

B.

LOCAL LAW NO. 2 - 2013

A LOCAL LAW AMENDING THE ONONDAGA COUNTY ADMINISTRATIVE CODE
REGARDING THE DEPARTMENT OF LONG TERM CARE SERVICES

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF
ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. Findings. The County of Onondaga has provided residential nursing home services to area residents for over 100 years and, prior to that, residential care for indigent and disabled residents. Over the years, the respective roles of government and the private sector have evolved and the County has ceased participation in providing direct residential care for the indigent and disabled as various charitable and proprietary organizations have become the standard means of delivering these services to community members in need of such services. Currently, the County cannot provide residential skilled nursing services in an economically feasible manner. Therefore, this Legislature finds that it is in the interests of the County to divest itself of the Van Duyn Home and Hospital and cease participation in the business of providing such residential skilled nursing services. Demographic trends point toward an aging general population. This fact, coupled together with federal and state public policy directed at maintaining frail and older adults in the community and out of institutions, causing this Legislature to further find that a need exists to more effectively plan, coordinate, and deliver community-based health, mental health, and social services.

Section 2. Intent. Based upon the findings set forth in Section 1 above, it is the desire and the intent of the County Legislature to better coordinate the various health, mental health, and social services provided to frail and older adults within Onondaga County. As such, the local law provides for the expansion of the powers and duties of the Commissioner of Long Term Care Services, requiring the addition of some new responsibilities and transferring over some functions and duties from the Department of Social Services.

Section 3. The Onondaga County Administrative Code, being Local Law No. 1 of 1975, as previously amended, hereby is further amended in Article 11 thereof to amend Section 11.02 to add the following powers and duties to the Commissioner of Long Term Care Services:

(h) Inventory the health, mental health and social services provided to frail and older adults residing within Onondaga County, including services administered directly by Onondaga County and services provided at the direction of the County under contract, and use such inventory to provide periodic analysis and reports to the County Executive and other government officials regarding such services.

(i) Initiate and develop, under the direction of the County Executive, strategies for the maximum integration of these services, toward the goal of developing a comprehensive and efficient system of residential and community-based care.

(j) Make recommendations and proposals to the County Executive for improving residential and community-based care provided to frail and older adults residing within Onondaga County.

(k) Maintain close liaison with third-party entities providing health, mental health and social services provided to frail and older adults residing within Onondaga County.

Section 4. The Onondaga County Administrative Code hereby is further amended in Article 11 to strike Section 11.03 and 11.04 regarding the Deputy Commissioner of Residential Services.

Section 5. The Onondaga County Administrative Code is further amended to provide for the Division of Long Term Care Services and adding the following new sections 11.09 and 11.10.

Section 11.09. DIVISION OF LONG TERM CARE SERVICES; DEPUTY COMMISSIONER OF LONG TERM CARE SERVICES.

There shall be within the Department of Long Term Care Services a Division of Long Term Care Services under the direction of a Deputy Commissioner. The Deputy Commissioner shall be appointed by the Commissioner and, unless otherwise required by law, serve at the pleasure of the Commissioner. Appointments and revocations of appointments pursuant to this section shall be made by the Commissioner in writing and shall be filed with the Commissioner of Personnel. The Deputy Commissioner shall be in the exempt class of service unless otherwise provided by law.

Section 11.10. DEPUTY COMMISSIONER OF LONG TERM CARE SERVICES; POWERS AND DUTIES.

The powers and duties of the Deputy Commissioner of Long Term Care Services shall be to:

- (a) Encourage the development of residential long term care programs in the County of Onondaga.
- (b) Assist and advise the Commissioner of Long Term Care Services in the performance of the powers and duties of such office.
- (c) Develop a system of results-based accountability for all services provided, either directly or under contract, to ensure effectiveness/efficiency of service provision.
- (d) Develop and maintain relationships with organizations/systems outside of the County domain to ensure maximum coordination among service efforts.
- (e) Maintain financial oversight of county-funded services, toward the goals of maximizing funding opportunities and ensuring cost-effective service delivery.
- (f) Make recommendations and proposals for improving residential long term care services in Onondaga County.
- (g) Assist the Commissioner in the preparation and administration of the budget for the Department.
- (h) Provide oversight, management, and consultative services to other employees within the Department.
- (i) Perform such other and related duties as may be required by the Commissioner.
- (j) Develop agreements and contracts, subject to the approval of the County Executive, to provide services and to secure services needed by the division.

Section 6. The Administrative Code is hereby further amended to provide for a transfer of duties from the Department of Social Services into the Department of Long Term Care Services with respect to the Division of Community Services. Article 14 is amended to strike therefrom Sections 14.04A and 14.04B. The Administrative Code is hereby further amended to add the following language into Article 11 as Sections 11.11 and 11.12:

Section 11.11. DIVISION OF COMMUNITY SERVICES; DEPUTY COMMISSIONER OF COMMUNITY SERVICES.

There shall be within the Department of Long Term Care Services a Division of Community Services under the direction of a Deputy Commissioner. The Deputy Commissioner shall be appointed by the Commissioner and, unless otherwise required by law, serve at the pleasure of the Commissioner. Appointments and revocations of appointments pursuant to this section shall be made by the Commissioner in writing and shall be filed with the Commissioner of Personnel. The Deputy Commissioner shall be in the exempt class of service unless otherwise provided by law.

Section 11.12. DEPUTY COMMISSIONER OF COMMUNITY SERVICES; POWERS AND DUTIES.

The powers and duties of the Deputy Commission of Community Services shall be to:

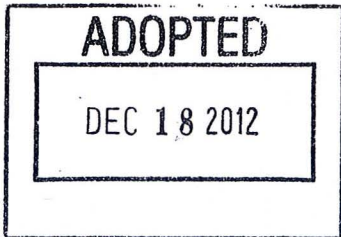
- (a) Encourage the development of community-based long term care programs in the County of Onondaga.
- (b) In collaboration with other County departments, establish and operate a long term care systems management program.
- (c) Oversee the day-to-day operation of services rendered by the Community Services Division to residents of the County within such guidelines as may be provided by the Commissioner.
- (d) Ensure that all employees within the division are duly licensed and registered in the State of New York to provide the services to which they have been assigned.
- (e) Ensure that the management and the services delivered by the division provided hereunder are in compliance with applicable laws and regulations.
- (f) Initiate, implement and update written policies and procedures for the operation of Community Services as may be required by law or regulation and as may be required for the efficient operation of programs.
- (g) Develop agreements and contracts, subject to the approval of the Commissioner, to provide services and to secure services needed by the division.
- (h) Administer certain adult welfare programs throughout the County, including but not limited to old age assistance programs and other related programs.
- (i) Make recommendations to the Commissioner, whenever appropriate, regarding all matters relating to delivery of community services.

Section 7. Except as specifically amended herein, the Onondaga County Administrative Code, as previously amended, shall remain in full force and effect.

Section 8. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by a court of competent jurisdiction to be invalid, the judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which the judgment shall have been rendered.

Section 9. This local law shall take effect December 1, 2013, and shall be filed pursuant to the provisions of the New York State Municipal Home Rule Law.

Local Law Amending Admin Code.doc



I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

18th DAY OF December, 2012

Deborah L. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

12 DEC 17 09 31 AM

LEGISLATURE
ONONDAGA COUNTY
NEW YORK