

*REVISED * 9/29/14*

STATE OF NEW YORK
PUBLIC HEALTH AND HEALTH PLANNING COUNCIL

AGENDA

October 2, 2014

*Immediately following the Special Establishment and Project Review Committee which is
scheduled to begin at 10:00 a.m.*

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

I. INTRODUCTION OF OBSERVERS

Jeffrey Kraut, Vice Chairman

II. APPROVAL OF MINUTES

August 7, 2014 Meeting Minutes

Exhibit #1

III. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES

A. Report of the Department of Health

Howard A. Zucker, M.D., J.D., Acting Commissioner of Health

B. Report of the Office of Primary Care and Health Systems Management Activities

Daniel Sheppard, Deputy Commissioner

C. Report of the Office of Health Insurance Programs Activities

Jason Helgeson, Deputy Commissioner, Office of Health Insurance Programs

D. Report of the Office of Public Health Activities

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

IV. PUBLIC HEALTH SERVICES

Report on the Activities of the Committee on Public Health

Jo Ivey Boufford, M.D., Chair of the Public Health Committee

V. **HEALTH POLICY**

Report on the Activities of the Committee on Health Planning

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

VI. **REGULATION**

Report of the Committee on Codes, Regulations and Legislation

Exhibit #2

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

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

12-26 Amendment of Sections 600.3 and 710.5 of Title 10 NYCRR
(Amendment of Certificate of Need (CON) Applications)

For Discussion

Sections of Title 10 NYCRR – Integrated Services Licensure

VII. **AD HOC COMMITTEE ON FREESTANDING AMBULATORY SURGERY CENTERS AND CHARITY CARE**

Report on the Activities of the Ad Hoc Committee on Freestanding Ambulatory Surgery Centers and Charity Care

Peter Robinson, Chair

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

Report of the Committee on Establishment and Project Review

Peter Robinson, Member, 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

NO APPLICATIONS

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 - Construction

Exhibit #3

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	142005 C	Strong Memorial Hospital (Genesee County) Ms. Hines – Recusal Mr. Robinson - Recusal	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

Diagnostic and Treatment Centers – Establish/Construct

Exhibit #4

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	141060 E	Phoenix House Foundation, Inc. (New York County)	Contingent Approval
2.	141258 E	Harlem East Life Plan (New York County)	Contingent Approval

Residential Health Care Facilities – Establish/Construct

Exhibit #5

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	141044 E	Saratoga Center for Care, LLC d/b/a Saratoga Center for Rehab and Skilled Nursing Care (Saratoga County)	Contingent Approval
2.	141235 E	Safire Rehabilitation of Northtowns, LLC (Erie County)	Contingent Approval
3.	141237 E	Safire Rehabilitation of Southtowns, LLC (Erie County)	Contingent Approval
4.	142050 E	BTRNC, LLC d/b/a Beechtree Center for Rehabilitation and Nursing (Tompkins County)	Contingent Approval

Certified Home Health Agency – Establish/Construct

Exhibit #6

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	141082 E	Eddy Visiting Nurse Association (Rensselaer County)	Contingent Approval

Certificate of Amendment of the Certificate of Incorporation

Exhibit #7

Applicant

E.P.R.C. Recommendation

The Schulman and Schachne Institute for Nursing and Rehabilitation, Inc.

Approval

New York Foundling Hospital Center for Pediatrics, Medical and Rehabilitative Care, Inc.

Approval

Certificate of Merger

Exhibit #8

Applicant

E.P.R.C. Recommendation

Arnot Health Foundation, Inc.

Approval

Certificate of Incorporation

Exhibit #9

Applicant

E.P.R.C. Recommendation

The St. Joseph Hospital Foundation

Approval

HOME HEALTH AGENCY LICENSURES

Exhibit #10

Number

Applicant/Facility

E.P.R.C. Recommendation

2148 L

Apex Licensed Home Care Agency, LLC
(Bronx, Queens, Kings, Richmond, New York, Westchester Counties)

Contingent Approval

2000 L

Arvut Home Care, Inc.
(Bronx, Queens, Kings, Nassau, New York, and Richmond Counties)

Contingent Approval

2147 L	Attentive Licensed Home Care Agency, LLC (Bronx, Queens, Kings, Richmond, New York and Nassau Counties)	Contingent Approval
2136 L	Beautiful Day Home Care, Inc. (Cayuga, Tompkins, Onondaga, Cortland, Oswego, and Seneca Counties)	Contingent Approval
2134 L	Best Professional Home Care Agency, Inc. (Bronx, Kings, Queens, New York, and Richmond Counties)	Contingent Approval
2371 L	CNY Helpers, LLC d/b/a Home Helpers & Direct Link #58740 (Oneida, Madison, Onondaga and Oswego Counties)	Contingent Approval
2123 L	EOM Service, Inc. d/b/a BrightStar of South Brooklyn (Kings, Bronx, Queens, Richmond, and New York Counties)	Contingent Approval
1980 L	Clear Waters Home Care Services, LLC (Bronx, Orange, and Westchester Counties)	Contingent Approval
2038 L	Gentle Hands Agency, Inc. (Bronx, New York, Queens, Kings and Richmond Counties)	Contingent Approval
2104 L	Joyful NY, LLC d/b/a Joyful Home Care Services (Suffolk, Nassau and Queens Counties)	Contingent Approval

2066 L	Reliance Home Care, Inc. (Kings, Bronx, Queens, Richmond, New York and Nassau Counties)	Contingent Approval
1614 L	Taconic Innovations, Inc. (Westchester and Dutchess Counties)	Contingent Approval
1787 L	The Terrance at Park Place, Inc. d/b/a The Terrance at Park Place Lansing (Tompkins County)	Contingent Approval
2223 L	Alliance Nursing Staffing of New York, Inc. (Nassau, Putnam, Dutchess, New York, Rockland, Westchester, Suffolk, Sullivan and Orange Counties)	Contingent Approval
2294 L	Astra Home Care, Inc. d/b/a True Care (New York, Bronx, Kings, Richmond, Queens, and Westchester Counties)	Contingent Approval
2267 L	Bridgewood, LLC d/b/a New Fordham Arms Assisted Living LHCSA (Queens, Kings, New York, Bronx, and Richmond Counties)	Contingent Approval
2303 A	Baywood, LLC d/b/a Plan and Partner Home Healthcare (Richmond County)	Contingent Approval
2303 L	Baywood, LLC d/b/a Plan and Partner Home Healthcare (Queens, Kings, New York, and Richmond Counties)	Contingent Approval

2105 L	Healthy and Long Life Care, Inc. (New York, Bronx, Kings, Richmond, Queens and Nassau Counties)	Contingent Approval
1935 L	Supreme Homecare Agency of NY, Inc. (New York, Bronx, Kings, Richmond, Queens and Westchester Counties)	Contingent Approval
2212 L	Ameritech Homecare Solutions, LLC d/b/a PC Aide Plus (Bronx, Queens, Kings, Richmond, New York and Westchester Counties)	Contingent Approval
2496 L	A & T Healthcare, LLC (Dutchess, Rockland, Nassau, Suffolk, Orange, Westchester, Putnam, Bronx, Sullivan, Ulster, Kings, New York, Richmond, Queens, and Greene Counties)	Contingent Approval
2219 L	Healthwood Assisted Living at Williamsville, Inc. (Erie County)	Contingent Approval
2231 L	Intergen Health, LLC (Bronx, Queens, Kings, Nassau, New York, and Richmond Counties)	Contingent Approval
2309 L	Two K Management Corp. d/b/a Family Aides Home Care (Nassau, Suffolk, Queens, Westchester, Bronx, Kings, New York, Queens, Richmond, and Suffolk Counties)	Contingent Approval
2423 L	Senior Care Connection, Inc. d/b/a Eddy Senior Care (See Exhibit for Counties)	Contingent Approval

2424 L

Eddy Licensed Home Care Agency, Inc.
(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 11

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	141248 E	White Plains Hospital Center (Westchester County) Mr. Fassler – Interest	Contingent Approval
2.	142009 E	RU System (Ontario County) Ms. Hines – Recusal Mr. Robinson - Recusal	Contingent Approval
3.	142041 E	RU System (Genesee County) Ms. Hines – Recusal Mr. Robinson - Recusal	Contingent Approval

Diagnostic and Treatment Center – Establish/Construct

Exhibit #12

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	142024 E	Charles Evans Health Center, Inc. (Nassau County) Mr. Kraut – Interest	Contingent Approval
2.	142031 B	LISH, Inc. d/b/a LISH at Central Islip (Suffolk County) Mr. Kraut - Interest	Contingent Approval

Dialysis Services – Establish/Construct

Exhibit #13

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 141221 E	True North DC, LLC d/b/a Port Washington Dialysis Center (Nassau County) Dr. Bhat – Interest Mr. Kraut - Recusal	Contingent Approval
2. 142015 E	West Nassau Dialysis Center, Inc. (Nassau County) Dr. Bhat - Recusal	Contingent Approval

HOME HEALTH AGENCY LICENSURES

Exhibit #14

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
2150 L	Professional Assistance for Seniors, Inc. (Monroe, Livingston, Wayne, Genesee, and Ontario Counties) Ms. Hines – Interest Mr. Robinson - Interest	Contingent Approval
2220 L	Healthwood Assisted Living at Penfield, Inc. (Monroe County) Ms. Hines – Interest Mr. Robinson - 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

Ambulatory Surgery Centers – Establish/Construct			Exhibit #15
	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	141201 E	New York Endoscopy Center (Westchester County)	Contingent Approval
2.	141300 B	Greenwich Village Ambulatory Surgery Center, LLC (New York County) Mr. Kraut – Recusal	To be presented at the Special Establishment/Project Review Committee on 10/2/14 No Recommendation
Residential Health Care Facilities – Establish/Construct			Exhibit #16
	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	132356 E	KPRH IV Operations, LLC (Queens County)	To be presented at the Special Establishment/Project Review Committee on 10/2/14 No Recommendation
2.	141215 E	Dunkirk Operating, LLC d/b/a Chautauqua Nursing and Rehabilitation Center (Chautauqua County)	To be presented at the Special Establishment/Project Review Committee on 10/2/14 No Recommendation

IX. *PROFESSIONAL

Executive Session - Report of the Committee on Health Personnel and Interprofessional Relations

Dr. Jodumutt Bhat, Chair
One Case arising under PHL 2801-b

X. NEXT MEETING

November 13, 2014 – Albany

December 4, 2014 – Albany (Century House)

XI. ADJOURNMENT