

Division of Home & Community Based Services
Character and Competence Staff Review

Name of Agency: CL Healthcare, Inc.
Address: Bronx
County: Bronx
Structure: Not-for-Profit Corporation
Application Number: 2112-L

Description of Project:

CL Healthcare, Inc., a not-for-profit corporation, requests approval to obtain licensure as a home care services agency under Article 36 of the Public Health Law. The primary purpose of this LHCSA will be to serve the members of CenterLight Healthcare's PACE and MLTC programs.

The Board of Directors of CL Healthcare, Inc. comprises the following individuals:

Michael R. Potack, Chairperson
CEO, Unitex Holdings
Affiliation: Beth Abraham Health Services

Michael S. Fassler, NHA, Vice Chairperson
President, CenterLight Health System

Stephen B. Mann, CPA, Secretary/
Treasurer
Senior VP, Beth Abraham Health Services
Affiliations: Best Choice Home Health Care,
(2000 – present), Beth Abraham Health
Services, (2000 – present), CenterLight
Healthcare MLTC, (2000 – present),
CenterLight Healthcare
D & T Center (2000 – present)

The parent of CL Healthcare, Inc. is CenterLight Health System, another not-for-profit corporation.

The Board of Directors of CenterLight Health System comprises the following individuals:

Michael R. Potack, Chairman
(disclosed above)

Jerald I. Moskowitz, Vice Chairman
Retired

Edwin H. Stern, III, Secretary/Treasurer
Executive VP, Seiden Krieger Associates
(executive search consultants)
Affiliations: Montefiore Medical Center
(1968 – present),
Beth Abraham Health Services
(1969 – present)

Thomas R. Berkel
Retired

Vitina A. Biondo, Esq.
Unemployed
Affiliation: Schurmacher Center for
Rehabilitation & Nursing
(2001 – present)

Henry S. Conston, Esq.
Self-employed attorney
Affiliation: Margaret Tietz Nursing & Rehabilitation
Center (1978 – present)

Dolores M. Fernandez, Ph.D.
Professor, Hunter College, CUNY

Neil J. Heyman
President, Southern New York Association, Inc.
CEO, New York Health Care Alliance, LLC
Affiliation: Margaret Tietz Nursing & Rehabilitation
Center

Harvey J. Ishofsky, Esq.
President/CEO, 877Spirits.com
(gift concierge service)
Affiliation: Margaret Tietz Nursing &
Rehabilitation Center
(2005 – present)

Stefan A. Kampe
Retired

Steven D. Kantor, D.D.S.
Administrator, Grant & Kantor, D.D.S.
Affiliation: Beth Abraham Health Services
(2011 – present)

Rosemarie A. Loffredo
Retired

Cynthia L. Schwalm
Self-employed Healthcare Biotech
Consulting

Mark H. Weinstein
President, Golden Oldies, Ltd.
(home furnishings)
Affiliations: Margaret Tietz Nursing &
Rehabilitation Center (2007 – present),
Center for Nursing & Rehabilitation
(2000 – present)

Kenneth R. Weisshaar
Retired

A search of the individuals named above revealed no matches on either the Medicaid Disqualified Provider List or the OIG Exclusion List.

The Office of the Professions of the State Education Department indicates no issues with the license of the healthcare professional associated with this application.

The Bureau of Professional Credentialing has indicated that Michael S. Fassler, NHA license #02867, holds a NHA license in good standing and the Board of Examiners of Nursing Home Administrators has never taken disciplinary action against this individual or his license.

The applicant proposes to serve the residents of the following counties from an office located at 1250 Waters Place, Tower 1, Suite 602, Bronx, New York 10461:

Kings	Queens	New York	Bronx
Richmond	Westchester		

The applicant proposes to serve the residents of the following counties from an office located at 55 Albany Avenue, Amityville, New York 11701:

Suffolk	Nassau
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The applicant proposes to provide the following health care services:

Nursing	Home Health Aide	Personal Care
Physical Therapy	Occupational Therapy	Respiratory Therapy
Speech Language Pathology	Audiology	Medical Social Services
Nutrition	Homemaker	Housekeeper

A ten year review of the following facilities was performed as part of this review:

Best Choice Home Health Care
Beth Abraham Health Services
Center for Nursing & Rehabilitation
CenterLight Healthcare MLTC
CenterLight Healthcare D & T Center
Margaret Tietz Nursing & Rehabilitation Center
Montefiore Medical Center
Schnurmacher Center for Rehabilitation & Nursing

The Bureau of Quality Assurance for Nursing Homes has indicated the following:

Beth Abraham Health Services was fined thirty thousand dollars (\$30,000.00) pursuant to a stipulation and order dated June 2, 2010 for surveillance findings of April 27, 2009. Deficiencies were found under 10 NYCRR 415.12 Quality of Care, 415.20 Laboratory and Blood Bank and 415.26 Organization and Administration.

Center for Nursing & Rehabilitation was fined twenty four thousand dollars (\$24,000.00) pursuant to a stipulation and order dated August 22, 2011 for surveillance findings of January 29, 2010. Deficiencies were found under 10 NYCRR 415.4(b)(1)(ii) Report Allegations, 415.12 Quality of Care Highest Practicable Potential, 415.26 Administration and 415.20 Promptly Notify Physician of Lab Results.

The information provided by the Bureau of Quality Assurance for Nursing Homes has indicated that the nursing homes reviewed have provided sufficient supervision to prevent harm to the health, safety and welfare of residents and to prevent recurrent code violations.

The Division of Certification and Surveillance has indicated the following:

Montefiore Medical Center was fined \$18,000 in 2003 for violations of the Resident Working Hours regulation. Montefiore Dialysis Center was fined \$52,000 in 2005 based on conditions of participation. Montefiore Medical Center was fined \$14,000 in 2007 for failure to report suspected child abuse to the proper authorities.

The information provided by the Division of Certification and Surveillance has indicated that the hospital and D & T Center reviewed have provided sufficient supervision to prevent harm to the health, safety and welfare of patients and to prevent recurrent code violations.

The information provided by the Division of Home and Community Based Services has indicated that the licensed home care services agency reviewed has provided sufficient supervision to prevent harm to the health, safety and welfare of patients and to prevent recurrent code violations.

The information provided by the Bureau of Continuing Care Initiatives has indicated that the MLTC reviewed has provided sufficient supervision to prevent harm to the health, safety and welfare of patients and to prevent recurrent code violations.

Review of the Personal Qualifying Information indicates that the applicant has the required character and competence to operate a licensed home care services agency.

Contingency

Submission of any and all information requested by the Division of Legal Affairs, in a form and manner acceptable to the Department.

Recommendation: Contingent Approval

Date: May 18, 2012