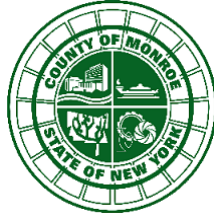


Monroe County
Clerk of the Legislature

Nayeliz L. Santiago
Clerk



Isabela Mulcahy
Deputy Clerk

Hugh Smyth
1st Asst. Deputy Clerk

MEMORANDUM

TO: Legislators, Directors, Staff and Media

FROM: Nayeliz L. Santiago, Clerk of the Legislature

DATE: September 28, 2026

RE: Substitution of Referral No. 26-0305

Substitution:

26-0305 - Providing that Resolution No. 397 of 2022 Authorizing Contract with PrimeCare Medical of New York be Amended – As a Matter of Importance -
Legislator Rachel Barnhart

At the direction of Yversha Román, President of the Legislature, the above-referenced referral has been replaced with the attached document.

At the request of the sponsor, Legislator Rachel Barnhart, the substitution was requested due to a clerical error with the Resolution Number in the referral title.

Attachments



Substitution *Monroe County Legislature*

RACHEL BARNHART
Legislator – District 17

PHONE: (585) 210-3246
E-MAIL: RACHEL@RACHBARNHART.COM

OFFICIAL FILE COPY
No. <u>260305</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
PUBLIC SAFETY -L
WAYS & MEANS

September 23, 2026

Monroe County Legislature
39 W. Main St
Rochester, NY 14614

**RE: PROVIDING THAT RESOLUTION NO. 397 OF 2022 AUTHORIZING
CONTRACT WITH PRIMECARE MEDICAL OF NEW YORK BE AMENDED**

Honorable Legislators:

This resolution would amend the County's contract authorization with PrimeCare Medical of New York, Inc., the provider of medical care at the Monroe County Jail.

It is prompted by the findings of the New York State Commission of Correction concerning the October 2023 death of Brian Harmon at the jail. The Commission found serious deficiencies in the medical assessment and treatment Mr. Harmon received and concluded that his death would have been prevented had he been properly assessed and timely transferred to a hospital.

Most importantly for this Legislature, the Commission specifically directed the Monroe County Legislature, as the appointing authority for the delivery of jail health services, to review its findings and "conduct an inquiry into the fitness" of PrimeCare as the designated provider.

The Commission sent its report to President Román in December 2025. The report was not provided to members of the Legislature. As a result, the review directed by the Commission never commenced, and PrimeCare was authorized for an additional one-year renewal in January 2026.

We cannot undo that renewal. But we can ensure that another one does not occur before the Legislature carries out the responsibility the Commission specifically assigned to us. The existing contract authorization provides for a fifth year with PrimeCare beginning January 14, 2027. This proposed amendment would remove that final one-year renewal and instead require any continuation of the contract after January 13, 2027 to be authorized by the Legislature on a quarterly basis.

This resolution does not terminate PrimeCare's contract or interrupt medical services at the jail. PrimeCare would continue operating under its currently authorized contract through January 13, 2027. The quarter-to-quarter provision provides continuity of care while preserving the Legislature's ability to determine how to proceed after examining the Commission's findings, the corrective actions taken since Mr. Harmon's death, and PrimeCare's fitness to continue providing care.

The Commission's directive was addressed to this Legislature. We should not allow another full-year renewal to occur before we have done the work the state specifically directed us to do.

This resolution would have no impact on the Monroe County budget.

Respectfully Submitted,

A handwritten signature in black ink, reading "Rachel Barnhart". The signature is written in a cursive, flowing style.

Rachel Barnhart
Legislator – District 17

By Legislators Barnhart and _____:

Intro No. ____ of 2026

PROVIDING THAT RESOLUTION NO. 397 OF 2022 AUTHORIZING CONTRACT WITH PRIMECARE MEDICAL OF NEW YORK BE AMENDED

BE IT RESOLVED, BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Section 1 of Resolution 397 of 2022 is hereby amended to read as follows:

The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with PrimeCare Medical of New York, Inc., for comprehensive medical and mental health care for incarcerated persons in the custody of the Monroe County Sheriff in an amount not to exceed \$38,371,331.33 for the period of January 14, 2023 through January 13, 2026 (\$12,414,290.78 for the first year, \$12,786,719.49 for the second year, and \$13,170,321.06 for the third year), with the option to renew for ~~two (2) additional one-year terms, in an amount not to exceed \$13,565,430.72 in the fourth year and \$13,972,393.65 in the fifth year~~ one (1) additional one-year term, in an amount not to exceed \$13,565,430.72 in the fourth year. Beginning January 14, 2027, any further extension or renewal of the contract shall require authorization by the Legislature every three months, in an amount not to exceed \$3,493,098.41 per three-month period through January 13, 2028.

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

MOVED BY: Legislator _____

SECONDED BY: Legislator _____

File No. _____

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Monroe County Legislature

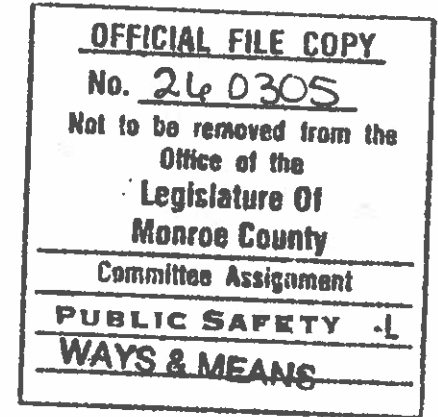
RACHEL BARNHART

Legislator – District 17

PHONE: (585) 210-3246

E-MAIL: RACHEL@RACHBARNHART.COM

Substitution



September 23, 2026

Monroe County Legislature
39 W. Main St
Rochester, NY 14614

RE: PROVIDING THAT INTRO NO. 397 OF 2022 AUTHORIZING CONTRACT WITH PRIMECARE MEDICAL OF NEW YORK BE AMENDED

Honorable Legislators:

This resolution would amend the County's contract authorization with PrimeCare Medical of New York, Inc., the provider of medical care at the Monroe County Jail.

It is prompted by the findings of the New York State Commission of Correction concerning the October 2023 death of Brian Harmon at the jail. The Commission found serious deficiencies in the medical assessment and treatment Mr. Harmon received and concluded that his death would have been prevented had he been properly assessed and timely transferred to a hospital.

Most importantly for this Legislature, the Commission specifically directed the Monroe County Legislature, as the appointing authority for the delivery of jail health services, to review its findings and "conduct an inquiry into the fitness" of PrimeCare as the designated provider.

The Commission sent its report to President Román in December 2025. The report was not provided to members of the Legislature. As a result, the review directed by the Commission never commenced, and PrimeCare was authorized for an additional one-year renewal in January 2026.

We cannot undo that renewal. But we can ensure that another one does not occur before the Legislature carries out the responsibility the Commission specifically assigned to us. The existing contract authorization provides for a fifth year with PrimeCare beginning January 14, 2027. This proposed amendment would remove that final one-year renewal and instead require any continuation of the contract after January 13, 2027 to be authorized by the Legislature on a quarterly basis.

This resolution does not terminate PrimeCare's contract or interrupt medical services at the jail. PrimeCare would continue operating under its currently authorized contract through January 13, 2027. The quarter-to-quarter provision provides continuity of care while preserving the Legislature's ability to determine how to proceed after examining the Commission's findings, the corrective actions taken since Mr. Harmon's death, and PrimeCare's fitness to continue providing care.

The Commission's directive was addressed to this Legislature. We should not allow another full-year renewal to occur before we have done the work the state specifically directed us to do.

This resolution would have no impact on the Monroe County budget.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rachel Barnhart".

Rachel Barnhart
Legislator – District 17

By Legislators Barnhart and _____:

Intro No. ____ of 2026

**PROVIDING THAT INTRO NO. 397 OF 2022 AUTHORIZING CONTRACT WITH
PRIMECARE MEDICAL OF NEW YORK BE AMENDED**

BE IT RESOLVED, BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Section 1 of Resolution 397 of 2022 is hereby amended to read as follows:

The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with PrimeCare Medical of New York, Inc., for comprehensive medical and mental health care for incarcerated persons in the custody of the Monroe County Sheriff in an amount not to exceed \$38,371,331.33 for the period of January 14, 2023 through January 13, 2026 (\$12,414,290.78 for the first year, \$12,786,719.49 for the second year, and \$13,170,321.06 for the third year), with the option to renew for two (2) additional one year terms, in an amount not to exceed \$13,565,430.72 in the fourth year and \$13,972,393.65 in the fifth year one (1) additional one-year term, in an amount not to exceed \$13,565,430.72 in the fourth year. Beginning January 14, 2027, any further extension or renewal of the contract shall require authorization by the Legislature every three months, in an amount not to exceed \$3,493,098.41 per three-month period through January 13, 2028.

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

MOVED BY: Legislator _____

SECONDED BY: Legislator _____

File No. _____

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Monroe County Legislature

RACHEL BARNHART

Legislator – District 17

PHONE: (585) 210-3246

E-MAIL: RACHEL@RACHBARNHART.COM

September 23, 2026

Monroe County Legislature
39 W. Main St
Rochester, NY 14614

OFFICIAL FILE COPY
No. <u>260305</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
PUBLIC SAFETY -L
WAYS & MEANS

RE: PROVIDING THAT INTRO NO. 481 OF 2022 AUTHORIZING CONTRACT WITH PRIMECARE MEDICAL OF NEW YORK BE AMENDED

Honorable Legislators:

This resolution would amend the County's contract authorization with PrimeCare Medical of New York, Inc., the provider of medical care at the Monroe County Jail.

It is prompted by the findings of the New York State Commission of Correction concerning the October 2023 death of Brian Harmon at the jail. The Commission found serious deficiencies in the medical assessment and treatment Mr. Harmon received and concluded that his death would have been prevented had he been properly assessed and timely transferred to a hospital.

Most importantly for this Legislature, the Commission specifically directed the Monroe County Legislature, as the appointing authority for the delivery of jail health services, to review its findings and "conduct an inquiry into the fitness" of PrimeCare as the designated provider.

The Commission sent its report to President Román in December 2025. The report was not provided to members of the Legislature. As a result, the review directed by the Commission never commenced, and PrimeCare was authorized for an additional one-year renewal in January 2026.

We cannot undo that renewal. But we can ensure that another one does not occur before the Legislature carries out the responsibility the Commission specifically assigned to us. The existing contract authorization provides for a fifth year with PrimeCare beginning January 14, 2027. This proposed amendment would remove that final one-year renewal and instead require any continuation of the contract after January 13, 2027 to be authorized by the Legislature on a quarterly basis.

This resolution does not terminate PrimeCare's contract or interrupt medical services at the jail. PrimeCare would continue operating under its currently authorized contract through January 13, 2027. The quarter-to-quarter provision provides continuity of care while preserving the Legislature's ability to determine how to proceed after examining the Commission's findings, the corrective actions taken since Mr. Harmon's death, and PrimeCare's fitness to continue providing care.

The Commission's directive was addressed to this Legislature. We should not allow another full-year renewal to occur before we have done the work the state specifically directed us to do.

This resolution would have no impact on the Monroe County budget.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rachel Barnhart".

Rachel Barnhart
Legislator – District 17

By Legislators Barnhart and _____:

Intro No. ____ of 2026

**PROVIDING THAT INTRO NO. 481 OF 2022 AUTHORIZING CONTRACT WITH
PRIMECARE MEDICAL OF NEW YORK BE AMENDED**

BE IT RESOLVED, BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Section 1 of Resolution 481 of 2022 is hereby amended to read as follows:

The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with PrimeCare Medical of New York, Inc., for comprehensive medical and mental health care for incarcerated persons in the custody of the Monroe County Sheriff in an amount not to exceed \$38,371,331.33 for the period of January 14, 2023 through January 13, 2026 (\$12,414,290.78 for the first year, \$12,786,719.49 for the second year, and \$13,170,321.06 for the third year), with the option to renew for ~~two (2) additional one year terms, in an amount not to exceed \$13,565,430.72 in the fourth year and \$13,972,393.65 in the fifth year~~ one (1) additional one-year term, in an amount not to exceed \$13,565,430.72 in the fourth year. Beginning January 14, 2027, any further extension or renewal of the contract shall require authorization by the Legislature every three months, in an amount not to exceed \$3,493,098.41 per three-month period through January 13, 2028.

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

MOVED BY: Legislator _____

SECONDED BY: Legislator _____

File No. _____

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____