

**FOR IMMEDIATE RELEASE**

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**Bohemia, NY- The Suffolk County Association of Municipal Employees (AME) opposes Resolution #1474 authorizing the County Executive to execute agreements for the sale of the John J. Foley Skilled Nursing Facility.**

If the proposed public hearings constitute an attempt to satisfy the public hearing requirements of the Mary Hibbard Law, this attempt fails deplorably.

Cheryl Felice, AME President, stated “The Mary Hibbard law establishes mandatory procedural prerequisites that must be followed before an initiative such as the proposed sale of the John J. Foley Facility can be considered. In total, there are 17 mandated conditions. These include the submission of a formal proposal to the County Legislature accompanied by documentation and reports including:

- a written evaluation and cost/quality analysis;
- a report identifying expenditures for services under the proposal;
- a comparison of the proposed level of services to the current level of services;
- a statement from the New York State Department Health approving of the proposal and outlining the proposal’s impact on subsequent state aid; and

- written certification from the B.R.O. that the proposal will result in a cost savings of at least ten percent.

To my knowledge none of this has been fulfilled.”

“Further, The Mary Hibbard Law requires “written documentation” from “the appropriate state agency”, with respect to proposals concerning John J. Foley Skilled Nursing Facility. The appropriate State agency is the New York State Department of Health. Then, and only then, can the holding of four public hearings be scheduled on privatization proposals. The statutory text unambiguously requires that these hearings may not be held until a formal proposal, accompanied by all requisite analysis and documentation, has been submitted to the Legislature.”

Felice added, “according to the Legislature’s own law ‘***No such public hearing shall be held unless and until such written proposal or plan has first been submitted to the County Executive and/or County Legislature .***’ ”

No proposal conforming to the requirements of the Mary Hibbard Law has been submitted to the County Legislature .

Felice continued, “As the procedural requirements of the Mary Hibbard Law have not been satisfied, the proposed public hearings are not public hearings within the meaning of the law, and will not serve to satisfy any of the procedural requirements of the law.”

The Suffolk County Association of Municipal Employees is the labor union for the 8,500 active and retired Suffolk County employees.

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