

# Steuben County Newsletter

Spring 2023



**\*\*\*Please Distribute to All Interested Board Members and the Public\*\*\***

## **FROM THE CHAIRMAN'S DESK....**

While we are collectively grateful for the return of warmer weather and a beautiful spring in the Finger Lakes, we are reacting with disappointment and frustration with lawmakers in Albany. As a budget deal was recently announced, it is clear that little attention is paid to making New York more affordable for our residents.

In shocking fashion, the Governor has pushed through the intercept of billions of dollars in federal Medicaid reimbursement historically shared with counties. Under the Affordable Care Act (ACA), states like New York that provided enhanced Medicaid services receive additional federal funds to help offset these costs. As counties fund nearly a fifth of the state's Medicaid program, we are eligible for a share of these federal funds. Over four years, the state will withhold \$2.9 billion that is rightfully due to counties and the City of New York. In Steuben County, this equates to over \$6 million in lost funding. The continued reliance on the local property taxpayer to pay the bills of New York State is poor public policy and we will continue our fight in Albany.

In this newsletter, you will find important updates on amendments to our Occupancy Tax Local Law, Public Health information with the pending expiration of the COVID-19 emergency declaration, and staffing updates from the District Attorney.

Sincerely,

Scott VanEtten  
Chairman  
Steuben County Legislature

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## **Finance Office – Occupancy Tax Local Law**

The Steuben County Legislature recently modified its Occupancy Tax local law to include short-term rentals in addition to the hotels, motels and bed & breakfasts. At this point, all of these forms of short-term occupancy are subject to the four percent (4%) County occupancy tax. Additional information regarding the occupancy tax local law is available at the following:

<https://www.steubencountyny.gov/328/Local-Law>.

The County has entered into an agreement with a software company that will assist with identifying rental properties and managing the occupancy tax collection process. It is anticipated this software will create efficiencies for those required to file a quarterly occupancy tax return. At the point the software becomes operational, properties identified as short-term rentals by the software will receive mailings to assist with registering and submitting the required quarterly reports to the County.

In an attempt to provide some advance notice to short-term rental hosts, a letter has been sent to all property owners who own lakefront residential properties. This letter explains the change in the local law and that additional communication would occur in the future for those identified rentals.

Please feel free to contact the Steuben County Finance Office if you have any questions about the occupancy tax local law.

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## **Public Health**

The expiration of the federal Public Health Emergency (PHE) Declaration for COVID-19 on May 11, 2023 will bring forth some changes that will be felt locally. Below is a summary of those changes:

### **COVID-19 Vaccines – What Changes?**

- Private plans/issuers no longer required to cover COVID-19 vaccines without cost-sharing even when out-of-network - BUT, for consumers, vaccines still free of charge while federal supply lasts.
- Temporary Medicaid option to provide uninsured with free COVID-19 vaccines ends.

### **COVID-19 At Home Tests – What Changes?**

- End of 8 free tests per month for those with private insurance and Medicare.
- People on Medicaid will continue to receive free tests through September 2024 (due to ARPA); then coverage variable by state.
- Temporary Medicaid option to provide uninsured with free COVID-19 tests ends.

### **COVID-19 PCR/Provider Ordered Tests – What Changes?**

- Although most insured people will still have coverage for COVID tests ordered or administered by a health professional, they may face cost-sharing for tests or testing-related services and there could be new limits.
- People on Medicaid will continue to receive free tests with no-cost sharing through September 2024 (due to ARPA); then cost-sharing variable by state.
- Temporary Medicaid option to provide uninsured with free COVID-19 tests ends.

### **COVID-19 Treatments (outpatient drugs) – What Changes?**

- Medicare beneficiaries may face cost-sharing for certain treatments.
- People on Medicaid will continue to receive free treatments with no-cost sharing through September 2024 (due to ARPA); then cost-sharing variable by state.
- Temporary Medicaid option to provide uninsured people with free COVID-19 treatments ends.
- End to Medicare COVID-19 Treatment Add-on Payments after September 30, 2023.

### **Telemedicine – What Changes?**

- Some flexibilities will end (e.g., in-person visits will be required for controlled substances), and some states have tied telehealth flexibilities, such as state licensure, to the PHE.
- Temporary waiver of penalties against providers using technologies that don't comply with federal privacy and security rules (i.e., HIPAA) in the provision of telehealth services will end.

Steuben County Public Health continues to provide COVID vaccinations at our regular immunization clinics, by appointment only. Our supply of COVID-19, at home, rapid antigen tests has been exhausted. Most were utilized, the rest were disposed of due to the expiration date.

Additionally, <https://testinglocator.cdc.gov/Search> is a good link for community residents to access free COVID testing, both rapid antigen and PCR diagnostic. Currently, only the two Walgreens in Bath and Hornell offer it.

Effective May 11, the CDC will discontinue tracking and reporting metric of COVID-19 community transmission levels. This is the nationwide map showing all counties in green, orange or red level of transmission. Moving forward, the primary surveillance strategy will focus on hospitalizations and deaths.

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## **District Attorney – Significant Staffing Changes**

As part of the continuing implementation of the strategic management and office structure plan created by Steuben County District Attorney Brooks Baker, with the assistance of Human Resources expert Mike Rathbun, whose time was donated by Corning Incorporated, under the guidance of a steering committee made up of community leaders, the District Attorney’s Office announces the following personnel changes:

Assistant District Attorney David Wallace retired effective February 1, 2023. David has agreed to return to the Office in a limited capacity as an “Assistant District Attorney emeritus”, filling a vital training role – working with younger and less experienced attorneys on areas of case evaluation, court room procedure, trial practice, legal argument, and other professional development matters.

Two other ADA’s have also left the Office – Sr. ADA Marty Anderson moved on to greener economic pastures of private practice. And, long-time, part-time ADA Tim Rosell resigned, after being named Hornell City Attorney. Both are quality lawyers, were valuable members of our team, and will be missed.

Joan Merry leaves a long-standing part-time ADA spot to join the Office as our first officially-titled Deputy District Attorney, and the first woman to hold the number two spot in the DA’s Office in Steuben County. A Steuben County native, Joan brings with her more than 25 years of legal experience handling criminal and family court cases. Her acumen, judgement, experience, and abilities as both administrator and trial attorney will be a tremendous boon to the Office.

Chris and Paul Barton, a father and son team of attorneys with strong ties to the Hornell area have joined the Office, bringing with them vast experience. They will be filling two vacant part-time ADA positions handling local criminal Courts (including Hornell City, Wayland and MANY more) in the western part of the County.

Assistant District Attorney Drinald Bilcari is moving from a full-time position to a part-time position within the Office. A 50% ADA, Drinald will be covering the Bath Town and Village Courts, both Judges in the Urbana Town Court, Wheeler Town Court and Savona Village Court. He will also have responsibility for rotating Centralized Arraignment Part night and weekend arraignments.

Assistant District Attorney Joseph Pelych has moved from a part-time position (the one now filled by ADA Bilcari) to a full-time felony trial assistant district attorney position. Joe joined the Office with more than 40 years of criminal trial experience. He served as an ADA under Larry Bates to start his career; has often been retained by surrounding Counties to serve as a major crimes special prosecutor; served as Assigned Counsel Administrator and has handled thousands of retained criminal cases, including some of the most high-profile in Steuben County, including the defense of Eric Smith.

By mid-May the Steuben County District Attorney’s Office will have a full complement of dedicated, experienced, and talented attorneys working for justice in Steuben County for the first time in nearly two years. The fourteen full and part-time prosecutors of the Office will continue to dutifully forward public safety in Steuben County.