

REVISED 11/10/09 *
REVISED 11/12/09 **

State of New York
Public Health Council

AGENDA

November 13, 2009
10:00 a.m.

90 Church Street
4th Floor, Room 4E03 & 4E04
New York City

I. INTRODUCTION OF OBSERVERS

Dr. William Streck, Chairman

II. APPROVAL OF MINUTES

September 11, 2009

Exhibit #1

III. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES

Commissioner Richard F. Daines, M.D.

IV. 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

Dialysis Center

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091037	New York Regional Services, LLC d/b/a New York Regional Dialysis Center (Kings County)	Contingent Approval	Exhibit #2

Residential Health Care Facilities

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082175	Bellhaven Management, LLC d/b/a Bellhaven Center for Rehabilitation and Nursing Care (Suffolk County)	Contingent Approval	Exhibit #3

Certificate of Dissolution

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Mid-Hudson Family Health Institute, Inc.	Approval	Exhibit #4
Preventative Medicine Institute	Approval	Exhibit #5

Home Health Agency Licensures Exhibit #6

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>
1603	ElderChoice, Inc. (see exhibit for counties served)	Approval
1656	Independent Home Care, Inc. (Dutchess, Orange, Sullivan and Ulster Counties)	Approval

CATEGORY 2: Applications Recommended for Approval with the Following:

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

Dialysis Center

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091145	New York Renal Associates, Inc. (Bronx County) Recusal – Mr. Fensterman	Contingent Approval	Exhibit #7

Certified Home Health Care Agency

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082180	Extraordinary Home Care (Nassau County) Recusal – Ms. Regan Interest – Mr. Fassler Interest – Dr. Yang	Contingent Approval	Exhibit #8

Certificate of Merger

<u>Applicant</u>	<u>E.C. Recommendation</u>	
AIDS Rochester, Inc. into Community Health Network, Incorporated Recusal – Ms. Fraser-Howze	Approval	Exhibit #9

Home Health Agency Licensures

Exhibit #10

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
1820	Community Care Companions, Inc. (Nassau, Queens and Suffolk Counties)	Approval	Recusal – Ms. Regan
1553	Home Care at It’s Best, Inc. (Bronx, Kings, Nassau, New York, Queens and Richmond Counties)	Approval	Recusal – Ms. Regan
1821	New Millennium NY, Inc. (Bronx, Kings, Nassau, New York, Queens and Richmond Counties)	Approval	Recusal – Ms. Regan
1805	AllTime HealthCare, Inc. (Bronx, Kings, Nassau, New York, Queens and Richmond Counties)	Approval	Recusal – Ms. 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

Ambulatory Surgery Center

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091050	SSNY Planning, LLC d/b/a Sports Surgicenter of New York (Kings County)	Contingent Approval	Exhibit #11

Dialysis Center

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082158	Liberty RC, Inc. (Kings County)	Contingent Approval	Exhibit #12

Residential Health Care Facilities

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
072082	Atlanticare Management, LLC d/b/a Putnam Ridge (Putnam County) Recusal – Mr. Fensterman	Contingent Approval	Exhibit #13

Residential Health Care Facilities

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082066	Wartburg Receiver d/b/a Bushwick Center for Rehabilitation and Health Care (Kings County) Recusal – Mr. Fensterman * Recusal – Mr. Serbaroli ** Recusal – Mr. Fassler	No Recommendation	Exhibit #14

- B. Report of Establishment Applications** Exhibit #15
- C. Status Report on Requests for Hearings on Applications for Establishment** Exhibit #16

V. REGULATION

Committee on Codes and Legislation

Debra Fraser-Howze, Acting Chair

For Emergency Adoption

09-03 Amendment of Subpart 6-2 of Title 10 NYCRR
(Ocean Surf Bathing Beaches and Automated External Defibrillators
(AEDs)) Exhibit #17

For Adoption

Amendment of Subpart 7-1 and Addition of new Subpart 7-4
of Part 7 of Title 10 (Temporary Residences and Mass Gatherings) Exhibit #18

VI. PUBLIC HEALTH SERVICES

Office of Public Health Report

H1N1 Update

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

VII. PROFESSIONAL

Report of the Committee on Health Personnel and Interprofessional Relations

Dr. Theodore Strange, Chair
Two Cases

VIII. NEXT MEETING

January 29, 2010 (Albany)

IX. ADJOURNMENT