

STATE OF NEW YORK

PUBLIC HEALTH COUNCIL

AGENDA

July 23, 2010

10:00 a.m.

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

I. INTRODUCTION OF OBSERVERS

Dr. William Streck, Chairman

II. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES

Commissioner Richard F. Daines, M.D.

III. APPROVAL OF MINUTES

May 14, 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

Ambulatory Surgery Centers

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
092188	Carnegie Hill Endo, LLC (New York County)	Contingent Approval	Exhibit #2

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
092196	Specialists' One-Day Surgery Center, LLC (Onondaga County)	Contingent Approval	Exhibit #3
101020	All City Family Healthcare Center, Inc. (Kings County)	Contingent Approval	Exhibit #4

Residential Health Care Facilities

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
081043	Treetops Rehabilitation and Care Center, LLC d/b/a North Westchester Restorative Therapy and Nursing Center (Westchester County)	Contingent Approval	Exhibit #5
091003	Little Flower Center, LLC d/b/a Suffolk Restorative Therapy & Nursing (Suffolk County)	Contingent Approval	Exhibit #6
091023	East Rockaway Center, LLC (Nassau County)	Contingent Approval	Exhibit #7
092167	MVNH Associates, LLC d/b/a Mohawk Valley Health Care Center (Herkimer County)	Contingent Approval	Exhibit #8
092182	River Ridge Living Center, LLC (Montgomery County)	Contingent Approval	Exhibit #9
092193	Norwich Operating Company, LLC d/b/a Norwich Rehabilitation and Nursing Center (Chenango County)	Contingent Approval	Exhibit #10

Certificate of Incorporation

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Friends and Families Muscular Disorders Foundation, Inc.	Approval	Exhibit #11

Certificate of Amendment of the Certificate of Incorporation

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Daughters of Jacob Geriatric Center	Approval	Exhibit #12
St. Mary's Hospital at Amsterdam	Approval	Exhibit #13
St. Mary's Hospital Auxiliary Incorporated	Approval	Exhibit #14
The Foundation of St. Mary's Hospital at Amsterdam, Inc.	Approval	Exhibit #15
Community Health Center of St. Mary's Hospital and Nathan Littauer Hospital, Inc.	Approval	Exhibit #16
United Cerebral Palsy and Handicapped Children's Association of Chemung County, Inc.	Approval	Exhibit #17

Restated Certificate of Incorporation

<u>Applicant</u>	<u>E.C. Recommendation</u>	
The Foundation for the Community Hospital at Dobbs Ferry, Inc.	Approval	Exhibit #18

Certificate of Merger

<u>Applicant</u>	<u>E.C. Recommendation</u>	
The Genesee Hospital Foundation, Inc. and Rochester General Hospital Foundation, Inc. into Rochester General Hospital Foundation, Inc.	Approval	Exhibit #19

Home Health Agency Licensures

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
1811	Baptist Health Enriched Housing Program, Inc. (Schenectady County)	Contingent Approval	
1872	Orleans County Health Department (Orleans County)	Contingent Approval	
1751	The Eliot Management Group, LLC d/b/a The Eliot at Erie Station LHCSA (Orange County)	Contingent Approval	Exhibit #20

CATEGORY 2: Applications Recommended for Approval with the Following:

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

Dialysis Centers

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
101006	Medi-System Renal Care Management Services, LLC d/b/a Medi-System Renal Care Center (Queens County) Interest – Dr. Bhat	Contingent Approval	Exhibit #21
092122	River Renal Services, Inc. (New York County) Recusal – Dr. Bhat	Contingent Approval	Exhibit #22
081081	Workmen’s Circle Dialysis Center, Inc. (Bronx County) Recusal – Dr. Bhat Recusal – Mr. Fensterman Interest – Mr. Fassler	Contingent Approval	Exhibit #23
082111	Regency Dialysis Center, LLC (Westchester County) Recusal – Mr. Fensterman	Contingent Approval	Exhibit #24

Residential Health Care Facility

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
092075	Boro Park Operating Co., LLC d/b/a Boro Park Center for Rehabilitation and Healthcare (Kings County) Recusal – Mr. Fassler Recusal – Mr. Fensterman	Contingent Approval	Exhibit #25
101037	Loretto Health and Rehabilitation Center (Onondaga County) Interest – Mr. Fassler	Contingent Approval	Exhibit #26

Certified Home Health Care Agencies

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
072094	Shining Star Home Care, LLC (Kings County) Interest – Ms. Regan	Contingent Approval	Exhibit #27
092159	V.I.P. Certified Health Services, LLC (Queens County) Recusal – Mr. Fassler Recusal – Mr. Fensterman Interest – Ms. Regan	Contingent Approval	Exhibit #28

Home Health Agency Licensures

Exhibit #29

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
1738	Newco ALP, Inc. (Nassau County)	Contingent Approval	Recusal – Ms. Regan
1839	Attentive Home Care Agency, Inc. d/b/a Always Home Care (Bronx, Kings, Nassau, New York, Queens and Richmond 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

NO APPLICATIONS

CATEGORY 4: Applications Recommended for Approval with the Following:

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

NO APPLICATIONS

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

NO APPLICATIONS

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) Abstaining – Dr. Bhat	Exhibit #30
092020	Huntington Artificial Kidney Center, Ltd. (Suffolk County) Abstaining – Dr. Bhat	Exhibit #31
B.	<u>Report of Establishment Applications</u>	Exhibit #32
C.	<u>Status Report on Requests for Hearings on Applications for Establishment</u>	Exhibit #33

V. PUBLIC HEALTH POLICY

A. Report of Office of Health Systems Management Activities

• Richard Cook, Deputy Commissioner, Office of Health Systems Management

B. Proton Beam Therapy Demonstration Projects

Karen Lipson, Director, Division of Policy
Office of Health Systems Management

C. Briefing on the New York State Electronic-Certificate Of Need (NYSE-CON) Implementation.

Charles Abel, Acting Assistant Director, Division of Health Facility Planning

VI. PUBLIC HEALTH SERVICES

Report of Office of Public Health Activities

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

VII. PROFESSIONAL

Report of the Committee on Health Personnel and Interprofessional Relations

Robert Hurlbut, Chair – One Case

VIII. NEXT MEETING

September 24, 2010 (New York City)

IX. ADJOURNMENT