

REVISED \* 5/10/10

**State of New York**  
**Public Health Council**

**AGENDA**

**May 14, 2010**  
**10:00 a.m.**

**90 Church Street**  
**4<sup>th</sup> Floor, Room 4A & 4B**  
**New York City**

**I. INTRODUCTION OF OBSERVERS**

\*Dr. Jo Ivey Boufford, Vice Chair

**II. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES**

Commissioner Richard F. Daines, M.D.

**III. APPROVAL OF MINUTES**

March 12, 2010

Exhibit #1

**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**

**Diagnostic and Treatment Centers**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
092132	Finger Lakes Migrant Health Care Project, Inc. (Yates County)	Contingent Approval	Exhibit #2
092172	F.E.G.S. ProCare Health Services, Inc. (New York County)	Contingent Approval	Exhibit #3

### **Dialysis Center**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091144	Jericho DC, LLC (Nassau County)	Contingent Approval	Exhibit #4

### **Certificate of Amendment of the Certificate of Incorporation**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Health Alliance, Inc.	Approval	Exhibit #5
The Kingston Hospital	Approval	Exhibit #6
Benedictine Hospital	Approval	Exhibit #7
Margaretville Memorial Hospital	Approval	Exhibit #8

### **Certificate of Dissolution**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Mohawk Valley Healthcare Foundation, Inc.	Approval	Exhibit #9

### **Home Health Agency Licensures** Exhibit #10

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>
1851	Putnam County Department of Health (Putnam County)	Contingent Approval
1853	Ontario County Public Health Department (Ontario County)	Contingent Approval
1597	Residential Resources of the Empire State, Inc. (See exhibit for counties served)	Contingent Approval

**CATEGORY 2:** Applications Recommended for Approval with the Following:

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

**Diagnostic and Treatment Center**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091168	South Ocean Care, LLC (Nassau County) Recusal – Mr. Fensterman Interest – Mr. Fassler	Contingent Approval	Exhibit #11

**Dialysis Center**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
082125	Bushwick Center for Renal Dialysis, LLC (Kings County) Recusal – Mr. Fensterman Recusal – Mr. Fassler	Contingent Approval	Exhibit #12

**Residential Health Care Facility**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
092106	JOPAL at St. James, LLC (Suffolk County) Recusal – Mr. Fensterman	Contingent Approval	Exhibit #13
081161	Eddy Village Green at Beverwyck (Albany County) Interest – Mr. Fassler	Contingent Approval	Exhibit #14

**Certificate of Amendment of the Certificate of Incorporation**

The Jewish Home and Hospital for Aged Interest – Mr. Fassler	Approval	Exhibit #15
SRN Corporation Interest – Mr. Fassler	Approval	Exhibit #16
The Jewish Home and Hospital/Bronx Division, Harry and Jeanette Weinberg Campus Interest – Mr. Fassler	Approval	Exhibit #17

**Home Health Agency Licensures**

Exhibit #18

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C.</u> <u>Recommendation</u>	
1848	Harbor Care, LLC (Bronx, Kings, New York, Queens and Richmond Counties)	Contingent Approval	Recusal – Ms. Regan
1756	Hempstead ALP, LLC (Nassau, Queens and Suffolk Counties)	Contingent 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

**Dialysis Centers**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
091151	Empire State DC, Inc. d/b/a Utica Avenue Dialysis Clinic (Kings County)	Contingent Approval	Exhibit #19
092020	Huntington Artificial Kidney Center, Ltd. (Suffolk County)	Contingent Approval	Exhibit #20

- B. **Report of Establishment Applications** Exhibit #21
- C. **Status Report on Requests for Hearings on Applications for Establishment** Exhibit #22

V. **REGULATION**

**Committee on Codes and Legislation**

Ellen Rautenberg, Chair

**For Information**

- 09-13 Amendment of Section 2.10 and Part 23 of Title 10 NYCRR (Sexually Transmitted Disease Reporting and Treatment Requirements) Exhibit #23

**For Adoption**

- 09-24 Amendment of Parts 600 and 705 of Title 10 NYCRR (Revisions to Certificate of Need Process for Threshold) Exhibit #24

VI. **PUBLIC HEALTH POLICY**

A. **Report of Office of Health Systems Management Activities**

Richard Cook, Deputy Commissioner, Office of Health Systems Management

B. **Part 709.3 of Title 10 NYCRR – Residential Health Care Facility Bed Need Methodology** Exhibit #25

Chris Delker, Division of Health Facility Planning

VII. **PROFESSIONAL**

**Report of the Committee on Health Personnel and Interprofessional Relations**

Dr. Theodore Strange, Chair  
One Case

VIII. **NEXT MEETING**

July 23, 2010 (Albany)

IX. **ADJOURNMENT**