

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON AGING

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June 29, 2009  
Start: 2:15pm  
Recess: 2:26pm

HELD AT: Council Chambers  
City Hall

B E F O R E: MARIA DEL CARMEN ARROYO  
Chairperson

COUNCIL MEMBERS:  
Mathieu Eugene  
Julissa Ferreras  
Vincent J. Gentile  
Melissa Mark-Viverito  
Michael C. Nelson  
Kendall Stewart  
James Vacca

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2 CHAIRPERSON ARROYO: Thank you,  
3 Sergeant. Good afternoon, everyone. Thank you  
4 all for being here and for being so patient. I'm  
5 Maria del Carmen Arroyo, I chair the Committee on  
6 Aging, and today we come together to vote on  
7 Proposed Resolution 1783. Before I go on with my  
8 statement, I want to say thank you to Council  
9 Member Mike Nelson for his leadership and his work  
10 to bring this Resolution to the point today, to  
11 all of the advocates who came to the joint  
12 Committee on Mental Health and Aging, to provide  
13 testimony. On June 17<sup>th</sup>, the Committees held a  
14 joint hearing on the status of long term care  
15 options available for seniors, and the disabled,  
16 where we examined the alternatives available for,  
17 to nursing homes. And at that hearing, it became  
18 very evident that government must support giving  
19 people choice when it comes to making their  
20 decision regarding long term care. The proposed  
21 Resolution 1783-A, which calls on the federal  
22 government to pass a Community Choice Act,  
23 represents one significant step in that direction,  
24 in promoting choice and alternatives to nursing  
25 home and institutional care. The Community Choice

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2 Act would provide Medicaid eligible individuals  
3 who are on--also eligible for nursing home care,  
4 with equal access to community based services, by  
5 giving them opportunity to choice, to choose to  
6 live at home and receive services in their  
7 communities, instead of institutions. The Act  
8 also provides enhanced federal matching funds to  
9 help states develop their long term care  
10 infrastructure, and funds to help states increase  
11 their ability to provide home and community based  
12 services. In short, the Act will allow  
13 individuals to remain more independent and  
14 continue to be functioning members of our  
15 communities, rather than living in an  
16 institutional setting. Again, I want to thank  
17 Council Member Nelson and offer him an opportunity  
18 to give us some of his wisdom around this  
19 legislation, and urge my colleagues to vote in  
20 favor of the resolution. Council Member Nelson.

21 COUNCIL MEMBER NELSON: Thank you,  
22 Chair Arroyo, and I'd like to again thank you for  
23 spearheading this, and helping this come to the  
24 fore. And I just wish that we had the power to  
25 actually enact this ourselves. And what we are

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2 doing now is sort of like putting a fire beneath  
3 the undersides of those in Congress who have not  
4 signed on already, and hope that the entire  
5 Congress, of course, does support this. I've long  
6 been interested in the needs of the disabled, or  
7 the people with disabilities. And the ways in  
8 which government could respond to those needs. Of  
9 particular concern to me is the need to promote  
10 independence for people with disabilities,  
11 especially with regard to living arrangements.  
12 And that a meaningful option for home care should  
13 be available, as an alternative to nursing home  
14 care. How often have we heard the refrain, "I  
15 don't want to end up in a nursing home"? Lot of  
16 reasons for that. We are all aware of situations  
17 where families at great sacrifice do whatever is  
18 humanely possible so that their loved ones can  
19 remain at home. My innate concern for the need  
20 for a viable home care option for the disabled has  
21 been reinforced by personal experience. Debra  
22 Miller Weiss, who many of you know, is a valued  
23 member of my staff, and for over 30 years a friend  
24 of my late wife Sheila and myself, and also a  
25 colleague in volunteer work with teens at risk

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2 when the underlying issue involved learning  
3 disabilities. And she was raised in a home where  
4 both her parents were physically disabled. Her  
5 father was a post-polio quadriplegic, and her  
6 mother became physically disabled as a Holocaust  
7 victim in Nazi Germany. I was well aware of the  
8 continued changes over the years that Dr. and Mrs.  
9 Clarence Miller, parents of Debbie Weiss, faced,  
10 so as to ensure that they would be able to lead  
11 productive and self-determining lives, living in  
12 their own home. Dr. and Mrs. Miller were  
13 successful in this regard, but it should be  
14 remembered that even though they were both highly  
15 educated, they still faced many barriers to  
16 overcome, in order to secure home care. How many  
17 others would not be able to navigate a system  
18 where the deck is stacked in favor of nursing home  
19 care, and their loved one would have to have no  
20 alternative but to go to a nursing home. Now,  
21 there's a lot more to it, I know it was read into  
22 the record at a previous meeting. So I'll just  
23 finish this part of it. On an even more personal  
24 note, my, note, my recent experience in arranging  
25 care for my late wife Sheila has provided a vivid

1  
2 example of the marked deficiencies that exist in  
3 assuring those with disabilities that they can  
4 maintain their independence living productive  
5 lives, with dignity at home. Prior to her passing  
6 last December, Sheila battled for several years,  
7 cancer, as well as the complications of diabetes,  
8 which affected her vision and balance. While for  
9 most of that period she was able to continue her  
10 activities as a vibrant member of the community  
11 board, and as a participant in civic and political  
12 organizations at the end of her illness, where she  
13 required special care, I became painfully aware of  
14 the great difficulty in obtaining quality care at  
15 home, and the bias favoring nursing home care.  
16 And finally, when it came to my attention that  
17 there was a bill before the United States Senate  
18 and House of Representatives that has the  
19 potential to drastically change the current broken  
20 institution of nursing home services, I felt it  
21 was most important that New York City lend its  
22 support to that measure. And again I will end it  
23 with that, and again I thank you and the Committee  
24 members, and all of my colleagues that have signed  
25 on to this bill. And if they haven't, I would

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2 urge them to do so, and also if you live in a  
3 district with a Council Member that has not signed  
4 on, do some of your stuff, go after them, and tell  
5 them the importance to do it. And it's always  
6 more important, perhaps before an election, I'll  
7 leave you with those words. Thank you.

8 CHAIRPERSON ARROYO: Thank you,  
9 Council Member Nelson, and I think what the next  
10 level of discussion certainly has to be, that as  
11 we as a Council do our work on the legislative  
12 front, to send this Resolution up to Congress,  
13 that we as members of this body also lobby our  
14 colleagues in Congress to make sure that they sign  
15 on, and that they're supportive and that no is not  
16 an option. And with that, I ask for the role and  
17 recommend a yes vote.

18 CLERK: Vote on Proposed Reso  
19 Number 1783-A, Council Member Arroyo, how do you  
20 vote?

21 CHAIRPERSON ARROYO: Aye.

22 CLERK: Council Member Stewart?

23 COUNCIL MEMBER STEWART: Aye.

24 CLERK: Gentile. [pause] Council  
25 Member Vacca.

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COUNCIL MEMBER VACCA: Aye.

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CLERK: Council Member Eugene.

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COUNCIL MEMBER EUGENE: Aye, and I would like to ask that my name be add as a cosponsor. Thank you.

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CLERK: Council Member Ferreras.

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COUNCIL MEMBER FERRERAS: Aye.

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CLERK: The vote stands as six in the affirmative, zero in the negative, no abstentions. We'll leave the vote open. So it has passed.

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CHAIRPERSON ARROYO: Thank you.

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Thank you all very much, congratulations.

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[applause] Do we need to indicate how long we

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leave the vote open? [off mic: I recommend 15]

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[laughs] [pause]

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CLERK: Council Member Mark-

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Viverito, how do you vote Proposed Reso 1783-A?

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COUNCIL MEMBER MARK-VIVERITO: I

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vote aye.

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CLERK: Thank you very much, the

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vote stands in seven in the affirmative, zero

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negative, zero abstentions.

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FEMALE VOICE: Alright, thank you!



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[pause]

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CLERK: Ready? This hearing has

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4 concluded.

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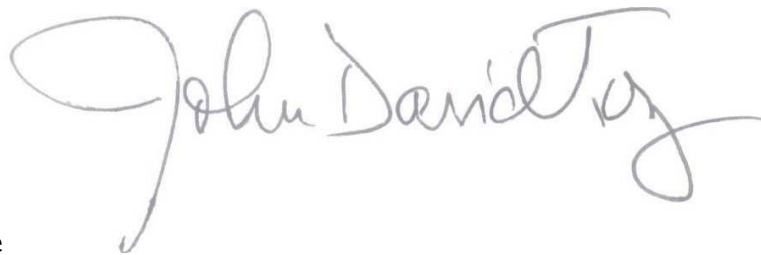
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C E R T I F I C A T E

I, JOHN DAVID TONG certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "John David Tong". The signature is written in a dark ink and is positioned above the printed word "Signature".

Signature

Date August 4, 2009