



This Week in New York

Covering New York State and City Government

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“Every record has been destroyed or falsified, every book rewritten, every picture has been repainted, every statue and street building has been renamed, every date has been altered. And the process is continuing day by day and minute by minute. History has stopped. Nothing exists except an endless present in which the Party is always right.”
-George Orwell, 1984-

In the News – New York State



Governor Hochul Appoints Dr. Mary T. Bassett as Commissioner of the Department of Health

Governor Kathy Hochul this week appointed Mary T. Bassett, MD, MPH as Commissioner of the Department of Health. Dr. Bassett, a former Commissioner of the New York City Department of Health and Mental Hygiene, will begin effective December 1st.

She currently serves as director of the François-Xavier Bagnoud (FXB) Center for Health and Human Rights at Harvard University and as a Professor of the Practice of Health and Human Rights at the Harvard T.H. Chan School of Public Health.

"Our recovery from this pandemic requires tested leadership and experience to improve health equity and access across the state, and Dr. Bassett is perfectly equipped to lead the New York State Department of Health during this critical moment," Governor Hochul said.

From 2014 through summer 2018, Dr. Bassett served as commissioner of the New York City Department of Health and Mental Hygiene and led the Department's response to Ebola, Legionnaires' disease, and other disease outbreaks.

Dr. Bassett grew up in New York City. She received a B.A. in History and Science from Harvard University, an M.D. from Columbia University's College of Physicians and Surgeons (serving her residency at Harlem Hospital), and an M.P.H. from the University of Washington.

Early in her career, she served on the medical faculty at the University of Zimbabwe for 17 years, during which time she developed a range of AIDS prevention interventions. Building on this experience, she went on to serve as associate director of health equity at the Rockefeller Foundation's Southern Africa Office, overseeing its Africa AIDS portfolio. After returning to the United States, she served on the faculty of Columbia University, including as associate professor of clinical epidemiology in its Mailman School of Public Health.

Dr. Bassett's appointment is subject to confirmation by the State Senate.



Comptroller DiNapoli: MTA Financial Outlook in Precarious Balance

The Metropolitan Transportation Authority (MTA) is facing escalating fiscal challenges fueled by the combination of higher spending, the winding down of federal aid, the risk of permanently lower ridership levels, and the increased impact from extreme weather, according to [the annual MTA finance report released this week](#) by New York State Comptroller Thomas DiNapoli.

“The MTA is the engine that drives New York City’s economy and it is running on borrowed time,” Comptroller DiNapoli said. “It has so far survived the worst crisis in its history by covering budgets with massive federal aid...Bringing riders back, protecting against extreme weather and maximizing new sources of revenue are all challenges the MTA needs to address before emergency federal funds dry up in 2025. After that, the MTA faces enormous budget shortfalls that could harm the regional economy with no easy solutions.”

According to the Comptroller, the MTA plans to close significant budget gaps (\$4.8 billion in 2021, \$2.9 billion in 2022, \$2.5 billion in 2023, \$2.8 billion in 2024 and \$3.3 billion in 2025) predominantly through the use of \$10.5 billion in one-shot federal assistance. Over that period, MTA spending will increase annually by an average of 4.2%, higher than projected inflation.

In 2025, when federal aid runs out, the Comptroller explained, the MTA plans to balance its budget through more than \$1 billion of deficit financing, a “dangerous practice of long-term borrowing to pay for short term needs like cleaning and maintenance.” The Comptroller noted greater concern that this borrowing may be necessary in 2024 if the MTA is not able to execute its plans to manage budget risks through savings and revenue measures.

Comptroller DiNapoli did cite that prospective funding measures—including Congress’ proposed infrastructure bill (H.R. 3684 - Infrastructure Investment and Jobs Act) and congestion pricing program -- could help alleviate the debt burden. However, passage of the bill remains uncertain and the congestion pricing program revenue is not expected until 2023 at the earliest.

Meanwhile the work on MTA’s 2020-2024 capital program is far behind schedule and delays in the approval of congestion pricing could further hamper capital spending and MTA’s need to strengthen the system’s resilience against inclement weather events, Comptroller DiNapoli noted.

Ridership also remains uncertain. The report estimates if workers telecommute 1.5 days a week on average next year, revenue could be \$300 million more than planned. But if workers telecommute 3 to 4 days a week, revenue would be \$500 million less than expected.

Comptroller DiNapoli added that MTA’s operational and maintenance positions are understaffed, causing declines in service. Weekday subways delivered 89% of scheduled service in August 2021, down from 96% in August 2020. Further declines could stall riders’ return.

Also, the MTA eliminated 2,725 positions as part of its transformation plan to attain efficiencies through administrative consolidations. However, 2,295 (84%) of the positions were in operations and maintenance and 1,840 of those positions were non-administrative positions. The Comptroller asserted that savings from this initiative are likely at risk as the MTA continues to hire to manage service delivery.

In the News – City



Federal Judge Orders City to Take Action on Rikers

A federal judge issued an emergency order Wednesday requiring the City to take immediate action to address the crisis on Rikers Island including enacting measures to speed up the intake process, reduce the number of detainee suicides, and create an interim security plan.

U.S. District Court Judge Laura T. Swain ordered the City and the Department of Correction to take action to address issues raised in a recent letter from Steve Martin, the federal monitor appointed to oversee the jail complex in 2015, according to published reports.

The order comes two days after Mayor Bill de Blasio visited Rikers for the first time in his second term. During his visit, the Mayor did not speak to incarcerated individuals or corrections officers.

Judge Swain ordered the City to put a 24-hour cap on the time individuals can be housed in intake facilities and ordered the City to track and report how long individuals are housed in intake.

Additionally, she said the City should ensure that staff follow strict suicide prevention protocols and directed the City to establish a process to hire a consultant to address security concerns.

Both the City and the federal monitor were ordered to submit an update on the jail on October 14th. The two parties will reconvene for a conference on December 2nd.

Also this week, Governor Kathy Hochul signed an executive order permitting virtual court hearings to be conducted at Rikers.

Briefs

Governor Hochul Looks to Expand Vaccine Mandate to Health Workers in Prisons, Mental Health Facilities

Governor Kathy Hochul said this week that the State's health care worker vaccination mandate would be expanded to include doctors, nurses, and other health workers at state mental health and prison facilities. Unlike hospital and nursing home workers, employees in those facilities have been able to satisfy the vaccination requirement with a weekly test.

The vaccination-only mandate imposed on September 27th applies to workers in hospitals, including state-run facilities that fall under the authority of the state Department of Health or the state university system. It also extends to state-run optometry and dental schools, nursing homes, and veterans' facilities.

Next week, the mandate applies to health workers who are employed at home health agencies, hospices, and adult care facilities.

Governor Hochul signed an executive order last week to permit student nurses, as well as out-of-state health workers, to come to New York and work without first obtaining a New York State license.

"I'm going to hold firm," Governor Hochul said. "So if you're waiting, what are you waiting for? Because we're not changing our position on that."

Governor's Executive Order to Help Ease Vaccine Mandate Staffing Shortages Includes Utilization Review Provisions

[Executive Order #4](#) signed this week by Governor Kathy Hochul included two provisions to temporarily suspend the State's preauthorization review process for certain hospital procedures and the hospital response timeline for internal and external service appeals.

Specifically, aside from provisions to ease staff requirements by extending service privileges to out-of-state practitioners and health care students, the Executive Order temporarily suspends:

- Section 4903 of the Insurance Law and Section 4903 of the Public Health Law only to the extent necessary to increase availability of healthcare staff, upon certification by the hospital to the health plan, by suspending requirements for preauthorization review for scheduled surgeries in hospital facilities, hospital admissions, hospital outpatient services, home health care services following a hospital admission, and inpatient and outpatient rehabilitation services following a hospital admission; and to suspend concurrent review for inpatient and outpatient hospital services; and to suspend retrospective review for inpatient and outpatient hospital services at in-network hospitals; during the pendency of this Executive Order only; and

- Subsection c of section 4904 of the Insurance Law, paragraph 1 of subsection b of section 4914 of the Insurance Law, subdivision 3 of section 4904 of the Public Health Law, and paragraph a of subdivision 2 of section 4914 of the Public Health Law, to toll statutory timeframes required for hospital submission of an internal appeal and external appeal only to the extent necessary to increase availability of healthcare staff during the pendency of this Executive Order only.

NYS Department of Labor: \$15 Minimum Wage Phase-in to Continue

The New York State Department of Labor (DOL) this week announced the state's \$15 minimum wage phase-in will continue, with the next stage taking effect December 31, 2021. The minimum wage will rise to \$15 per hour on Long Island and in Westchester, matching the New York City rate, while the rest of the state will see a minimum wage of \$13.20 per hour.

The announcement follows a statutorily required [report](#) by the Division of the Budget that found evidence of pressure for wages to rise in the midst of a pandemic-driven labor shortage. The Director of the Division of Budget, together with the Commissioner of Labor, determined that the minimum wage should rise to \$13.20 per hour in the rest of the state based upon economic factors and indices.

“Companies, particularly those that employ low-wage workers, are already raising wages and in some cases offering incentives to hire amid a labor-shortage that is showing no sign of abating, and it makes sense to raise the wage floor now...” Labor Commissioner Roberta Reardon said.

Governor Designates Rory M. Christian as Chair of the Public Service Commission, CEO of the Department of Public Service

Governor Kathy Hochul this week designated Rory M. Christian as Chair of the Public Service Commission and Chief Executive Officer of the Department of Public Service. On June 10, 2021, he was appointed as a PSC Commissioner.

Mr. Christian began his career in the energy industry with KeySpan Energy and Exelon Energy. He previously served as the Director of Energy Finance and Sustainability for the New York City Housing Authority and then, most recently, as the Director of New York Clean Energy at Environmental Defense Fund and taught energy efficiency courses at the Columbia University School of Professional Studies.

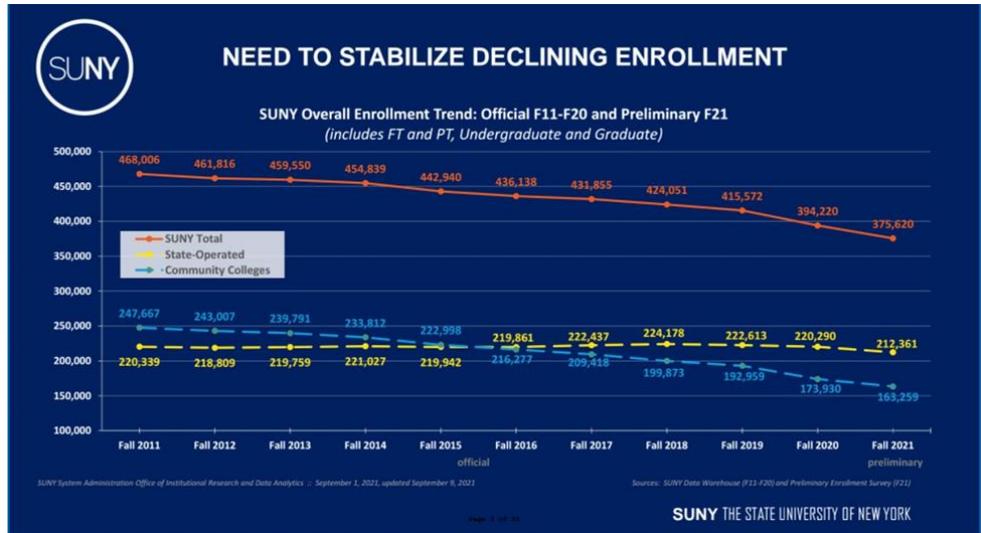
Mr. Christian graduated from the City College of New York's, Grove School of Engineering with a bachelor's degree in Civil Engineering and an MBA from the Baruch College, Zicklin School of Business. Mr. Christian resides in Brooklyn, New York with his family.

SUNY Enrollment Continues Decline

Student enrollment at the State University of New York's (SUNY) 64 colleges is continuing to decline, with the number of students dropping by 18,600 this fall compared to last fall (down 4.7 percent). Enrollment decreased by nearly 40,000 since the fall of 2019, a two-year drop of 9.6 percent, according to figures released at SUNY's trustees' meeting.

SUNY’s community colleges’ enrollment fell 6 percent since last year to 163, 259 students and 15 percent combined compared to two years ago with an enrollment of 192,950 students. Enrollment at the senior or four-year colleges dropped by 3.6 percent since last year, from 220,296 to 212,361 students. However, enrollment at four SUNY’s four research & doctoral institutions (Stony Brook, Buffalo, Albany, and Binghamton) increased from 112,265 in 2019 to 113,399 this fall.

Overall, SUNY has seen decreasing enrollment since 2011 when there were 468,000 students attending SUNY. The number has steadily declined to an estimated 375,620 for the new academic year.



In addition to the pandemic, the Trustees attributed part of the enrollment decline to a drop in admissions in high school students and a declining birth rate. Earlier this year, SUNY Chancellor James Malatras said student applications to the state-run public colleges were down 20 percent.

NYC Launches the Public Health Corps

Mayor Bill de Blasio announced this week that the City has established the NYC Public Health Corps (PHC), a new effort to expand the public health workforce, strengthen community health infrastructure, and promote health equity for the communities hit hardest by the COVID-19 pandemic. The Health Department and NYC Health + Hospitals will lead the initiative.

Initially, the PHC is tasked with increasing access to primary care services, providing counseling about diabetes and depression, and assisting patients with meeting health goals. The new agency will utilize personnel from the city’s test and trace corps.

Danielle Filson Named Mayor’s Press Secretary

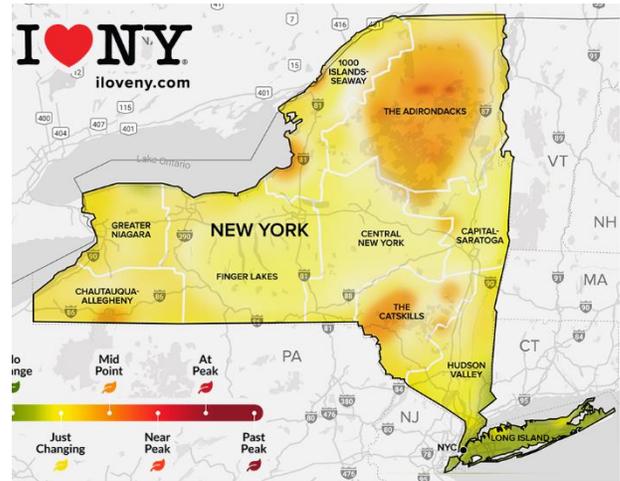
Mayor Bill de Blasio this week appointed Danielle Filson as press secretary. Filson has served at the New York City Department of Education since 2012 and will now be responsible for engaging the media and leading the day-to-day operations of the Mayor’s Press Office.

Mitch Schwartz, currently serving as City Hall Deputy Press Secretary and Director of Rapid Response, has been promoted to First Deputy Press Secretary. Katie O’Hanlon will serve as Acting Press Secretary for the DOE, alongside Deputy Press Secretary Nathaniel Styer and Deputy Press Secretary Sarah Casasnovas.

New York's Foliage at Peak in Adirondacks

Peak and near-peak foliage will make its first appearance in New York State this weekend in the Adirondacks region, according to volunteer spotters for Empire State Development's I LOVE NY program.

Peak and near-peak conditions are predicted in parts of Franklin, Essex, Hamilton and Herkimer counties, along with colorful foliage at midpoint of change in parts of the Catskills, Chautauqua-Allegheny, and Thousand Islands-Seaway regions.



Coming Up

New York State

Tuesday, October 5th

To Review How School Districts are Spending Foundation Aid Increases and ARP Funds

Senate Standing Committee on Education, NYC Education, Budget & Revenue
Senate Hearing Room, 250 Broadway 19th Floor, New York, 10 a.m.

New York City

Monday, October 4th

Committee on Sanitation and Solid Waste Management, Remote Hearing Room – Virtual Room 1, 10 a.m.

Tuesday, October 5th

Subcommittee on Zoning and Franchises, Remote Hearing Room – Virtual Room 2, 10 a.m.

Wednesday, October 6th

Committee on Education, Remote Hearing Room – Virtual Room 2, 10 a.m.

Committee on Cultural Affairs, Libraries and International Intergroup Relations, Remote Hearing Room – Virtual Room 1, 1 p.m.

Committee on Higher Education, Remote Hearing Room – Virtual Room 1, 1 p.m.

Thursday, October 7th

City Council, Council Chambers – City Hall, 1:30 p.m.

Friday, October 8th

Committee on Mental Health, Disabilities & Addiction, Remote Hearing Room, Virtual Room 1, 10 a.m.

Committee on Women and Gender Equality, Remote Hearing Room, Virtual Room 1, 10 a.m.

"No man can be a good citizen unless he has a wage more than sufficient to cover the bare cost of living, and hours of labor short enough so after his day's work is done he will have time and energy to bear his share in the management of the community, to help in carrying the general load."

-Theodore Roosevelt-

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