

The Legislature of Rockland County



PHILIP SOSKIN
LEGISLATOR-DISTRICT 7
CHAIR, MULTI-SERVICES COMMITTEE

AGENDA
MULTI-SERVICES COMMITTEE
TUESDAY MARCH 29, 2016
6:30 PM

ROLL CALL

1. REF.# 2973/9505 APPROVING THE AGREEMENT IN EXCESS OF \$100,000 WITH CAPABILITIES PARTNERSHIP INC. FOR INFORMATION/REFERREAL, EDUCATION, CARE COORDINATION AND COUNSELING SERVICES IN A TOTAL AMOUNT NOT TO EXCEED \$154,539 WHICH INCLUDES A LOCAL SHARE IN THE AMOUNT OF \$64,400 FOR THE CALENDAR YEAR 2016 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE AGREEMENT [DEPARTMENT OF MENTAL HEALTH] (\$154,539)
(MICHAEL LEITZES COMMISSIONER OF MENTAL HEALTH) DL#: 2016-00654
2. REF.# 3657/9505 APPROVING THE AGREEMENT IN EXCESS OF \$100,000 WITH MEALS ON WHEELS PROGRAMS AND SERVICES OF ROCKLAND, INC. TO PROVIDE MEALS ON A FEE FOR SERVICE BASIS TO THE EMERGENCY FAMILY SHELTER BASED ON THE DAILY CENSUS IN AN AMOUNT NOT TO EXCEED \$107,513 WHICH INCLUDES A 50% LOCAL SHARE FOR THE PERIOD FROM JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF SOCIAL SERVICES] (\$107,513)
(SUSAN SHERWOOD COMMISSIONER OF SOCIAL SERVICES) DL#: 2016-00594
3. REF.# 8634 APPROVING THE AGREEMENT WHICH MAY BE IN EXCESS OF \$100,000 BUT WITH NO LOCAL SHARE WITH EVERGREEN COURT HOME FOR ADULTS SP, LLC TO PROVIDE ASSISTED LIVING PROGRAM SERVICES TO MEDICAL ASSISTANCE RECIPIENTS FOR THE PERIOD FROM JANUARY 26, 2016 THROUGH DECEMBER 31, 2016 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE AGREEMENT [DEPARTMENT OF SOCIAL SERVICES]
(SUSAN SHERWOOD COMMISSIONER OF SOCIAL SERVICES) DL#: 2016-00756
4. REF.# 3657A APPROVING THE ACCEPTANCE AND APPROPRIATION OF A NEW YORK CONNECTS EXPANSION AND ENHANCEMENT PROGRAM GRANT, INCLUDING THE BALANCING INCENTIVE PROGRAM, FROM THE NEW YORK STATE OFFICE FOR THE AGING IN THE TOTAL AMOUNT OF \$439,256 [NCTD] AND ESTABLISHING FOUR (4) POSITIONS REQUIRED IN CONNECTION WITH THIS GRANT FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2016, AND APPROVING THE ACCOMPANYING AGREEMENT WITH THE NEW YORK STATE OFFICE THE AGING AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL NECESSARY DOCUMENTS INCLUDING THE AGREEMENT [OFFICE FOR THE AGING] (\$439,256)
(JUNE F. MOLOF DIRECTOR OF OFFICE FOR THE AGING) DL#: 2015-05670

5. REF.# 3657B APPROVING CONTRACT IN EXCESS OF \$100,000 WITH MEALS ON WHEELS PROGRAMS & SERVICES OF ROCKLAND, INC. TO PROVIDE FOR THE OPERATION OF SENIOR CENTERS, TRANSPORTATION TO AND FROM THE CENTERS, STIPENDS FOR VOLUNTEER DRIVERS OF THE HOME DELIVERED MEALS PROGRAM AND HOME DELIVERED MEALS TO QUALIFIED SENIOR CITIZEN'S IN AN AMOUNT NOT TO EXCEED \$1,436,599 FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [OFFICE FOR THE AGING] (\$1,436,599)
(JUNE MOLOF DIRECTOR OF OFFICE FOR THE AGING) DL#: 2016-00927

6. REF.# 3657C APPROVING AN AMENDMENT TO AN AGREEMENT IN EXCESS OF \$100,000 WITH HOME AIDES OF ROCKLAND, INC. FOR HOME CARE SERVICES TO SENIOR CITIZENS INCREASING THE TOTAL CONTRACT SUM BY \$26,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$156,000 FOR THE PERIOD APRIL 1, 2015 THROUGH MARCH 31, 2016 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [OFFICE FOR THE AGING] (\$156,000)
(JUNE MOLOF DIRECTOR OF OFFICE FOR THE AGING) DL#: 2016-00741

7. REF.#3657D APPROVING CONTRACT IN EXCESS OF \$100,000 WITH HOME AIDES OF ROCKLAND INC. TO PROVIDE HOME CARE SERVICES TO QUALIFIED SENIOR CITIZENS IN AN AMOUNT NOT TO EXCEED \$170,000 FOR THE PERIOD APRIL 1, 2016 THROUGH MARCH 31, 2017 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [OFFICE FOR THE AGING] (\$170,000)
(JUNE MOLOF DIRECTOR OF OFFICE FOR THE AGING) DL#: 2016-01062

8. REF.#3657E APPROVING CONTRACT IN EXCESS OF \$100,000 WITH COMMUNITY HEALTH AIDE SERVICES D/B/A COMMUNITY HEALTH CARE TO PROVIDE HOME CARE SERVICES TO QUALIFIED SENIOR CITIZENS IN AN AMOUNT NOT TO EXCEED \$120,000 FOR THE PERIOD APRIL 1, 2016 THROUGH MARCH 31, 2017 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [OFFICE FOR THE AGING] (\$120,000)
(JUNE MOLOF DIRECTOR OF OFFICE FOR THE AGING) DL#: 2016-01039

9. REF.#3657F APPROVING CONTRACT IN EXCESS OF \$100,000 WITH NEW YORK HEALTH CARE SERVICES TO PROVIDE HOME CARE SERVICES TO QUALIFIED SENIOR CITIZENS IN AN AMOUNT NOT TO EXCEED \$120,000 FOR THE PERIOD APRIL 1, 2016 THROUGH MARCH 31, 2017 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [OFFICE FOR THE AGING] (\$120,000)
(JUNE MOLOF DIRECTOR OF OFFICE FOR THE AGING) DL#: 2016-00994

10. REF.#3657G APPROVING CONTRACT IN EXCESS OF \$100,000 WITH A&T HEALTHCARE, LLC TO PROVIDE HOME CARE SERVICES TO QUALIFIED SENIOR CITIZENS IN AN AMOUNT NOT TO EXCEED \$180,000 FOR THE PERIOD APRIL 1, 2016 THROUGH MARCH 31, 2017 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [OFFICE FOR THE AGING] (\$180,000)
(JUNE MOLOF DIRECTOR OF OFFICE FOR THE AGING) DL#: 2016-00978

11. REF.# 6546/8973 APPROVING PURCHASES IN EXCESS OF \$100,000 FROM CARDINAL HEALTH INC. D/B/A CARDINAL HEALTH 411 INC. IN ACCORDANCE WITH THE MINNESOTA MULTISTATE CONTRACTING ALLIANCE FOR PHARMACY (MMCAP) CONTRACT #MMS15001 AND NEW YORK STATE PIGGYBACK CONTRACT #PC66755 FOR PHARMACEUTICALS AND DISTRIBUTION SERVICES FOR THE DEPARTMENTS OF HEALTH AND MENTAL HEALTH IN AN AMOUNT NOT TO EXCEED \$153,000 FOR THE PERIOD FROM JANUARY 1, 2016 THROUGH OCTOBER 31, 2016 AND EXTENDED THROUGH DECEMBER 31, 2016 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] (\$153,000)
**(PAUL J. BRENNAN DIRECTOR OF DGS- PURCHASING) DL#: 2016-00820
ADDITIONAL BACK-UP WITH CLERK**

12. REF.# 8890 SETTING A DATE FOR A PUBLIC HEARING: A LOCAL LAW ENACTING 'THE PHARMACY' TAKE-BACK' ACT
(HON. LON M. HOFSTEIN LEGISLATURE)
13. REF.# 2962 CONFIRMING THE APPOINTMENT OF DR. RAGHUNATH MEHTA, TAPPAN, NEW YORK TO THE ROCKLAND COUNTY OFFICE FOR THE AGING ADVISORY COUNCIL
(EDWIN J. DAY COUNTY EXECUTIVE) DL#: 2016-00047

M/S 3/29/16 AGA/LS.

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2973/9505

information/referral, education, care coordination and counseling services, for a total amount not to exceed \$154,539, which includes a local share in the amount of \$64,400, for the calendar year 2016, and hereby authorizes the County Executive to execute the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for the agreement is provided for in the 2016 Budget of the Department of Mental Health.

BB:dc
2016-00654
2-24-16

3657/8505

WHEREAS, The _____ and _____ Committees of the Legislature have met, considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the agreement in excess of \$100,000 with Meals On Wheels Programs and Services of Rockland, Inc., 121 West Nyack Road, Nanuet, New York 10954, to provide meals on a fee for service basis to the Emergency Family Shelter based on the daily census, in an amount not to exceed \$107,513, which requires a 50% local share by the County, for the period from January 1, 2016 through December 31, 2016, and authorizes the County Executive to execute the agreement on behalf of the County, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds for the agreement are provided for in the 2016 Adopted Budget of the Department of Social Services (Dept. 6010, line E4090).

BB:vma
2016-00594
3/11/16

8634

RESOLVED, That the Legislature of Rockland County hereby approves the agreement, which may be in excess of \$100,000 but with no local share, with Evergreen Court Home For Adults SP, LLC, 65 Lafayette Street, Spring Valley, NY 10977, to provide Assisted Living Programs to Medical Assistance recipients for the period from January 26, 2016 through December 31, 2016, and hereby authorizes the County Executive to execute the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists in the 2016 Budget of the Department of Social Services in Dept. 6102, line E5060.

BB:vma
2016-00756
3/8/16

Introduced by:

Referral No. 3687A

DRAFT

**RESOLUTION NO. OF 2016
APPROVING THE ACCEPTANCE AND APPROPRIATION
OF A NEW YORK CONNECTS EXPANSION
AND ENHANCEMENT PROGRAM GRANT,
INCLUDING THE BALANCING INCENTIVE PROGRAM,
FROM THE NEW YORK STATE OFFICE FOR THE AGING
IN THE TOTAL AMOUNT OF \$439,256 [NCTD]
AND ESTABLISHING FOUR (4) POSITIONS
REQUIRED IN CONNECTION WITH THIS GRANT
FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2016,
AND APPROVING THE ACCOMPANYING AGREEMENT
WITH THE NEW YORK STATE OFFICE FOR THE AGING
AND AUTHORIZING THE COUNTY EXECUTIVE
TO EXECUTE ALL NECESSARY DOCUMENTS
INCLUDING THE AGREEMENT
[OFFICE FOR THE AGING]
(\$439,256)**

WHEREAS, The Director of the Office for the Aging has advised the County Executive and the Legislature of Rockland County that the New York State Office for the Aging has awarded the Rockland County Office for the Aging a New York Connects Expansion and Enhancement Program grant, including the Balancing Incentive Program, for a total grant in the amount of \$439,256 for the period January 1, 2015 through December 31, 2016; and

WHEREAS, The Director of the Office for the Aging requests that the County Executive and the Legislature of Rockland County approve the accompanying agreement with the New York State Office for the Aging; and

WHEREAS, Only \$274,442 of said \$439,256 grant is being appropriated to the proper accounts due to four (4) new positions required in connection with this grant anticipated to be filled at or around the beginning of April 2016, as well as various non-personnel grant costs that will be covered by existing appropriations within the 2016 Budget of the Office for the Aging; and

WHEREAS, New York Connects Program grant funds will be forthcoming beyond the year 2016 and, therefore, subsequent adopted budgets will contain the necessary appropriations and estimated revenue associated with running this program; and

WHEREAS, No County tax dollars [NCTD] are required to accept these grant funds; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve the "execution of all contracts in excess of \$100,000 entered into by the County"; and

WHEREAS, the Director, Office for the Aging has further requested the establishment of four positions in connection with this New York Connects Program grant; and

WHEREAS, the Department of Personnel has reviewed job descriptions for these positions and has made appropriate civil service classifications; and

WHEREAS, the Rockland County Office for the Aging is requesting no additional funds to establish these positions since funding required will be provided by said grant; and

WHEREAS, The Committees of this Legislature have met, reviewed and approved this resolution, including the establishment of these positions; now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a New York Connects Expansion and Enhancement Program grant, including the Balancing Incentive Program, for a total grant in the amount of \$439,256 from the New York State Office for the Aging, for the period January 1, 2015 through December 31, 2016, and hereby authorizes the County Executive to execute all necessary documents including the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That only \$274,442 of said \$439,256 grant is being appropriated to the proper accounts due to four (4) new positions required in connection with this grant anticipated to be filled at or around the beginning of April 2016, as well as various non-personnel grant costs that will be covered by existing appropriations within the 2016 Budget of the Office for the Aging; and be it further

RESOLVED, That New York Connects Program funds will be forthcoming beyond the year 2016 and, therefore, subsequent adopted budgets will contain the necessary appropriations and estimated revenue associated with running this program; and be it further

3657A

RESOLVED, that the following four positions be hereby established in the Rockland County Office for the Aging - 6772 in connection with said grant:

| <u>TITLE</u> | <u>SALARY</u> | <u>POSITION #</u> |
|-----------------------------------|-------------------------------|-------------------|
| Program Coordinator (NY Connects) | (SG 20 - \$63,277 - \$76,704) | _____ |
| Caseworker | (SG 17 - \$55,136 - \$66,613) | _____ |
| Program Assistant | (SG 13 - \$45,653 - \$55,136) | _____ |
| Clerk | (SG 5 - \$31,555 - \$37,995) | _____ |

; and be it further

RESOLVED, that the title of Program Coordinator (NY Connects) be allocated to salary grade 20 (\$63,276 - \$76,704) as provided in the contract between the County of Rockland and the Civil Services Employees' Association (CSEA), and be it further

RESOLVED, That the Commissioner of Finance hereby is authorized to increase the following accounts in the amounts indicated:

GENERAL FUND - 2016

Increase Approp. Acct. (Credit):

| | | |
|--------------------|------------------------|---------------|
| A-OFA -6772 -E1100 | Salaries, Employees | 163,930 |
| -E1910 | Health | 27,500 |
| -E1911 | Dental | 2,750 |
| -E1912 | Vision | 550 |
| -E1920 | Retirement | 20,000 |
| -E1930 | Social Security | 12,540 |
| -E1940 | Unemployment Insurance | 200 |
| -E1950 | Workers' Compensation | 1,472 |
| -E1980 | MTA Mobility Tax | 560 |
| -E5060 | Program Costs | <u>44,940</u> |
| | | 274,442 |

Increase Est. Rev. Acct. (Debit):

| | | |
|--------------------|--|---------|
| A-OFA -6772 -R3780 | Economic Assistance & Opportunity Grant(s) | 274,442 |
|--------------------|--|---------|

; and be it further

RESOLVED, That should outside funding be reduced or eliminated, these positions shall be abolished without further action of this Legislature.

3657B

RESOLVED, That sufficient funding for this contract exists in the 2016
Operating Budget of the Office for the Aging.

VWJ:dc
2016-00927
3/15/16

3607C

RESOLVED, That the Legislature of Rockland County hereby approves an amendment to the agreement with Home Aides of Rockland, Inc., 151 South Main Street, New City, New York 10956, increasing the sum by \$26,000, for a total contract amount not to exceed \$156,000, for home care services to senior citizens, for the period April 1, 2015 through March 31, 2016, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the 2016 Adopted Budget contains sufficient funds for this amendment to the agreement.

VWJ:dc
2016-00741
3/4/16
3/23/16rev.

DRAFT

Introduced by:

Referral No.

367 F

**RESOLUTION NO. OF 2016
APPROVING CONTRACT IN EXCESS OF \$100,000
WITH NEW YORK HEALTH CARE SERVICES
TO PROVIDE HOME CARE SERVICES TO
QUALIFIED SENIOR CITIZENS
IN AN AMOUNT NOT TO EXCEED \$120,000
FOR THE PERIOD APRIL 1, 2016 THROUGH MARCH 31, 2017
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[OFFICE FOR THE AGING]
(\$120,000)**

WHEREAS, The Director of the Office for the Aging is requesting that the County enter into contract with New York Health Care Services, 33 West Hawthorne Avenue, Third Floor, Suite 31, Valley Stream, New York 11580, to provide Home Care Services to qualified Senior Citizens, in an amount not to exceed \$120,000, for the period April 1, 2016 through March 31, 2017; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve execution of an contracts in excess of \$100,000 entered into by the County; and

WHEREAS, Sufficient funding for this contract exists in the 2016 Operating Budget of the Office for the Aging, and is contingent upon 2017 budget appropriations; and

WHEREAS, The Committee of the Legislature have met, considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County approves a contract in excess of \$100,000 with New York Health Care Services, 33 West Hawthorne Avenue, Third Floor, Suite 31, Valley Stream, New York 11580, to provide Home Care Services to qualified Senior Citizens, in an amount not to exceed \$120,000, for the period April 1, 2016 through March 31, 2017, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this contract exists in the 2016 Operating Budget of the Office for the Aging, and is contingent upon 2017 budget appropriations .

VWJ:dc
2016-00994
3/21/16
3/23/16rev.

DRAFT

Introduced by:

Referral No. 6546/8973

**RESOLUTION NO. OF 2016
APPROVING PURCHASES IN EXCESS OF \$100,000
FROM CARDINAL HEALTH INC. D/B/A CARDINAL HEALTH 411 INC.
IN ACCORDANCE WITH THE
MINNESOTA MULTISTATE CONTRACTING ALLIANCE FOR PHARMACY
(MMCAP) CONTRACT #MMS15001 AND
NEW YORK STATE PIGGYBACK CONTRACT #PC66755
FOR PHARMACEUTICALS AND DISTRIBUTION SERVICES
FOR THE DEPARTMENTS OF HEALTH AND MENTAL HEALTH
IN AN AMOUNT NOT TO EXCEED \$153,000
FOR THE PERIOD FROM JANUARY 1, 2016 THROUGH OCTOBER 31, 2016 AND
EXTENDED THROUGH DECEMBER 31, 2016
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
(\$153,000)**

WHEREAS, The County of Rockland is a member of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) which maintains a distribution contract with Cardinal Health, Inc. d/b/a Cardinal Health 411 Inc. ("Cardinal Health"), 6012 Molloy Road, Syracuse, New York 13211 for the purchase of pharmaceuticals and distribution services; and

WHEREAS, The County is also permitted to piggyback off the New York State Piggyback Contract #PC66755 with Cardinal Health, Inc. d/b/a Cardinal Health 411 Inc. ("Cardinal Health"), 6012 Molloy Road, Syracuse, New York 13211 for the purchase of pharmaceuticals and distribution services; and

WHEREAS, The Director of Purchasing recommends that the County Executive and the Legislature of Rockland County approve purchases in excess of \$100,000 from Cardinal Health for pharmaceuticals for the Departments of Health and Mental Health in an estimated amount not to exceed \$153,000 in accordance with the terms and conditions specified in MMCAP Contract #MMS15001 and NYS Contract #PC66755 for the period from January 1, 2016 through October 31, 2016 and extended through December 31, 2016 should the MMCAP Contract and the NYS Contract be extended through December 31, 2016; and

WHEREAS, The cost of this contract is affected by clients requiring services through the Department of Health and the Department of Mental Health and any increases/decreases in the wholesale cost of pharmaceuticals during the contract term; and

WHEREAS, All purchases shall be made by formal purchase order under a price agreement encumbering the funds in advance; and

6548/8973

WHEREAS, Sufficient funding for these purchases is provided for in the 2016 Budget of the Department of Health Depts. 4010/35, line E3150 and in the Department of Mental Health Dept. M110, line E3150; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve the "execution of all contracts in excess of \$100,000 entered into by the County"; and

WHEREAS, The Committees of the Legislature have met, considered and approved this resolution; now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves purchases in excess of \$100,000 from from Cardinal Health for pharmaceuticals for the Departments of Health and Mental Health in an estimated amount not to exceed \$153,000 in accordance with the terms and conditions specified in MMCAP Contract #MMS15001 and NYS Contract #PC66755 for the period from January 1, 2016 through October 31, 2016 and extended through December 31, 2016 should the MMCAP Contract and the NYS Contract be extended through December 31, 2016; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2016 Budget of the Department of Health Depts. 4010/35, line E3150 and in the Department of Mental Health Dept. M110, line E3150.

LHG:dc
2016-00820
3-7-16

DRAFT

Introduced by:
Hon. Lon M. Hofstein, Sponsor

Referral No. 8890
, 2016

RESOLUTION NO. OF 2016
SETTING A DATE FOR A PUBLIC HEARING:
A LOCAL LAW ENACTING
"THE PHARMACY 'TAKE-BACK' ACT"

WHEREAS, the _____ Committee has met, considered
and by a _____ vote approved this resolution, now therefore be it

RESOLVED, that this Legislature hereby sets the _____ day of
_____, 2016, at _____ P.M. for a public hearing to provide for a
local law enacting "The Pharmacy 'Take-Back' Act."

LG 2016-20PH
ELY
3/14/16

8890

DRAFT

**LOCAL LAW NO. OF 2016
COUNTY OF ROCKLAND
STATE OF NEW YORK**

Introduced by: Hon. Lon M. Hofstein
Hon. Christopher J. Carey, Co-Sponsor
Hon. Charles J. Falciglia, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Patrick J. Moroney, Co-Sponsor
Hon. Laurie A. Santulli, Co-Sponsor
Hon. Vincent D. Tyer, Co-Sponsor

A local law to require pharmacies in the County of Rockland to provide the public with a place for the disposal of unused controlled substances and medical sharps waste.

Be it enacted by the Legislature of the County of Rockland as follows:

Section 1. Name of Local Law.

This law shall be known as "The Pharmacy 'Take-Back' Act."

Section 2. Legislative intent.

Improper disposal of controlled substances or medical sharps presents various risks to the members of the public.

Improper management of discarded needles and other sharps can pose a health risk to the public and waste workers. For example, discarded needles may expose waste workers to potential needle stick injuries and potential infection when containers break open inside garbage trucks or needles are mistakenly sent to recycling facilities. Janitors and housekeepers also risk injury if loose sharps poke through plastic garbage bags. Used needles can transmit serious diseases, such as HIV and hepatitis.

Some prescription drugs such as powerful narcotic pain relievers and other controlled substances carry instructions for flushing to reduce the danger of unintentional use or overdose and illegal abuse. (For example, the fentanyl patch, an adhesive patch that delivers a potent pain medicine through the skin, comes with instructions to flush used or leftover patches. Too much fentanyl can cause severe breathing problems and lead

to death in babies, children, pets and even adults, especially those who have not been prescribed the medicine.) However, some people are questioning the practice of flushing certain medicines because of concerns about trace levels of drug residues found in surface water, such as rivers and lakes, and in some community drinking water supplies.

Therefore, in order to encourage the proper disposal of unused controlled substances and medical sharps and help reduce harm from accidental exposure or intentional misuse after they are no longer needed, this law will require pharmacies in the County of Rockland to provide the public with a place for the disposal of unused controlled substances and medical sharps.

Section 3. Definitions.

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

A. CONTROLLED SUBSTANCES -- A controlled substance is generally a drug or chemical whose manufacture, possession, or use is regulated by a government, such as illicitly used drugs or prescription medications that are designated a controlled drug.

B. MEDICAL SHARPS -- A form of biomedical waste composed of used sharps, which includes any device or object used to puncture or lacerate the skin.

C. PERSON -- any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity of business of any kind.

D. PHARMACY - any place, other than a registered store, in which drugs, prescriptions or poisons are possessed for the purpose of compounding, preserving, dispensing or retailing, or in which drugs, prescriptions or poisons are compounded, preserved, dispensed or retailed, or in which such drugs, prescriptions or poisons are by advertising or otherwise offered for sale at retail

Section 4. Requirements.

A. Pharmacies in the County of Rockland shall provide the public with a place for the disposal of unused controlled substances and medical sharps.

B. Such unused controlled substances and medical sharps shall be kept in a secure bin to prevent hazards and protect against personal injury.

C. Pharmacies shall arrange for the safe and secure deposit or delivery of collected medical sharps and unused controlled substances to a lawful repository of such waste.

Section 5. Enforcement and Penalties.

Any person who violates the provisions of this chapter shall be subject to the imposition by the Rockland County Department of Consumer Protection of a civil penalty of \$250 for an initial violation, and \$1,000 for any person who is found to have violated the provisions of this act three times within a twelve (12) month period or more than three times within a twenty-four (24) month period. No civil penalty shall be imposed by the Rockland County Department of Consumer Protection as provided for herein unless the alleged violator has received notice of the charge against him or her and has had an opportunity to be heard pursuant to the normal procedures of the Rockland County Department of Consumer Protection. Prior to the imposition of the first civil penalty on an alleged violator, the Rockland County Department of Consumer Protection shall make a good-faith effort to issue a warning to the alleged violator and shall make a good-faith effort to educate the alleged violator about the provisions of this chapter.

Section 6. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 7. Preemption.

This Local Law shall be null and void on the day that statewide or federal legislation goes into effect that incorporates either the same or substantially the same provisions as are contained in this Local Law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Rockland.

Section 8. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 9. Effective date.

This local law shall take effect (90) days after it is filed with the New York State Secretary of State.

JB
LG 2016-20-LL
2/19/16
2/24/16 ELY

2962

RESOLVED, That Legislature of Rockland County hereby confirms the appointment of Dr. Raghunath Mehta of Tappan, New York, to a vacancy on the Rockland County Office for the Aging Advisory Council, to serve at the pleasure of the County Executive; and be it further

RESOLVED, That the Clerk to the Legislature is hereby directed to send a copy of this resolution to the Rockland County Advisory Council and to the appointee, Dr. Raghunath Mehta.

VWJ:vma
2016-00047
2/22/16