

**STATE OF NEW YORK**  
**PUBLIC HEALTH AND HEALTH PLANNING COUNCIL**

**AGENDA**

*August 7, 2014*

*10:00 a.m.*

\*Videoconferencing will be used for the meeting and the public has the right to attend the meeting at any below listed locations.

- Empire State Plaza, Concourse Level, Meeting Room 6, Albany (Main site)
- New York State Department of Health Offices at 584 Delaware Avenue, 3rd Floor Training Video Conference Room, Buffalo, NY 14202
- New York State Department of Health Offices, Triangle Building, 335 East Main Street, 2nd Floor Conference Room, Rochester, NY 14604

**I. INTRODUCTION OF OBSERVERS**

Jeffrey Kraut, Vice Chairman

**II. ADOPTION OF 2015 PHHPC MEETING SCHEDULE**

**Exhibit #1**

**III. APPROVAL OF MINUTES**

June 12, 2014 Meeting Minutes

**Exhibit #2**

**IV. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES**

**A. Report of the Department of Health**

Sue Kelly, Executive Deputy Commissioner of Health

**B. Report of the Office of Public Health Activities**

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

**\*C. Report of the Office of Health Insurance Programs Activities**

Jason Helgerson, Deputy Commissioner, Office of Health Insurance Programs

**\*D. Report of the Office of Primary Care and Health Systems Management Activities**

Daniel Sheppard, Deputy Commissioner

**E. Office of Quality and Patient Safety**

Update on Office Based Surgery Data

Nancey Agard, Health Policy Associate, Patient Safety Center

\*\*\*\* To be distributed under separate cover \*\*\*\*

**V. REGULATION**

**Report of the Committee on Codes, Regulations and Legislation**

**Exhibit #3**

Angel Gutiérrez, M.D., Chair, Committee on Codes, Regulations and Legislation

**For Emergency Adoption**

13-08 Amendment of Subpart 7-2 of Title 10 NYCRR (Children’s Camps)

**For Adoption**

12-20 Amendment of Part 425 of Title 10 NYCRR  
(Adult Day Health Care Programs and Managed Long Term Care)

10-15 Amendment of Section 400.18 of Title 10 NYCRR  
(Statewide Planning and Research Cooperative System (SPARCS))

**For Discussion**

14-09 Amendment of Section 2.59 of Title 10 NYCRR  
(Prevention of Influenza Transmission by Healthcare and Residential Facility and Agency Personnel)

13-04 Addition of Part 300 to Title 10 NYCRR  
(Statewide Health Information Network for New York (SHIN-NY))

**VI. PROJECT REVIEW RECOMMENDATIONS AND ESTABLISHMENT ACTIONS**

**Report of the Committee on Establishment and Project Review**

Christopher Booth, Vice Chair, Establishment and Project Review Committee

**A. APPLICATIONS FOR CONSTRUCTION OF HEALTH CARE FACILITIES**

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

**CON Applications**

**Acute Care Services - Construction**

**Exhibit #4**

	<b><u>Number</u></b>	<b><u>Applicant/Facility</u></b>	<b><u>E.P.R.C. Recommendation</u></b>
1.	132378 C	Samaritan Hospital (Rensselaer County)	Contingent Approval
2.	141159 C	St. Mary’s Healthcare – Amsterdam Memorial Campus (Putnam County)	Contingent Approval

**Cardiac Services - Construction**

**Exhibit #5**

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	132296 C	University Hospital (Suffolk County)	Contingent Approval
2.	132297 C	John T. Mather Memorial Hospital of Port Jefferson New York Inc. (Suffolk County)	Contingent Approval

**Residential Health Care Facilities Pediatric Ventilator Beds - Construction Exhibit #6**

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	132369 C	Elizabeth Seton Pediatric Center (Westchester 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**

**Residential Health Care Facilities Pediatric Ventilator Beds - Construction Exhibit #7**

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	132257 C	Sunshine Children’s Home and Rehab Center (Westchester County) Ms. Carver-Cheney – Abstaining/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

**NO APPLICATIONS**

**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

**NO APPLICATIONS**

**CATEGORY 6:** Applications for Individual Consideration/Discussion

**NO APPLICATIONS**

**B. APPLICATIONS FOR ESTABLISHMENT AND CONSTRUCTION OF HEALTH CARE FACILITIES**

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

**CON Applications**

**Residential Health Care Facilities Pediatric Ventilator Beds - Construction Exhibit #8**

	<b><u>Number</u></b>	<b><u>Applicant/Facility</u></b>	<b><u>E.P.R.C. Recommendation</u></b>
1.	141137 B	Blythedale Children’s Hospital (Westchester County)	Contingent Approval

**Ambulatory Surgery Centers – Establish/Construct Exhibit #9**

	<b><u>Number</u></b>	<b><u>Applicant/Facility</u></b>	<b><u>E.P.R.C. Recommendation</u></b>
1.	132145 E	The Rye ASC (Westchester County)	Contingent Approval

**Residential Health Care Facilities – Establish/Construct Exhibit #**

	<b><u>Number</u></b>	<b><u>Applicant/Facility</u></b>	<b><u>E.P.R.C. Recommendation</u></b>
1.	141190 E	HHH Acquisition, LLC d/b/a The Grove at Valhalla Rehabilitation and Healing Center (Westchester County)	Contingent Approval

**Certificate of Amendment of the Certificate of Incorporation Exhibit #11**

	<b><u>Applicant</u></b>	<b><u>E.P.R.C. Recommendation</u></b>
	Allegany/Western Steuben Rural Health Network, Inc.	Approval

**HOME HEALTH AGENCY LICENSURES****Exhibit #12**

<b><u>Number</u></b>	<b><u>Applicant/Facility</u></b>	<b><u>E.P.R.C. Recommendation</u></b>
2151 L	7 Day Home Care, Ltd. (Nassau and Queens Counties)	Contingent Approval
2245 L	Constellation Private Duty, LLC (Nassau, Suffolk, Westchester, Queens, New York and Bronx Counties)	Contingent Approval
1828 L	Detty Home Care Service, LLC (New York, Nassau, Bronx, Richmond, Queens and Kings Counties)	Contingent Approval
1574 L	Good Help at Home, Inc. (Bronx, Westchester, New York, Dutchess, Rockland, Orange and Ulster Counties)	Contingent Approval
2110 L	High Standard Home Care, Inc. (New York, Kings, Queens, Bronx, and Richmond Counties)	Contingent Approval
2124 L	Joy & Angels Home Care Agency, Inc. (Nassau, Suffolk and Queens Counties)	Contingent Approval
2458 L	Westchester Family Care, Inc. (Westchester, Rockland, Putnam, and Dutchess Counties)	Contingent Approval
2425 L	Oceanview Manor Home for Adults, Inc. (Kings County)	Contingent Approval
2310 L	Sachem Adult Home and ALP, LLC d/b/a Sachem Licensed Home Care Service Agency (Nassau and Suffolk Counties)	Contingent Approval
2311 L	South Bay Adult Home and ALP, LLC d/b/a South Bay Licensed Home Care Services Agency (Nassau and Suffolk Counties)	Contingent Approval

2385L	InCare Home Health Care Group, LLC d/b/a InCare Home Health Care (Bronx, New York, Kings, Richmond, Queens, and Westchester Counties)	Contingent Approval
2392L	All Metro Aids, Inc. d/b/a All Metro Health Care (New York, Queens, Kings, Bronx and Richmond Counties)	Contingent Approval
2393L	All Metro Home Care Services of New York, Inc. d/b/a All Metro Health Care (See exhibit for counties)	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 #13**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 141168 E	Cayuga Health System (Tompkins County) Mr. Booth - Interest	Contingent Approval
2. 141283 E	Lake Erie Regional Health System (Chautauqua County) Mr. Booth – Interest	Contingent Approval

**Diagnostic and Treatment Center – Establish/Construct**

**Exhibit #14**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 141090 B	Schenectady Specialty Services, LLC (Schenectady County) Ms. Fine - Recusal	Contingent Approval

**Hospice - Establish/Construct****Exhibit #15**

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	141172 E	Hospicare & Palliative Care Services of Tompkins County, Inc. (Tompkins County) Mr. Booth - Interest	Contingent Approval

**Residential Health Care Facilities – Establish/Construct****Exhibit #16**

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	141128 E	Comprehensive at Orleans, LLC d/b/a the Villages of Orleans Health and Rehabilitation Center (Orleans County) Ms. Booth - Interest	Contingent Approval
2.	141140 E	Cortland Acquisition LLC d/b/a Crown Center for Nursing and Rehabilitation (Cortland County) Mr. Booth - Interest	Contingent Approval
3.	141212 E	CCRN Operator, LLC d/b/a Focus Rehabilitation and Nursing Center at Otsego (Otsego County) Mr. Booth - Interest	Contingent Approval

**Certified Home Health Agencies – Establish/Construct****Exhibit #17**

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	141174 E	Samaritan Home Health, Inc. (Jefferson County) Mr. Booth – Interest	Contingent Approval

**Certificate of Dissolution****Exhibit #18**

	<u>Applicant</u>	<u>E.P.R.C. Recommendation</u>
	The Pluta Cancer Center, Inc. Interest: Ms. Hines	Approval

**HOME HEALTH AGENCY LICENSURES**

**Exhibit #19**

<b><u>Number</u></b>	<b><u>Applicant/Facility</u></b>	<b><u>E.P.R.C. Recommendation</u></b>
2199L	Cottrill’s Pharmacy, Inc. (Chautauqua, Erie, Niagara, Cattaraugus, Wyoming, Orleans, Allegany, Genesee and Monroe Counties) Mr. Booth – Interest Ms. Hines - Interest	Contingent Approval
2102 L	Lincolns Heart & Associates, Inc. (Monroe County) Mr. Booth – Interest Ms. Hines – Interest	Contingent Approval
2021 L	Valley Residential Services, Inc. d/b/a Valley Home Care (Herkimer County) Mr. Booth – 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

**NO APPLICATIONS**

**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

**CON Applications**

**Dialysis Center – Establish/Construct**

**Exhibit #20**

	<b><u>Number</u></b>	<b><u>Applicant/Facility</u></b>	<b><u>E.P.R.C. Recommendation</u></b>
1.	141164 B	Glengariff Dialysis Center, LLC (Nassau County) Dr. Bhat – Recusal	Contingent Approval
2.	141205 E	Workmen’s Circle Dialysis Management, LLC d/b/a Workmen’s Circle Dialysis Center (Bronx County)	Contingent Approval

**VII. NEXT MEETING**

September 18, 2014 – NYC

October 2, 2014 – NYC

**VIII. ADJOURNMENT**