

STATE OF NEW YORK
PUBLIC HEALTH AND HEALTH PLANNING COUNCIL

AGENDA

October 11, 2012

10:00 a.m.

*90 Church Street
4th Floor, Room 4A & 4B
New York City*

I. INTRODUCTION OF OBSERVERS

Dr. William Streck, Chairman

II. ADOPTION OF THE 2013 MEETING SCHEDULE

Exhibit #1

III. APPROVAL OF MINUTES

August 9, 2012

Exhibit #2

IV. *PROJECT REVIEW RECOMMENDATIONS AND ESTABLISHMENT ACTIONS

Report of the Committee on Establishment and Project Review

Jeffrey Kraut, Chair

A. APPLICATIONS FOR CONSTRUCTION OF HEALTH CARE FACILITIES

CATEGORY 1: Applications Recommended for Approval – No Issues or Recusals, Abstentions/Interests

Acute Care Services – Construction

Exhibit #3

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	121204 C	NYU Hospitals Center (New York County)	Contingent Approval
2.	121431 C	Nyack Hospital (Rockland County)	Contingent Approval

Ambulatory Surgery Center – Construction

Exhibit #4

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	121119 C	NYU Hospitals Center (New York County)	Contingent Approval
2.	121468 C	Montefiore Medical Center – Henry & Lucy Moses Div (Bronx County)	Contingent Approval

Residential Health Care Facility – Construction

Exhibit #5

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	121363 C	Sunshine Children’s Home and Rehab Center (Westchester County)	Contingent Approval

Upstate Certified Home Health Agencies - Construction

Exhibit #6

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	121288 C	Living Resources Certified Home Health Agency, Inc. (Albany County)	Contingent Approval

CATEGORY 2: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Without Dissent by HSA
- ❖ Without Dissent by Establishment and Project Review Committee

CON Applications

Hospice Services – Construction

Exhibit #7

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	121405 C	Hospice Buffalo Inc (Erie County) Mr. Booth - Interest	Contingent Approval

Residential Health Care Facilities – Construction**Exhibit #8**

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	121084 C	Pine Haven Home (Columbia County) Mr. Fassler - Interest	Contingent Approval
2.	121183 C	Wayne County Nursing Home (Wayne County) Mr. Booth - Interest	Contingent Approval

Upstate Certified Home Health Agencies - Construction**Exhibit #9**

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	121199 C	At Home Care, Inc. (Otsego County) Mr. Booth - Interest	Contingent Approval
2.	121225 C	Park Ridge at Home – Park Ridge Nursing Home, Inc. (Monroe County) Mr. Booth – Recusal Mr. Fassler - Interest Ms. Hines – Recusal Mr. Robinson – Recusal	Contingent Approval
3.	121274 C	Finger Lakes Visiting Nurse Service, Inc. (Ontario County) Mr. Booth – Recusal Ms. Hines – Recusal Mr. Robinson – Recusal	Contingent Approval
4.	122122 C	Visiting Nurse Services in Westchester, Inc. (Westchester County) Ms. Regan - Interest	Contingent Approval
5.	122123 C	Dominican Sisters Family Health Service, Inc. (Westchester County) Ms. Regan - Interest	Contingent Approval

Downstate Certified Home Health Agency - Construction

Exhibit #10

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 121203 C	Personal Touch Home Aides of New York, Inc. (Kings County) Mr. Fassler – Interest Ms. Regan - Interest	Contingent Approval

CATEGORY 3: Applications Recommended for Approval with the Following:

- ❖ No PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendations by HSA

Upstate Certified Home Health Agencies - Construction

Exhibit #11

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 121315 C	Home Aide Service of Eastern New York, Inc. d/b/a Eddy Visiting Nurse Service, Inc. (Rensselaer County) Ms. Hines – Abstained at EPRC	Approval

CATEGORY 4: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendation by HSA

NO APPLICATIONS

CATEGORY 5: Applications Recommended for Disapproval by OHSM or Establishment and Project Review Committee - with or without Recusals

Residential Health Care Facilities – Construction

Exhibit #12

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 102376 C	Albany County Nursing Home (Albany County)	Disapproval

CATEGORY 6: Applications for Individual Consideration/Discussion

Residential Health Care Facility– Construction

Exhibit #13

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 121075 C	Jewish Home Lifecare, Manhattan (New York County) Mr. Fassler - Interest	Contingent Approval

B. APPLICATIONS FOR ESTABLISHMENT AND CONSTRUCTION OF HEALTH CARE FACILITIES

CATEGORY 1: Applications Recommended for Approval – No Issues or Recusals, Abstentions/Interests

CON Applications

Ambulatory Surgery Centers – Establish/Construct

Exhibit #14

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 121104 B	AMSC, LLC d/b/a All Surg (Bronx County)	Contingent Approval
2. 121403 B	Union Square SC, LLC (New York County)	Contingent Approval

Diagnostic and Treatment Center – Establish/Construct

Exhibit #15

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 121354 E	Hillside Polymedic Diagnostic and Treatment Center (Queens County)	Approval
2. 121355 E	A Merryland Operating, LLC d/b/a Mermaid Health Center (Kings County)	Contingent Approval
3. 122001 E	Beacon Christian Community Health Center (Richmond County)	Approval

Residential Health Care Facilities – Establish

Exhibit 16

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 121481 E	Haym Solomon Home for the Aged (Kings County)	Contingent Approval

Certificate of Incorporation

Exhibit #17

<u>Applicant</u>	<u>E.P.R.C. Recommendation</u>
1. Betty’s Be Brave Foundation, Inc.	Approval

HOME HEALTH AGENCY LICENSURES

Exhibit #18

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 2169 L	Greene County Public Health Nursing Service (Greene County)	Contingent Approval

CATEGORY 2: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Without Dissent by HSA
- ❖ Without Dissent by Establishment and Project Review Committee

CON Applications

Acute Care Services – Establish/Construct

Exhibit #19

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 122004 E	Fletcher Allen Partners/Community Providers, Inc. (Clinton County) Mr. Booth – Interest Dr. Rugge – Abstaining/Interest	Contingent Approval

Residential Health Care Facility – Establish

Exhibit #20

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	092058 B	HBL SNF, LLC d/b/a The Rehabilitation and Care Institute at White Plains (Westchester County) Mr. Fassler – Recusal Mr. Fensterman – Recusal	Contingent Approval
2.	121427 E	JOPAL Sayville, LLC d/b/a Petite Fleur Nursing Facility (Suffolk County) Mr. Fensterman - Recusal	Contingent Approval
3.	121407 E	150 Riverside OP, LLC d/b/a The Riverside (New York County) Mr. Fensterman - Recusal	Contingent Approval

Certified Home Health Agencies – Establish

Exhibit #21

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	112306 E	Hospitals Home Health Care Inc (Oswego County) Mr. Booth - Interest	Contingent Approval
2.	121358 E	Catholic Health Care System d/b/a Archcare (Kings County) Dr. Bhat – Recusal Mr. Fassler - Recusal	Contingent Approval

Upstate Certified Home Health Agencies - Construction

Exhibit #22

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	121318 E	Northern Lights Home Health Care (St. Lawrence County) Mr. Booth – Interest	Contingent Approval

2.	122120 E	CenterLight Certified Home Health Agency (Kings) Mr. Fassler – Recusal	Contingent Approval
3.	122121 E	Jewish Home Lifecare, Community Services (New York County) Mr. Fassler – Interest Ms. Regan - Interest	Contingent Approval

Certificate of Amendment of the Certificate of Incorporation

Exhibit #23

<u>Applicant</u>	<u>E.P.R.C. Recommendation</u>
1. North Shore University Hospital Stern Family Center for Extended Care and Rehabilitation Mr. Fensterman – Recusal Mr. Kraut - Recusal	Approval

HOME HEALTH AGENCY LICENSURES

Exhibit #24

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 1991 L	International Home Care Services of NY, LLC (Bronx, Queens, Kings, Richmond, Nassau and New York Counties) Ms. Regan – Interest	Contingent Approval
2. 1943 L	Omega Care & Health Inc. d/b/a Right at Home (Nassau and Suffolk Counties) Ms. Regan – Interest	Contingent Approval
3. 2166 L	Tioga County Health Department (Tioga County) Mr. Booth – Interest	Contingent Approval
4. 1999 L	Gotham Per Diem, Inc. (Bronx, Richmond, Kings, Westchester, New York and Queens Counties) Ms. Regan - Interest	Contingent Approval

CATEGORY 3: Applications Recommended for Approval with the Following:

- ❖ No PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendations by or HSA

NO APPLICATIONS

CATEGORY 4: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Establishment an Project Review Committee Dissent, or
- ❖ Contrary Recommendation by HSA

Ambulatory Surgery Centers – Establish/Construct

Exhibit #25

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
121140 B	Endoscopy Center of Niagara (Niagara County) Mr. Booth – Interest Dr. Gutiérrez – Abstained at EPRC Dr. Martin – Abstained at EPRC	Contingent Approval

CATEGORY 5: Applications Recommended for Disapproval by OHSM or Establishment and Project Review Committee - with or without Recusals

NO APPLICATIONS

CATEGORY 6: Applications for Individual Consideration/Discussion

NO APPLICATIONS

V. *PROFESSIONAL

Report of the Committee on Health Personnel and Interprofessional Relations

Dr. Theodore Strange, Chair
Three Cases

VI. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES

A. Report of the Department of Health

Nirav R. Shah, M.D., M.P.H., Commissioner of Health

B. Report of the Office of Health Systems Management Activities

Karen Westervelt, Interim Deputy Commissioner, Office of Health Systems Management

C. Report of the Office of Information Technology Transformation

Rachel Block, Deputy Commissioner, Office of Health Information Technology Transformation

D. Report of the Office of Public Health Activities

Dr. Guthrie Birkhead, Deputy Commissioner, Office of Public Health

VII. PUBLIC HEALTH SERVICES

Report on the Activities of the Committee on Public Health

Dr. Boufford, Chair of the Public Health Committee

VIII. HEALTH POLICY

John Ruge, M.D., Chair of the Health Planning Committee

A. Report on the Activities of the Committee on Health Planning

John Ruge, M.D., Chair of the Health Planning Committee

B. Adoption of Procedure for Approval of Limited Add-ons to Single Specialty Ambulatory Surgery Centers

IX. REGULATION

Report of the Committee on Codes, Regulations and Legislation

Exhibit #26

Angel Gutiérrez, M.D., Chair

For Emergency Adoption

Subpart 86-2 of Title 10 NYCRR – Sprinkler Systems

Part 9 of Title 10 NYCRR – Synthetic Phenethylamines and Synthetic Cannabinoids Prohibited

For Information

Part 9 of Title 10 NYCRR – Synthetic Phenethylamines and Synthetic Cannabinoids Prohibited

X. NEXT MEETINGS

Planning Committee – October 30, 2012, NYC

Ad Hoc Committee to Lead the State Health Improvement Plan – October 31, 2012, NYC

Planning Committee – November 14, 2012, Albany

Committee Day – November 15, 2012, Albany

Full Council – December 6, 2012, Albany

XI. ADJOURNMENT