

OPINION

LETTERS POLICY

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Mail: LETTERS TO THE EDITOR, THE LEADER
PO BOX 1017
CORNING, NY 14830
Fax: 607-936-9939
Email: sdupree@the-leader.com

Online at www.the-leader.com/opinions

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34 W. Pulteney St., Corning, NY 14830
www.the-leader.com

Stella DuPree.....Editor
Derrick Ek.....Assistant Editor

READER VIEW

No legal rights for illegal alien

There seems to be little valid contradiction that English is one of, if not the most difficult, of languages to master. The confusion of words phonetically the same but with totally different meanings are very confusing to the student. Worse yet is the habit of converting words to fit the “politically correct” definition - that is, versions of words not totally acceptable to an individual’s ideology.

Example: Illegal alien, the definitive way of describing one who has entered the United States illegally, is converted to “undocumented immigrant”. Some scholars will say the U.S. Constitution affords protection to these people. Technically, they are criminals because of their actions to enter the U.S. without legal documentation. They have broken American law, albeit civil law, not criminal law. It is difficult for me to envision the founders writing the Constitution with thought to affording protection for such a group. But today’s scholars will actually argue their interpretation is what the framers meant. A rather astounding claim.

To gain some perspective into this perversion of terminology, let’s examine the case of Sergio Garcia (no, not the golfer), of California, who was recently afforded the privilege to practice law in the state of California, even though he is not an American citizen. According to a CNN report, Garcia was born in Mexico in 1977 and taken to California by his parents when he was 17 months old. He remained there until 1986, when he and his parents and without documentation, though his father had obtained permanent residence status in the United States. This made him a two-time offender.

That year, 1994, Garcia’s father filed an immigration visa petition on his son’s behalf, which federal immigration officials

accepted in 1995. But 19 years later, the visa has still not been granted, even though Garcia has lived in the state since 1994. So by definition, he remains an illegal alien or undocumented immigrant, depending upon one’s interpretation.

Some interesting notes from other news pundits on the Garcia case: CNN’s Ruben Navarro: “How does he pledge to show respect for the ‘courts of justice’ when for most of his life, he has lived here in defiance of the rule of law? And, how can he claim that he won’t ‘mislead’ a judge or judicial officer when his living in the United States illegally requires deception on a daily basis?”

In an astonishing verbal ruling, the California Court offered - “Under these circumstances we concluded that the fact that an undocumented immigrant’s presence in the country violates federal statutes, it is not itself a sufficient basis for denying undocumented immigrants as a class, admission to the state bar.” With this legal decision, thousands, if not millions, of illegals will be emboldened to come out of the shadows and use this now legal precedent to plead their case. I am sure the Democratic Party must be salivating over the votes they will garner based upon ultra liberal rulings such as this.

In a somewhat surprising twist, Congress elected to go in both directions of PC by introducing the DREAM Act - from Development, Relief and Education for Alien Minors Act, please note re-emergence of alien as a now acceptable term. Amazing.

One wonders, how can the United States reward someone who admittedly broke the laws of the United States to gain entry, actually be afforded the honor to protect the law?

Thomas R. Mayo
Corning

POLITICS | SEN. TOM O’MARA

Politics still not a bargain

The Legislature created the state Office of the Medicaid Inspector General, or OMIG, nearly a decade ago in 2006. New York’s efforts in those days to root out waste in the state’s hugely expensive system of Medicaid sprawled across six state agencies and, to be straightforward about it, wasn’t very effective. OMIG was meant to bring oversight under one roof and make it stronger.

I was serving in the state Assembly at the time (before being elected to the Senate in 2010), including as the chairman of the Assembly Republican Task Force on Medicaid Waste, Fraud and Abuse where we examined ways to reduce the size of a Medicaid system that, back then, was costing state and local taxpayers roughly \$45 billion annually. We looked at numerous cost efficiencies, but we also explored strategies involving cutting-edge technology that could pinpoint fraud, misspending, mismanagement and other waste.

When OMIG was first established, report after report showed that not only was New York State’s Medicaid system the most expensive in the nation, it was one of America’s most shockingly wasteful systems. Rip-offs, scams and other abuses were costing state and local taxpayers billions of dollars. The federal General Accounting Office (GAO), for example, estimated that 10 percent, \$4.5 billion, of New York’s Medicaid spending was lost to fraud



SEN. TOM O’MARA

and other abuses.

So I read with great interest last week’s report that OMIG recouped \$851 million in Medicaid spending in 2013 - the largest amount ever. The Cuomo administration released this news the night before Medicaid Inspector General James Cox testified before the Legislature’s fiscal committees and touted the recoveries as showing that “New York is truly leading the nation in fighting fraud and protecting taxpayer dollars.”

My reaction’s twofold. First, it’s positive news anytime we reclaim taxpayer dollars.

My second response, though, harkens back to all those reports from a decade ago that kept making the point that at least 10 percent of our Medicaid spending was being lost to abuses and fraud. Ten years ago, Medicaid spending stood at around \$42 billion a year. This fiscal year, the cost of Medicaid is projected to soar past the \$60-billion mark.

Sticking with a 10-percent mark for fraud and abuse savings, that could equal approximately \$6 billion worth of savings within current Medicaid spending - which, of course, is a far cry from the \$851 million in

OMIG’s reported recoveries for 2013.

So while I fully acknowledge and appreciate OMIG’s ongoing efforts, the more critical point, I think, is that there’s a lot left to do before we proclaim that state and local taxpayers are adequately protected from wasteful Medicaid spending. The inspector general himself acknowledged that very point in his recent testimony (which you can read on www.omig.ny.gov, or watch online at www.nysenate.gov/hearings/2014).

Most of all, in my opinion, one common sense question stands out: Can’t we do a better job of preventing Medicaid fraud before it happens, so that we don’t have to expend more valuable resources recovering it after the fact?

There’s a lot of positive work going on to reform Medicaid. The state’s Medicaid Redesign projects significant savings for the long term.

The state is now picking up the cost of growth in local Medicaid spending.

Local leaders, including Chemung County Executive Tom Santulli, continue groundbreaking efforts to reduce costs.

But we have to stay focused on the abuse and waste side of the equation. Huge amounts of upstate tax dollars go to support vast Medicaid spending statewide, especially in New York City, and we can’t keep footing the bill for Medicaid mismanagement. Just last year one report revealed that New York City’s Medicaid fraud

detection program costs taxpayers \$4 million more than it recovers in mis-spent funds.

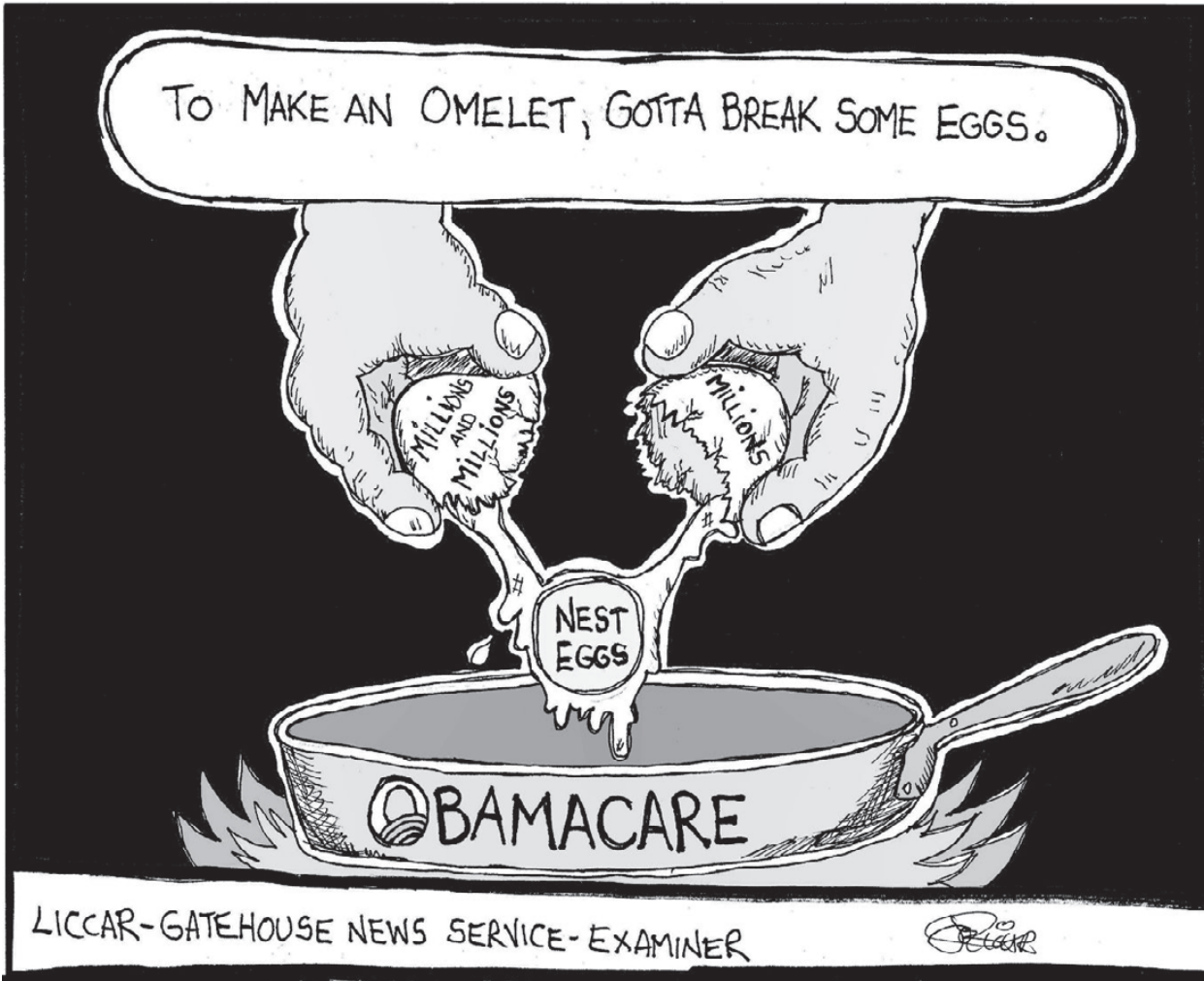
During his recent testimony, Inspector Cox stressed the importance of a stronger state-local partnership to further prevent Medicaid abuses. I agree. Legislation I co-sponsor in the Senate would increase the reimbursement and enhance the incentive for counties undertaking successful Medicaid fraud prosecutions.

And I’ll end on another local note. OMIG’s latest report highlights the effectiveness of data-mining fraud prevention programs like one developed by the Horseheads-based Salient Management Company. Salient’s software, already successfully used by Chemung and nearly a dozen other counties statewide, as well as the state OMIG to some extent, can keep pointing the way to potentially billions of dollars more in Medicaid savings - which is why I also sponsor legislation to reimburse counties for the cost of purchasing this technology and putting it to work in saving state and local taxpayer dollars.

For years I’ve been calling for the more widespread use of the Salient system. It’s a wise, cost-effective investment, and its utilization should be expanded.

State Sen. Tom O’Mara, R-Big Flats, represents New York’s 58th Senate District, which includes Steuben, Chemung, Schuyler and Yates counties, and part of Tompkins County.

ANOTHER VIEW



LETTERS TO THE EDITOR

Education’s corrupted politics

TO THE EDITOR | I’ve never seen a school district superintendent I trusted. As a once member of the Horseheads School Board and follower of school boards locally I believe our largest districts, which include Elmira and Corning, have had a parade of superintendents behaving in an untrustworthy

manner.

Superintendents are far more politician than educator or scholar, the super connecting politicians of the “Education Industry”. They are the conduits connecting political agendas coming from state and national levels spread like manure on the local communities. They spread the rhetoric of mediocrity and money that streams money to their pockets and

mediocrity to the people.

They are politicians working to fortify their own benefits, not statesmen of vision working for the best education for our children. Education today is all about the money reaching the pockets of educators, and the power that allows them to direct that money to their pockets. Certainly not the only politicians, teachers unions contribute many to the industry.

The education politicians are no better than the political ones. They bring corruption to education colluding with the others bringing corruption to government. That’s what a politician does. They nurture corruption sowing its seeds of deception and dishonesty throughout America!

Gerald J. Furnkranz
Millport

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Publisher

Phil Husick | Group Publisher
936-4651, Ext. 303
phusick@the-leader.com

Editorial

Stella DuPree | Managing editor
936-4651, Ext. 361
sdupree@the-leader.com

Advertising

Adam Mingos | Ad director
936-4651, Ext. 388
amingos@the-leader.com

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Elmer Kuehner | Circulation director
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