



League of Women Voters of Albany County

September 2009

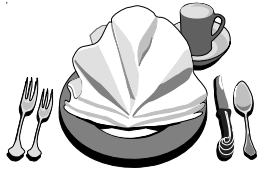
Educate

Participate

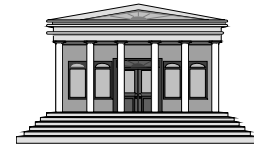
Advocate

ANNUAL POT LUCK DINNER

Government Consolidation: A New State League Study



Tuesday, September 22
5:30 pm Hors D'Oeuvres & Wine
6:00 pm Dinner
7:00 pm Speakers:



John Clarkson, Former Executive Director of the Lundine Commission

Jeff Haber, Executive Director of the NYS Association of Towns

Wade Beltremo, General Counsel for the New York State Conference of Mayors

Should the League support elimination of state constitutional and legislative barriers to consolidation of governmental units? To sharing of governmental services?

Should the League support mandating consolidation of certain local governmental units and services? Or should the state encourage consolidation by adopting incentives for consolidation?

St. Sophia's Church
440 Whitehall Road, Albany
(Whitehall runs between Delaware Ave. and
New Scotland Rd. The church is closer to
New Scotland end.)

RSVP by Friday, Sept. 18 to Lois Griffin, 765-4733 or ohgriffin@gmail.com
Also, tell Lois if you can help at 5:00 to set up or stay after to assist with cleanup.

Be sure to join us for this important and sure-to-be fascinating discussion. See page 2 for background info.

**Dues are now
OVERDUE!**

Send your dues payment NOW to:
LWV of Albany County
PO Box 611
Slingerlands, NY 12159

New Member

Michael Rice - Delmar

Welcome!

League of Women Voters of Albany County

Website: www.lwvalbany.org Email: lwwac@lwvalbany.org

Ann Brandon, President

Carol Webster (439-1491) and Martha Kissinger (439-6833), Membership Co-Chairs

Laura Ladd Bierman, Newsletter Editor



From the President

We're off to a running start this fall with great programs being lined up. Note October 27th when we will have the pollster, John Zogby, in cooperation with the College of St. Rose. If you misplace your bulletin, you can find it and our meeting dates on our web site, www.lwvalbany.org.

Our co-chairs for the new state study on government consolidation, Loretta Simon and Judy Thomson, have been lining up a sterling panel for our potluck supper on September 22nd. John Clarkson, the former executive director of the Lundine Commission, spoke at the state League convention in May. Now all of you will have the opportunity to hear him, along with others who will have differing views. Please read the article in this newsletter and come ready with questions for them on this complex subject. It should be a lively discussion!

We've already held a primary debate for two common council seats in Albany. More are coming and more folks will be needed to help with them. Then we have the "biggie" Albany Housing Authority election of their tenant commissioners October 13th. The League conducts this election for which we are paid, and we need 40+ people to give a few hours of their time on the day of the election. Please call Mary Ann Lettau to let her know you can help (489-0212 or mlettau1@yahoo.com).

September is the best month to interest your friends to learn more about the League, and the potluck supper on the 22nd will be a great program for them to attend. Call a friend or neighbor, member or not, carpool, and join us for a great evening. Call Lois Griffin now for your reservation. I hope to see you there.

Yours in League - almost 90 (the League, not me)
Ann (ambrandon2@verizon.net)

Government Consolidation

Background for Potluck Supper Panel

At the New York State League Convention in May, delegates adopted a new study of up to two years on the consolidation of governmental units and the sharing of governmental services.

Few areas are more ripe for reform, difficult to understand, or emotional in the opposition they evoke than government consolidation, a catchword for rearrangement of existing legal relationships between and among governmental units. New York State has among the highest local property taxes in the nation and among the largest number of governmental units. It has also had numerous commissions and other bodies appointed to study the issue, most of which have supported consolidation of one degree or another. The Commission on Local Government Efficiency and Competitiveness (Lundine Commission) was established in April 2007 to examine ways to strengthen and streamline local government, reduce costs and improve effectiveness, maximize informed participation in local elections, and facilitate shared services, consolidation and regional governance. Last year, it issued its final report, which concluded that major efficiencies could be recognized by consolidation of certain governmental units and consolidation of services on a multi-governmental basis. The Commission also recommended action at a statewide level for some issues and further study at the local level for others.

In its introduction, the Lundine Commission noted: The vast majority of our municipalities were established and their boundaries set during the horse-and-buggy era. There are also outdated laws and offices for which no modern rationale exists. Over the years we have added to this outdated system, but rarely simplified, and today we have nearly 5,000 local government entities.

The League of Women Voters has many positions that affect state and local government, but no comprehensive consolidation position that would enable it to lobby for or against recommendations contained in the Lundine report. The League is an ideal organization to deal with the interplay of state and local issues regarding consolidation, but to do so we must first reach some understanding of where different

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The League of Women Voters is a nonpartisan citizen organization that promotes the informed and active participation of citizens in government, and influences public policy through education and advocacy. Any person of voting age, male or female, may become a League member.

This newsletter is published by the League of Women Voters of Albany County, 12 Coventry Road, Glenmont, New York 12077 and mailed to League members. The frequency of publication is as follows: one mid-summer issue followed by nine monthly issues from September to May.

League in Profile



When I was a new teacher in Lee, Massachusetts, just out of college, some colleagues of mine introduced me to the League of Women Voters. I just loved the organization and the people I met in it. When I married and moved to Athens, NY, Greene County, I found no League there. With other women in the community and the able assistance of mentors from the LWV of Albany County, I worked to establish a local league and served as president during that formative period. We had almost completed the process when the Power Authority of the State of New York announced it planned to build three large power plants in Greene County, including a nuclear plant in Athens. Since the LWVUS had no position on nuclear power at the time, we could not take a position as a local league. Given the limited numbers of activists available in a small community, we reluctantly abandoned our goal of a local LWV and formed, instead, Citizens to Preserve the Hudson Valley and successfully defeated, in partnership with local governments and state agencies, all three power plant proposals. For several years I was a member-at-large of the LWVUS, but the experience was not as satisfying as being in a local league. As soon as my husband and I moved to Glenmont in 1999, I joined the LWVAC. Martha Kennedy was my mentor, taking me to meetings and introducing me to other League members. I served on the Board of Directors soon after and was delighted to be invited to serve again this year. I love the League and am so glad there is now one where I live.

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Health Care Reform

Insuring All Helps All

A Kaiser Foundation report quotes *Consumer Reports* author Nancy Metcalf, who says that insurance companies do not want to insure sick people because they will cost them a lot of money. The insurance company trade association, America's Health Insurance Plans, proposes however, that if everyone is required to purchase coverage, the risk pool would be broadened and this would make it possible to cover everyone at a reasonable premium.⁷

People who are excluded from buying insurance at affordable rates are at risk of getting sicker, using emergency rooms as their safety net and, ultimately, costing the larger community more money. The larger community consists of hospitals, taxpayers and the government, who must thus allocate resources for sickness rather than wellness. As a 2005 Families USA study concludes, "...we are all affected by the presence of large numbers of Americans without health insurance. Unless we find realistic ways to help the uninsured get coverage, the problem can be expected to worsen – for the uninsured and the insured alike."⁸

Endnotes:

1 <http://finance.yahoo.com/news/Health-Insurance-Paying-For-investopedia-14371607.html>

2 http://www.bottomlinesecrets.com/article.html?article_id=48032

3 *Ibid*

4 *Ibid*

5 <http://healthinsurance.about.com/gi/dynamic/offsite.htm?zi=I/XJ&sdn=healthinsurance&cdn=health&tm=40&f=00&tt=0&bts=1&z=http percent3A/www.healthinsuranceinfo.net>

6 <http://psychcentral.com/news/archives/2006-09/cf-nno091206.html>

7 http://www.whitv.com/dpp/healthy_living/general_health/wvlp_cnn_health_insuranceandpreexistingconditions_200905142052_2410240

8 https://www.policyarchive.org/bitstream/handle/10207/6261/Paying_a_Premium_rev_July_13731e.pdf?sequence=1

Long Term Care in Albany County

In early August, 2009, Albany County Executive Mike Breslin announced the publication of a new county website devoted to the topic of long term care. This site will be updated as the planning process continues through September, when a written, comprehensive plan is due to be presented to the Albany County Legislature.

Based on our success in hosting a community forum on the topic in June of 2009, it is likely that the League will be involved in promoting open public discussion on its contents. The League has been pushing for balanced and full disclosure on this controversial topic. The new website can be accessed at www.albanycounty.com/ltc and contains factual information on service utilization and cost projections. It is a useful starting off point for those wishing to familiarize themselves with the issues prior to the intense public debates that are likely to follow the September publication of the county plan for long term care.



Health Care Reform: Have you made your voice heard?

Congress will be debating health care reform in September. If you haven't contacted our senators and Rep. Tonko, now is the time. Go to www.lwv.org and click on Health Care in the left column. Then you can contact our congresspeople and read material on the topic. There are five background articles plus other shorter articles. Below is one of them.

The Impact of Preexisting Conditions on the Individual and the Community

By Eleanor Pearlman

Preexisting Conditions

A big barrier to individuals seeking to buy health insurance is a preexisting condition. This is a health condition that a person had before the first day of coverage in a new insurance plan.¹ Examples of preexisting conditions are high blood pressure, diabetes, asthma, cancer, arthritis and mental illness such as depression, bipolar disease or schizophrenia. Preexisting conditions can have an important impact on employability.

Since the United States has an employer-based health care system, persons who are incapacitated in some way and unable to fully function in a work environment have a difficult time obtaining insurance. Even if such persons do find employment, some may have to pay a higher premium or may be excluded because of a preexisting condition. Still others may work in a small firm, where insurance is not offered. All of these circumstances will necessitate efforts to purchase an individual policy.

Some Definitions

Preexisting Conditions.¹ Most insurance companies use two definitions to identify preexisting conditions. Under the "objective standard" definition, a preexisting condition is any condition for which a patient has already received treatment. Under the broader "prudent person" definition, a preexisting condition is anything for which symptoms were present and a prudent person would have sought treatment.

Health Insurance Portability and Accountability Act (HIPAA). In 1997, the federal HIPAA defined a preexisting condition as one for which "medical advice, diagnosis, care or treatment was recommended or received during the six months prior to your enrollment date in the plan". These six months are referred to as the "look back" period. If you take a new job or change jobs, and your employer offers a group health insurance policy, HIPAA limits the length of the "look back" period for which the policy can refuse to cover these preexisting conditions. This limitation does not apply to individual plans.²

Consolidated Omnibus Budget Reconciliation Act of 1985, or COBRA. This Act protects your right to maintain group insurance coverage for a limited time after termination of your employment and continues to cover preexisting conditions as well as new conditions that arise during this period. COBRA is expensive, sometimes prohibitively so. New government assistance has recently reduced COBRA premiums by 65 percent, but when your COBRA coverage term reaches its limit, you are on your own.³

Private Policies Cost More — If You Can Get Them

"People who must purchase their own insurance have far fewer rights," says Jennifer Libster, MA/JD, a senior research associate at Georgetown University's Health Policy Institute in Washington, DC. She notes that 8.5 million Americans are now covered by individual policies, which are regulated differently by each state. Some state laws can be rigid with respect to preexisting conditions. For example, Libster notes that some states permit an elimination rider that permanently excludes a preexisting condition, while other states allow insurance companies to "look back" for as many as five years or more. A complete listing of state-by-state rules can be found at www.healthinsuranceinfo.net.⁵

Most people seeking private insurance are unable to get it. The Commonwealth Fund reported in 2005 that an overwhelming majority – 89 percent – of working-aged adults who sought coverage in the individual market during the previous three years ended up never buying a plan. A majority (58 percent) found it difficult or impossible to find affordable coverage. One-fifth (21 percent) of those who sought to buy coverage were turned down or were charged a higher price or had a health problem that excluded them from coverage.⁶

"More workers and their families are losing employer-sponsored health insurance," said Commonwealth Fund Assistant Vice President Sara Collins, lead author of the report. "Most of the increase in the number of uninsured Americans – now upwards of 46.6 million – was due to a decline in workplace coverage. Although the individual market is a last resort for those shut out of employer-sponsored coverage, it is by no means a safe or secure haven for everyone."⁶

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Voter Services Needs You!

Well, the vacation season is coming to an end. It must be time for the Fall elections. And I'm sure, with household schedules returning to a "normal" routine, there will be lots of Leaguers to help with Voter Services.

1. **CANDIDATE EVENTS.** With the Primary Election on September 15, we are concentrating between now and then on the candidates on that ballot. On August 5, Maggie Moehringer moderated 2 debates, for the 10 and th 11th Wards for the Albany City Council. About 100 people attended. Several said Maggie was "awesome"! The Albany Mayor's race will be the focus on September 2, at the Albany Public Library, for the two candidates remaining in the Democratic primary. On September 8, I'm hoping for an event that includes the candidates for Treasurer and Auditor. Our cosponsors are various neighborhood associations and for the Mayor's debate, the Capital Area Council of Churches and West Hills Ministerial Fellowship. Plans are proceeding for a debate between the two gentlemen in the Primary for Bethlehem Supervisor. And another is in the works for the Town of New Scotland. We'll send out a notice when these two are finalized; our cosponsor is the Spotlight Newspapers. The General Election is November 3. The Colonie Chamber of Commerce is working with us to set up a date for a Colonie Town Supervisor debate. (See the mid-summer issue of Our Town Newspaper for an article about the League.) One of my goals for October is to have a candidate event for all those in Albany running for city-wide office. I believe there will be more debates to come in the next several months. Stay tuned!!

2. **VOTER REGISTRATION.** With all the debates in the works, planning for voter registration has been shortchanged. Information and forms have been and will be available at all candidate events. Again, I'm looking for Leaguers to do some simple activities in their own neighborhood, such as the Library Project and tabling at local events/sites like Labor Day parades, farmers markets, etc.

3. **ALBANY HOUSING AUTHORITY ELECTION.** This is an undertaking we get involved in every two years. It's a great community service and makes the League a bit of income. My thanx to my fellow "EM's"—Election Managers, we call ourselves: Marion Schwager and Carol Webster. We've done a good bit of preparation. We'd love to have several more EM's with which to share our exciting duties. We even have a job description! If you wish to add EM to your initials, give one of us a call to "get the scoop". We are also in need of about 40 volunteers to assist residents

(continued in next column)

Great Decisions Discussion Group

The Great Decisions discussion group meets every two weeks on Mondays at 9:30 a.m. in members' homes. The group chooses a book to discuss for the fall meetings, and discusses the Great Decisions articles provided by the Foreign Policy Association in the spring. The first meeting will be October 5th at Nikki Singh's house. For the fall we will discuss *In Spite of the Gods* by Ed Luce. It is a history of India and is available in paperback. The first two chapters will be discussed. All League members are welcome. Contact Katie Henrikson at khenriks@nycap.rr.com if you plan to attend or for more information.

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Government Consolidation

issues are best handled and what core principles should be employed in assessing the wisdom of various forms of consolidation.

To help us grasp the positions of various government entities regarding consolidation, a distinguished panel of speakers will join us at the Potluck Supper on September 22. John Clarkson, the former Executive Director of the Lundine Commission, Jeff Haber, Executive Director of the NYS Association of Towns, and Wade Beltremo, General Counsel of the NYS Conference of Mayors will give us a brief outline of recommended changes and the initial responses of affected government levels to the proposals.

Read the Lundine report at nyslocalgov.org.

when they vote. The date is October 13; we have shifts of 3 or 6 hours, at 10 different sites around Albany.

4. **VOTERS GUIDES.** Part 1 has been printed. They should be distributed to all libraries and whatever other community sites where they will be seen and picked up. There's another way in which volunteers can make a contribution. Just let me know. Part 2 will be coming soon.

New Electronic Ballot Machines to be used. Certain districts in Colonie, Guilderland, and Bethlehem will be using the paper ballots and electronic scanners in a pilot project this fall. Check the enclosed Voter's Guide for a description of the process.

PLEASE HELP!!! If you have already volunteered, give me a call to confirm your ongoing interest. If you're not sure which of the League activities is right for you—we are available for consultation! The visibility and success of the League depends on our wonderful members.

Contact Mary Ann Lettau at mlettau1@yahoo.com or by phone at 489-0212. For voter information, call the LWV: 465-4162.



Unlocking the Mystery of Consensus: How Does it Work?

Our national league president, Mary Wilson, wrote this article as a result of confusion over the National Popular Vote consensus process and criticism of the questions.

Memo from Mary Wilson - Remarks about the League's Consensus Process:

From its inception the advocacy work of the League of Women Voters has been directed at issues on which action by a branch of government will have an impact on the lives of individuals and on our democracy. We use our advocacy voice to spur government to take action that will have a positive effect on the issues about which we care. In other words, the advocacy work of the League focuses on "making a difference" on public policymaking.

At our national Convention, delegates may select a new issue (or new twist on an old issue) to study further because they think the voice of the League could be useful as the different branches of government develop policies about that issue. But, in order to speak about the issue, we must "discover" how League members feel about that issue. The process by which the League makes that discovery is called study and consensus. The first step is vital: *STUDY*. League members across the country must look at all sides of an issue, study the facts, the ramifications of all approaches to that issue, alternative solutions, the impacts on people, places and things, the costs and benefits. Only after studying the issue do League members come together in their own local Leagues to discuss that issue at a meeting to arrive at the "consensus" of their League on the issue. The results of all local Leagues discussing the issue are compiled to determine the consensus of the League as a whole. *CONSENSUS* is not a vote - rather, consensus is a mutual agreement of League members arrived at through civil discourse, the hallmark of the League of Women Voters.

In the process of discussing the issue, League members must turn the issue upside down, sideways, backwards and forwards. Because of our nature, training, upbringing, experience and hearing others' ideas, League members will see an issue differently. In fact we cherish the fact that we bring different perspectives on issues. Because the process of coming to consensus is an amalgam of members' thoughts, ideas and ways of looking at the facts, members attending the consensus meeting must dig deeply into the issue. That is why we cannot typically pose a consensus question in the frame of "Do you support the NPV compact approach to electing the President?" Consensus questions are designed to spark a discourse about the issue akin to the discussion we would expect policymakers to have when they deliberate the issue. Consensus questions are not black and white, yes or no questions. There is no right or wrong answer to a consensus question.

Because the League over the years has adopted a number of positions about issues that may be affected by the consensus we reach on a new issue, we often must develop consensus questions that make our members think about our other positions and balance and weigh how they feel about a new issue against what they feel about an "old" issue. For example, we have a position that supports uniformity in voting systems. Adoption of the NPV compact could create voting systems for President in compact states that are different than those in non-compact states. That is why in question 6 on the NPV compact study, the question was asked about the relative importance of the concept of having "uniform voting systems" vis á vis the concept of having a form of popular election of the President. Which do League members value the most?

Another example of a consensus question that might puzzle new members is one that is needed because the issue we are studying embodies another issue that the League has never studied. This was true in the recent study. The Board recognized that there are important Constitutional questions that the League has never studied that might be affected by a consensus favoring the NPV compact. For example, the League supporting the NPV compact would require that we, as an organization, say we think it is okay to alter a basic element of the Constitution, i.e., how we elect the President, by some means other than direct amendment of the Constitution. We needed to know if members really felt strongly about the amendment process established by the founding fathers (an issue we had never studied) or whether they could accept another means for changing a basic principle in the Constitution, the electoral college. Thus, we asked the first question about amending the Constitution.

I use these examples as illustrations of the way that consensus questions are designed to spark our brains to think about what we know about the issue and what we value about principles inherent in the particular issue that we would not be likely to delve into if we just ask a "yes or no" question. Many would say that is the *challenge* of participating in a consensus meeting. Others would say that is the *fun* of participating in a consensus meeting. But, whether you see it as a challenge or as fun, I hope that we all commit ourselves to making sure all of our members understand the process. I intend to ask the Board to approve development of a training module on the consensus process as a part of our leadership development training project in order to assist you in training our members.

League Sponsors Packed House on Albany County Long Term Care Issues: Part II

The following is the second half of an article describing the community forum titled “The Future of Long Term Care in Albany County” held at the College of St. Rose on June 10th.

After an overview by the moderator, Courtney Burke, the panelists each gave brief remarks representing their differing perspectives on what the county should consider when developing its plan. The June 8 county legislative Resolution No 205 was made available to the audience. Its major recommendation is for a plan by the county executive to be developed by mid-September. This plan is to describe the county’s intention to “overhaul the entire spectrum of long term care . . . including replacement of the nursing home.”

The first panelist, Richard Iannello, had the perspective of a manager with many years experience in the nursing home industry. He is currently serving as the Executive Director of the Albany Guardian Society. Mr. Iannello stated that home and community services are the preference for most people and that 75-80 per cent of all long term care giving is done through the informal system rather than institutions such as nursing homes. His recommendation was to strengthen supports available to informal caregivers (spouses, children, friends) rather than plan for increased nursing home bed needs. He stated that the average length of nursing home stay is down from 1,1000 days in the 1970’s to the low 800’s today and that this drop dramatically impacts traditional occupancy forecasts and revenue estimates. He said that this will result in the underestimation of new construction costs. The attendant shortfalls will preclude the other kinds of long term care options people may desire.

Mr. Carmen Mazzotta, President of Health Capital Partners, followed these remarks with an impassioned plea for Albany county to plan for a transfer of long term care responsibility out of government and into the private sector. Mr. Mazzotta had prepared remarks and these will also be available along with Ms. Burke’s presentation on our League website. They contain significant financial information that may be useful when comparing cost options for the emerging Albany county plan. In summary, Mr. Mazzotta explained that for each of the 250 current county nursing home residents, the county pays an additional \$80,000 per year above their reimbursable costs. He compared this to the \$2,000 per year per resident county share of Medicaid that covers costs for the 6,400 county residents being served in private nursing homes.

While Mr. Mazzotta’s presentation emphasized cost and governance issues, the next presenter Sim Goldman, Senior Attorney with Disability Advocates, Inc shifted the focus toward the perspective of those with disability. He informed the group that discrimination for people with disabilities extends to their care in any setting, including long term care. Although there has been a 50 year decline in specialized settings for people with disabilities, they age along with the general population and have the same needs for long term care. He emphasized that the landmark 1999 Supreme Court’s Olmstead decision requiring community inclusion for people with disabilities can apply to people who are at risk of institutionalization regardless of age or disability. His recommendation was that Albany county establish a rapid response team of social workers and nurses so that when a health care crisis occurs, appropriate home care can be arranged. He also urged that the county enact legislation for universal residential home design so that in the future basic accessibility requirements can be met before people age. He concluded by stating that the legal requirements for community inclusion as well as advances in clinical insight make spending decisions based on older models of long term care problematic.

Lois Wilson, a panel member representing both family caregivers and the Senior Issues Forum, expressed her belief that it is also necessary for the Albany county plan to address issues of prevention and end of life decision making. She challenged the audience to think about how falls can be prevented, how clutter contributes to the high falling risks that often precipitate nursing home admissions and how all resources within Albany county can be better used to improve care.

The final presenter was also representing the views of family caregivers. June Manascalco, of the Albany County Nursing Home’s Family Council expressed deep concern that the challenges facing the county would culminate in a decision to neither repair the existing nursing home nor build a new replacement. Rather the county would close it entirely and place the existing residents in jeopardy. While commending the efforts of the existing nursing home staff, she also pointed out that many of the current residents present challenges beyond the norm due to behavioral and/or physical conditions. She feared that the “safety net” for those who are hard to serve would be removed.

At the program’s conclusion, several questions were raised and answered by panelists. There was interest in the “greenhouse” model of nursing home currently in operation in Cohoes. Interest was also expressed in future opportunities for public comment on the proposed plan. It is likely that LWVAC will be able to revisit this topic in the fall when the county plan is expected to be completed. In the interim, LWVAC will continue to work with Albany county government on getting a picture of the costs and issues surrounding the operations of the county-run nursing home and will supplement this newsletter article with additional updates on our website and in subsequent issues.

LEAGUE OF WOMEN VOTERS OF ALBANY COUNTY
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Slingerlands, NY 12159

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League Calendar

<u>WHEN</u>	<u>WHAT</u>	<u>WHERE</u>	<u>MORE INFO</u>
Sept. 1, 7:00 pm	Board Meeting	Delmar Presbyterian Church	
Sept. 10, 11:00 am	Mansion Tour	Governor's Mansion	
Sept. 15	Primary Election	VOTE - VOTE	
Sept. 17	Deadline for Oct. Bulletin	LBierman@nycap.rr.com	
Sept. 22, 5:30 pm	Fall Potluck Dinner	St. Sophia's Church	see page 1
	Government Consolidation		
Oct. 5, 9:30 am	Great Decisions Meeting	N. Singh's House	see page 5
Oct. 27, 5:30 pm	Pollster John Zogby, College of St. Rose		