

PRSRT-STD
U.S. Postage
PAID
New York Senate

Winter 2005

Bronx



News from

New York State Senate
Deputy Minority Leader

**Eric T.
Schneiderman**

31st Senatorial District

Albany Office • 313 Legislative Office Building, Albany, New York 12247 • (518) 455-2041

District Office • 80 Bennett Avenue, Ground Floor, New York, New York 10033 • (212) 928-5578



Dear Friend,

When I became a Senator in 1999, I was astonished to find that progressive legislation, which had passed year after year in the State Assembly, was presumed dead-on-arrival in the Senate. But over the last few years, we have succeeded in forcing the Legislature to act on some issues by bringing more and more New Yorkers

into the debate. With public pressure, we have fought successfully for an increase in the minimum wage, expanded healthcare for women, stricter gun controls, increased penalties for hate crimes, broader environmental protections, and small but important steps toward reform of the Rockefeller Drug Laws.

As we prepare for the upcoming legislative session, I am increasingly confident that 2006 can be another breakthrough year on some of the most important issues we face. We can relegate the notion of “good schools” and “bad schools” to the dustbin of history by finally giving *every* public school in our state the resources it needs to foster excellence. We can give non-violent New Yorkers suffering from addiction the treatment that will allow them to become constructive members of their communities—in-

stead of wasting millions of dollars on their incarceration. And we can devote more resources to providing more police officers for our communities—which is a far more effective deterrent than a long prison sentence. We can level the playing field for individuals and small businesses by overhauling our state’s ineffective approach to economic development—in which a select few get tax breaks while the rest of us pick up the tab. And we can make a real commitment to giving every child in New York a fair shot in life by creating universal public health insurance for children.

But we can only succeed if the public stays engaged. In the coming year, I hope that you will join me as we build on the momentum for reform in Albany. It is time for New York State to get past the current era of dysfunction and reclaim its historic role as a national model of responsible and effective government. I thank you for your confidence and support – which enables me to devote myself to this important work – and I look forward to continuing the fight on your behalf in the coming year.

If I can ever be of assistance, please do not hesitate to contact me at (212) 928-5578.

Sincerely,

A handwritten signature in blue ink that reads "Eric Schneiderman". The signature is fluid and cursive.

Eric T. Schneiderman

A Martin Act for Medicaid Fraud

In September, the New York State Senate convened a joint hearing to examine the problem of fraud in New York's Medicaid program. I was honored to be one of the representatives from my Conference on the hearing panel, and to be an active participant in the effort to improve the investigation and prosecution of fraud in New York's vast Medicaid system. Those of us who believe that government programs like Medicaid are essential to the American vision of equal opportunity for all have a duty to be the strongest critics of waste and mismanagement in such programs.

In the course of the Senate's first hearing on this issue it became clear that extensive fraud by healthcare providers persists because there is a diffusion of responsibility in our current system. Jurisdiction is currently divided between the Department of Health, the Attorney General's Medicaid Fraud Control Unit (MFCU), and local authorities. The health department, which reports to the Governor, is responsible for investigating Medicaid fraud and referring cases to the Medicaid Fraud Control Unit (MFCU). The MFCU in turn is responsible for prosecuting cases of fraud.

The hearing also showed that, despite severe reductions in funding from the state over the last decade, MFCU has performed well in its effort to root out fraud, recovering \$79 million in 2004 and \$218 million in 2005 – more than any

other State has recovered in the history of the national anti-fraud effort. Nevertheless, MFCU has been hampered in their ability to fight Medicaid fraud by a lack of clear authority and strong prosecutorial powers under state law.

My own view, which I presented at the hearings, is that we need a comprehensive law to empower New York State to investigate and prosecute Medicaid fraud similar to the Martin Act, which has been effectively used by the Attorney General to deter acts of securities fraud on Wall Street. In his testimony, Deputy Attorney General Peter Pope suggested that their office would welcome such a sweeping reform expanding their investigative powers. The Attorney General has since indicated that he will submit a "Martin Act for Medicaid Fraud" before the 2006 session convenes in January.

Our commitment as a society to providing basic health care for the poor through Medicaid is an essential part of the American vision of equal opportunity for all. To keep that commitment, we must protect the credibility of the institution, and enact laws to insure the effective investigation and prosecution of fraud by Medicaid providers. I believe that if we give the Attorney General the same tools to fight Medicaid fraud that he has used so effectively to root out fraud on Wall Street, he will be able to take major steps towards restoring public faith in the integrity of our Medicaid program.

Those of us who believe that government programs like Medicaid are essential to the American vision of equal opportunity for all have a duty to be the strongest critics of waste and mismanagement.

A Great Victory for Straphangers

New Yorkers who ride the subways and buses celebrated a great victory on election night 2005 when Proposition 2, the Transportation Bond Act, was approved by voters across the state. The Bond Act will provide \$1.45 billion for the Metropolitan Transportation Authority to fund new clean-air buses, new subway cars, track replacements, and safety improvements throughout the system.

These investments are critical for our economic future. About 1.5 million people commute to Manhattan every day, and four out of every five rush-hour commuters to our central business districts use mass transit. The downstate region is also expected to add another 1.5 million jobs in the next 25 years. By making sure that our transit system is equipped to accommodate that growth, we are shoring up a solid foundation for future prosperity.

I want to thank and congratulate all the people who worked so hard to pass this proposition: the Straphangers Campaign and other transit advocates, labor unions, the business community, environmental advocates and my fellow elected officials.



Council Member Gale Brewer, Representative Jerrold Nadler, and Assembly Members Daniel O'Donnell (obscured) and Scott Stringer joined me at a rally to urge New Yorkers to support the Bond Act.

Protecting Consumers from Price Gouging

Being middle class just isn't what it used to be. People who work full time, and even families with two incomes, are finding it's harder and harder to pay their bills at the end of the month—never mind saving for retirement or the kids' college fund.

The latest blow to the pocketbooks of middle class families in Riverdale and all over the state has been the sharp increase in gas prices, following the devastating impact of Hurricanes Katrina and Rita. Even before Katrina struck, gas and heating oil prices were squeezing family budgets and threatening the livelihood of businesses—while oil companies reported record profits.

Experts have confirmed that there was no structural shortage of oil, yet the price of a barrel of oil doubled before Hurricane Katrina struck, raising the price of gas by 90 cents a gallon in some parts of New York State. This type of increase goes far beyond anything justified by any disruption of the market from the hurricanes.

The New York State Senate convened a special session on September 20th to address the critical issue of energy prices. Unfortunately, the legislation that was passed by the Senate is unlikely to actually help consumers squeezed by high gas prices. The Senate Majority proposed capping gasoline taxes—but rejected an amendment that would give law enforcement the power to make sure that consumers share in the tax savings, and investigate price gouging.

Following the special session I introduced legislation to authorize local District Attorneys and the Attorney General to investigate businesses anywhere in the supply chain when price gouging is suspected, and prosecute if evidence of gouging is found. My bill also removes the current requirement that the Governor declare a state of emergency in order for law enforcement take action against unscrupulous businesses that artificially inflate prices during a crisis.

New Yorkers are already squeezed by rising costs for housing, insurance, and college tuition. We should give the Attorney General and local prosecutors the legal tools they need to make sure we don't also get hit by price gougers at the pump.

Marching Against Domestic Violence



I was proud to join Assembly Member Adriano Espaillat, Bronx Borough President Adolfo Carrion, Rosita Romero, the Executive Director of the Dominican Women's Development Center, and Yolanda Jimenez, Commissioner of the Mayor's Office to Combat Domestic Violence, (pictured) for the 5th New York City Brides' March against Domestic Violence to raise awareness of the effects of the growing scourge of this destructive but under-prosecuted criminal conduct. On August 24th I joined District Attorney Robert M. Morgenthau for a community forum on ways we can address the silent plague of domestic abuse.

Community Focus

Fighting Overdevelopment in Riverdale: A Status Report

Riverdale is a wonderful and unique community. So much so that in recent years the desirability of the neighborhood, bolstered by the booming real estate market citywide, threatened to make Riverdale a victim of its own success. Developers have started to unveil plans for unprecedented high-rise developments that would threaten to change the character of the neighborhood.

Riverdalians responded with an aggressive plan to curb overdevelopment and preserve the distinctive character of the neighborhood. Over the course of the past year significant parts of that plan have been enacted in to law:

- On September 28th, 2004, the City Council approved the rezoning of Central Riverdale and Spuyten Duyvil.
- On December 7th, 2004, the City Council approved the rezoning of North Riverdale.
- On October 11th, the City Council enacted contextual zoning regulations for the Riverdale-on-Hudson area.
- Over the summer, Special Natural Area District regulations were also tightened to ensure that the distinctive natural features in areas of Riverdale such as Fieldston are not destroyed or altered.

Congratulations are due to Community Board 8, Council Member Oliver Koppell, and all of the other community members and elected officials whose hard work, patience, and persistence over the last decade, and particularly in the last two years, made these zoning changes possible. As I have stated in the past, this community has a right to plan its own future, a future not dictated by the whims of developers, but by those who make it their home. This year Riverdale citizen-advocates fought to exercise that right—and won!



Assembly Member Jeffrey Dinowitz (pictured), Council Member G. Oliver Koppell, Representative Eliot Engel, New York-Presbyterian University Hospitals of Columbia and Cornell, the Visiting Nurse Service of New York, the Ambulatory Care Network and I co-sponsored clinics to provide hundreds of free flu shots to seniors and other vulnerable individuals in our community this year.

How to Report a Crime

Our local law enforcement officials do a great job keeping us safe, but they need our help. If you witness drug dealing or other crimes, please report them by calling:

50th Precinct Community Policing Unit ... 718-796-3867

Community Board 8 718-884-3959

Recurring Drug Deals 888-374-DRUG (3784)

You May Remain Anonymous!

For emergencies or other crimes in progress, call 911.
(911 calls are not anonymous)

For quality of life complaints like noise and graffiti, call 311.

✂ **Clip and Save**

Senator Schneiderman's district office is accepting applications for internships. For more information, contact our office at (212) 928-5578.