AGENDA

HEALTH COMMITTEE

AUGUST 28, 2019

PREVIOUS BUSINESS:

APPROVING PREVIOUS MEETING MINUTES

1. LOCAL LAW NO. "S" FOR 2018: A LOCAL LAW TO REQUIRE HOSPITALS TO POST THEIR POLICIES ON REPRODUCTIVE HEALTHCARE, NON-DISCRIMINATION, CHARITY CARE AND ADMISSIONS IN ALBANY COUNTY

2. RESOLUTION NO. 494 FOR 2018: PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "S" FOR 2018

3. LOCAL LAW NO. "E" FOR 2019: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, PROHIBITING THE SALE OF FLAVORED TOBACCO PRODUCTS

CURRENT BUSINESS:

4. RESOLUTION NO. 351: PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "E" FOR 2019 - A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK PROHIBITING THE SALE OF FLAVORED TOBACCO PRODUCTS
5. AUTHORIZING THE RENEWAL OF A CONTRACT FOR RE-ENTRY SERVICES WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

6. AUTHORIZING AN AGREEMENT WITH THE HOMELESS AND TRAVELERS AID SOCIETY REGARDING CASE MANAGEMENT SERVICES FOR THE COUNTY RE-ENTRY PROGRAM

7. APPROVING THE BYLAWS OF THE ALBANY COUNTY COMMUNITY SERVICES BOARD
Honorable Andrew Joyce and Members of the Albany County Legislature:

LADIES AND GENTLEMEN:

The Health Committee of the Albany County Legislature met on July 24, 2019. Chairman R. Joyce, Messrs. Drake, Cahill, Hogan and Ms. McLean Lane were present. Messrs. Domalewicz, Ward, Mss. Lekakis and Willingham were excused. The following items were discussed and/or acted upon:

Approving Previous Meeting Minutes: Unanimously Approved.

1. **Local Law No. “S” for 2018**: A Local Law to Require Hospitals to Post Their Policies on Reproductive Healthcare, Non-Discrimination, Charity Care and Admissions in Albany County: Tabled at the request of the Sponsor.


4. **Amending Resolution No. 259 for 2018**: Extending an agreement with Health Research, Inc. regarding the Public Health Emergency Preparedness Program: The Commissioner of the Albany County Department of Health has requested authorization to extend the agreement with Health Research, Inc. regarding the Public Health Emergency Preparedness Grant with an ending date of August 31, 2019 rather than June 30, 2019. The Commissioner explained that the Public Health Emergency Preparedness Grant provides funding for enhanced services in the five focus areas of planning and assessment, surveillance, information and communication technology, risk communication, education and training of staff. After a brief discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.

5. **Authorizing an agreement with the New York State Governor’s Traffic Safety Committee regarding the General Highway Safety Grant Program and amending the 2019 Health Department Budget**: The Commissioner of the Albany County Department of Health has requested authorization to enter into an agreement with the New York State Governor’s Traffic Safety Committee regarding the 2020 General Highway Safety Grant Program in the amount of $31,555 for the term commencing October 1, 2019 and ending September 30, 2020. The Commissioner indicated that the funding will be used to expand the scale of public awareness activities and to extend the geographic
scope of the 2020 General Highway Safety Grant Program initiative which presently addresses the Central Avenue corridor in the City of Albany. The Commissioner also requested a budget amendment to incorporate $787 of grant funding into the 2019 Department of Health Budget. After a brief discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.

Respectfully Submitted,
THE HEALTH COMMITTEE

RAYMOND F. JOYCE, Chairperson
TODD A. DRAKE
CHARLES CAHILL JR.
GARY DOMALEWIECZ
LYNNE LEKAKIS

WANDA F. WILLINGHAM
ALISON MCLEAN LANE
SEAN WARD
BRIAN HOGAN
LOCAL LAW NO. "S" FOR 2018

A LOCAL LAW TO REQUIRE HOSPITALS TO POST THEIR POLICIES ON REPRODUCTIVE HEALTHCARE, NON-DISCRIMINATION, CHARITY CARE AND ADMISSIONS IN ALBANY COUNTY

Introduced: 9/12/18
By Ms. McLean Lane:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Legislative Intent.

The Legislature finds that hospitals should post their policies on reproductive healthcare, end-of-life care, non-discrimination, charity care and admissions so that patients are informed whether the medical service they are seeking will be provided to them.

Section 2. Definitions

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

(a) “Hospital” shall have the same meaning as provided in the relevant section of the New York State Law.

Section 3. Requirements.

A hospital located in Albany County shall publicly post on their web site their policies on reproductive healthcare, end-of-life care, non-discrimination, charity care and admissions.

Section 4. Rules and Regulations.

The Albany County Department of Health may promulgate such rules and regulations as it deems necessary to implement and enforce the provisions of this Local Law.

Section 5. Applicability.

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

Section 6. 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 or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local 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 7. Effective Date.

This Local Law shall take effect within ninety (90) days of its filing with the Secretary of State.

*Referred to Law and Health Committees– 9/12/18*
RESOLUTION NO. 494

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “S” FOR 2018

Introduced: 10/9/18
By Ms. McLean Lane

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “S” for 2018, “A LOCAL LAW TO REQUIRE HOSPITALS TO POST THEIR POLICIES ON REPRODUCTIVE HEALTHCARE, NON-DISCRIMINATION, CHARITY CARE AND ADMISSIONS IN ALBANY COUNTY” be held by the County Legislature in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:15 p.m. on Tuesday, October 23, 2018, 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 Committee - 10/9/18
LOCAL LAW NO. “E” FOR 2019

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK [PROHIBITING] RESTRICTING THE SALE OF FLAVORED TOBACCO PRODUCTS

Introduced: 3/11/19
By Messrs. Miller, Clay, Ms. Cunningham, Messrs. Cahill, Commissio, Frainier, Mss. McKnight, Willingham, Messrs. Mayo, Domalewicz, Mss. Lekakis, McLean Lane, Plotsky, Messrs. Reinhardt, R. Joyce and Simpson:

BE IT ENACTED, by the Legislature of the County of Albany as Follows:

The Legislature of Albany County hereby finds and declares that:

Section 1: Findings and Intent

This Legislature finds that 81% of youth who have ever used a tobacco product report that the first tobacco product they used was flavored. Flavored tobacco products promote youth initiation of tobacco use and help young occasional smokers to become daily smokers by reducing or masking the natural harshness and taste of tobacco smoke and thereby increasing the appeal of tobacco products. As tobacco companies well know, menthol, in particular, cools and numbs the throat to reduce throat irritation and make the smoke feel smoother, making menthol cigarettes an appealing option for youth who are initiating tobacco use. Tobacco companies have used flavorings such as mint and wintergreen in smokeless tobacco products as part of a “graduation strategy” to encourage new users to start with tobacco products with lower levels of nicotine and progress to products with higher levels of nicotine. It is therefore unsurprising that young people are much more likely than adults to use menthol-, candy- and fruit-flavored tobacco products, including not just cigarettes but also cigars[,] and cigarillos[,] and hookah].

Tobacco use causes death and disease and continues to be an urgent public health threat as evidenced by the fact that every year 480,000 people die prematurely in the United States from smoking-related diseases and 28,000 people die prematurely from second hand smoke making tobacco use the leading cause of preventable death. Tobacco use can cause disease in nearly all organ systems and is responsible for 87 percent of lung cancer deaths, 79 percent of all chronic obstructive pulmonary disease deaths, and 32 percent of coronary heart disease deaths.

The 2018 National Youth Tobacco Survey cites research showing that youth and young adults identify flavors as a primary reason for e-cigarette use. Given the highly addictive nature of nicotine, it is not surprising that high school students who were current flavored e-cigarette users reported an increase in their frequency of vaping.
Some brands have particularly high levels of nicotine in that one single e-cigarette may contain as much nicotine as a pack of 20 cigarettes.

Much as youths disproportionately use flavored tobacco products, the same can be said of certain minority groups. According to the Food and Drug Administration (FDA), 85% of African American smokers, 44% of Hispanic smokers, 38% of Asian smokers and 28% of White smokers smoke menthol cigarettes. Native Americans, people who identify as LGBT, and young adults with mental health problems also have disproportionately high rates of smoking menthol cigarettes. Menthol products are more addictive, and both youth and racial/ethnic minorities find it harder to quit smoking menthol cigarettes.

According to the NAACP, “for decades, data has shown that the tobacco industry has successfully and intentionally marketed mentholated cigarettes to African Americans and particularly African American women as “replacement smokers”. The recognition of this harsh reality led the NAACP to adopt a unanimous resolution at their 2016 National Convention supporting state and local efforts to restrict the sale of menthol cigarettes and other flavored

Younger smokers are more likely than older smokers to try these products. When Congress enacted the FSPTCA, it found that the use of tobacco products by the nation’s children is a “pediatric disease of considerable proportions” that results in new generations of tobacco dependent children and adults.

Although the manufacture and distribution of flavored cigarettes (excluding menthol) are banned by federal law, neither federal law nor New York State law restricts the sale of menthol cigarettes or flavored non-cigarette tobacco products, such as cigars, cigarillos, smokeless tobacco, [hookah,] electronic smoking devices and the solutions used in these devices.

According to the 2018 Surgeon General’s Advisory Regarding the E-cigarette Epidemic Among Youth, e-cigarettes entered the U.S. marketplace around 2007, and since 2014, they have been the most commonly used tobacco product among U.S. youth. E-cigarette use among U.S. middle and high school students increased 900% during 2011-2015. During the past year, current e-cigarette use increased 78% among high school students from 12% in 2017 to 21% in 2018. More than 3.6 million U.S. youth, including 1 in 5 high school students and 1 in 20 middle school students currently use e-cigarettes.

Also according to the Surgeon General, nicotine exposure during adolescence can harm the developing brain that continues to develop until about age 25. Nicotine exposure during adolescence can impact learning, memory, and attention. Using nicotine in adolescence can also increase the risk for future addiction to other drugs. In addition to nicotine, the aerosol that users inhale and exhale from e-cigarettes can
potentially expose both themselves and bystanders to other harmful substances including heavy metals, volatile organic compounds, and ultrafine particles that can be inhaled deeply into the lungs.

Since the industry will not reveal what chemicals are in the flavorings in the vapor products, it may be years before we know the full negative impact of the explosive increase the in use of e-cigarettes. Scientists have discovered that cinnamon, vanilla, and cherry flavors react with propylene glycol, a main ingredient in many vape juices, to create entirely new chemicals, according to a study published in the journal Nicotine & Tobacco Research. Oct 18, 2018.

The federal government’s National Institute on Drug Abuse reported that teen use of e-cigarettes soared in 2018. The survey, which polled 8th, 10th and 12th graders across the country, found the rise in nicotine vaping was the largest spike for any substance recorded by the study in 44 years.

Flavors appeal to youth and drive youth experimentation with tobacco products:

- Beyond improving palatability, perceptible flavor provides an avenue for youth marketing;
- Youth tobacco users typically begin with flavored products and, overall, use flavored products at higher rates than their older peers;

Flavored tobacco products promote youth tobacco initiation and drive young occasional smokers to daily smoking; Consumers incorrectly perceive flavored tobacco products to be less harmful:

- The presence of characterizing flavors signals product palatability, which incorrectly associated with lower relative harm, influencing consumer brand preference and use;
- Adolescents are more likely to believe that fruit and chocolate or other sweet flavors are less harmful than flavors like alcohol, tobacco, and spice flavors;
- Youth e-cigarette users perceive lower harm from flavored e-cigarettes than from unflavored e-cigarettes despite research documenting harmful constituents present in e-cigarette flavoring.
- The majority of youth who use tobacco choose flavored tobacco products;
  **Price is a major factor impacting tobacco product initiation and cessation:**
  - The availability of inexpensive tobacco products leads to an increase in the number of smokers, particularly among younger populations;
  - Lower priced cigars are among the products used as a substitute for cigarettes;
  - Higher product prices lead to reduced smoking initiation among youth, reduced consumption among current tobacco users, and an increase in cessation with fewer relapses among former smokers.
E-cigarettes can also be used to deliver other drugs including marijuana. In 2016, one-third of U.S. middle and high school students who ever used e-cigarettes had used marijuana in e-cigarettes.

Albany County has a substantial and important interest in ensuring that existing state and local tobacco sales regulation is effectively enforced;

- Although it is unlawful to sell tobacco products to minors, 5 percent of New York retailers sold to minors between 2010 and 2012;
- A local tobacco retail licensing system will help ensure that tobacco sales comply with the Adolescent Tobacco Use Prevention Act, other tobacco control laws, and the business standards of Albany County;
- Licensing laws in other communities have been effective in reducing the number of illegal tobacco sales to minors;

A local licensing system for retailers of tobacco products, electronic cigarettes, and other products regulated by Article 13-F of New York State Public Health Law is necessary and appropriate for the public health, safety, and welfare of our residents;

Neither federal nor New York law restricts the sale of menthol cigarettes or flavored non-cigarette tobacco products, such as cigarillos, cigars, smokeless tobacco, [shisha,] e-cigarettes or e-cigarette solutions. It is the intent of Albany County to implement effective measures through this Bill to restrict access to flavored iterations of these products, and thus reduce tobacco experimentation, promote successful cessation, and narrow tobacco-related health disparities; prevent the sale or distribution of contraband tobacco products, and facilitate the enforcement of tax laws and other applicable laws relating to tobacco products.

Section 2: Definitions

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

ACCESSORY means any product that is intended or reasonably expected to be used with or for the human consumption of a Tobacco Product or Electronic Aerosol Delivery System; does not contain tobacco and is not made or derived from tobacco; and meets either of the following: (1) is not intended or reasonably expected to affect or alter the performance, composition, Constituents, or characteristics of a Tobacco Product or Electronic Aerosol Delivery System; or (2) is intended or reasonably expected to affect or maintain the performance, composition, Constituents, or characteristics of a Tobacco Product or Electronic Aerosol Delivery System but solely controls moisture and/or temperature of a stored Tobacco Product or Electronic Aerosol Delivery System.
APPLICANT means an individual, partnership, Limited Liability Company, corporation, or other business entity seeking a Tobacco Retail License.

COMMISSIONER means the Commissioner of the Albany County Department of Health.

COMPONENT OR PART means any software or assembly of materials intended or reasonably expected: (1) to alter or affect the Tobacco Product’s or Electronic Aerosol Delivery System’s performance, composition, Constituents, or characteristics; or (2) to be used with or for the human consumption of a Tobacco Product or Electronic Aerosol Delivery System. Component or Part excludes any Constituent and any Accessory, and includes, but is not limited to e-liquids, cartridges, certain batteries, heating coils, programmable software, rolling papers and flavorings for Tobacco Products or Electronic Aerosol Delivery Systems.

CONSTITUENT means any ingredient, substance, chemical or compound, other than tobacco, water, or reconstituted tobacco sheet, which is added by the manufacturer to a Covered Product during the processing, manufacture, or packing of the Covered Product. This term shall include smoke and aerosol constituent.

COVERED PRODUCT means a Tobacco Product, Electronic Aerosol Delivery System, or another product regulated by Article 13-F of the New York State Public Health Law.

DEPARTMENT means the Albany County Health Department.

ELECTRONIC AEROSOL DELIVERY SYSTEM means an electronic device that, when activated, produces an aerosol that may be inhaled, whether or not such aerosol contains nicotine. Electronic Aerosol Delivery System includes any Component or Part but not Accessory, and any liquid or other substance to be aerosolized, whether or not separately sold. Electronic Aerosol Delivery System does not include drugs, devices, or combination products authorized for sale by the state or U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

EMISSION means any substance, chemical, or compound released or produced during use of a Covered Product. This term shall include, but is not limited to, smoke, aerosol, saliva, sputum.

FLAVORED PRODUCT means any Covered Product containing a Constituent that imparts a Perceptible taste or aroma different from tobacco or produces an Emission or byproduct that imparts a Perceptible taste or aroma different from tobacco, either before or during use of the Covered Product. A Covered Product is presumed to be a
Flavored Product if a Tobacco Retailer, manufacturer, or a manufacturer's agent or employee has:

i. made a statement or claim directed to consumers or the public, whether expressed or implied, that the Covered Product, Emission, or byproduct of the Covered Product smells or tastes different from tobacco, or

ii. Taken action that would be reasonably expected to result in consumers receiving the message that the Covered Product, Emission, or byproduct of the Covered Product smells or tastes different from tobacco.

No product shall be determined to be a Flavored Product solely because of the use of additives or flavorings or the provision of ingredient information.

NEW TOBACCO RETAIL LICENSE means any Tobacco Retail License that is not a Renewed Tobacco Retail License.

PERSON means any natural person, company, corporation, firm, partnership, business, organization, or other legal entity.

PIPE TOBACCO means any tobacco which, because of its appearance, type, packaging, or labeling, is suitable for use and likely to be offered to, or purchased by, consumers as tobacco to be smoked in a pipe.

PERCEPTIBLE means perceivable by the sense of taste or smell.

PREMIUM CIGAR means a cigar that weighs more than 6 pounds per 1,000 cigars, and is wrapped in whole tobacco leaf, and has a retail price (after any discounts or coupons) of no less than $10 per cigar.

RENEWED TOBACCO RETAIL LICENSE means a Tobacco Retail License issued to an Applicant for the same location at which the Applicant possessed a valid Tobacco Retail License during the previous 12 months.

TOBACCO PRODUCT means any product made or derived from tobacco or which contains nicotine, marketed or sold for human consumption, whether consumption occurs through inhalation, or oral or dermal absorption. Tobacco Product includes any Component or Part, but not Accessory. Tobacco Product does not include drugs, devices, or combination products authorized for sale by the state or U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

TOBACCO RETAILER means a retailer licensed pursuant to this Bill.

TOBACCO RETAIL LICENSE means a license issued by the Department to a Person to engage in the retail sale in Albany County of a Covered Product.
SHISHA means any product made primarily of tobacco or other leaf, or any combination thereof, smoked or intended to be smoked in a hookah or water pipe.

Section 3: Requirement for Tobacco Retail License

(A)(1) No Person shall sell, offer for sale, or permit the sale of a Covered Product by retail within Albany County, without a valid Tobacco Retail License. A Tobacco Retail License is not required for a wholesale dealer who sells products to retail dealers for the purpose of resale only and does not sell a Covered Product directly to consumers.

(A)(2) Notwithstanding the requirements set forth in Section 3(A)(1), this Bill shall not apply to registered organizations pursuant to Title V-A of Article 33 of New York Public Health Law.

(B) A Tobacco Retail License issued pursuant to this Bill is nontransferable and nonassignable and valid only for the Applicant and the specific address indicated on the Tobacco Retail License. A separate Tobacco Retail License is required for each address where a Covered Product is sold or offered for sale. A change in business ownership or business address requires a New Tobacco Retail License.

Section 4: License Application and Application Fee

(A) An application for a New Tobacco Retail License or Renewed Tobacco Retail License shall be submitted to the Department in writing upon a form provided by the Department and shall contain information as required by the Department. The Department may require such forms to be signed and verified by the Applicant or an authorized agent thereof.

(B) Each application for a Tobacco Retail License shall be accompanied by a nonrefundable application fee of $50, or as determined by the Commissioner.

(C) Upon the receipt of a completed application for a Tobacco Retail License and the application fee required by Section 4(B), the Department shall inspect the location at which tobacco sales are to be permitted. The Department may ask the Applicant to provide additional information that is reasonably related to the determination of whether a license may issue.

Section 5: Issuance of Licenses

(A) No Tobacco Retail License shall be issued to any seller of a Covered Product that is not in a fixed, permanent location.

(B) The issuance of a Tobacco Retail License pursuant to this Bill is done in Albany
County’s discretion and shall not confer upon licensee any property rights in the continued possession of such a license.

(C) The Department shall collect from the Applicant the Tobacco Retail License fee prescribed in Section 6 prior issuing the Tobacco Retail License.

(D) The Department may refuse to issue a Tobacco Retail License to an Applicant if it finds that one or more of the following bases for denial exists:

(1) The information presented in the application is incomplete, inaccurate, false, or misleading;

(2) The fee for the application has not been paid as required;

(3) The Applicant does not possess valid certification of registration or licensure required by state or federal law for the sale of a Covered Product;

(4) The Department has previously revoked a Tobacco Retail License issued under this Bill to the Applicant;

(5) The Department has previously revoked a Tobacco Retail License issued under this Bill for the same address or location;

(6) The Applicant has been found by a court of law or administrative body to have violated any federal, state, or local laws pertaining to (a) trafficking in contraband Tobacco Products or illegal drugs, (b) the payment or collection of taxes on a Covered Product, (c) the display of a Covered Product or of health warnings pertaining to a Covered Product, or (d) the sale of a Covered Product;

(7) The Applicant has not paid to Albany County outstanding fees, fines, penalties, or other charges owed to Albany County, including the fee for the Tobacco Retail License required by Section 6; or

(8) The Department determines, in accordance with written criteria established to further the purposes of this Bill, that the Applicant is otherwise not fit to hold a Tobacco Retail License.

Section 6: License Term and Annual License Fee

(A) A Tobacco Retail License issued pursuant to this Bill shall be valid for no more than One year and shall expire on the thirty-first day of December of the calendar year for which it is issued. As set forth in Section 8, a Tobacco Retail License may be revoked for cause by the Department prior to its expiration for cause.
(B) The Department shall charge an annual Tobacco Retail License fee of $250 or as determined by the Commissioner.

(C) The Commissioner may discount the Tobacco Retail License fee required by Section 6(B) for an application received within ten [10] months of the expiration date.

(D) Beginning two years from the effective date of this Bill, the Department may, on an annual basis, modify the Tobacco Retail License fee required pursuant to Section 6(B). The Tobacco Retail License fee shall be calculated so as to recover the cost of administration and enforcement of this Bill, including, for example, issuing a license, administering the license program, hiring and training staff, identifying Flavored Products, retailer and community education, retailer inspection and compliance checks, documentation of violations, and prosecution of violators, but shall not exceed the cost of the regulatory program authorized by this Bill. All fees and interest upon proceeds of fees shall be used exclusively to fund the program. Fees are nonrefundable except as may be required by law.

Section 7: License Display

(A) A Tobacco Retail License issued pursuant to this Bill shall be conspicuously displayed at the location where a Covered Product is sold so that it is readily visible to customers.

(B) Selling, offering for sale, or permitting the sale of any Covered Product without a valid Tobacco Retail License displayed in accordance with Section 7(A) constitutes a violation of this Bill.

Section 8: Sale of Flavored Products [Restricted] Prohibited

(A)(1) No Tobacco Retailer shall distribute without charge, sell, offer for sale, or possess with intent to sell, [offer for sale,] or distribute without charge a Flavored Product. This applies to remote transactions, including but not limited to internet or mail-order sale, by a Tobacco Retailer licensed pursuant to this law.

Exceptions:

i. The sale, offer for sale, or possession with intent to sell a Premium Cigar or Pipe Tobacco by a Tobacco Retailer that, as of July 8, 2019, operates as a retail tobacco businesses as defined by section 1399-n(7) of the public health law, does not permit entry to persons below age 21 years, and does not expand its size or change location on or after that date.

ii. The sale, offer for sale, or possession with intent to sell Shisha by a Tobacco Retailer solely for on-premises consumption, provided the Tobacco Retailer does not permit entry to persons below age 21 years, has been offering Shisha for sale for on-
premises consumption since at least July 8, 2019, and has not expanded its size or changed location on or after that date.

Section 9: Revocation of Licenses

(A) The Department may suspend or revoke a Tobacco Retail License issued pursuant to this Bill for violations of the terms and conditions of this Bill or for violation of any federal, state, or local law or regulation pertaining to (a) trafficking in contraband Tobacco Products or illegal drugs, (b) the payment or collection of taxes on Covered Products, (c) the display of Covered Products or of health warnings pertaining to Covered Products, or (d) the sale of a Covered Product.

(B) The Department may revoke a Tobacco Retail License if the Department finds that one or more of the bases for denial of a license under Section 5 existed at the time application was made or at any time before the license issued.

Section 10: Violations and Enforcement

(A) The Department or its authorized designee(s) shall enforce the provisions of this Bill. The Department may conduct periodic inspections to ensure compliance with this Bill.

(B) In addition to the penalties provided for in Section 8, any Person found to be in violation of this Bill shall be liable for civil penalty of not more than $500 for the first violation, not more than $1000 for the second violation within a two-year period, and not more than $5000 but no less than $1500 for the third and each subsequent violation within a two-year period, or as determined by the Commissioner. Each day on which a violation occurs shall be considered a separate and distinct violation. These fines will be used for County anti-smoking/anti-vaping public health efforts.

Section 11: Rules and Regulations

The Department may issue and amend rules, regulations, standards, guidelines, or conditions to implement and enforce this Bill.

Section 12: Severability

The provisions of this Local Law E [Bill] are declared to be severable, and if any section of this law [Bill] is held to be invalid, such invalidity shall not affect the other provisions of this law [Bill] that can be given effect without the invalidated provision.

Section 13: Effective Date
The effective date of this ordinance shall be 120 days subsequent to its filing with the Office of the Secretary of State.

Referred to Law and Health Committees - 3/11/19
Without Recommendation Law Committee - 6/24/19
Favorable Recommendation Health Committee – 6/26/19
Referred to Law and Health Committees – 7/8/19
RESOLUTION NO. 351

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “E” FOR 2019 - A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK PROHIBITING THE SALE OF FLAVORED TOBACCO PRODUCTS

Introduced: 8/12/19
By Messrs. Miller and Simpson:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “E” for 2019, “A Local Law Of The County Of Albany, New York, Prohibiting The Sale Of Flavored Tobacco Products” be held by the County Legislature in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:15 p.m. on Tuesday, September 24, 2019, 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 – 8/12/19
August 7, 2019

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce,

The Mental Health Department submits the following request for Legislative Action for the September Legislative meeting. The Department of Mental Health requests permission to renew a contract for Re-Entry services with the NYS Division of Criminal Justice Services, based on the May 29, 2019 award letter. The grant award in the amount of $220,705 shall be designated for the period, October 1, 2019 through September 30, 2020.

Feel free to contact me or Kelle Roberts if you have any questions concerning this request.

Sincerely,

Stephen Giordano, Ph.D.
Director

cc: Hon. Dennis Feeney, Majority Leader
    Hon. Frank Mauriello, Minority Leader
    Kevin Cannizzaro, Majority Counsel
    Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Renewal for NYS Division of Criminal Justice Reentry Grant Funds

Date: Wednesday August 7, 2019
Submitted By: Mark Gleason
Department: Mental Health
Title: Mark Gleason, Operations Analyst
Phone: 518-447-3014
Department Rep.: Dr. Stephen Giordano, Director
Attending Meeting: Click or tap here to enter text.

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☒ Grant
   Renewal
   10/1/2019
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) CLICK OR TAP HERE TO ENTER TEXT.

Contract Terms/Conditions:

Party (Name/address):
   NYS Division of Criminal Justice Services
   80 South Swan Street
   Albany, NY 12210

Additional Parties (Names/addresses):
   CLICK OR TAP HERE TO ENTER TEXT.

Amount/Raise Schedule/Fee: $220,705.00
Scope of Services: Provide reentry services to moderate-high risk individuals returning from state prison.

Bond Res. No.: CLICK OR TAP HERE TO ENTER TEXT.
Date of Adoption: CLICK OR TAP HERE TO ENTER TEXT.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority: CLICK OR TAP HERE TO ENTER TEXT.
File #: TMP-1035, Version: 1

Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:
Revenue Account and Line: AA4310 01625 $90,705.00/AA4322 03490 $130,000.00
Revenue Amount: $220,705.00

Appropriation Account and Line: AA4310 12260 $64,212.00/AA4310 89010 $12,071.00/ AA310 89030 $4,912.00/ AA4310 89060 $18,897.00/ AA4322 44479 $130,000.00
Appropriation Amount: $220,705.00

Source of Funding - (Percentages)
Federal: 0%
State: 96%
County: 4%
Local: 0%

Term
Term: (Start and end date) 10/1/2019-9/30/2020
Length of Contract: 12 Months

Impact on Pending Litigation Yes ☐ No ☒
If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:
Resolution/Law Number: 319
Date of Adoption: 7/9/2018

Justification: (state briefly why legislative action is requested)
The Reentry program has been managed by the ACDMH (Albany County Department of Mental Health) since 2010, the program was managed prior to ACDMH involvement by the Department of Social Services. The Reentry task force provides rehabilitation and case management services to eligible individuals being released from state prison and seeks to reduce recidivism and promote quality of life to participants. The primary goal of the Reentry program is to reduce offender recidivism. It is expected that the Reentry program participants will be more successful in reintegrating into the community having received effective service planning and coordination. The Reentry program provides job readiness programs and sustained support during the critical period of re-entry for program participants. For the nine month period of October 2018 through June 2019 the program has completed 226 individual assessments and 179 participants have achieved 45 days or longer of participation. The Reentry program has enrolled 63 individuals in an employment readiness program with 21 participants successfully completing the program (some participants are still working on successfully completing the program). The Reentry program remains committed to providing information, support and concrete assistance to the returning citizen of Albany County and working with the DOCCS (Department of Corrections and Community Supervision) and parole officers to successfully maintain individuals in the community while reducing recidivism rates for the population that the program serves.
Grantee/Contractor: Albany County
Program Name: Albany County Re-entry Task Force
Signatory Name and Title: Philip Calderone, Deputy County Executive
Email: philip.calderone@albanycounty.com
SFS Vendor ID No.: 1000002428

Date: May 29, 2019
Award Amount: $220,705
Term Dates: October 1, 2019 to September 30, 2020
Application No.: DCI01-RE-2019-00020 – New Gateway number
Contract Number: – New Gateway number

This award is to maintain the level of support previously provided to your re-entry program by DCJS. This funding is contingent upon the review and approval of all answers outlined in the attached guidance document. An Office of Probation and Correctional Alternatives (OPCA) representative will contact your agency to finalize the development of the program work plan for the contract. Should you have any program questions before being contacted, please contact Michele Clarke, DCJS OPCA Alternatives to Incarceration Program Manager at (518) 485-0265 or michele.clarke@dcls.ny.gov. The award amount listed above is also contingent on the availability of state grant funds. This funding must supplement, not supplant, non-grant funds that would otherwise be available for expenditure on the programs proposed. Please note that the prompt completion of all requirements will facilitate timely execution of contracts. If you have any questions on this award, please contact: Scott Lindgren, NYS Division of Criminal Justice Services, Office of Program Development and Funding (OPDF) at (518) 457-9787 or Scott.Lindgren@dcls.ny.gov

Congratulations on your award. DCJS looks forward to working with you on this important project.

Cc: Robert M. Maccarone, Deputy Commissioner and Director
**New York State Grants Gateway**

**Document Information:** DCJ01-RE-2019-00021

### CONTRACT MAIN PAGE (GRANTEE)

#### Contract Properties

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**Period 1: 10/01/2019-09/30/2020**

**Period Financial Summary**

| Period Total | $220,705.00 |

**Period Reports**

- Period Schedule Report
- Modification Schedule Report

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August 7, 2019

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce,

The Mental Health Department submits the following request to enter into a contract with Homeless and Travelers Aid Society (HATAS) to provide case management services to individuals being released from prison and participating in the Reentry Program. Contract term is for one year (10/1/2019-9/30/2020). HATAS was the successful proposer to RFP #2017-088 seeking these services.

Feel free to contact me or Kelle Roberts if you have any questions concerning this request.

Sincerely,

Stephen Giordano, Ph.D.
Director

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Kevin Cannizzaro, Majority Counsel
Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Authorization for Homeless & Travelers Aid Society (HATAS)

Date: Wednesday August 7, 2019
Submitted By: Mark Gleason
Department: Mental Health
Title: Operations Analyst
Phone: 518-447-3014
Department Rep.: Dr. Stephen Giordano, Director
Attending Meeting: Click or tap here to enter text.

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☒ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☒ Grant
          Renewal
10/1/2019
☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed)

Contract Terms/Conditions:

Party (Name/address):
Homeless & Travelers Aid Society
138 Central Ave.
Albany, NY 12206

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: $130,000
Scope of Services:
Provides case management services as a subcontractor under the Reentry Grant the Department of Mental Health receives from the NYS Division of Criminal Justice Services.

Bond Res. No.:
Date of Adoption:
Click or tap here to enter text.
Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority:
Click or tap here to enter text.
Is there a Fiscal Impact: Yes ☐ No ☑
Anticipated in Current Budget: Yes ☑ No ☐

County Budget Accounts:
Revenue Account and Line: AA4322 03490
Revenue Amount: $130,000

Appropriation Account and Line: AA4322 44479
Appropriation Amount: $130,000

Source of Funding - (Percentages)
Federal: Click or tap here to enter text.
State: 100%
County: Click or tap here to enter text.
Local: Click or tap here to enter text.

Term
Term: (Start and end date) 10/1/2019-9/30/2020
Length of Contract: 12 Months

Impact on Pending Litigation
Yes ☐ No ☑
If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:
Resolution/Law Number: 320
Date of Adoption: 7/9/18

Justification: (state briefly why legislative action is requested)
Homeless and Travelers Aid Society was the successful proposer to the RFP 2017-088 to provide case management services to individuals returning from state prison who are served by the Reentry Grant the Department of Mental Health receives from the NYS Division of Criminal Justice Services.
COUNTY OF ALBANY

REQUEST FOR PROPOSALS

DEPARTMENT OF MENTAL HEALTH

RFP #2017-088

REENTRY CASE MANAGEMENT SERVICES

ALBANY COUNTY DEPARTMENT OF GENERAL SERVICES
PURCHASING DIVISION
KAREN A. STORM, PURCHASING AGENT
112 STATE STREET, ROOM 820
ALBANY, NY 12207
NOTICE TO PROPOSERS -- ALBANY COUNTY
REQUEST FOR PROPOSALS #2017-088

Sealed Proposals for Reentry Case Management Services as requested by Albany County Department of Mental Health will be received by the Albany County Purchasing Agent, Room 820, 112 State Street, Albany, New York 12207 until 4:30 PM, and local time on Friday, August 18th 2017.

Request for Proposal (RFP) documents may be obtained at the office of the Albany County Purchasing Agent, as noted above. RFP documents may be available for download from the Empire State Bid System website at http://www.empirestatebidsystem.com, starting by close of business (4:30 p.m.) on Thursday, August 3rd 2017.

Karen A. Storm
Purchasing Agent

July 28, 2017
Albany, New York
COUNTY OF ALBANY
REQUEST FOR PROPOSALS
REENTRY CASE MANAGEMENT SERVICES
ALBANY COUNTY DEPARTMENT OF MENTAL HEALTH
RFP #2017-088

RFP DISTRIBUTION - IMPORTANT NOTICE

The County of Albany officially distributes RFP documents through the Purchasing Division Office or through the Empire State Bid System website at http://www.empirestatebidsystem.com. Copies of RFP documents obtained from any other source are not considered official documents. Only those vendors who obtain proposal documents from either the Purchasing Division Office or the Empire State Bid System are guaranteed to receive addendum information, if such information is issued.

If you have obtained this document from a source other than the Albany County Purchasing Division or the Empire State Bid System, it is strongly recommended that you obtain an official copy.

SECTION 1: PURPOSE

1.1 The County of Albany is seeking proposals for Reentry Case Management Services as requested by the Albany County Department of Mental Health.

1.2 Albany County Department of Mental Health is seeking proposals for the provision of Case Management Services that targets individuals released from incarceration who are at moderate to high risk of recidivism and are accepted for services through the Albany County Reentry Task Force (CRTF).

1.3 The Department anticipates awarding the contract for case management services which must work in conjunction with the NYS Department of Correction and Community Supervision (DOCCS), community resources, the Albany County Reentry Task Force and the Albany County Department of Mental Health Reentry Coordinator. This performance-based case management contract will be imperative to the success of the overall Albany County Reentry Program and ensuring that Albany County is effective in reaching performance measures set by NYS Division of Criminal Justice Services (DCJS). The total annual program funding to be made available under this RFP is anticipated to not exceed approximately $122,285.

SECTION 2: RECEIPT OF PROPOSALS

2.1 Five (5) copies, and (1) electronic copy on CD or flash drive, of the Proposal and other required documents must be submitted, sealed in an opaque envelope clearly marked with the name and number of the Proposal and the name and address of the Proposer. Proposals must be received no later than 4:30 P.M. on August 18, 2017 at the following address:

Karen A. Storm
Albany County Purchasing Agent
112 State Street, Room 820
Albany, New York 12207

RFP1
2.2 The Proposal submitted by the individual Proposer(s) is the document upon which Albany County will make its initial judgment regarding the Proposer’s qualifications, understanding of the County’s scope and objectives, methodology, and ability to complete services under the contract.

2.3 Those submitting Proposals do so entirely at their expense. There is no express or implied obligation by Albany County to reimburse any firm or individual for any costs incurred in preparing or submitting Proposals, preparing or submitting additional information requested by the County, or for participating in any selection interviews.

2.4 Submission of any Proposal indicates acceptance of the conditions contained in the RFP, unless clearly and specifically noted otherwise in the Proposal.

2.5 Albany County reserves the right to reject any and all Proposals, in whole or in part, submitted in response to its RFP.

2.6 Albany County reserves the right to waive any and all informalities and to disregard all non-conforming, non-responsive or conditional Proposals.

2.7 Albany County may, at any time by written notification to all Proposers, change any portion of the RFP described and detailed herein.

2.8 Proposals will be examined and evaluated by Albany County Department of Mental Health.

2.9 During the evaluation of Proposals, the County may require clarification of information or may invite Proposers to an oral presentation to amplify and or validate Proposal contents.

SECTION 3: QUALIFICATION OF PROPOSER

Provide a statement of Proposer qualifications including:

3.1 Provide the name, a brief history and description of your firm.

3.2 Identify your firm’s professional staff members who will be involved in the County engagement and the experience each possesses and the location of the office from which each work.

3.3 Name and title of person(s) authorized to bind the Proposer, together with the main office address, and telephone number (including area code).

3.4 Detail your firm’s experience with the administration, provision and coordination of services to individuals who are reentering the community from incarceration and exhibit moderate to high risk of recidivism and/or high service needs. In particular, the County seeks proposers with expertise, capacities and experience that demonstrate the following qualities:

• Experience in the provision of case management services to adults who have been involved with the criminal justice system, including but not limited to those returning to the community following incarceration.

RFP2
• Ability and willingness to maintain close, day-to-day communication and coordination with the Albany County Department of Mental Health, Albany County Department of Social Services, Albany County Department of Probation, NYS Department of Correction and Community Supervision (DOCCS) and member agencies of the Albany County Reentry Task Force.

• Ability and willingness to coordinate with the Albany County Reentry Task Force’s Case Review Committee and the Albany County Reentry Coordinator in identifying those individuals to be accepted for services, and developing and implementing service plans.

• Ability to establish positive working relationships and partnerships with the full array of public and private agencies, landlords and other community stakeholders that serve and assist formerly incarcerated persons in reentering the community.

• Understanding of the criminogenic needs of formerly incarcerated persons and the ability to apply this knowledge to the provision of Reentry Case Management Services.

• Understanding, knowledge and experience regarding evidence-based / promising practice programming to address formerly incarcerated persons’ moderate to high risk / high need through such programs as Cognitive Behavioral Therapy (CBT), “Ready Set Work”, “Thinking for Change”, Mentoring and Domestic Violence Group Therapy.

3.5 Provide at least two (2) references from similar projects including name, addresses and telephone numbers.

3.6 Provide any additional information that would distinguish your firm in its service to Albany County.

3.7 Proposer shall include a completed “Vendor Responsibility Questionnaire” (Attachment “C”) with the Proposal.

3.8 In addition, Albany County may make such investigations it deems necessary to determine the ability of the Proposer to perform the work. The Proposer shall furnish to the County, within five (5) days of a request, all such information and data for this purpose as may be requested. The County reserves the right to reject any Proposal if the information submitted by, or investigation of, such Proposer fails to satisfy the County that such Proposer is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional Proposals will not be accepted.

SECTION 4: SCOPE OF SERVICES

4.1 Program Background – In 2008, Albany County secured a grant through the New York State Division of Criminal Justice Services (DCJS) to establish a County Reentry Task Force (CRTF). Since that time, Albany County has subsequently been renewed each program year.

4.2 The purpose and overarching goal of the County Reentry Task Force (CRTF) program is to enhance the reentry service delivery system, to identified moderate to high risk / high need individuals returning to the community from prison to successfully integrate back to the community, reduce recidivism of re-arrest and parole violations, effect offender behavioral change, enhance offender accountability and promote public safety. CRTFs are charged with
coordinating and managing services provided to individuals to ensure effective reentry into the community.

4.3 The County Reentry Program consists of a Reentry Task Force which includes designated County Co-Chair(s) and the DOCCS Co-Chair, Reentry Coordinator, Case Review Committee and Case Management Services. The key to this successful program is **Collaboration** among the numerous partners and community programs, **Coordination** of services, referrals, linkages and follow-up and **Communication** among key partners and the Reentry Coordinator. The Reentry Coordinator establishes all meetings, manages and tracks progress regarding services delivery, performance outcomes, program goals, and has oversight of the case management contracted services.

4.4 The County Reentry Task Forces functions to reduce recidivism and increase public safety through the coordination of services provided to individuals released from prison. The CRTF works in collaboration with number of diverse organizations and community services that represent law enforcement, social services, mental health, victim advocacy and substance abuse treatment providers and is inclusive of the NYS Department of Corrections and Community Supervision (DOCCS) and NYS Division of Criminal Justice Services (DCJS).

4.5 The County Reentry Program has a Case Review committee that consist of reentry partners and services providers who meet bi-weekly and will require the awarded Proposer's case managers and/or supervisor to attend. The Case Review process is to collaborate on broad-based treatment, social services and need assistance of formerly incarcerated individuals enrolled in the County Reentry Program. Activities of the case review committee members include:

- Reviewing cases referred to the task force through Parole/DOCCS
- Contributing to case/service planning, monitoring and follow up
- Providing expertise as a multidisciplinary team member to ensure progress toward

**Goals and Objectives**

4.6 Target Population

a. All individuals to be provided case management services under this RFP will be selected by the County Reentry Case Review Committee and the Reentry Coordinator. Targeted individuals are those who are incarcerated, projected to be released or who have been recently released to Albany County, identified as at moderate to high risk of recidivism and/or having high service needs, to support their successful reintegration. Priority is given to those individuals who are being released or recently released from State prison, including both those to be under Parole supervision and those who have served their maximum sentence.

b. Services to be provided under this RFP will operate in accordance with a strict "no-reject, no-eject" policy for individuals referred by the County Reentry Case Review Committee. Any concerns that arise related to safety factors and the appropriateness of individuals to participate in services will be brought by the program staff to the County Reentry Case Review Committee for resolution.

4.7 Case Management Services will address the criminogenic needs of reentering individuals related to the identified antisocial attitudes, values and beliefs, criminal personality and peer interactions through linkages with group therapy, evaluation and treatment, and positive social/recreational opportunities. Case Management Services will be required to deliver services consistent with the
principles of promising / evidence-based practice, as applied to the assessment and service plan based upon prioritization of criminogenic needs.

4.8 **Case Management Services** is a collaborative process of assessment, planning, facilitation, coordination, monitoring, evaluation, and advocacy for reentry program individuals to successfully integrate back into the community and meet their conditions of parole. The following highlights case management expectations of the contracted service. Proposers should outline within their proposal how they will deliver such services and meet program expectations:

a. **Intake Assessment** - an intake assessment on each program approved reentry individual will be completed *within one week* of the individual being referred to reentry and / or has returned to the community. The intake assessment entails the strengths and areas of need for the individual inclusive of the conditions of Parole, if any. The following areas must be assessed and need to be identified by Case Management and tracked:

- Family demographics and relationships, support system,
- Housing - currently living arrangement and/or plan
- Employment – historical if any and plan
- Educational/vocational
- Substance abuse and potential relapse
- Mental health – history, treatment, medication, provider and current status
- Health conditions
- Veteran Status
- Anger, aggression, domestic violence – history, services and current treatment
- Sex offender history and current treatment plan
- Any social services needs

Additionally, the intake assessment should include the review of any historical and current information obtained from Parole, the prison and reentry coordinator that is available to be shared. An assessment form will need to be developed and electronically emailed to the Reentry Coordinator on a weekly basis for tracking and preparation for case review purposes. It is incumbent upon the Case Management provider to make contact with reentry individuals to conduct an intake assessment. Contact can be made with individuals in the provider’s office, at Parole or in the community. A method of scheduling appointments at an office has not been successful in the past to obtain the required intakes needed. Proposers should indicate their plan to assertively outreach and engage reentry individuals for the completion of intake assessments to meet the required performance metrics and the required monthly Face to Face contact.

b. **Services Plan** – the Case Review Committee will initially identify and provide the basis for development of an individualized service plan to address criminogenic needs. The service plan will be developed thereafter between the case manager and the reentry individual *within 2 weeks* from the completion of the intake assessment and will be continually refined through the case management process and progress of the individual. The services plan will be shared with the assigned Parole officer to ensure communication and no duplication of efforts as well as shared with the Case Review Committee. Proposers shall describe how a strength based, client centered approach will be utilized in the development, implementation, and review of individualized service plan.
The Proposer should specifically articulate their current ability through existing relationships, programs and services or how such services and/or linkages will be developed and occur to meet service plan objectives and goals:

- Positive working relationships and partnerships with public and private agencies such as, substance abuse, health care, and mental health providers; as well as educational/vocational/employment services, social services, landlords and other community stakeholders that serve and assist formerly incarcerated persons in reentering the community.

- The ability to provide, develop or have access to evidence-based / promising practice programming to address formerly incarcerated persons’ moderate to high risk / high need through such programs as Cognitive Behavioral Therapy (CBT), “Ready Set Work”, “Thinking for Change”, Mentoring and Domestic Violence Group Therapy.

c. Service Plan Management – it is the expectation that case management not only refer reentry individuals to services, but also ensure that appointments and linkages are made and that there is follow-up by the case manager to confirm that objectives on the service plan are being met. Service Plans will be reviewed within two weeks of being developed (understanding that plans can and will be updated) and also reviewed at the time of discharge. All Case Management Services will need to be documented and accessible for review at any time.

d. The Case Management service should include a minimum of 2 FTE Case Managers, each of whom will maintain a caseload of reentry individuals. Masters-level staff OR bachelor level staff with a minimum of 5 years’ experience with reentry individuals and services OR staff with lived-experience who have case management/mentoring experience in providing reentry services is required due to the seriousness and complexity of service needs presented by moderate to high risk / high need individuals, including the frequent presence of co-occurring behavioral health concerns.

e. Periods of case management service will run concurrently with active Case Review Committee status, and are expected to average approximately 45 days to six (6) months. Whenever possible, pre-release planning should be pursued up to three (3) month prior to release. Notification of pre-release varies and many notifications occur within 30 days of pre-release or at the time of release. Therefore, it is incumbent upon the Case Management provider to make contact with reentry individuals to conduct an intake assessment as soon as and whenever possible.

f. During the pre-release period, case managers will work with CRTF Coordinator and Parole staff to case conference individuals who will be approved and referred for services upon their release. A preliminary outline of service needs and specific areas of focus regarding the intake assessment will be identified.

g. During the post-release period, case managers will conduct program intake assessments of individual needs, including both criminogenic and stabilization needs, and begin the referral process to ensure a smooth transition for the individual, including assisting with completing program applications, arranging needed appointments and providing needed follow-up to ensure effective program linkages. Additionally, regular contact with the reentry individual, to assist with establishing and maintaining service linkages, providing support, identifying and addressing new needs as they emerge.
h. There will be an expectation of a minimum of three (3) face to face contacts per month between the case manager and the reentry individual. This can occur in a number of ways, one on one with the reentry individual when the reentry individual is meeting with a provider, Parole and/or when bringing the individual to an appointment. Each month, one (1) of the face to face contacts with the reentry individual MUST be in the community and not in the awarded Proposer’s or Parole’s office. Proposers should indicate their plan to continually engage reentry individuals for the required monthly face to face contacts and to meet the required performance metrics. All Case Management Services must be documented and easily accessible for review by Albany County Reentry Coordinator and the Department of Mental Health Quality Assurance Team.

i. The Successful Proposer under Case Management Service will be required to manage a pool of flexible funds available for the purpose of addressing the unmet needs of individuals reentering the community. This can include the purchase of emergency clothing, personal care items, to obtain document such as an ID or Social Security card, supplies needed to support work or vocational goals, etc. Flexible funds cannot be used to purchase services or benefits available through another service organization. Proposers must show how they will maintain a careful accounting of these funds and how they are utilized.

4.9 Communication and Coordination

a. The successful Proposer will maintain representation on the following bodies, at a staff level appropriate to the nature of the discussions:

- County Reentry Task Force (CRTF), bi-monthly with management representative
- Case Review Committee, bi-weekly and with case managers and/or supervisor
- Needs Assessment Committee, monthly and with case managers and/or supervisor

b. The successful Proposer will participate in monthly planning and contract monitoring meetings with Department representatives.

c. The successful Proposer will be required to develop strong, cooperative, working relationships with the full range of public and private agencies that serve the population targeted under this RFP.

d. The successful Proposer will need to work in collaboration with County Reentry Coordinator to ensure compliance of requirements and progress toward program goals. Information and on-going communication will need to occur with the Reentry Coordinator to obtain support and maintain tracking of program services. On a bi-weekly basis client progress and any referral status changes should be identified along with any challenges and transitional planning by a report to the Reentry Coordinator and assigned Parole officer.

e. It is imperative for the success of the program that the awarded Proposer and DOCCS work in conjunction with one another on a daily basis. The communication between the two, is vital to have the highest rate of success and reduce the possibility of re-arrest and parole violation for reentry individuals. Parole officers must be aware of the reentry service plan and that the plan concurrently works with the condition of parole, if any. Additionally, due to the reentry individuals being of moderate to high risk / high need, it is necessary to work together, as a

RFP7
team, to coordinate services and assistance for the reentry individual without duplication of service.

4.10 Program Outcomes and Performance Measures

The following information will be collected once upon admission, at the beginning of each month thereafter and at the time of discharge. The successful Proposer should develop a consistent reporting mechanism with the assistance of the County Reentry Coordinator, who will be receiving the information, to report out for the CRTF and DCJS.

a. The successful Proposer will be required to monitor and track for all reentry individuals receiving Case Management Services the following quality of life indicators’ referral status, linkages made and outcome:

1. Utilization of peer, family, and community natural supports
2. Ability to obtain and maintain permanent housing
3. Ability to seek, obtain, and maintain employment
4. Efforts to seek and utilize opportunities for continuing education
5. Sobriety from drugs and/or alcohol
6. Treatment and/or involvement in mental health services
7. Maintenance and treatment of any health conditions or concerns
8. Individual/group therapy and/or involvement with Domestic Violence, Anger management, Aggression, etc.
9. If needed, assist to seek and obtain sex offender treatment

b. Case Management services will also be required to track the following program evaluation outcomes:

1. Tenure in the community - free of incarceration through re-arrest or violation
2. Tenure in the community – free of psychiatric hospitalization
3. Length of time from date the individual being referred and / or returned to the community to the first face to face contact
4. # of face to face contacts per month of service for each client
5. # of Intake Assessments (Goal 277 annual, approx. 23 per month)
6. # of reentry individuals retained in the program for 45 days (Goal 208 annual)
7. # of reentry individuals enrolled into a CBI/RSW (Goal 83 annual)
8. # of reentry individuals that complete a CBI/RSW (Goal 42 annual)
9. # of program discharge and type of discharge

c. Claims will be required to be submitted in a format that provides documentation of actual expenditures, however monthly claim payments will be dependent upon reaching the following performance targets:

1. # of Intake Assessments
2. # of reentry individuals retained in the program for 45 days
3. # of reentry individuals enrolled into a CBI/RSW
4. # of reentry individuals that complete a CBI/RSW

RFP8
Objective #1: Track I Intakes

Intake, assess and hold the first case conference for (277) Track I individuals.

Task #1 for Objective #1

The following tasks are associated with this objective.

- Participants will be moderate to high-risk and/or special population individuals (referred to as Track I).
- Each CRTF will receive Track I referrals from DOCCS, screen individuals for eligibility, determine each individual's service needs, conference cases with DOCCS (Parole), develop a service plan and refer individuals to appropriate services.

Case file documentation: Maintain case files for each participant to include copies of signed releases, documentation of contacts (include the date and source with staff name for each contact), attendees and date of case conferences relevant to the participant, referrals and documented services provided.

Objective #2: 45-day retention (75% of total Track I intakes): (208) individuals reach 45 day retention point.

Task #1 for Objective #2

The following tasks are associated with this objective.

- Record the number of individuals who are actively involved and receiving one or more of the following services based on assessed stabilization needs. The number to be reported is the number engaged in receiving services at the 45-day retention point.

- Housing: The CRTF shall assist individuals in obtaining housing that is conducive to maintaining a law abiding lifestyle (i.e., parole stabilization housing, residential treatment, halfway house, or private residence).
- Employment: The CRTF shall assist individuals in obtaining employment or employment programs/services (i.e., One Stop Center, Department of Labor, ACCES/Vocational Rehabilitation (VR), transitional employment, temp agency).
- Education: The CRTF shall assist individuals in pursuing education and vocational services (i.e., High School Equivalency (HSE) training program, educational program or vocational training program).
- Social Services Assistance: The CRTF shall assist individuals in obtaining social services (i.e., SSI, SSD, food stamps, Medicaid and TANF).
- Treatment: The CRTF shall assist individuals in obtaining treatment (i.e., chemical dependency treatment, mental health treatment and sex offender treatment).
- Offender Accountability: The CRTF shall assist individuals in receiving offender accountability programming.
- Cognitive Behavioral Intervention (CBI) Programs: The CRTF shall assist individuals in obtaining CBI programs that are approved by DCJS.
- Mentoring Services: The CRTF shall assist individuals in obtaining mentoring services.

RFP9
• Health Homes: The CRTF shall assist individuals to access health care managers who are available to provide access to health care services and support.

Case file documentation: Maintain case files for each participant to include documentation of contacts, (include the date and source with staff name for each contact), case conferences, referrals and documented services provided.

Performance Measure
The number of individuals who are actively engaged and receiving services at the 45 day point based on assessed needs.

Note: When preparing the workplan for your application, if multiple CBI or employment readiness programs are being proposed, separate objectives, associated tasks and performance measure with distinct target enrollment and completion numbers for each program should be included.

Objective #3: Enroll/Engage (83) Track I individuals into an approved Cognitive-Behavioral Intervention (CBI) or employment readiness program. (at least 30% of the number of intakes)

• Approved programs include T4C, and RSW! or other program approved for CRTF use by DCJS.

Task #1 for Objective #3
The following tasks are associated with this objective:

• Assist individuals to support their initial engagement in an approved CBI and/or employment readiness program.
• Monitor the attendance and achievement of participants enrolled in an approved CBI and/or employment readiness program.

Case file documentation: CRTF is to retain attendance sheets with dates/times and participants’ sign-ins for each CBI, RSW! or other program approved by DCJS. CBI rosters and RSW! Rosters will also be submitted on prescribed forms to DCJS as instructed, and copies retained by the CRTF.

Performance Measure
The number of individuals who are enrolled/engaged in an approved CBI or employment readiness program. Attendance of at least one class is required in order to claim this milestone.

Objective #4: (42)Track I-eligible individuals (50% of those enrolled in CBI or employment readiness) complete the designated program.

• Enrollees must complete the required number of modules for the specific program to be eligible for this milestone reimbursement.

Task #1 for Objective #4
The following tasks are associated with this objective:
• Assist individuals to support their continued engagement in an approved CBI or employment readiness program.
• Monitor the attendance, achievement and completion of an approved CBI or employment readiness program by participants.

Case file documentation: The proposer is to retain attendance sheets with dates/times and participants’ sign-ins for each CBI, RSW!, or other program approved for CRTF use by DCJS. CBI rosters and RSW! Rosters will also be submitted on prescribed forms to DCJS, as instructed, and copies retained by the CRTF.

Performance Measure
The number of individuals who complete all required modules of an approved CBI or employment readiness program.

4.11 Program Operations and Siting

a. The successful Proposer must be situated in an area that is easily accessible via public transportation.

b. The successful Proposer shall maintain regular business hours Monday – Friday, with times to meet the needs of the reentry individuals, Parole and to acquire the necessary intake assessments needed to meet performance targets.

4.12 Confidentiality

a. The successful Proposer will comply with all applicable confidentiality laws, regulations and requirements, including but not limited to the following, as they now exist or may be amended in the future.

- NYS Social Services Law, Sections 367b (4) and 369(4)
- NYS Public Health Law, Article 27-F
- 18 NYCRR Part 357

- The Health Insurance Portability and Accountability Act (HIPAA) and related regulations found at 45 C.F.R. Parts 160 and 164

4.13 Records-Keeping and Reporting

a. Progress notes must be documented within 24 hours of service delivery, including all face to face and collateral contacts. Individualized service plans should be reviewed a minimum of bi-monthly, and in collaboration with CRTF/ Case Review Committee. Individualized service plans should identify goals that support individual’s criminogenic needs, and successful tenure in the community.

b. The successful Proposer will submit a monthly tracking form of performance goals, targets, metrics and quality of life indicators to the County Reentry Coordinator.

RFP11
c. On a bi-weekly basis information regarding client progress, any referral status changes, contacts, challenges and transitional planning should occur and can be done at case review meetings.

4.14 Monitoring and Recognition

a. All program facilities of the successful Proposer are to be open to authorized Federal, New York State and Albany County personnel for the purposes of observation and monitoring of program operations. Any written report issued as the result of such inspections will be maintained at the Albany County Department of Mental Health, with a copy provided to the successful Proposer.

b. Make all financial, program and other related records available to Federal, State and/or County personnel conducting monitoring visits to program offices, upon request.

c. The successful Proposer will advise the Department of all press inquiries received and will confer with the Department related to their response, when feasible, prior to issuing any public statements.

4.15 Quality Assurance

The Successful Proposer must develop and implement a program of quality assurance that includes but is not limited to the following:

a. The Successful Proposer must develop and implement a routine plan for supervision and evaluation of program staff, service delivery and program outcomes.

SECTION 5: TERM OF CONTRACT:

5.1 The contract period shall be October 1, 2017 - September 30, 2019.

5.2 At the end of the initial one year contract term upon mutual agreement of the County and the Contractor, the agreement may be renewed for two (2) additional years, in two (2) consecutive one-year intervals. Renewal of multiple item bid awards shall be contingent upon renewal of all items; partial renewals shall not be accepted by the County.

5.3 The successful Proposer shall execute a contract with the County of Albany in substantial conformance with this RFP as prepared and approved by the County Attorney.

SECTION 6: COST PROPOSAL:

6.1 Submit a cost proposal for the services described above in Section 4, Scope of Services.

6.2 The total annual contract funding to be made available under this RFP is anticipated not to exceed approximately $122,285. Payment will be issued upon receipt of monthly claims submitted by the successful Proposer to the Department, when program performance indicators have been reached and accompanied by such documentation as is required by the County. Claims will be required to be submitted in a format that provides documentation of actual expenditures. Claims are to be submitted by the 15th of the month following the month of service.

RFP12
ARTICLE II: NAME
A. This organization shall be known as the Albany County Community Services Board (hereinafter referred to as the "CSB").

ARTICLE III: PURPOSE
A. Pursuant to Article 41 of the New York State Mental Hygiene Law, the purposes of this organization are to:
   • Advocate, foster, enable, and encourage preventive, intervention, and rehabilitative services for persons with mental disabilities, alcohol or substance abuse issues, and developmental disabilities
   • Improve existing programs for persons with disabilities and to plan for the integration and use of community, regional and state services
   • Assist and advise the Director of Mental Health in overseeing and evaluating locally sponsored providers, including contract agencies and others under its jurisdiction
   • Assist and advise the Director of Mental Health in the planning and oversight of the entire mental hygiene delivery system within Albany County.

ARTICLE III: POWERS AND DUTIES
A. The CSB shall have the powers and duties as set forth in Article 41.13 of the New York State Mental Hygiene Law as amended or as set forth in the regulations of the Office of Mental Health, Office for People with Developmental Disabilities, and Office of Alcohol and Substance Abuse Services.

ARTICLE IV: COMPOSITION AND TERMS
A. Pursuant to 41.11 of the New York State Mental Hygiene Law, the CSB shall have 15 members who may be proposed by the CSB and shall be appointed by the Albany County Legislature (hereinafter referred to as the "Legislature").
B. Whenever practical, at least one member of the CSB shall be a licensed physician and one shall be a licensed psychologist or otherwise, at least two members shall be licensed physicians.
C. The CSB will make every effort to have both demographic and geographic representation, whenever practical, and members of the CSB shall represent the community’s interest in the problems of persons with mental disabilities.
D. The CSB will make a diligent effort, in compliance with regulatory requirements, to ensure that former patients, parents, or relatives of persons with mental disabilities are proposed to the CSB and/or appropriate subcommittees.
E. The CSB shall have separate subcommittees for Mental Health, Developmental Disabilities, and Alcohol and Substance Abuse as described in Article VII.
F. Each CSB member shall serve for a four year term beginning with the first day of January of the year of appointment. Members may also be appointed to fill vacancies, wherein they would complete an unexpired term.
G. All vacancies are to be filled by appointment by the Legislature.
ARTICLE V: OFFICERS, OFFICER TERMS, AND DUTIES

Section 1. Officer Positions

A. The officers of the CSB shall consist of a Chairperson, a Vice-Chairperson, and a Secretary. They shall serve in this capacity for a term of two years, beginning with the first day of January of the year of appointment and shall be elected from the membership of the CSB.

Section 2. Officer Nominations and Appointments

A. No later than the July meeting of the year in which the terms are expiring, the Chairperson will appoint a Nominating Committee consisting of at least three members of the CSB, none of whom shall be an officer for the year in which he or she serves on such a committee.

B. The Nominating Committee will present to the full CSB at a meeting to be held in the month of September (of alternate years and/or as needed), a proposed slate of officers, consisting of a Chairperson, Vice-Chairperson, and Secretary. Nominations may be made from the floor for any office.

Section 3. Duties of the Chairperson

A. The Chairperson shall preside over all meetings of the CSB.

B. The Chairperson shall propose individuals to the Legislature for appointment by the Legislature to all Committees and Subcommittees and act as an ex-officio member of each.

C. When authorized by vote of the CSB, the Chairperson shall execute, in the name of the CSB, all documents and instruments relating to or disposing of property of the CSB.

D. The Chairperson may vary the schedule of CSB meetings depending on the nature and amount of business to be addressed.

E. The Chairperson may call special meetings at any time with at least 48 hours notice.

F. The Chairperson of the CSB shall propose the Chairpersons of each Subcommittee, who shall serve term concurrently with the term of the Executive Committee.

Section 4. Duties of the Vice-Chairperson

A. In the event of the absence, incapacity or inability of the Chairperson or Secretary to exercise or perform the duties or powers incident to that office, such duties or powers shall be performed and exercised by the Vice-Chairperson and other such duties as may be directed by the CSB until an election is held to fill the vacancy.

Section 5. Duties of the Secretary

A. The Secretary shall be responsible, in conjunction with the Chairperson, for the compiling of the CSB Meeting agendas, reviewing the minutes of meetings taken by the recording secretary and ensuring that the agendas and minutes are posted to the Albany County website pursuant to Resolution 220(a) for 2016.

B. The Secretary, or a designee, shall be responsible for giving notice of all meetings to CSB...
members and perform such other duties as may be required by the Chairperson of the CSB. In the absence of the Chairperson and Vice-Chairperson, the Secretary will serve as Chairperson of CSB meetings.

C. The Secretary shall assure that the bylaws are accurate, up-to-date, and accessible to CSB members.

D. The Secretary shall maintain a file of CSB documents.

E. The Secretary shall maintain tracking of attendance per attendance requirements as stated in these bylaws and give notice to members regarding non-attendance as needed.

F. The Secretary shall maintain a to-do list and include follow-up items as appropriate on each agenda.

G. The Secretary may call special meetings with 48 hours’ notice upon the request of three CSB members.

H. The Secretary, or designee, shall take minutes of the prior meeting with the members of the Executive Committee for review and approval prior to them being shared with CSB members.

ARTICLE VI: COMMITTEES

Section 1. Executive Committee

A. The CSB shall have an Executive Committee comprised of its officers and the Chairpersons of the Subcommittees.

B. The quorum for an Executive Committee shall consist of three members present.

C. The Executive Committee will meet at the call of the Chairperson or any two other members of the Committee.

Section 2. Subcommittees

A. The CSB shall have three standing Subcommittees; a Mental Health Subcommittee, a Developmental Disabilities Subcommittee, and an Alcohol, Substance Abuse and Gambling Subcommittee.

B. In accordance with Mental Hygiene law, the Mental Health Subcommittee shall consist of no more than 11 members and the Developmental Disabilities and Alcohol, Substance Abuse and Gambling Subcommittee shall consist of no more than 9 members. For each Subcommittee, three members shall be members of the CSB.

C. CSB members of each Subcommittee shall be proposed by the Chairperson of the CSB and shall be submitted to the Legislature for appointment.

D. The process for appointing non-CSB members shall begin at their respective Subcommittees, and once approved by the CSB, shall be submitted to the Legislature for appointment.

Commented (SW2): Gambling is currently under the auspices of CASAS, not OMH.
Section 3. Subcommittee Composition

A. Each Subcommittee shall be composed of persons who have demonstrated an interest in the field of services for the particular class of persons with mental disability, and shall include former patients, parents or relatives of such persons with mental disability, and community agencies servicing such persons.

B. All appointments will be made after taking into consideration the respective Subcommittee members' interest and background with the intent that each Subcommittee will represent its respective constituency.

C. It will be the responsibility of each Subcommittee to contribute to and oversee their respective part of the planning process resulting in the annual plan for mental health, developmental disabilities, and alcohol and substance abuse services for Albany County that includes both State and local service providers. To this end, it is the responsibility of subcommittee members to keep abreast of their respective area, to review, monitor and evaluate State and local services and to address all policy issues under its purview.

D. It shall also be the responsibility of the Subcommittees to report back to the CSB on its activities and recommendations through their respective Chairperson and through CSB members serving on these Subcommittees.

E. In any case, where the majority of recommendations of a non-CSB member are opposed to those of the CSB members, a report of such positions will be given along with the CSB members' recommendations.

F. When it is deemed appropriate by the Chairperson of such Subcommittee, non-CSB members shall be invited to CSB meetings to address specific concerns.

Section 4. Subcommittee Chairpersons

A. The Chairpersons of each Subcommittee shall be proposed by the Chairperson of the CSB.

B. The Chairpersons of each Subcommittee shall serve a term concurrently with the term of the Executive Committee.

Section 5. Revisions to Tenures of Membership of Subcommittees

Revisions to tenures of membership of Subcommittees shall conform with Section 41 of the Mental Health Law will be enacted as needed by the CSB.

A. As vacancies arise or terms expire, the Subcommittees may submit names of individuals to the CSB regarding the respective Subcommittee. The CSB, in turn, may propose individuals to the Legislature for appointment.
ARTICLE VII: MEETINGS

Section 1. Organizational Meetings
A. Organizational meetings to plan for the upcoming year, elect new officers, and appoint new members of the CSB and subcommittees if and as needed, shall be held at the regular meeting to be held during the month of September, or as called by the Chairperson.

Section 2. Regular Meetings
A. Regular meetings of the full CSB shall be held bi-monthly on the second Thursday of the odd numbered month at a time and place to be designated by the Chairperson that is reasonably convenient and accessible to CSB Board members. Thus, the required regular meetings shall be held in January, March, May, July, September, and November of each calendar year.
B. The Chairperson may vary this schedule depending on the availability of members and the nature and amount of business before the CSB.

Section 3. Special Meetings
A. Special meetings of the CSB may be called at any time by the Chairperson.
B. Notice of such special meetings will be given to the office or home of each member of the CSB, in writing, by phone, or by e-mail at least 48 hours prior to the time of such meeting. Said notice shall consist of the time and place of the meeting and an agenda of the business to be conducted at such meeting.
C. No business other than that specified in the notice of the meeting shall be transacted at any special meeting of the CSB.
D. Special meetings may also be called by the Secretary upon the written request of three members of the CSB. The notice requirements for special meetings called by the Secretary shall be the same as the notice requirements for special meetings called by the Chairperson.

Section 4. Subcommittee Meetings
A. Meetings of the three Subcommittees shall be held monthly or bi-monthly or at the call of the respective Chairperson.
B. Unexcused non-attendance of any four of the regular meetings of a Subcommittee during the calendar year shall be considered a resignation from the Committee.
C. If unable to attend a Subcommittee meeting, members should notify the Subcommittee Chairperson.
D. Notice will be given to a member after unexcused non-attendance of three meetings.

Section 5. Meeting Agendas
A. An agenda shall be prepared for each meeting.
B. Agenda items shall be submitted for inclusion at least 48 hours before meetings.
C. The completed, proposed agenda shall be reviewed with the Chairperson and posted on
the Albany County website by the Secretary, or a designee, at least 48 hours prior to the meeting.

Section 6. Quorum
A. A quorum for doing business at regular CSB meetings and all Subcommittees shall consist of a majority of members currently appointed by the Legislature.

Section 7. Public Access
A. All CSB meetings shall be open to the public and any individual representing the public wishing to address the CSB shall do so at the beginning of the meeting, after receiving permission from the Chairperson, including the amount of time that such individual may speak.
B. Executive sessions are held at the determination of the Chairperson, and may be called as necessary.

Section 8. Attendance
A. Unexcused non-attendance at any four of the six regular meetings of the CSB during the calendar year shall be considered a resignation from the CSB.
B. If unable to attend a CSB meeting, members should notify the Chairperson or a designee.
C. Secretary will provide notice to a member regarding non-attendance after three unexcused missed meetings.
D. On petition from a CSB member so excluded, the CSB may vote to make an exception in individual cases where there are circumstances such as accident, prolonged illness, or other situations that are determined to be exceptional or unavoidable.

ARTICLE VIII: PARLIAMENTARY PROCEDURES
A. The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern the CSB to the extent practical, and which they are not inconsistent with the bylaws and any special rules of order the CSB may adopt.

ARTICLE IX: BYLAW AMENDMENTS
A. These bylaws may be amended at any meeting of the CSB by an affirmative vote of 2/3 of the members present and voting, provided that the amendment has been presented in writing to the members of the CSB at least one month prior to the meeting at which the amendment is to be voted upon.
B. These bylaws may be amended at any meeting of the CSB without prior written notice on the unanimous approval of all members of the CSB present and voting.
C. All amendments to these Bylaws are subject to the approval of the Albany County Legislature.
ANNEX I: Bylaw Amendment History

1. July 2014
   - initial draft

2. April 2017
   - Administrative processes
   - Clarifications on governing legislation

3. September 2018—Proposed changes in process:
   - Officer and board member duties
   - Executive committee role and processes
   - Parliamentary procedure
   - Minor clarifications

4. October 2018—final amendments and CSB adoption
BYLAWS OF THE ALBANY COUNTY COMMUNITY SERVICES BOARD

ARTICLE I

NAME

Section 1. This organization shall be known as the Albany County Community Services Board (hereinafter referred to as the "CSB").

ARTICLE II

PURPOSE

Section 1. Pursuant to Article 41 of the New York State Mental Hygiene Law, the purposes of this organization are to advocate, foster, enable, and encourage preventive, intervention, and rehabilitative services for persons with mental disabilities, including those with alcohol or substance abuse issues, the mentally ill/emotionally disturbed, and the developmentally disabled; to improve existing programs for persons with mental disabilities to plan for the integration and use of community, regional and state services; to assist and advise the Commissioner of Mental Health in overseeing and evaluating locally sponsored providers, including contract agencies and others under its jurisdiction; and to assist and advise the Commissioner of Mental Health in the planning and oversight of the entire mental hygiene delivery system within Albany County.

ARTICLE III

POWERS AND DUTIES

Section 1. The CSB shall have the powers and duties as set forth in Article 41.13 of the New York State Mental Hygiene Law as amended or as set forth in the regulations of the Commissioner of Mental Health, Office for People with Developmental Disabilities, and Alcohol and Substance Abuse.

ARTICLE IV

COMPOSITION

Section 1. Pursuant to §41.11 of the New York State Mental Hygiene Law, the CSB shall have 15 members who may be proposed by the CSB and shall be appointed by the Albany County Legislature (hereinafter referred to as the "Legislature"). Whenever practical, at least one member of the CSB shall be a licensed physician and one shall be a licensed psychologist or otherwise, at least two members shall be licensed physicians. The CSB will make every effort to have both demographic and geographic representation, whenever practical, and members of the CSB shall represent the community's interest in the problems of persons with mental
disabilities. The CSB will make a diligent effort, in compliance with regulatory requirements, to ensure that former patients, parents or relatives of persons with mental disabilities are proposed to the CSB and/or appropriate subcommittees. The CSB shall have separate subcommittees for Mental Health, Developmental Disabilities, and Alcohol and Substance Abuse as described in Article VII.

Each CSB member shall serve for a four year term beginning with the first day of January of the year of appointment. Members may also be appointed to fill vacancies, wherein they would complete an unexpired term. All vacancies are to be filled by appointment by the Legislature.

ARTICLE V
OFFICERS

Section 1. The officers of the CSB shall consist of a Chairperson, a Vice-Chairperson, and a Secretary. They shall serve in this capacity for a term of two years, and shall be elected from the membership of the CSB.

Section 2. No later than the July meeting of the year in which the terms are expiring, the Chairperson will appoint a Nominating Committee consisting of at least three members of the CSB, none of whom shall be an officer for the year in which he or she serves on such a committee, to present to the full CSB at a meeting to be held in the month of September, a proposed slate of officers, consisting of a Chairperson, Vice-Chairperson, Secretary, and a fourth member of the Executive Committee to be known as Member At Large. Nominations may be made from the floor for any office.

Section 3. Duties of the Chairperson

1. The Chairperson shall preside over all meetings of the CSB.

2. The Chairperson shall propose individuals to the Legislature for appointment by the Legislature to all committees and act as an ex-officio member of each.

3. When authorized by vote of the CSB, the Chairperson shall execute, in the name of the CSB, all documents and instruments relating to or disposing of property of the CSB.

Duties of the Vice-Chairperson

In the event of the absence, incapacity or inability of the Chairperson to exercise or perform the duties or powers incident to that office, such duties or powers shall be performed and exercised by the Vice-Chairperson and other such duties as may be directed by the CSB until an election is held to fill the vacancy.

Duties of the Secretary

The Secretary shall be responsible, in conjunction with the Chairperson and the
Albany County Director of Mental Health, for the compiling of the CSB Meeting agendas, reviewing the minutes of meetings taking by the recording secretary and ensuring the agendas and minutes are posted to the Albany County website pursuant to Resolution 220(s) for 2016. The Secretary shall be responsible for giving notice of all meetings to CSB members and perform such other duties as may be required by the Chairperson of the CSB. In the absence of the Chairperson and Vice-Chairperson, the Secretary will serve as Chairperson of CSB meetings.

ARTICLE VI
MEETINGS

Section 1. Organizational meetings shall be held at the regular meeting to be held during the month of September per Article V, Section II.

Section 2. Regular meetings of the full CSB shall be held bi-monthly at a time and place to be designated by the Chairperson that is reasonably convenient and accessible to CSB Board members. The required regular meetings shall be held in January, March, May, July, September, and November of each calendar year. The Chairperson may vary this schedule depending on the amount of business before the CSB.

Section 3. Special meetings of the CSB may be called at any time by the Chairperson. Notice of such special meetings will be given to the office or home of each member of the CSB, in writing, by phone, or by e-mail at least 48 hours prior to the time of such meeting. Said notice shall consist of the time and place of the meeting and an agenda of the business to be conducted at such meeting. No business other than that specified in the notice of the meeting shall be transacted at any special meeting of the CSB. Special meetings may also be called by the Secretary upon the written request of three members of the CSB. The notice requirements for special meetings called by the Secretary shall be the same as the notice requirements for special meetings called by the Chairperson.

Section 4. An agenda shall be prepared for each meeting. Agenda items shall be submitted for inclusion at least 48 hours before meetings. The completed, proposed agenda shall be reviewed with the Chairperson and posted on the Albany County website by the Secretary prior to the meeting.

Section 5. A quorum for doing business at regular CSB meetings and all subcommittees shall consist of a majority of members currently appointed by the Legislature.

Section 6. All CSB meetings shall be open to the public and any individual representing the public wishing to address the CSB shall do so at the beginning of the meeting, after receiving permission from the Chairperson including the amount of time that such individual may speak. Executive sessions, at the determination of the Chairperson, may be called as necessary. Matters taken up in executive session
will be as permitted under the New York State Freedom of Information and Open Meeting Laws.

Section 7. Non-attendance at any four of the six regular meetings of the CSB during the calendar year shall be considered a resignation from the CSB. Notice will be given to a member after non-attendance at three meetings. On petition from a CSB member so excluded, the CSB may vote to make an exception on individual cases where there are circumstances such as accident, prolonged illness, or other situations that are determined to be exceptional or unavoidable. If unable to attend a CSB meeting, members should notify the Director's office.

Section 8. Meetings of the three subcommittees shall be held monthly or bi-monthly or at the call of the respective Chairperson. Non-attendance of any four of the regular meetings of the subcommittee during the calendar year shall be considered a resignation from the Committee. Notice will be given to a member after non-attendance at three meetings. If unable to attend subcommittee meeting, member should notify the Director's office.

ARTICLE VII

COMMITTEES

Section 1. The CSB shall have an Executive Committee comprised of its officers and the Member At Large. The quorum for an Executive Committee shall consist of three members present. The Executive Committee shall act on behalf of the CSB when immediate action is needed. It will meet at the call of the Chairperson or any two other members of the Committee.

Section 2. The CSB shall have three standing subcommittees; a Mental Health Subcommittee, a Developmental Disabilities Subcommittee and an Alcohol and Substance Abuse Subcommittee. Each subcommittee shall consist of no more than 9 members, three of whom shall be members of the CSB. CSB members of each subcommittee shall be proposed by the Chairperson of the CSB, shall be submitted to the Legislature for appointment. The process for non-CSB members shall begin at their respective subcommittees, and once proposed by the CSB, shall be submitted to the Legislature for appointment.

Section 3. Each subcommittee shall be composed of persons who have demonstrated an interest in the field of services for the particular class of persons with mental disability, and shall include former patients, parents or relatives of such persons with mental disability, and community agencies servicing such persons. All appointments will be made after taking into consideration the respective subcommittee members' interest and background with the intent that each subcommittee will represent its respective constituency. It will be the responsibility of each subcommittee to contribute to and oversee their respective part of the planning process resulting in the annual plan for mental health, developmental disabilities, and alcohol and substance abuse services for Albany County that includes both State and local service providers. To this end, it is the responsibility of subcommittee members to keep abreast of their respective area,
to review, monitor and evaluate State and local services and to address all policy issues under its purview. It shall also be the responsibility of the subcommittees to report back to the CSB on its activities and recommendations through their respective chairmen and through CSB members serving on these committees. In any case, where the majority of recommendations of a non-CSB member are opposed to those of the CSB members, a report of such positions will be given along with the CSB members’ recommendations. When it is deemed appropriate by the Chairperson of such subcommittee, non-CSB members shall be invited to CSB meetings to address specific concerns.

Section 4

The Chairpersons of each subcommittee shall be proposed by the Chairperson of the CSB, and shall serve a term concurrently with the term of the Executive Committee.

Section 5.

Revisions to tenures of membership of subcommittees to conform with Section 41 of the Mental Health Law will be enacted as needed by the CSB.

As vacancies arise or terms expire, the subcommittees may submit names of individuals to the CSB regarding the respective subcommittee. The CSB, in turn, may propose individuals to the Legislature for appointment.

ARTICLE VIII

PARLIAMENTARY PROCEDURES

Section 1.

These bylaws may be amended at any meeting of the CSB by an affirmative vote of 2/3 of the members present and voting, provided that the amendment has been presented in writing to the members of the CSB at least one month prior to the meeting at which the amendment is to be voted upon. All amendments to these By-Laws are subject to the approval of the Albany County Legislature.

Section 2.

These bylaws may be amended at any meeting of the CSB without prior written notice on the unanimous approval of all members of the CSB present and voting.

Section 3.

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the CSB in all cases to which they are applicable and which they are not inconsistent with the bylaws and any special rules of order the CSB may adopt.

ARTICLE IX

AMENDMENTS

Any amendment to these Bylaws is subject to the approval of the County Legislature. The CSB may propose amendments to the County Legislature that have been approved by a vote of 2/3 of the total membership of the CSB after presentation in writing to the members of the CSB at least one month prior to the meeting at which the amendment is to be voted upon or upon the consent of all voting members of the CSB.