

## **Minutes of the Fairfax County Consumer Protection Commission**

June 20, 2023

7:30 PM  
Government Center  
12000 Government Center Parkway  
Fairfax, VA 22035  
Chairperson Kratovil, presiding

Attendance: Commissioners: Belkowitz, Freedenthal, Kirk, Kharat, Kratovil, Roark, Rosier, Springer

Absent: Commissioner: Gulakowski, Hargraves, O'Savio, Svab

Staff: Rebecca L. Makely, Director  
Cable and Consumer Services  
Susan C. Jones, Consumer Specialist III  
Consumer Affairs Branch  
Candice Hicks, Consumer Specialist I  
Consumer Affairs Branch

Guests: Cheri Belkowitz

The meeting was called to order at 7:30 PM by Chairperson Kratovil.

### **Minutes**

Chairperson Kratovil made the motion to accept the minutes. Commissioner Freedenthal seconded the motion. The minutes for the May 16, 2023, meeting were approved unanimously, 8-0-0.

### **Report of the Director**

Director Makely informed the Commission that she is working on final year-end activities.

### **Old Business**

Chairperson Kratovil inquired on the status of Commissioner O'Savio removal. Director Makely stated she notified the Clerk to the Board of the CPC's request to remove or replace Commissioner O'Savio. The Office of the County Attorney is currently reviewing the recommendation and will let Director Makely know what action to take.

Director Makely informed the Commission the taskforce led by Deputy County Executive Tom Arnold is working police statistics on Illicit Permitted and Unpermitted Establishments and will have their recommendations soon. Director Makely does not believe the recommendations by the CPC conflict with the Illicit Massage Business Taskforce.

Director Makely stated staff for Chairman McKay was receptive to a proclamation to recognize former Chairperson John Fee. Commissioner Rosier offered to draft a recommendation.

## **Commissioner Matters**

Commissioner Springer had no matters to bring before the Commission.

Commissioner Freedenthal had no matters to bring before the Commission.

Commissioner Kirk had no matters to bring before the Commission.

Commissioner Kharat had no matters to bring before the Commission.

Commissioner Roark had no matters to bring before the Commission.

Commissioner Rosier had no matters to bring before the Commission.

Commissioner Belkowitz spoke of his difficulty in getting pricing information for Verizon services. Commissioner Belkowitz asked when the franchise agreement ends. Director Makely stated it is 2026, but negotiations can begin within a three-year window. Director Makely stated that today the Federal Communications Commission (FCC) released a notice of proposed rulemaking (NPRM) on enhanced pricing transparency requiring cable and satellite TV providers to provide to consumers the "all-in" price for video programming services in promotional materials and on subscribers' bills. The notice was sent to the Office of the County Attorney for review. Director Makely will provide a link to the Commission.

## **New Business**

**1. Virginia Senior Medicare Patrol Presentation.** Commissioner Freedenthal, Community Educator, provided an overview of the Medicare and Medicaid Fraud, Waste, and Abuse Prevention; levels of intent; examples of possible fraud; efforts to stop fraud, waste, and abuse; administrative actions; Health Care Prevention and Enforcement Action Team (HEAT); fraud and abuse laws; and law enforcement and judicial system actions.

A discussion ensued on Medicare and improper insurance payments, statistics on medical identity theft, and sharing of insurance card out of desperation.

## **Report of the Chairperson**

### **1. Board of Supervisor Engagement**

Chairperson Kratovil spoke about having a relationship with your Board of Supervisor (BOS) and developing your relationship with the context of your role as a Commissioner. He encouraged each Commissioner by the next CPC meeting to schedule time with their BOS to discuss what the CPC is doing and plans on doing in the future.

Commissioner Freedenthal suggested finding the staff member to your BOS that deals with consumer issues and keep them informed.

### **2. Review draft subcommittees outline**

Goal: With one monthly meeting, it is difficult for the CPC to 1) juggle multiple initiatives, 2) focus necessary time and expertise, and 3) get things done in a timely fashion. By establishing Subcommittees as provided for in CPC Bylaws, smaller groups of Commissioners will be able to address these limitations, explore improvements and new initiatives, and overall better support the mission of the CPC to advance consumer protections in Fairfax County.

### **Community Engagement Subcommittee**

This subcommittee meets monthly to coordinate and support community outreach and marketing activities related to Department initiatives and provide content for Commissioner engagement.

- Development of white-label content for Commissioners, including but not limited to: short articles, quick-hit consumer-focused newsletter pieces, and draft social media posts.
- Engages with Staff to review Department outreach initiatives, including promotion and awareness efforts, suggests best practices, and explores additional opportunities.

### **Data/Consumer Complaints Subcommittee**

Meets [quarterly] to review complaint data, trends, and outcomes. Identifies and prioritizes issues to surface with full CPC. Advises on plans (outreach campaigns, Department initiatives, content, and policies).

### **Budget Subcommittee**

Meets [as needed] to support and advise on Department/Consumer Affairs Branch budget needs and initiatives, with particular emphasis on needs forecasting and planning for future fiscal years. Coordinates and aligns budget recommendations with current priorities, in consultation with other newly proposed Subcommittee initiatives. Provides periodic updates and recommendations to CPC.

### **Policy Review Subcommittee**

Meets [bi-monthly or as needed] to review County code and relevant policy material within the jurisdiction of the CPC. Proposes redlined updates/modifications/modernizations to CPC for consideration and recommendation to the BOS.

### **Financial Scams and Fraud Working Group**

Meets monthly or as needed to support Department education and outreach initiatives specific to financial scams and fraud, such as identity fraud. Recommends best practices, improvements, coordinates with Fairfax County Police Department and contributes content to Community Engagement Subcommittee as appropriate.

A discussion ensued on procedural changes to the CPC Bylaws, what type of motions are needed, special or ad hoc committees, number of committees each commissioner would serve, and whether a motion is needed. Director Makely indicated the CPC Bylaws stated the Chairperson may appoint standing committees and a Chairperson for each with the consent of the majority of the Commission members present and voting.

Chairperson Kratovil stated that each Commissioner at a minimum choose one to two subcommittees with rest as possible ad hoc committees.

Director Makely shared the full County Attorney's finding and legal opinion on the question as to subcommittees meeting in an all-virtual capacity.

A discussion ensued on remote participation vs. virtual participation, possible policy changes, clarifying committees, advisory capacity, and information provided from staff to the commission.

Commissioners will send suggestions to the Chairperson to provide clarity on the role of the committees. The Commission will rank their top three choices of committees. Director Makely will email the Commission the content from the County Attorney's office.

### **3. Motion Regarding Collaboration with Howard County Office of Consumer Protection and Montgomery County Advisory Committee on Consumer Protection Regarding Scams, Consumer Education, and Other Issues.**

Chairperson Kratovil stated that Howard County, Maryland and Montgomery County, Maryland are very interested in working with the Commission on consumer protection issues. Former Chairperson Fee and Vice Chairperson Gulakowski had virtually attended meetings with Howard County in the past. Chairperson Kratovil stated that both counties are wanting to leverage everyone's expertise and resources to do some consumer education like scams, identity theft, credit reports and repairs. Chairperson Kratovil feels it would be beneficial to join forces to provide more resources to the residents.

Chairperson Kratovil provided the motion for the Commission to review, keeping in mind of any issues with VFOIA rules and regulations.

A discussion ensued on the selection of the two counties in Maryland and not the surrounding Northern Virginia counties, who gives the authority to participate in the meetings, interstate compact or agreement, not in CPC Bylaws, permission from the Board of Supervisors, only certain BAC's that have agreements to work with other jurisdictions, implication of providing more than just information, and other location for CPC meetings.

Chairperson Kratovil highlighted the points made by the Commissioners. Chairperson Kratovil asked about the CPC's individual authority to attend functions as a representative of the Commission. Director Makely stated if a Commissioner is acting on behalf of the Commission, the Commission should have the discretion to vote on it. Chairperson Kratovil will provide the question to staff on this issue to run by the Office of the County Attorney.

Chairperson Kratovil announced that at the July meeting, the CEO of the Identity Theft Resource Center will be providing a presentation on, "An Introduction to the ITRC: Overview of consumer and victim services, research, partnerships, and victim recovery tools and resources".

Director Makely mentioned that staff will bring the FY 2023 Annual Report to the July meeting. Director Makely reminded the CPC that their previously requested presentation on panhandling was also scheduled for the July meeting as noted on the meeting calendar. Chairperson Kratovil stated that both presentations will be presented at the July meeting.

Chairperson Kratovil made a motion to adjourn. Commissioner Freedenthal seconded the motion. The meeting adjourned at 9:24 PM.