

Government Services Committee 4/3/25

Good morning. The New York Survey team came back to the ACC this last week, investigating a recent incident when a CNA pinned a patient to the floor. It won't change for the better unless this legislature resolves to make that happen. As the Deputy County Manager told me, the Manager's Office is only doing what the prior legislature told them to do.

I was puzzled by her saying this, because I can't find a single piece of paper, contract, resolution or addendum in which it is stated that Infinitecare can just do whatever they want. Of course, I can imagine the prior Chairman saying that the Manager's Office should just let Infinitecare do whatever they want; it sounds exactly like what he would say. Still, my understanding is that the County Manager's office is supposed to enforce what is written in the contract, not what was said by the last Chair. That's why I'm puzzled.

I filed a corporate compliance complaint last year which stated that Infinitecare is not complying with their contract, but the Deputy County Manager aka Corporate Compliance Officer said there was no evidence. I've stood before you many times, reading you excerpts from Infinitecare's contract and explaining how they are non-compliant with the contract's terms in hiring staff which the county is supposed to be hiring, by hiring unqualified staff, by ignoring civil service procedures, policies, reporting requirements, and not paying their shortfall, which Ken has calculated at upwards of 8 million dollars. Infinitecare is paid by Sullivan County with incredibly little oversight over where that money is actually going. More than half of the staff are per-diems through contract agencies and they and the medical staff are paid without the county checking timesheets or the staff's qualifications or even knowing their names. It's the same with pharmacy, medical and food supplies. The county writes Infinitecare basically blank checks which is Medicaid dollars being spent so carelessly that it practically invites fraud. The Manager's office has allowed Infinitecare to function as if they are the operators of a privately owned facility, but Infinitecare is only supposed to be our consultants, according to their contract. There is no lease until the NYSDOH approves their Certificate of Need application, and the longer that takes, the less likely it is, since they've already recommended not to recommend it.

It's up to this legislature to, at the very least, direct by resolution the Manager's office to enforce Infinitecare's actual contract and to exert due diligence in the payments they give Infinitecare from the county. Hire a competent Administrator and Director of Nursing to turn the place around and to hire qualified staff through HR. Take back the ACC.

Lise Kennedy