



## NEW YORK STATE ADVOCACY AGENDA 2022

The Westchester County Association (“WCA”) is the county’s professional roundtable. WCA members comprise a diverse group of businesses and nonprofits that rely on us to advocate for and advance issues and policies that foster smart growth and cultivate a robust economic environment for our members and the community at large. They include hundreds of the mid-Hudson region’s foremost organizations in industries such as healthcare, real estate, finance, law, energy, technology, hospitality, higher education, and the nonprofit sector. Our members collectively employ hundreds of thousands of workers. For greater than 70 years, the WCA has served as the leading independent voice of the professional community.

While the WCA will undertake general advocacy in areas such as responsible budgeting, minimizing tax burden, and a light-touch regulatory environment we address more specifically certain top-level priorities consistent with our primary focus areas. Those priorities have been identified by our members as most critical to economic growth in Westchester and the surrounding region. They are: support for our vibrant healthcare system; ensuring a skilled workforce that meets the needs of our professional community; real estate and a concentration on fair and affordable housing; telecommunications and digital connectivity; and energy and sustainability.

For additional information about our advocacy initiatives and policy positions on specific items of interest please contact:

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## **WESTCHESTER COUNTY ASSOCIATION 2022 STATE HEALTHCARE ADVOCACY AGENDA**

The Westchester County Association (“WCA”) is a professional organization comprising a diverse group of businesses and nonprofits that rely on us to advocate for state policies and laws to foster economic development in the region and meet the needs of our communities.

While WCA’s membership includes hundreds of the region’s foremost organizations representing a broad range of industries including healthcare, real estate, finance, law, energy, technology, hospitality, and higher education, one of WCA’s primary focus areas is support for a strong and vibrant healthcare system. WCA board members include the heads of every major hospital and healthcare provider in the region. As such, we regularly advocate on behalf of our regional hospitals and healthcare providers, and to expand access to high quality healthcare for our residents and workers.

### **Health Care Workforce:**

**WORKFORCE SHORTAGES** – As the State has struggled to emerge from the COVID-19 pandemic, workforce shortages have continued to grow in virtually every county in New York State. In many areas of the state, shortages were evident prior to the pandemic. Today those shortages, especially in health care, have grown to alarming proportions even as new staffing policies required through executive order and legislation have been or are on the cusp of implementation.

- **WORKFORCE RECRUITMENT INITIATIVES**– We urge the legislature to prioritize workforce recruitment and retention initiatives, such as continued and expanded support for the Workforce Development Initiative and other programs including the Workforce Investment Organization (WIO) program, for the upcoming 2022 legislative session and FY 2023 budget discussions. To that end, we believe it is critical that additional funding achieved through a successful 1115 federal Medicaid waiver application be directed toward workforce initiatives designed and implemented with provider input.
- **SCOPE OF PRACTICE FLEXIBILITY** – During the pandemic, numerous temporary measures were enacted through executive order that provided scope of practice flexibility among the various levels of the health care professions. This proved to be an important and successful tool in ensuring access to services that otherwise would not be available due to staffing shortages (exacerbated by volume), thus ensuring facilities would be able to continue to operate their departments, such as radiology, without interruption. We believe that the pandemic has proven the efficacy of these flexibility provisions, and that they should be made permanent.

- **NURSING HOME STAFFING** – During the last legislative session, two bills were signed by the Governor. The first, (A7119 Gunther/S6346 Rivera), established mandated staff levels in nursing homes. This law came on the heels of previous legislation requiring that 70% of a nursing home budget be spent on direct care. Given that this is now law, more funding needs to be allocated for the training of CNAs and LPNs, and it is critical the Medicaid reimbursements are increased to make the pay for these positions attractive to potential staff.
- **HOSPITAL STAFFING** – The second bill (A108B Gunther/S1168A Rivera) established Clinical Staffing Committees in Hospitals. All Magnet status hospitals (which most Westchester hospitals are) already have these types of committees in place. We are concerned that this policy will open the door to mandated staffing in hospitals that will be not only unaffordable under current health care reimbursement levels, but unattainable due to a lack of available workforce resources. WCA **OPPOSES** mandated staffing levels.

**Telehealth Parity (SUPPORT):**

The WCA strongly **SUPPORTS** S.5505 (Rivera)/A.6256 (Woerner) which would provide reimbursement parity between the delivery of health care services via telehealth and services delivered in a traditional in person environment. During the pandemic, emergency authorization required insurers to pay for telehealth visits including both audio and video. We will continue to support this initiative in the 2022 Legislative session.

**New York Health Act (OPPOSE) / Minimization of Health Plan Burdens by Private Insurers (SUPPORT):**

The WCA continues to **OPPOSE** a single-payer healthcare system for New York. Notwithstanding, the WCA believes there are a wide range of issues related to the burdens health care plans place on providers that could be addressed through legislation that would increase health care access and affordability for New Yorkers. The recently published report of the [Health Care Administrative Simplification Workgroup](https://www.dfs.ny.gov/system/files/documents/2021/10/admin_simplification_workgroup_report_20211003.pdf) ([https://www.dfs.ny.gov/system/files/documents/2021/10/admin\\_simplification\\_workgroup\\_report\\_20211003.pdf](https://www.dfs.ny.gov/system/files/documents/2021/10/admin_simplification_workgroup_report_20211003.pdf)), which had been required through the enactment of the FY2021 budget, includes a number of suggestions WCA believes will prove helpful in alleviating these burdens (Chapter 56, Part YY, Sec. 11, Laws of 2020).

**Medicaid Reimbursement Rates:**

Increasing the Medicaid reimbursement rate, especially to ensure the ability of facilities and providers to attract a quality workforce and fill gaps that were already existing prior to the pandemic is critical to ensuring the sustainability of our health care infrastructure. It has been more than a decade since there has been an increase in rates, which - due to the fact that cost of care inflation rate has far exceeded the payment structure - has led to precarious fiscal health for providers across the state.



## **WESTCHESTER COUNTY ASSOCIATION 2022 REAL ESTATE AND HOUSING ADVOCACY AGENDA**

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While WCA’s membership includes hundreds of the region’s foremost organizations representing a broad range of industries including healthcare, finance, law, energy, technology, hospitality, higher education, and real estate, one of WCA’s primary focus areas is real estate – more specifically adaptive reuse and fair/workforce housing development. We advocate for logical initiatives that will allow for the responsible development of affordable housing and to ensure that elected officials are fully educated regarding the potential attributes or consequences of pending legislative action.

**DEVELOPMENT OF AFFORDABLE HOUSING** – Availability of affordable housing is a critical component of the health and well-being of the residents of our region, and across New York State. Development projects faces many challenges including local zoning issues. WCA believes the legislature should review how localities manage these issues and explore avenues to ensure responsible development of badly needed affordable housing.

**GOOD CAUSE EVICTIONS/UNIVERSAL RENT CONTROL (OPPOSE)** – This bill (S.3082/A.5573) would establish a new regulatory framework for certain rental units and would apply to all market rate rental units statewide. The bill includes stringent caps on annual rent increases that will not even cover basic cost increases or allow for appropriate building maintenance or upgrades; eliminates the efficacy of lease agreements; muddies the process of rent recovery; and restricts the ability of the landlord get the unit back whether it be for repairs or for family. Importantly, enactment of the bill will also impinge on the development of new affordable housing units, as its provisions would not only apply existing units but also to newly constructed units. This bill has been introduced on the heels of legislation enacted earlier this year that already includes provisions to protect against unwarranted evictions where the tenant has rightfully called code enforcement or has withheld rent due to unsafe living conditions.

**EVICTION MORATORIUM (OPPOSE EXTENSION)** – The extension of the residential and commercial eviction moratorium signed into law in September (Chapter 417, Laws of 2021) expires January 15, 2022. WCA believes this initiative must be allowed to expire and should not be renewed. With the distribution or pending distribution of more than \$2 billion in federal funding through the Emergency Rental Assistance Program (ERAP), and the Governor’s recent request for nearly a billion more dollars in funding from the federal government, it is clear that it is time to allow landlords to appropriately manage their properties to help ensure the sustainability of an industry that is critical to the state’s infrastructure.



## WESTCHESTER COUNTY ASSOCIATION 2022 STATE TELECOMMUNICATIONS AND BROADBAND

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While WCA’s membership includes hundreds of the region’s foremost organizations representing a broad range of industries including healthcare, real estate, finance, law, energy, technology, hospitality, and higher education, one of WCA’s primary focus areas is support for expanded telecommunications infrastructure and improved, affordable service. The WCA believes that digital connectivity is a critical component of both a strong business environment and strong communities.

Westchester County’s Office of Economic Development recently released a strategic report concluding that “the digital divide...is a key hurdle in economic development” (Westchester Economic Development Strategy, Recovery & Implementation Plan, Dec 2020). Moreover, a recent NY State comptroller’s report illustrates both that there is an overweighted need for broadband infrastructure and connectivity in the mid-Hudson region and that this region is not seeing our share of state grant funding. See <https://www.osc.state.ny.us/reports/availability-access-and-affordability-understanding-broadband-challenges-new-york-state>

Data published in 2019 by the U.S. Census Bureau based upon information developed by the American Communities Survey identifies 40,000 households in Westchester County without an internet subscription. Further, these households are strongly concentrated in impoverished and/or minority neighborhoods. This same data shows a gap in device ownership, or reliance on smartphones only, affecting 20,000 households. An interactive mapping tool developed earlier this year by the U.S. National Telecommunications and Information Administration titled “Indicators of Broadband Need” provides a snapshot of Westchester County and specific census tracts. Unsurprisingly, the census tracts in red where 25% of the households are without internet are clustered in Yonkers, Mt. Vernon, New Rochelle and Peekskill. These are examples of places where targeted solutions on connectivity and digital equity are needed.

**REMOVE REGULATORY HURDLES FOR NECESSARY INFRASTRUCTURE INVESTMENT TO EXPAND CONNECTIVITY (SUPPORT):** This bill (S.7494/A.8287) would prohibit the commissioner of transportation from including any fee for use and occupancy of the state right of way in an agreement with a fiber optic utility for use and-occupancy of the state right of way. The issue of right of way fees is explicitly noted in the comptroller’s report referenced above.

**EXPANDED OVERSIGHT OF BROADBAND AND VoIP SERVICES (OPPOSE):** This bill (S.5117/A.7412) would authorize the Public Service Commission to exercise oversight, promulgate rules and regulations, and conduct evaluations regarding the resiliency, public safety, and quality of the telecommunications industry with respect to broadband and VoIP service in New York State.

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**IMPOSITION OF BROADBAND RATE SETTING REQUIREMENTS (OPPOSE):** Last year's budget included in ELFA Part NN a section requiring providers to make available a low-cost service of \$15/mo. for certain qualifying customers. However, the telecom industry successfully sued under the doctrine of federal preemption and there is a preliminary injunction currently in place. There are similar concerns for the E-Learn Act S.3184/A.5180.

**PROVIDE SUBSIDIES FOR LOW-COST SERVICE AND WORK TO ENHANCE PARTNERSHIPS WHICH LEVERAGE PUBLIC FACILITIES (SUPPORT):** The Federal Communication Commission's Emergency Broadband Benefit Program provided temporary assistance to underprivileged households for internet service. State lawmakers should advocate to make this kind of program permanent.

**PROVIDE FOR PUBLIC SUBSIDIES AND PARTNERSHIPS:** The WCA will advocate for low-cost broadband that is publicly subsidized and not funded directly by the private sector.

The public/private partnership model was behind WCA's Y-Zone project in Yonkers. Yonkers provided free access to public buildings for the necessary infrastructure and leveraged contracts around other government services to drive down costs.