORSEEN TRAINING, etc.		
TOTAL PROJECTED INCREASE: $3,806.00(7,277.71 - 3,471.81) + 70,000$	\$	74,000.00
New Contract Amount	\$	266,993.00

Rounded