

October 3, 2019

HEALTH & HUMAN SERVICES COMMITTEE
REPORT NO. 14

ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 19D-1 (2019)
DEPARTMENT OF SOCIAL SERVICES: “CPS Statistical Report – August 2019”
(Chair’s Ruling)

2. INTRO. 17-3 (2018)
BASKIN AS AMENDED
WHEREAS, because lead is a powerful neurotoxin that can irreversibly damage nearly every organ and system in the human body, there is no safe level of lead in blood; and

WHEREAS, a Reuters investigation found at least four city zip codes in Buffalo where 40 percent of children tested from 2006 to 2014 had high lead levels, making Erie County among the most dangerous lead hotspots in America, with the rate of high lead tests in these areas eight times greater than that found among children across Flint, Michigan, during that city’s recent water crisis; and

WHEREAS, in 2019, via the State’s 2019-2020 Budget process, New York State lowered the definition of Elevated Blood Lead Level in Subdivision 6 of section 1370 of the Public Health Law to 5 micrograms per deciliter; and

WHEREAS, New York State has failed to change the definition of “elevated venous blood lead level” to 5 micrograms per deciliter consistent with the Public Health Law in its regulations at 10 N.Y.C.R.R. §69-4.3(g)(2)(iii) implementing Part C of the Individuals with Disabilities Education Act; and

WHEREAS, New York State has also failed to make an “elevated venous blood lead level” a criterion through which children are automatically eligible for State Early Intervention; and

WHEREAS, the State’s failure to provide educational services and support to children exposed to lead leaves these children at greater risk of poor school readiness, increases the cost of developmental support services during their school years, lowers their projected income, increases their risk of teen pregnancy, and increases their risk of entering the criminal justice system; and

WHEREAS, Part C of the Individuals with Disabilities Education Act provides that states determine which conditions qualify young children to receive state-funded early intervention services (“State Early Intervention”); and

WHEREAS, 19 states provide that children with elevated blood lead levels are automatically eligible to receive State Early Intervention, with Illinois and Ohio providing State Early Intervention for children with blood lead levels of 5 micrograms per deciliter of blood or higher; and

WHEREAS, New York state considers a blood lead level of 15 micrograms per deciliter of blood a factor that may entitle a child to Early Intervention Services; and

WHEREAS, it is imperative that the State and counties work together to provide State Early Intervention automatically to children with elevated blood lead levels at 5 micrograms per deciliter or greater and for the State to provide funding for these mandated services for children; and

WHEREAS, Erie County has taken care of its residents in a way that demonstrates to New York State how its residents should be treated, including addressing bail reform, microplastics, and other issues before the state has taken action; and

WHEREAS, faced with the worst lead poisoning problem in New York State and inadequate state action to protect and support children affected by lead exposure, Erie County should act to address this lead problem and provide Lead Early Developmental Services and Intervention to children exposed to lead; and

WHEREAS, lead poisoning causes permanent damage including loss of I.Q., developmental delays, learning disabilities, memory loss, hearing loss, attention deficits, hyperactivity, and behavioral disorders; and

WHEREAS, addressing lead poisoning is a matter of environmental and racial justice because exposure to lead is disproportionately greater (in amount and frequency) among children in communities of color and low-income communities, with children from neighborhoods of color and poverty being twelve times as likely as children from more affluent neighborhoods to be diagnosed with elevated blood lead levels; and

WHEREAS, providing high-quality, culturally-appropriate early childhood education and care programs for children exposed to lead, including supportive early childhood learning experiences and skill development, primary prevention education for families, and developmental delay monitoring (“Lead Early Developmental Services and Intervention”) can lead to better outcomes for children than those receiving no support services, and can save future expenses related to school-provided developmental support, teen pregnancy, and criminal justice; and

WHEREAS, Erie County-based expert non-profit LEAD716 estimates that providing focused Lead Early Developmental Services and Intervention costs approximately \$2,500 per child per year.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body calls on New York State Department of Health to update its regulation at 10 N.Y.C.R.R. §69.4-3(f) to reflect that an elevated blood lead level equal to or greater than 5 micrograms per deciliter is a “physical... condition that has a high probability of resulting in a developmental delay” triggering a referral for comprehensive developmental assessment and Early Prevention services; and be it further

RESOLVED, that in the absence of such action by the State Department of Health, this Honorable Body calls on the New York State Legislature to recognize that elevated blood lead levels are a “physical... condition that has a high probability of resulting in a developmental delay,” and make legislative changes necessary to make comprehensive developmental assessment and Early Prevention services automatically available to children with elevated blood lead levels of 5 micrograms per deciliter or greater and for the State to provide funding for this change; and be it further

RESOLVED, that in the absence of such State action, this Honorable Body requests that Erie County fund a pilot program, developed in conjunction with the Erie County Department of Health and local stakeholders including LEAD716, to provide Lead Early Developmental Services and Intervention at a cost not to exceed \$250,000, for no more than 100 children with blood lead level of 5 micrograms per deciliter or greater who do not qualify for State Early Intervention in order to demonstrate to New York State the effectiveness of such program and the need for state-level funding to support it; and be it further

RESOLVED, that certified copies of this resolution shall be transmitted to the Governor, Western New York Delegation of the New York State Legislature, New York State Health Commissioner, Erie County Executive, Erie County Commissioner of Health, the Community Foundation for Greater Buffalo, the Health Foundation for Western and Central New York, the Peter and Elizabeth C. Tower Foundation, the Ralph C. Wilson, Jr. Foundation, The John R. Oishei Foundation, the United Way of Buffalo and Erie County, the Learning Disabilities Association of Western New York, LEAD716, the Western New York Coalition to Prevent Lead Poisoning, the Erie County Department of Health, the City of Buffalo, Kaleida Health, the Partnership for Public Good, and the Buffalo and Erie County Lead Safe Task Force.

(6-0)

3. COMM. 19E-16 (2019)

COUNTY EXECUTIVE

WHEREAS, the department of Social Services Youth Services division has previously contracted with F-Bites to provide their Vocational Training in Excellence Culinary program; and

WHEREAS, these classes foster listening, cooperation and engagement of youth in a learning process designed to enhance social/emotional skills; and

WHEREAS, the Youth Services division wishes to continue providing this program to the residents at youth detention for the remainder of 2019; and

WHEREAS, the Youth Services division has available balances within their current budget to contract with the F-Bites to provide Vocational Training in Excellence program to the residents of the Secure Youth Detention facility.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to amend and continue the current contract in 2019 for an additional \$5,000 for F-Bites to provide their comprehensive Vocational Training in Excellence programs to the residents of the secure detention facility, funding being available in account 516041, youth facility programming, of the Youth Services division; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller, the Department of Social Services, and the Division of Youth Services.

(5-0) Chair Baskin not present for vote.

4. COMM. 19E-19 (2019)

COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services desires to gain knowledge and improve skills to provide the best possible service to older adults in Erie County; and

WHEREAS, SF-TIC is a proven, innovative, and comprehensive approach to enhancing service delivery, developing positive staff working relationships and helping staff approach challenging situations with new tools; and

WHEREAS, University at Buffalo School of Social Work Clinical Professors are foremost experts in SF-TIC training and methodology and have successfully trained three other County Departments, improving operations and service delivery; and

WHEREAS, budgetary appropriations to cover the \$2,530 contract cost for each instructor are available in the Department’s 163CSE1920 grant’s Professional Services Contracts & Fees account #516020.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to contracts with consultants Denise Krause, Clinical Professor and Susan Green, Clinical Associate Professor at University at Buffalo School of Social Work to conduct Solution Focused Trauma Informed Care Training at a cost of \$2,530 each; and be it further

RESOLVED, that the Erie County Legislature hereby waives the procedures outlined in Section 19.08 of the Erie County Administrative Code regarding professional services contracts because the contractors Susan Green and/or Denise Krause are sole providers and developers of this training; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the: County Executive's Office, Division of Budget and Management, Comptroller's Office, and the Department of Senior Services.

(6-0)

JOHN BRUSO
CHAIR