

County of Albany

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



Meeting Agenda

Thursday, July 25, 2024

5:00 PM

**Harold L. Joyce Albany County Office Building
Cahill Room - First Floor**

Health Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES
2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "D" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS
3. LOCAL LAW NO. "D" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS
4. LOCAL LAW NO. "I" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 265 OF THE ALBANY COUNTY CODE TO UPDATE THE TATTOO CODE PROVISIONS

CURRENT BUSINESS:

5. AMENDING THE 2024 DEPARTMENT OF HEALTH BUDGET: PUBLIC HEALTH STRENGTHENING INFRASTRUCTURE, WORKFORCE AND DATA SYSTEMS FUNDING
6. AMENDING THE 2024 DEPARTMENT OF MENTAL HEALTH BUDGET: OVERTIME
7. AMENDING THE 2024 DEPARTMENT OF MENTAL HEALTH BUDGET: EXPANDING CLINICAL SERVICES

County of Albany

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



Meeting Minutes

Thursday, June 27, 2024

5:00 PM

**Harold L. Joyce Albany County Office Building
Cahill Room - First Floor**

Health Committee

PREVIOUS BUSINESS:

Present: Raymond F. Joyce, Robert J. Beston, Matthew J. Miller, Sean E. Ward, Zach Collins, Patrice Lockart and Susan Pedo

Excused: Carolyn McLaughlin and Mark A. Robinson

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. "D" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS

This proposal was tabled at the request of the Sponsor.

3. LOCAL LAW NO. "D" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS

This Local Law was tabled at the request of the Sponsor.

CURRENT BUSINESS:**4. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "I" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 265 OF THE ALBANY COUNTY CODE TO UPDATE THE TATTOO CODE PROVISIONS**

A motion was made to amend the date to "Tuesday, July 23, 2024", which was seconded and passed unanimously. This proposal was tabled at the request of the Sponsor.

5. LOCAL LAW NO. "I" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 265 OF THE ALBANY COUNTY CODE TO UPDATE THE TATTOO CODE PROVISIONS

This Local Law was tabled at the request of the Sponsor.

6. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH/HEALTH RESEARCH, INC. REGARDING THE PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM

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

7. AMENDING THE 2024 DEPARTMENT OF MENTAL HEALTH BUDGET: INDIVIDUAL PLACEMENT AND SUPPORT EMPLOYMENT SPECIALIST

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

8. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE REGARDING THE SOLUTIONS TO HOMELESSNESS PROGRAM GRANT

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

9. AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF ADDICTION SERVICES AND SUPPORTS REGARDING THE ELECTRONIC MEDICAL RECORDS IMPLEMENTATION GRANT

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

10. AUTHORIZING AN AGREEMENT WITH WHITNEY M. YOUNG, JR. HEALTH CENTER REGARDING HEALTH HOME SERVICES AND AMENDING THE 2024 DEPARTMENT OF MENTAL HEALTH BUDGET

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

LOCAL LAW “D” FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS

Introduced: 4/8/24

By Plotsky, Reidy, McLean Lane, Cunningham, McLaughlin, Lekakis and Pedo:

A local law creating Chapter 182 (Healthcare) of the Albany County Code to prohibit inaccurate and misleading statements and advertising by crisis pregnancy centers in Albany County.

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Title.

This local law hereby creates Chapter 182, **Healthcare**.

Section 2. Crisis Pregnancy Centers

This local law hereby creates Chapter 182, Article 1, **Crisis Pregnancy Centers**.

Section 3. § 182-1 - Legislative Purpose and Intent.

New York has traditionally protected access to reproductive services, including abortion care. In 2022, the United States Supreme Court overturned Roe v. Wade, ending legal abortion in states throughout the country. However, over the years, anti-abortion facilities often affiliated with religious groups have appeared throughout New York. These facilities are often referred to as crisis pregnancy centers (CPCs).

In New York, crisis pregnancy centers outnumber abortion clinics – there are 120 of these crisis pregnancy centers compared with 74 abortion clinics, with 8 crisis pregnancy centers located in Albany County. None of these crisis pregnancy centers are licensed medical facilities, and their staff are not licensed medical professionals. These facilities attempt to convey the impression that they are medical clinics – often dressing staff in scrubs and lab coats and setting the centers up with “exam rooms” with medical equipment, where staff perform ultrasounds – yet the facilities and their staff are exempt from the regulatory, licensure, credentialing and ethical oversight that applies to health care facilities and professionals, and are also not subject to rules related to informed consent, client confidentiality, or the privacy provisions of the Health Insurance Portability and Accountability Act (HIPAA).

In 2022, a study of CPCs in New York State by a team of researchers at Albany Medical Center found that, in an initial call to CPCs to explore options for an unplanned pregnancy, 76% percent of CPCs provided medically-inaccurate

information about the precision of urine pregnancy tests and ultrasound testing, the safety of various abortion options and possibility of “abortion reversal”, and/or gave inflammatory misinformation about abortion procedures. Pregnant women have been told that abortions can cause breast cancer, mental health issues and infertility, and that abortion is dangerous or even deadly – all of which have been medically disproven.

These levels of inaccuracy and misinformation are lower than in other states where abortion rights are not protected, but remain unacceptably high for Albany County residents. The actions of these non-medical facilities and non-medical professionals directly impacts the ability of Albany County women to obtain accurate, non-coercive health care information and timely access to available reproductive and sexual health care services. As such, this Legislature finds that there is a clear need to regulate false and misleading statements and advertising by crisis pregnancy centers in Albany County.

Section 4. § 182-2 - Definitions.

1) “Abortion” and/or “Abortion care” means any intervention intended to terminate a pregnancy so that it does not result in a live birth.

2) “Client” means an individual who is inquiring about or seeking services at a pregnancy services center, whether in person, via the internet, or via telephone or text communication.

3) “Health information” means any oral or written information in any form or medium that relates to health insurance and/or the past, present, or future physical or mental health or condition of a client.

4) “Crisis pregnancy center” means a facility or entity, including a mobile facility, the primary purpose of which is to provide services to clients who are or may be pregnant, that:

A) Either

(1) is not a health care facility licensed by the State of New York under Article 28 of the Public Health Law or Articles 31 and 32 of the Mental Hygiene Law; or

(2) is not providing services under the direction of a health care provider licensed under Title 8 of the Education Law who is acting within his or her scope of practice; and

B) Either

(1) offers obstetric ultrasounds, obstetric sonograms, and/or prenatal care to pregnant women; or

(2) has the appearance of a medical facility; and

C) fails to provide or refer for the full range of comprehensive reproductive and sexual health care services reimbursed under the New York's Medicaid

program including, but not limited to contraception, testing and treatment of sexually transmitted infections, abortion care, and prenatal care.

A facility or entity has the appearance of a medical facility if two or more of the following factors are present:

- a) The facility offers pregnancy testing and/or pregnancy diagnosis;
- b) The facility has staff or volunteers who wear medical attire or uniforms, including but not limited to scrubs or lab coats;
- c) The facility contains one or more examination tables;
- d) The facility contains a private or semi-private room or area containing medical supplies and/or medical instruments;
- e) The facility has staff or volunteers who collect health information from clients; or
- f) The facility is located on the same premises as a state-licensed medical facility or provider or shares facility space with a state-licensed medical provider.

5) “Medically-inaccurate information” means information which contravenes medically-accurate information.

6) “Medically-accurate information” means information which is verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, and the American College of Obstetricians and Gynecologists.

Section 5. § 182-3 – Prohibition on False Advertising.

A. It shall be unlawful for any crisis pregnancy center to disseminate or cause to be disseminated to Albany County residents or visitors, or to disseminate to the public anywhere from Albany County, any advertising about the services or proposed services performed at that center if the management and/or staff of the center knows or, by the exercise of reasonable care, ought to know such information is untrue or is clearly designed to mislead the public about the nature of services provided at the facility.

B. Advertising shall include representations made directly to consumers; marketing practices; communication in any print medium such as newspapers, magazines, mailers or handouts; any broadcast medium such as television or radio, telephone marketing; and/or advertising over the Internet such as through websites, web ads and search engine results.

Section 6. § 182-4 – Prohibition on Inaccurate and Fraudulent Statements to Clients.

A. It shall be unlawful for any crisis pregnancy center to disseminate or cause to be disseminated to Albany County clients or those clients who have travelled to Albany County:

- a. any medically-inaccurate information about the accuracy or precision of urine pregnancy tests and ultrasound testing;
- b. any medically-inaccurate information about the client's then current pregnancy status, including the then current length or date of the pregnancy;
- c. any medically-inaccurate information about the possibility of medically disproven cancers, mental health issues and/or infertility or sterility due to undergoing legal abortion procedures and care;
- d. any medically-inaccurate information about the procedures of legal abortion procedures and care;
- e. any medically-inaccurate information about the safety of legal abortion procedures and care;
- f. and any medically-inaccurate information about the possibility of "abortion reversal treatment"

if the owner, operator, management and/or staff of the center knows or, by the exercise of reasonable care, ought to know that such information is untrue or is clearly designed to mislead clients about their medical options and the nature of services provided at the facility, and if the owner, operator, management and/or staff of the center intends for clients to rely on such information.

B. It shall be unlawful for any crisis pregnancy center to disseminate or cause to be disseminated to Albany County clients or those clients who have travelled to Albany County any medically-inaccurate information or legally-inaccurate information about the timing or gestational age of a pregnancy as it relates to the ability of a client to obtain abortion care in New York State if the owner, operator, management and/or staff of the center intends for clients to rely on such information.

C. Intent requirements under this Local Law shall be defined as state in Penal Law § 15.05.

Section 7. § 182-5 – Notice Requirement.

All crisis pregnancy centers located within Albany County must post a notice on the premises, in a location clearly noticeable from the waiting area(s) and examination area(s), stating:

- i. That the facility is not a medical facility.
- ii. That there is not a licensed medical doctor, registered nurse, or other licensed medical practitioner on regular staff at the center directing the medical care of clients; and

iii. Whether abortion care, emergency contraception, or referrals for abortion care and/or emergency contraception are available at or provided by the center; and

iv. That abortion care, emergency contraception, and referrals for abortion care or emergency contraception are legal pursuant to New York law.

Section 8. § 182-6 - Enforcement.

A. Albany County may apply to any court of competent jurisdiction for injunctive relief compelling compliance with any provision of this Local Law and correcting the effects of the false, misleading, and/or deceptive statements or advertising.

B. Such an injunction may require a crisis pregnancy center to:

a) Pay for and disseminate appropriate corrective statements to clients including medically accurate information provided by a licensed medical professional.

b) Pay for and disseminate appropriate corrective advertising in the same form as the false, misleading, or deceptive advertising.

c) Any other relief that the court deems necessary to remedy the adverse effects of the false, misleading, or deceptive advertising on clients seeking pregnancy-related services.

C. Upon a finding by a court of competent jurisdiction that a crisis pregnancy center has violated this Local Law, Albany County shall be entitled to recover civil penalties from each party responsible for the violation of not less than \$500 and not more than \$5,000 per violation. In addition, if Albany County prevails it shall be entitled to reasonable attorney's fees and costs pursuant to order of the court.

D. Nothing in this section shall be interpreted as restricting, precluding or otherwise limiting a separate or concurrent criminal prosecution under New York State Penal Law § 190.20.

Section 9. Severability

The provisions of this Act shall be severable, and if any phrase, clause, sentence or provision is declared to be invalid or is preempted by Federal or State law or regulation, the validity of the remainder of this Act shall not be affected.

Section 10. 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 11. Effective Date.

This local law shall take effect immediately after its filing with the Secretary of State.

Referred to Law and Health Committees – 4/8/24

RESOLUTION NO. 214

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “D” FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS

Introduced: 4/8/24

By Plotsky, Reidy, McLean Lane, Cunningham, McLaughlin, Lekakis and Pedo:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “D” for 2024, “A Local Law of the County of Albany, New York creating Chapter 182 of the Albany County Code, Prohibiting False and Misleading Statements by Crisis Pregnancy Centers” to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, April 23, 2024, with participation information to be made available on the Albany County website, 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 – 4/8/24

LOCAL LAW “D” FOR 2024

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program including, but not limited to contraception, testing and treatment of sexually transmitted infections, abortion care, and prenatal care.

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6) “Medically-accurate information” means information which is verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, and the American College of Obstetricians and Gynecologists.

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- c. any medically-inaccurate information about the possibility of medically disproven cancers, mental health issues and/or infertility or sterility due to undergoing legal abortion procedures and care;
- d. any medically-inaccurate information about the procedures of legal abortion procedures and care;
- e. any medically-inaccurate information about the safety of legal abortion procedures and care;
- f. and any medically-inaccurate information about the possibility of "abortion reversal treatment"

if the owner, operator, management and/or staff of the center knows or, by the exercise of reasonable care, ought to know that such information is untrue or is clearly designed to mislead clients about their medical options and the nature of services provided at the facility, and if the owner, operator, management and/or staff of the center intends for clients to rely on such information.

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C. Intent requirements under this Local Law shall be defined as state in Penal Law § 15.05.

Section 7. § 182-5 – Notice Requirement.

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iv. That abortion care, emergency contraception, and referrals for abortion care or emergency contraception are legal pursuant to New York law.

Section 8. § 182-6 - Enforcement.

A. Albany County may apply to any court of competent jurisdiction for injunctive relief compelling compliance with any provision of this Local Law and correcting the effects of the false, misleading, and/or deceptive statements or advertising.

B. Such an injunction may require a crisis pregnancy center to:

a) Pay for and disseminate appropriate corrective statements to clients including medically accurate information provided by a licensed medical professional.

b) Pay for and disseminate appropriate corrective advertising in the same form as the false, misleading, or deceptive advertising.

c) Any other relief that the court deems necessary to remedy the adverse effects of the false, misleading, or deceptive advertising on clients seeking pregnancy-related services.

C. Upon a finding by a court of competent jurisdiction that a crisis pregnancy center has violated this Local Law, Albany County shall be entitled to recover civil penalties from each party responsible for the violation of not less than \$500 and not more than \$5,000 per violation. In addition, if Albany County prevails it shall be entitled to reasonable attorney's fees and costs pursuant to order of the court.

D. Nothing in this section shall be interpreted as restricting, precluding or otherwise limiting a separate or concurrent criminal prosecution under New York State Penal Law § 190.20.

Section 9. Severability

The provisions of this Act shall be severable, and if any phrase, clause, sentence or provision is declared to be invalid or is preempted by Federal or State law or regulation, the validity of the remainder of this Act shall not be affected.

Section 10. 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 11. Effective Date.

This local law shall take effect immediately after its filing with the Secretary of State.

LOCAL LAW NO. "I" FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 265 OF THE ALBANY COUNTY CODE TO UPDATE THE TATTOO CODE PROVISIONS

Introduced: 6/10/24

By Fein and R. Joyce:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Amending § 265-3, Tattoo and/or body piercing artist certification.

§ 265-3 (E) - The applicant must be 18 years of age and shall be required to demonstrate, by examination, knowledge of the provisions of this chapter, including those relating to aseptic technique designed to prevent the spread of infection and contagious disease by tattooing or body piercing practices.

§ 265-3 (G) - A tattoo and/or body piercing artist certification shall expire on July 31 of each year, renewable annually in July for the period next commencing August 1.

Section 2. Amending § 265-4, Shop certificate of sanitation.

§ 265-4 (C) - The shop certificate of sanitation shall expire on July 31 of each year, renewable annually in July for the period next commencing August 1.

Section 3. Amending § 265-6, Work room.

§ 265-6 (A) - Each tattoo and/or body piercing shop shall have a work room separate and apart from a waiting room or any room or rooms used as such. [The work room shall not be used as a corridor for access to other rooms.] Patrons or customers shall be tattooed and/or body pierced only in said work room.

§ 265-6 (B) - The work room shall be equipped with hot and cold running water and necessary sinks and basins, or if sinks are unavailable, FDA approved antiseptic rub also known as waterless surgical scrub. For permanent tattoo and/or body piercing shops, self-dispensing waterless scrub stations with motion detection or foot pedal activation shall be required if sinks are unavailable.

Section 4. Amending § 265-7, Recordkeeping and information requirements.

§ 265-7 (A) - The records shall be maintained, whether by electronic means or by traditional methods such as ink or indelible pencil, in a dedicated electronic database

or bound book kept solely for this purpose. This book shall be available at a reasonable time for examination by the Health Officer and shall be preserved for at least three years from the date of the last entry therein. The signature of the patron shall be in the bound book record.

Section 5. Amending § 265-8, Operating standards; consent.

§ 265-8 (A) - Written consent for [tattooing or] body piercing of minors, when legally permissible, shall be obtained from at least one parent or legal guardian. The writing shall be notarized and filed in person at the tattoo and/or body piercing shop. Proof of age shall be determined upon presentation of two forms of valid identification. Valid identification shall include: a picture driver's license, picture sheriff's identification or birth certificate.

Section 6. Amending § 265-9, Operating procedures and restrictions.

§ 265-9 (A) - There shall be printed [or mimeographed] instructions, as approved by the Department, given to each patron or customer on the care of the skin after tattooing or body piercing as a precaution to prevent infection.

§ 265-9 (F) - Before working on each patron, the fingernails of the tattoo and/or body piercing artist shall be cleaned with an individual nail file and the hands thoroughly disinfected by scrubbing the hands with a brush, soap, and washing with warm water or using a FDA approved antiseptic rub also known as waterless surgical scrub. Hands that are visibly soiled should be washed prior to the application of a waterless scrub. Subsequent hand washing should be done by washing with warm water and soap using a hand brush, or by utilizing a FDA-approved antiseptic rub, also known as a waterless surgical scrub.

§ 265-9 (I) - Following the cleaning and shaving of the patron's skin, the hands of the tattoo and/or body piercing artist shall again be disinfected as described by Subsection F of this section. Disposable gloves shall then be worn by the tattoo and/or body piercing artist.

Section 7. Severability.

If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

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. Effective Date.

This local law shall take effect immediately following its filing with the Office of the Secretary of State.



DANIEL P. McCOY
County Executive

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
www.albanycounty.com

MARIBETH MILLER, BSN, MS
Interim Commissioner of Health

RANSOM E. MOORE III
Assistant Commissioner of Finance and
Administration

June 11, 2024

Hon. Joanne Cunningham, Chairwoman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairwoman Cunningham:

The Albany County Department of Health is requesting a budget amendment in the amount of \$35,000. This amendment will re-appropriate 2023 funds from the Public Health Infrastructure Grant to pay Health & Wellness stipends retroactively.

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

Sincerely,

Maribeth Miller, BSN, MS
Interim Commissioner of Health

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

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

Legislation Text

File #: TMP-5607, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Budget Amendment - Public Health Strengthening Infrastructure, Workforce and Data Systems Grant

Date: 6/11/2024
Department: Health
Attending Meeting: Maribeth Miller
Submitted By: Maribeth Miller
Title: Interim Commissioner of Health
Phone: (518) 447-4695

Purpose of Request: Budget Amendment Public Health Infrastructure Grant

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:
Enter text.

Term: (Start/end date or duration)
Amount/Raise Schedule/Fee:

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes No
 Anticipated in Budget: Yes No
 Spreadsheet attached: Yes No

Source of Funding - (Percentages)

Federal: 100% County:
State: Local:

County Budget Accounts:

Revenue Account and Line: Pub Health Infrastructure Grnt A.4010.0.4406
Revenue Amount: \$35,000
Appropriation Account and Line: Health & Wellness Stipend A.4010.1.9917.PHIG
Appropriation Amount: \$35,000

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes No
If Mandated, Cite Authority:
Request for Bids / Proposals:

Competitive Bidding Exempt: Yes No

of Response(s):

of MWBE:

of Veteran Business:

Bond Resolution No.:

Apprenticeship Program Yes No

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: Resolution 23-331 8/14/2023

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

The Albany County Department of Health is requesting a budget amendment in the amount of \$35,000. This amendment will re-appropriate 2023 funds from the Public Health Infrastructure Grant to pay Health & Wellness stipends retroactively.

MEMORANDUM OF AGREEMENT
by and between the
COUNTY OF ALBANY
and the
CIVIL SERVICE EMPLOYEES ASSOCIATION INC. Local 1000, AFSCME, AFL-CIO
Albany County Department of Health Unit #6000-02

WHEREAS, the County of Albany (the "County") and the Civil Service Employees Association, Inc. Local 1000, AFSCME, AFL-CIO, (the "CSEA"), (collectively, the "Parties"), are parties to a collective bargaining agreement (the "CBA"), covering the period of January 1, 2022 through December 31, 2027;

WHEREAS, the County has been in constant search of grant funding to support its employees;

WHEREAS, the County Department of Health (the "Department") has obtained grant funding through the Public Health Strengthening Infrastructure, Workforce & Data Systems program, sponsored by the Center for Disease Control and Prevention (the "Grant");

WHEREAS, the Grant funding runs from December 1, 2022 through November 30, 2027 (the "Grant-funding period") with annual distributions of approximately \$171,778.00 per year;

WHEREAS, the Grant has two separate "pay types" for both a one-thousand-dollar (\$1000) bonus for bargaining unit members with at least three (3) years of service with the Department and an annual wellness stipend of five-hundred-dollars (\$500); and

WHEREAS, the County is limited in the use of the Grant funding for purposes of the wellness stipend to standards set forth by the Center for Disease Control and the New York State Department of Health.

NOW, THEREFORE, in consideration for the mutual undertakings and covenants herein contained, the Parties stipulate and agree as follows:

1. The Parties agree, during the Grant-funding period, a one-time bonus payment in the amount of one thousand dollars (\$1,000) shall be paid to each member of the bargaining unit upon reaching their three (3) year service anniversary date with the Department.
2. All current bargaining unit members, who have reached their three (3) year anniversary date of service with the Department on the date of signature of this Memorandum of Agreement (the "Agreement"), shall receive this one-thousand-dollar (\$1,000) bonus, no later than the final payroll period of December 2023.
3. All bargaining unit members who have yet to reach their three (3) year anniversary date of service with the Department on the date of signature of this Agreement shall be eligible to receive the one-thousand-dollar (\$1,000) bonus in the month their anniversary date falls or, if necessary, in the first pay period of the next month.
4. For each year of the Grant-funding period, all bargaining unit members shall receive the value equivalent of up to five-hundred dollars (\$500) in wellness stipend contingent upon rules, guidelines, or

regulations regarding the Grant, as set forth by the Center for Disease Control and the New York State Department of Health.

5. In the event the wellness stipend cannot be distributed prior to the end of the year 2023, all bargaining unit members shall receive the value equivalent of five-hundred dollars (\$500) scheduled for the year 2023 in the year 2024, along with the scheduled wellness stipend set forth by this Agreement for the year 2024. Bargaining Unit members shall have until December 31, 2024 to utilize a value equivalent sum of one-thousand-dollars (\$1,000).

6. The terms of this Agreement shall not preclude additional Grant-funded benefits to bargaining unit members during the Grant-funding period.

7. If any dispute or disagreement arises over the terms and conditions of this Agreement, such issue(s) shall be governed by the grievance procedure contained in the Parties' CBA.


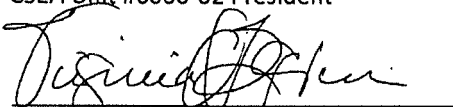
8. This Agreement may be signed in counterparts, each of which shall be an original, which has the same effect as if the signatures thereto and hereto were upon the same instrument.

Dated this 20th day of December 2023:

For the Employer:


Director of Employee Relations

For CSEA:


CSEA Unit #6000-02 President

Labor Relations Specialist

RESOLUTION NO. 331**AMENDING THE 2023 DEPARTMENT OF HEALTH BUDGET: PUBLIC HEALTH STRENGTHENING INFRASTRUCTURE, WORKFORCE AND DATA SYSTEMS FUNDING**

Introduced: 8/14/23

By Health Committee and Miller:

WHEREAS, The Commissioner of Health has requested a budget amendment to the 2023 Department of Health Budget to incorporate funding from the Public Health Strengthening Infrastructure, Workforce and Data Systems program sponsored by the Centers for Disease Control and Prevention, and

WHEREAS, The Commissioner has indicated that \$171,777 was awarded for the first grant period ending November 30, 2023 and \$14,315 for one-twelfth of the second grant period ending November 30, 2024 for a total amount of \$186,092 for the 2023 calendar year, now, therefore, be it

RESOLVED, That the 2023 Department of Health Budget is hereby amended as indicated on the spreadsheet annexed hereto, 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.

Health Budget Amendment for Public Health Strengthening Infrastructure, Workforce and Data Systems Funding

ACCOUNT NO.		RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
A	4010	2 2080	\$ 6,000	\$ -		Health Dept.
		Specialty Equipment				
A	4010	2 2001	\$ 37,130	\$ -		Health Dept.
		Office Equipment				
A	4010	2 2050	\$ 10,000	\$ -		Health Dept.
		Computer Equipment				
A	4010	2 2600	\$ 10,000	\$ -		Health Dept.
		Medical Equipment				
A	4010	4 4039	\$ 25,000	\$ -		Health Dept.
		Conferences, Training, Tuition				
A	4010	4 4046	\$ 45,000	\$ -		Health Dept.
		Fees for Services				
A	4010	1 19954	\$ 46,000	\$ -		Health Dept.
		Enhanced Pay				
A	4010	1 19954	\$ 3,519	\$ -		Health Dept.
		Enhanced Pay - FICA				
A	4010	1 19954	\$ 3,443	\$ -		Health Dept.
		Enhanced Pay - FICA				
		TOTAL APPROPRIATIONS	\$ 186,092	\$ -		
		RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
		REVENUES				
A	4010	0 4406	\$ -	\$ 186,092		Health Dept.
		Public Health Infrastructure Grant				
		TOTAL ESTIMATED REVENUES	\$ -	\$ 186,092		
		GRAND TOTALS	\$ 186,092	\$ 186,092		

Adopted by unanimous vote - 8/14/23

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 14th day of August, 2023, 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 15th day of August, 2023.


Clerk, Albany County Legislature



COUNTY OF ALBANY
DEPARTMENT OF MENTAL HEALTH
175 GREEN STREET
ALBANY, NEW YORK 12202
518-447-4537 FAX 518-447-4577
WWW.ALBANYCOUNTY.COM

Daniel P. McCoy
County Executive

Michael P. McLaughlin, Jr.
Deputy County Executive

Stephen J. Giordano, Ph.D.
Director of Mental Health

Cindy G. Hoffman, LCSW-R
Deputy Director

June 26, 2024

Honorable Joanne Cunningham, Chairwoman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairwoman Cunningham,

The Department of Mental Health requests permission for a Budget Amendment in order to transfer funds from a vacant Supervising Psychologist as well as two vacant Staff Social Worker lines into our overtime account. The overtime account will be depleted of funds by September. We are requesting a transfer of \$50,000 in order to ensure adequate funds will be available for the remainder of 2024.

The reasons for the increase in overtime are due to the evening and weekend coverage required due to increased vacancies at Albany County Department of Mental Health (ACDMH) in the ACCORD/Mobile Crisis Unit, as well as the large census of inmates requiring additional Mental Health Services at the Albany County Correctional Facility.

Feel free to contact Michael Fitzgerald or me if you have any questions concerning this request.

Sincerely,

Stephen Giordano, Ph.D.
Director

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



County of Albany

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

Legislation Text

File #: TMP-5626, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

The Albany County Department of Mental Health requests permission for a budget amendment in order to increase the department's overtime account

Date: June 26, 2024
Department: Mental Health
Attending Meeting: Dr. Stephen Giordano
Submitted By: Mark Gleason
Title: Budget Analyst
Phone: 518-447-3014

Purpose of Request: Budget Amendment ACDMH will use a vacant Supervising Psychologist Line and two vacant Staff Social Workers line to fund increasing department's overtime account

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:
Enter text.

Term: (Start/end date or duration) Enter text.
Amount/Raise Schedule/Fee: Enter text.

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes No
 Anticipated in Budget: Yes No
 Spreadsheet attached: Yes No

Source of Funding - (Percentages)

Federal: Enter text. County: 100%
State: Enter text. Local: Enter text.

County Budget Accounts:

Revenue Account and Line: Enter text.
Revenue Amount: Enter text.
Appropriation Account and Line: A94310.19900.10000 Overtime / A94310.12107.10000 Supervising Psychologist/ A94310.12205.10000 Staff Social Worker/A94310.12205.10000 Staff Social Worker
Appropriation Amount: \$50,000

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes No
If Mandated, Cite Authority: Enter text.
Request for Bids / Proposals:
 Competitive Bidding Exempt: Yes No
 # of Response(s): Enter text.
 # of MWBE: Enter text.
 # of Veteran Business: Enter text.
Bond Resolution No.: Enter text.
Apprenticeship Program Yes No

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: Resolution #366 9/11/23

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

The reasons for the increase in overtime are due to the evening and weekend coverage required due to increased vacancies at Albany County Department of Mental Health (ACDMH) in the ACCORD/Mobile Crisis Unit, as well as the large census of inmates requiring additional Mental Health Services at the Albany County Correctional Facility.

Albany County Department of Mental Health

2024 OT Budget Amendment

APPROPRIATIONS

BUDGET LINE				DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
FUND	ORG	OBJ	PRO					
			STATE POS. CODE	POSITION CONTROL				
A9	4310	19900	10000					
							\$50,000	Mental Health Depart
A9	4310	12107	10000	001	430012		\$180,000	Mental Health Depart
A9	4310	12205	10000	033	430106		\$100,187	Mental Health Depart
A9	4310	12205	10000	025	430107		\$59,643	Mental Health Depart
							\$59,643	Mental Health Depart
TOTAL APPROPRIATIONS					\$50,000	\$50,000		

ESTIMATED REVENUES

BUDGET LINE				DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
FUND	ORG	OBJ	PRO					
			STATE POS. CODE	POSITION CONTROL				
A	0000	00000	000	000000				
TOTAL REVENUES					\$0	\$0		
GRAND TOTAL					\$50,000	\$50,000		

RESOLUTION NO. 366

AMENDING THE 2023 DEPARTMENT OF MENTAL HEALTH BUDGET:
ADMINISTRATIVE ADJUSTMENTS

Introduced: 9/11/23

By Beston, Mauriello, Miller and Ward:

WHEREAS, The Director of the Department of Mental Health has requested authorization to amend the 2023 Mental Health Department budget to transfer funds into the overtime account from two vacant Staff Social Worker lines, and

WHEREAS, The Director has indicated that the overtime account is currently projected to be depleted of funds in September due to Staff Social Worker vacancies in the 24/7 Mobile Crisis Team and a large census of inmates requiring additional Mental Health Services at the Albany County Correctional Facility, now, therefore, be it

RESOLVED, By the Albany County Legislature that the 2023 Department of Mental Health Budget is amended as follows:

Decrease Appropriation Account A4310.1 by \$40,000 by decreasing the following line items:

Decrease Line Item A4310 1 2205 008 430041 Staff Social Worker by \$20,689 for an annual salary of \$57,934

Decrease Line Item A4310 1 2205 009 430042 Staff Social Worker by \$19,311 for an annual salary of \$57,934

Increase Appropriation Account A4310.1 by \$40,000 by increasing Line Item A4310 1 9900 Overtime by \$40,000

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 – 9/11/23

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 11th day of September, 2023, 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 14th day of September, 2023.

A handwritten signature in cursive script, appearing to read "Nicole Chamberlain", written over a horizontal line.

Clerk, Albany County Legislature



COUNTY OF ALBANY
DEPARTMENT OF MENTAL HEALTH
ADMINISTRATION
175 GREEN STREET
ALBANY, NEW YORK 12202
518-447-4537 FAX 518-447-4577
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Daniel P. McCoy
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Stephen J. Giordano, Ph.D.
Director of Mental Health

Cindy G. Hoffman, LCSW-R
Deputy Director

June 26, 2024

Honorable Joanne Cunningham, Chairwoman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairwoman Cunningham,

The Albany County Department of Mental Health (ACDMH) respectfully requests the authorization of a budget amendment in order to expand its clinical services by adding two Mental Health/Addiction Peer Specialists with lived military experience to the DMH team. By utilizing "March On" funds transferred from the County Veteran Services Bureau, these "credible messengers" will provide peer support, complementing existing clinical services. They will collaborate with all clinical units on a case-by-case basis, enhancing DMH's team of Peer Specialists and enabling DMH to confidently support the veterans/military community.

Peer support has proven therapeutic value across the behavioral health spectrum and will significantly benefit individuals with military backgrounds served by DMH. Additionally, DMH intends to use funding for short-term "wrap-around" supports as needed to enhance the quality of life.

Please feel free to contact Michael Fitzgerald or me if you have any questions concerning this request.

Sincerely,

Stephen Giordano, Ph.D.
Director

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



County of Albany

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

Legislation Text

File #: TMP-5686, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Authorizing budget amendment/budget transfer to add Mental Health/Addiction Peer Specialists with lived military experience to Mental Health Dept.

Date: 6/28/204
Department: Mental Health
Attending Meeting: Dr. Giordano
Submitted By: Michael Fitzgerald
Title: Associate Director of Fiscal Operations
Phone: 5184472025

Purpose of Request: Budget Amendment Enter text.

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:
Enter text.

Term: (Start/end date or duration) Enter text.
Amount/Raise Schedule/Fee: Enter text.

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes No
 Anticipated in Budget: Yes No
 Spreadsheet attached: Yes No

Source of Funding - (Percentages)

Federal: Enter text. County: 100%
State: Enter text. Local: Enter text.

County Budget Accounts:

Revenue Account and Line: Enter text.
Revenue Amount: Enter text.
Appropriation Account and Line: See Budget Amendment
Appropriation Amount: \$70,878

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes No
If Mandated, Cite Authority: Enter text.

Request for Bids / Proposals:

Competitive Bidding Exempt: Yes No

of Response(s): Enter text.

of MWBE: Enter text.

of Veteran Business: Enter text.

Bond Resolution No.: Enter text.

Apprenticeship Program Yes No

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: Enter text.

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

Utilizing “March On” funds transferred from the County Veteran Services Bureau, DMH intends to broaden the scope of its clinical services units (i.e., outpatient clinic - mental health and substance abuse; jail mental health unit; crisis services - Mobile Crisis Team and ACCORD; Assertive Community Treatment; Health Home; and, MOTOR - Mobile Outreach Treatment and Overdose Recovery) by adding two (2) Mental Health/Addiction Peer Specialists with lived military experience to the County Dept. of Mental Health (DMH) team. These “credible messengers” will provide peer support and would complement existing clinical services. They would be available to work with all of the abovementioned clinical units on a case-by-case basis and would strengthen DMH’s growing team of Peer Specialists allowing DMH to more confidently enter the “veterans/military space”. The value of peer support is a proven therapeutic value-add across the behavioral health spectrum and will no-doubt benefit the individuals with military backgrounds that DMH encounters. It is DMH’s intention to also use funding for short-term “wrap-around” supports as needed that will enhance quality of life - e.g., food, blankets, IDs, security deposits, etc.

Albany County Department of Mental Health

APPROPRIATION

BUDGET LINE						DESCRIPTION
FUND	ORG	OBJ	PRO	FOR POSITIONS ONLY		
				STATE POS. CODE	POSITION CONTROL	
A9	4310	15027V	10000	001	430244	Peer Advocate - MH for Veteran
A9	4310	15027V	10000	002	430245	Peer Advocate - MH for Veteran
A9	4310	89010	10000			State Retirement
A9	4310	89030	10000			Social Security
A9	4310	89060	10000			Hospital & Medical Insurance
A9	6510	44019	10000			March On
TOTAL APPROPRIATIONS						

ESTIMATED REVENUE

BUDGET LINE						DESCRIPTION
FUND	ORG	OBJ	PRO	FOR POSITIONS ONLY		

TOTAL REVENUES

GRAND TOTAL

2024 Budget Amendment

S

INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
\$23,470		\$46,939	Mental Health Department
\$23,470		\$46,939	Mental Health Department
\$8,449		\$16,898	Mental Health Department
\$3,755		\$7,510	Mental Health Department
\$11,735		\$23,469	Mental Health Department
	\$70,878	\$70,878	Mental Health Department
\$70,878	\$70,878		

UES

DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
\$0	\$0		
\$70,878	\$70,878		