

***REVISED 9/9/09**

State of New York
Public Health Council

ANNUAL MEETING

AGENDA

September 11, 2009
10:00 a.m.

Meeting Rooms 2 & 3
Concourse Level, Empire State Plaza
Albany

I. INTRODUCTION OF OBSERVERS

Dr. William Streck, Chairman

II. APPROVAL OF MINUTES

July 17, 2009

Exhibit #1

III. ELECTION OF OFFICERS

P Vice Chairperson

P Committee Chairpersons

< Codes & Legislation Committee

< Establishment of Health Care Facilities Committee

< Health Personnel and Interprofessional Relations Committee

< Ad Hoc Committee to Support the Prevention Agenda toward the
Healthiest State

IV REVISED COMMITTEE ON ESTABLISHMENT OF
HEALTHCARE FACILITIES / PHC 2008 MEETING LOCATION

Exhibit #2

V. ESTABLISHMENT

A. Committee on Establishment of Health Care Facilities

Susan Regan, Chair

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

CON Applications

Diagnostic and Treatment Centers

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082062	Ridge Health Services, Inc. (Schenectady County)	Contingent Approval	Exhibit #3

Residential Health Care Facilities

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
062439	Montgomery Operating Company, LLC d/b/a Montgomery Nursing Home (Orange County)	Contingent Approval	Exhibit #4

Certified Home Health Care Agency

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091052	A&T Certified Home Care, LLC (Rockland County)	Contingent Approval	Exhibit #5

Certificate of Amendment of the Certificate of Incorporations

<u>Applicant</u>	<u>E.C. Recommendation</u>	
League for the Hard of Hearing	Approval	Exhibit #6
Marcus Garvey Nursing Home, Inc. *Interest – M. Fassler	Approval	Exhibit #7
Southampton Care Center	Approval	Exhibit # 8

Certificate of Dissolution

<u>Applicant</u>	<u>E.C. Recommendation</u>	
The Grace Manor Foundation, Inc.	Approval	Exhibit #9

Restated Articles of Organization

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Gastro Operating Company, LLC	Approval	Exhibit #10

Home Health Agency Licensures

Exhibit #11

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
1741	Kenwell Realty, LLC d/b/a Kenwell Manor (Erie County)	Approval	Recusal – S. Regan

CATEGORY 2: Applications Recommended for Approval with the Following:

- § PHC Member Recusals
- § Without Dissent by SHRPC or HSA
- § Without Dissent by Establishment Committee

Ambulatory Surgery Center

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091059	Advanced Surgery Center, LLC (Rockland County) Recusal – H. Fensterman	Contingent Approval	Exhibit #12

Diagnostic and Treatment Center

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
071123	Children’s Rehabilitation Center (Westchester County) Interest – P. Yang *Interest – M. Fassler	Contingent Approval	Exhibit #13
091139	Rochester Primary Care Network, Inc. d/b/a Rushville Health Center (Yates County) Interest – P. Robinson	Contingent Approval	Exhibit #14

Certificate of Amendment of the Certificate of Incorporation

<u>Applicant</u>	<u>E.C. Recommendation</u>	
AHRC Health Care, Inc. Recusal – H. Fensterman	Approval	Exhibit #14

Home Health Agency Licensures Exhibit #16

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
1771	Academy Care Givers, Inc. (Bronx and Westchester Counties)	Approval	Recusal S. Regan Interest – P. Yang
1458	Moffat Gardens ALP, Inc. d/b/a Moffat Gardens (Kings Counties)	Approval	Recusal – S. Regan
1817	Bryan Skilled Home Care, Inc. (Nassau, Suffolk and Queen County)	Approval	Recusal – S. Regan

CATEGORY 3: Applications Recommended for Approval with the Following:

- § No PHC Member Recusals
- § Establishment Committee Dissent, or
- § Contrary Recommendations by SHRPC or HSA

NONE.

CATEGORY 4: Applications Recommended for Approval with the Following:

- § PHC Member Recusals
- § Establishment Committee Dissent, or
- § Contrary Recommendation by SHRPC or HSA

NONE.

CATEGORY 5: Applications Recommended for Disapproval by OHSM or Establishment Committee B with or without Recusals

NONE.

CATEGORY 6: Applications for Individual Consideration/Discussion

Acute Care Services

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091090	Upper Allegheny Health System (Cattaraugus County)	Contingent Approval	Exhibit #17

Dialysis Center

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082158	Liberty RC, Inc. (Kings County)	Contingent Approval	Exhibit #18

Residential Health Care Facilities

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082124	North Sea Associates, LLC d/b/a The Hamptons Rehabilitation and Nursing (Suffolk County) Recusal – H. Fensterman *Interest – M. Fassler	Contingent Approval	Exhibit #19
082134	Niskayuna Operating Company, LLC d/b/a Pathway Rehabilitation and Special Care Center (Schenectady County) Recusal – H. Fensterman	Contingent Approval	Exhibit #20
082135	Troy Operating Company, LLC d/b/a Woodlands Rehabilitation Nursing Center (Rensselaer County) Recusal – H. Fensterman	Contingent Approval	Exhibit #21
082136	Rensselaer Operating Company, LLC d/b/a Rosewood Rehabilitation and Nursing Center (Rensselaer County) Recusal – H. Fensterman	Contingent Approval	Exhibit #22

082137 Cortland Operating Company, LLC d/b/a Crown Center for Rehabilitation and Nursing Center (Cortland County)
Contingent Approval Exhibit #23
Recusal – H. Fensterman

B. Report of Establishment Applications Exhibit #24

C. Status Report on Requests for Hearings on Applications for Establishment Exhibit #25

Thomas Conway, General Counsel

VI. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES

Commissioner Richard F. Daines, M.D.

VII. PUBLIC HEALTH SERVICES

Office of Public Health Report

Novel H1N1 Influenza Update

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

VIII. REGULATION

Department Update - 09-03 Amendment of Subpart 6-2 of Title 10 NYCRR (Ocean Surf Bathing Beaches and Automated External Defibrillators(AEDs)) Exhibit #26

Committee on Codes and Legislation

Ellen Rautenberg, Chair

For Information

08-05 Amendment of Subpart 7-1 and Addition of new Subpart 7-4 of Part 7 of Title 10 (Temporary Residences and Mass Gatherings) Exhibit #27

IX. NEXT MEETING

November 13, 2009 (NYC)

X. ADJOURNMENT