

STATE OF NEW YORK
PUBLIC HEALTH AND HEALTH PLANNING COUNCIL

ANNUAL MEETING

AGENDA

February 9, 2017

Immediately following the Establishment and Project Review Committee which is scheduled to begin immediately following the Committee on Codes, Regulations and Legislation meeting (Scheduled to begin at 9:30 a.m.)

- *90 Church Street 4th Floor, Room 4A & 4B, New York City*
- *New York State Department of Health Offices at 584 Delaware Avenue, 2nd Floor Video Conference Room, Buffalo, NY 14202*

I. INTRODUCTION OF OBSERVERS

Jeffrey Kraut, Chair

II. ELECTION OF OFFICERS

Election of Vice Chairperson

III. APPROVAL OF MINUTES

December 8, 2016

IV. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES

A. Report of the Department of Health

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

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

Daniel Sheppard, Deputy Commissioner, Office of Primary Care and Health Systems Management

C. Report of the Office of Public Health Activities

Brad Hutton, Deputy Commissioner, Office of Public Health

V. REGULATION

Report of the Committee on Codes, Regulations and Legislation

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

For Adoption

16-26 Amendment of Section 23.1 and 23.2 of Title 10 NYCRR
(Expansion of Minor Consent for HIV Treatment Access and Prevention)

For Information

17-01 Amendment of Subpart 5-1 of Title 10 NYCRR
(Public Water Systems)

15-03 Amendment of Parts 86, 425 and 759 of Title 10 NYCRR
(Adult Day Health Care Services for Registrants with AIDS)

VI. PROJECT REVIEW RECOMMENDATIONS AND ESTABLISHMENT ACTIONS

Report of the Committee on Establishment and Project Review

Peter Robinson, Chair of 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

Residential Health Care Facility – Construction

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	162251 C	Fox Run at Orchard Park (Erie 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 - Construction

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	162380 C	Rochester General Hospital (Monroe County) Mr. Robinson – Conflict/Recusal Ms. Baumgartner - 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

Ambulatory Surgery Centers – Establish/Construct

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	162212 E	Griffis Surgery Center (Oneida County)	Contingent Approval
2.	162300 E	Plattsburgh ASC, LLC d/b/a Cataract Center for the Adirondacks (Clinton County)	Contingent Approval
3.	162358 B	North Fork, SC, LLC (Suffolk County)	Contingent Approval

Diagnostic and Treatment – Establish/Construct

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	161303 E	Smile New York Outreach, LLC (Queens County)	Contingent Approval

Residential Health Care Facility – Establish/Construct

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	161200 E	Kennedy Pavilion RH LLC d/b/a The Pavilion at Queens for Rehabilitation & Nursing (Queens County)	Contingent Approval
2.	162274 E	Rockaway Operations Associates LLC d/b/a Far Rockaway Center for Rehabilitation and Nursing (Queens County)	Contingent Approval

HOME HEALTH AGENCY LICENSURES

New LHCSA

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
2296 L	Deer Run at River Ridge LLC d/b/a The Sentinel at Amsterdam (Montgomery, Saratoga, Fulton, Schenectady, Otsego, and Schoharie Counties)	Contingent Approval
2604 L	Greater Adult Neighbors, Inc. d/b/a Arcadia Home Care Agency (Sullivan County)	Contingent Approval

Changes of Ownership

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
2643 L	Ideal Home Health Inc. (Bronx, Kings, New York, Queens, and Richmond Counties)	Contingent Approval
151296	Crickett Care, Inc. (Bronx, Westchester, Putnam, and Rockland Counties)	Contingent Approval
152390	A-Plus Care HHC Inc. (Kings, Bronx, Queens, Richmond, New York and Westchester Counties)	Contingent Approval
161335	SeniorBridge Family Companies (NY), Inc. (New York County)	Contingent Approval
*162087	CareGuardian, Inc. d/b/a Hometeam (New York, Kings, Queens, Bronx, and Richmond Counties)	Contingent Approval
162411	Blue Parasol, LLC (Bronx, Queens, Kings, Richmond, New York, and Westchester 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

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	162324 E	Northern Westchester Hospital (Westchester County) Mr. Kraut – Recusal	Contingent Approval
2.	162330 E	Phelps Memorial Hospital (Westchester County) Mr. Kraut – Recusal	Contingent Approval
3.	162353 E	Northwell Quality and Medical Affairs, Inc. (Nassau County) Mr. Kraut – Recusal	Contingent Approval
4.	162391 E	Winthrop-University Hospital (Nassau county) Dr. Kalkut – Recusal	Contingent Approval
5.	162396 E	WMC Health Network – Ulster, Inc. (Ulster County) Dr. Berliner – Interest	Contingent Approval
6.	162407 E	Upper Alleghany Health System (Cattaraugus County) Ms. Baumgartner – Recusal	Contingent Approval

Ambulatory Surgery Centers – Establish/Construct

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 162290 E	Melville SC, LLC d/b/a Melville Surgery Center (Suffolk County) Mr. Kraut - Recusal	Contingent Approval

Residential Health Care Facilities – Establish/Construct

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 152135 E	Delmar Acquisition I LLC d/b/a Bethlehem Commons Nursing and Rehabilitation Center Ms. Carver-Cheney - Recusal	Contingent Approval

HOME HEALTH AGENCY LICENSURES

New LHCSA

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
162276	The Bristol Home, Inc. d/b/a Bristol Home Care (Allegany, Genesee, Cattaraugus, Niagara, Chautauqua, Orleans, Erie and Wyoming Counties) Dr. Watkins - Recusal	Contingent Approval

Certificates

Certificate of Amendment of the Certificate of Incorporation

<u>Applicant</u>	<u>E.P.R.C. Recommendation</u>
Loretto Management Corporation Mr. LaRue – Interest/Abstained	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

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	162255 E	CLR Schenectady LLC d/b/a The Capital Living Nursing and Rehabilitation Center (Schenectady County) Dr. Martin – Abstained at E/PRC	Contingent Approval
2.	162256 E	CLR Carthage LLC d/b/a The Country Manor Nursing and Rehabilitation Center (Jefferson County) Dr. Martin – Abstained at E/PRC	Contingent Approval
3.	162257 E	CLR Minoa LLC d/b/a The Crossings Nursing and Rehabilitation Center (Onondaga County) Mr. LaRue - Opposed Dr. Martin – Abstained at E/PRC	Contingent Approval
4.	162258 E	CLR New Paltz LLC d/b/a The Mountain View Nursing and Rehabilitation Center (Ulster County) Dr. Martin – Abstained at E/PRC	Contingent Approval
5.	162259 E	CLR Granville LLC d/b/a The Orchard Nursing and Rehabilitation Center (Washington County) Dr. Martin – Abstained at E/PRC	Contingent Approval
6.	162260 E	CLR Troy LLC d/b/a The Springs Nursing and Rehabilitation Center (Rensselaer County) Dr. Martin – Abstained at E/PRC	Contingent Approval

CATEGORY 4: Applications Recommended for Approval with the Following:

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

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	161262 E	YGC at Woodycrest, LLC d/b/a Woodycrest Center (Bronx County) Ms. Carver-Cheney – Interest Dr. Martin – Abstained at E/PRC	Contingent Approval
2.	162261 E	CLR Glens Falls LLC d/b/a The The Stanton Nursing and Rehabilitation Center (Warren County) Dr. Ruge - Recusal Dr. Martin – Abstained at E/PRC	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

CON Applications

Ambulatory Surgery Centers – Establish/Construct

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	162026 E	Manhattan RSC, LLC d/b/a Manhattan Reproductive Surgery Center (New York County)	Presented at the 2/9/17 Special Establishment/Project Review Committee No Recommendation

VII. NEXT MEETING

March 22, 2017 – ALBANY
April 6, 2017 – ALBANY

VIII. ADJOURNMENT