

March 27, 2003

GOVERNMENT AFFAIRS  
COMMITTEE  
REPORT NO. 3

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DeBENEDETTI. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, that the following item was received and filed.

Item Page -2003 (Comm. 4E-14)  
a. **COUNTY EXECUTIVE:** Lumsden & McCormick CGR – Reengineering County Government.  
(5-0) Legislator DeBenedetti absent. Chairman Swanick present as Ex-Officio Member.

2. Item Page -2003 (Comm. 4E-17)  
**COUNTY EXECUTIVE**

WHEREAS, the U. S. Department of Health and Human Services has issued new minimum national standards for protection of the privacy of individually identifiable health information, known as the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”); and

WHEREAS, the County of Erie, to the extent that it provides health care for individuals of Erie County, must monitor and oversee the County’s HIPAA compliance program; and

WHEREAS, the Erie County Executive has designated a HIPAA Task Force, made up of representatives from each of the departments affected by HIPAA, to ensure that the County consistently complies with applicable federal and state laws and regulations relating to the use, maintenance and disclosure of protected health information (“PHI”); and

WHEREAS, the County Executive desires to designate the County of Erie as a “hybrid entity,” as defined under HIPAA, to establish further guidelines as to the composition, duties and responsibilities of the HIPAA Task Force.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Executive to establish a HIPAA Task Force. The HIPAA Task Force will meet on the call of the Task Force's Chair as necessary to ensure compliance with HIPAA deadlines.

RESOLVED, that the County Executive hereby authorizes and requests that the HIPAA Task Force undertake the following tasks:

1. Acquire an understanding of applicable federal and state privacy and security laws and regulations, including HIPAA, and accreditation standards, and facilitate management's understanding of same;

2. Designate those County Departments that are “covered entities” as defined under HIPAA;
3. Conduct or facilitate a risk assessment (“gap analysis”) to determine areas of HIPAA non-compliance;
4. Develop a work plan and budget to achieve HIPAA compliance;
5. Implement and/or facilitate implementation of the work plan, including reviewing and revising forms, policies and procedures;
6. Ensure that employees, volunteers and independent contractors receive necessary HIPAA training; and
7. Facilitate on-going education of staff and monitoring of HIPAA compliance.

RESOLVED, that the Chair of the HIPAA Task Force is hereby authorized and directed to take such actions as may be reasonably necessary to facilitate the completion of the above tasks, in accordance with this Resolution.

RESOLVED, that the County of Erie shall be designated a ‘hybrid entity” in accordance with the requirement of HIPAA.

RESOLVED, that the County Executive shall authorize the Chair of the HIPAA Task Force to adopt such policies and procedures as necessary and proper for the County to ensure compliance with its obligations under HIPAA and applicable New York laws.

RESOLVED, that to the extent any of the above actions have been undertaken prior to the date of this resolution, all such actions taken by various County departments toward HIPAA compliance are hereby ratified, adopted and approved.

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the County Attorney, and the County Comptroller as well as to the heads of all affected departments, including but not limited to the Coordinating Council on Children & Families, the Department of Emergency Services, the Department of Health, the Division of Information & Support Services, the Division of Labor Relations, the Department of Mental Health, the Sheriff’s Department and the Department of Social Services.

(5-0) Legislator DeBenedetti absent. Chairman Swanick present as Ex-Officio Member.

3. Item Page -2003 (Comm. 6E-9)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Environmental Management Council uses two to three student interns annually to assist them in accomplishing their duties and responsibilities as outlined in the Erie County Charter and with other environmental projects; and

WHEREAS, student internships provide college students with valuable work experience to compliment their academic studies; and

WHEREAS, the County Attorney has determined that student interns receiving compensation from the County for services performed and working under the supervision of County staff should be formally hired as County employees; and

WHEREAS, the Environmental Management Council has requested the use of funding in the amount of \$5,075 currently available within the specific 2003 DEP budget line for the Environmental Management Council to support three part-time intern positions;

NOW, THEREFORE BE IT

RESOLVED, that three Intern-Environment/Planning (part-time JG-1) positions will be created in the Department of Environment and Planning to assist with Environmental Management Council project work, and be it further

RESOLVED, that the following Budget transfer is hereby approved:

FROM:	Erie County Environmental Management Council (DAC 110 945620830216)	(\$5,075.00)
TO:	Salaries (DAC 110 945620800)	\$4,560.00
	Fringe Benefits (DAC 110945620805)	<u>\$ 515.00</u>
	<b>Total</b>	<b>\$5,075.00</b>

and be it further

RESOLVED, that a certified copy of this resolution be sent to the Director of Budget, Management and Finance; the Commissioner of Personnel; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Attorney; and the Office of the Comptroller.  
(5-0) Legislator DeBenedetti absent. Chairman Swanick present as Ex-Officio Member.

4. Item Page -2003 (Comm. 6E-13)  
**COUNTY EXECUTIVE**

**WHEREAS**, Erie County has undertaken a Village Center Reinvestment Program through the federally funded Community Development Block Grant; and

**WHEREAS**, the Program provides targeted financial and technical assistance in the area of housing, economic development, and general planning to the Villages of Angola, Gowanda, Springville, and Town of Holland; and

**WHEREAS**, in order to successfully carry out the Program professional planning services are required on a regular basis to said communities; and

**WHEREAS**, the professional planning services include grant writing, project management, housing program marketing, development of a commercial loan façade program, and other technical activities; and

**WHEREAS**, Stuart I. Brown Associates, Inc. has been serving as the Circuit Rider for the Village Center Program since February 2002; and

**WHEREAS**, the four municipalities have indicated their desire to continue utilizing Stuart I. Brown Associates, Inc. through December 2004,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Executive is hereby authorized to execute a first amendatory agreement with Stuart I. Brown Associates, Inc. for circuit rider planning services that serves to increase the authorized contract amount from \$55,000 to \$110,000; and be it further

**RESOLVED**, that the Clerk of the Erie County Legislature be directed to forward certified copies of this resolution to the County Executive, the Commissioner of the Department of Environment and Planning, the Director of the Division of Budget, Management, and Finance, the County Attorney, and the Erie County Comptroller.

(5-0) Legislator DeBenedetti absent. Chairman Swanick present as Ex-Officio Member.

5. Item Page -2003 (Comm. 6E-25)

**COUNTY EXECUTIVE**

**WHEREAS**, the County Clerk's Office responsibilities include a variety of central service functions such as purchasing, equipment management, personnel, and so forth, and

**WHEREAS**, such duties are currently performed with a laborer title, and

**WHEREAS**, a reallocation of said position would more properly reflect responsibilities of the Office, and

**WHEREAS**, funds are available in the 2003 Budget of the Registrar Section personnel line for the expense involved in this reallocation,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the position of laborer in the Registrar Section of the County Clerk's Office is reallocated to the title of Special Assistant to the County Clerk (grade 10), effective March 10, 2003, and be it further

**RESOLVED**, that a variable minimum of Grade 10, Step 3, is hereby approved for the filling of the position of Special Assistant to the County Clerk, and be it further

RESOLVED, that the source of funds (\$9,404) for this reallocation shall be the Personnel line of the Registrar Section (DAC 110915130800), and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Clerk, the County Comptroller, the Director of Budget, Management and Finance, and the Commissioner of Personnel.

(5-0) Legislator DeBenedetti absent. Chairman Swanick present as Ex-Officio Member.

**STEVEN P. McCARVILLE**  
**CHAIRMAN**