

**Public Health and Health Planning Council
2021 Annual Report**

I. General Council Activities in 2021

The Public Health and Health Planning Council (PHHPC) held a total of 13 meetings.

<u>Meeting Dates</u>	<u>Meeting</u>	<u>PHHPC Meeting Location</u>
3/18/2021	Committee Day: Establishment and Project Review Committee	Virtual
4/8/2021	Committee on Codes, Regulations and Legislation Special Establishment and Project Review Committee Full Council	Virtual
5/13/2021	Committee Day: Establishment and Project Review Committee	Virtual
6/3/2021	Committee on Codes, Regulations and Legislation Annual Full Council	Virtual
7/15/2021	Committee Day: Establishment and Project Review Committee	Albany
7/29/2021	Committee on Codes, Regulations and Legislation Full Council	Albany
8/26/2021	Special Committee on Codes, Regulations and Legislation Special Full Council	Albany Buffalo NYC
9/2/2021	Special Committee on Codes, Regulations and Legislation Special Full Council	Albany Buffalo NYC
9/23/2021	Committee Day: Committee on Codes, Regulations and Legislation Establishment and Project Review Committee	Albany

10/7/2021	Committee on Codes, Regulations and Legislation Full Council	Albany
10/26/2021	Special Committee on Codes, Regulations and Legislation Special Full Council	Albany
11/18/2021	Special Committee on Codes, Regulations and Legislation Special Full Council Committee Day: Establishment and Project Review Committee	Albany
12/9/2021	Committee on Codes, Regulations and Legislation Full Council	Albany

II. Membership

Jeffrey Kraut, Chair

Jo Ivey Boufford, M.D., Vice Chair

John Bennett, Jr., M.D., F.A.C.C., F.A.C.P.

Howard Berliner, SC.D.

Lawrence Brown, Jr., M.D., M.P.H., F.A.S.A.M.
(served until June 2021)

Kathleen Carver Cheney, Esq.

Angel Alfonso Gutiérrez, M.D.

Thomas Holt

Gary Kalkut, M.D.

Scott La Rue

Harvey Lawrence

Roxanne Lewin, M.D. (appointed June 2021)

Sabina Lim, M.D. (appointed June 2021)

Glenn Martin, M.D., D.F.A.P.A., CIP (served until June 2021)

Ann Monroe

Mario Ortiz, R.N., Ph.D., F.A.A.N.

Ellen Rautenberg, M.H.S.

Peter Robinson

John Ruge, M.D., MPP

Nilda Soto, MS Ed

Theodore Strange, M.D.

Hugh Thomas, Esq.

Anderson Torres, Ph.D., LCSW-R

Kevin Watkins, M.D., M.P.H.

Patsy Yang, Dr.P.H.

Dr. Howard Zucker, Commissioner of Health, Ex-Officio

Dr. Mary Bassett, Commissioner of Health, Ex-Officio

The PHHPC consists of the following Standing Committees and Ad Hoc Committee

- Committee on Codes, Regulations and Legislation
- Committee on Establishment and Project Review
- Committee on Health Planning
- Committee on Public Health
- Ad Hoc Committee to Lead the Prevention Agenda

III. Major Accomplishments of Committees in 2021

A. Committee on Codes, Regulations and Legislation

Members

Angel Alfonso Gutiérrez, M.D., Chair	
Thomas Holt, Vice Chair	John Rugge, M.D., MPP
Kathleen Carver Cheney	Kevin Watkins, M.D., M.P.H.
Roxanne Lewin, M.D. (June 2021)	Patsy Yang, Dr.P.H.

Work Conducted in 2021

EMERGENCY ADOPTION

In 2021, the Codes Committee recommended, and the Council subsequently approved, the following regulatory proposals for emergency adoption. These regulatory changes addressed critical public health concerns.

20-22 Amendment of Section 405.11 of Title 10 NYCRR (Hospital Personal Protective Equipment (PPE) Requirements): The proposal would require that hospital shall possess and maintain a supply of all necessary items of personal protective equipment (PPE) sufficient to protect health care personnel, consistent with federal Centers for Disease Control guidance, for at least 60 days by August 31, 2020, and at least 90 days by September 30, 2020, at rate of usage equal the average daily rate that PPE was used between April 13, 2020 and April 27, 2020; provided, however, that upon request the Department may grant an extension of the deadline to October 30, 2020, at its sole and exclusive discretion for having at least a 90 day supply of PPE. **This proposal was on the Codes agenda for Emergency Adoption for the second time during 2021 on October 26, 2021**

21-06 Addition of Subpart 66-4 to Title 10 NYCRR (COVID-19 Vaccinations of Nursing Home and Adult Care Facility Residents and Personnel): The proposed amendments are necessary to prevent the spread of COVID-19 in nursing homes and adult care facilities and to help ensure the health and life of residents of nursing homes and ACFs by requiring such congregate care facilities to offer or arrange for consenting residents and personnel to receive the COVID-19 vaccine. This requirement will help ensure residents are less likely to suffer a COVID-related death or severe illness and that fewer staff test positive for COVID-19. **This proposal was on the Codes agenda for Emergency Adoption for the second time during 2021 on October 26, 2021**

21-07 Amendment of Section 415.3 of Title 10 NYCRR and Addition of Section 485.18 to Title 18 NYCRR (Personal Caregiving and Compassionate Caregiving Visitors in Nursing Homes and Adult Care Facilities): The new regulatory sections amend 10 NYCRR 415.3(d) to add new paragraphs (3), (4), and (5) concerning, respectively, personal caregiving visitation, additional provisions relating to compassionate caregiving, and authority for the Department of Health to review a nursing home's personal caregiving visitation policies and procedures. **This proposal was on the Codes agenda for Emergency Adoption for the second time during 2021 on November 18, 2021**

20-24 Addition of Sections 1.2, 700.5 and Part 360 to Title 10 NYCRR; Amendment of Sections 400.1, 405.24 & 1001.6 of Title 10 NYCRR and Sections 487.3, 488.3 and 490.3 of Title 18 NYCRR (Surge and Flex Health Coordination System): The proposed regulatory amendments would also require hospitals to: develop disaster emergency response plans; maintain a 90-day supply of personal protective equipment (PPE); ensure that staff capable of working remotely are equipped and trained to do so; and report data as requested by the Commissioner. **This proposal was on the Codes agenda for Emergency Adoption for the second time during 2021 on October 26, 2021**

20-06 Amendment of Part 2, Section 405.3 and Addition of Section 58-1.14 to Title 10 NYCRR (Investigation of Communicable Disease; Isolation and Quarantine): The proposed amendments will promote public health by establishing minimum standards for clinical laboratory testing and reporting of test results, including to the Department for purposes of taking prompt action to address outbreaks of disease. **This proposal was on the Codes agenda for Emergency Adoption for the second time during 2021 on November 18, 2021**

20-27 Amendment of Section 405.11 and Addition of New Sections 77.13, 77.14 and 415.33 to Title 10 NYCRR (COVID-19 Confirmatory Testing): The proposed amendments would allow New York State to more fully assess the number of COVID-19 cases and conduct contact tracing, testing of hospital patients and nursing home residents must be mandatory, where such patients or residents are or were suspected, but not known, to have been suffering from COVID-19. **This proposal was on the Codes agenda for Emergency Adoption for the second time during 2021 on October 26, 2021**

20-07 Amendment of Part 66 of Title 10 NYCRR (Enforcement of Social Distancing Measures): The proposed amendments would allow the Department of Health (“Department”) to control and promote the control of communicable diseases to reduce their spread.

21-14 Adding Section 2.61 Title 10 NYCRR (Prevention of COVID-19 Transmission by Covered Entities): These proposed amendments will require covered entities to ensure that personnel are fully vaccinated against COVID-19 and document such vaccination in personnel or other appropriate records. Covered entities must also review and make determinations on requests for medical and religious exemptions, which must also be documented in personnel or other appropriate records along with any reasonable accommodations. **This proposal was on the Codes agenda for Emergency Adoption for the second time during 2021 on November 18, 2021**

21-15 Addition of Sections 2.9 and 2.62 to Title 10 NYCRR (COVID-19 Reporting and Testing): These proposed amendments to the regulation will require the immediate implementation of heightened COVID-19 testing protocols for population segments that may be at increased risk of transmission and the reporting of positive COVID-19 test results to public health authorities. **This proposal was on the Codes agenda for Emergency Adoption for the second time during 2021 on November 18, 2021**

20-07 Amendment of Section 2.60 of Title 10 NYCRR & Repeal of Subpart 66-3 of Title 10 NYCRR (Face Coverings for COVID-19 Prevention): The proposed amend the SSC will address public health issues related to communicable disease.

ADOPTION

In 2021, the Codes Committee recommended, and the Council subsequently approved, 4 regulatory proposals. These regulatory changes were designed to promote health and safety, expand access to services, and align state policies with transformative changes in health care. The following provisions of Title 10 of the New York Codes Rules and Regulations (NYCRR) were amended:

20-33 Amendment of Parts 11, 46 and 85 of Title 10 NYCRR (Name Change for the Physically Handicapped Children’s Program): The proposed regulatory change is non-substantive and non-controversial. It changes the name of the “Physically Handicapped Children’s Program” (PHCP) to the “Children and Youth with Special Health Care Needs Support Services” program, in recognition of the fact that the term “physically handicapped” is outdated and limiting, as it refers to the loss of or failure to develop a specific bodily function or functions.

21-08 Amendment of Section 756.3 and Repeal of Section 756.4 of Title 10 NYCRR (Abortion Services): The proposed regulatory changes are necessary to protect and promote the health of New Yorkers seeking to access abortion services, consistent with PHL § 2800. The proposed amendments will better enable abortion service clinics, as PHL Article 28 diagnostic and treatment centers, to provide safe, high-quality services by aligning the regulations with current clinical standards for providing abortion care.

20-25 Amendment of Section 405.34(g) of Title 10 NYCRR (Stroke Services): The proposed amendments would require that hospitals that received designation as a stroke center prior to the enactment of the regulation to enter into a contractual 3 agreement with a certifying organization recognized by the Commissioner of Health within two years of the effective date of the regulation. Within a year after the hospital enters into a contractual agreement with the certifying organization, they must complete their certification as a stroke center and request designation as a stroke center from the Department.

19-33 Amendment of Subpart 5-1 of Title 10 NYCRR (Public Water Systems): The proposed amendment of 10 NYCRR Subpart 5-1 "Public Water Systems" of the State Sanitary code will correct typographic errors, update references and make minor technical revisions to conform the regulation with federal requirements to obtain primacy for the implementation and enforcement of federal drinking water regulations from U.S. Environmental Protection Agency.

REGULATORY PROPOSALS FOR INFORMATION

In 2021, the following proposals to amend provisions of Title 10 NYCRR were presented to the Codes Committee and the Council for information after they were filed in the State Register for a Notice of Proposed Rulemaking.

20-22 Amendment of Section 405.11 of Title 10 NYCRR (Hospital Personal Protective Equipment (PPE) Requirements): The proposal would require that hospital shall possess and maintain a supply of all necessary items of personal protective equipment (PPE) sufficient to protect health care personnel, consistent with federal Centers for Disease Control guidance, for at least 60 days by August 31, 2020, and at least 90 days by September 30, 2020, at rate of usage equal the average daily rate that PPE was used between April 13, 2020 and April 27, 2020; provided, however, that upon request the Department may grant an extension of the deadline to October 30, 2020, at its sole and exclusive discretion for having at least a 90 day supply of PPE.

20-23 Amendment of Section 415.19 of Title 10 NYCRR (Nursing Home Personal Protective Equipment (PPE) Requirements): The proposal would require that hospital shall possess and maintain a supply of all necessary items of personal protective equipment (PPE) sufficient to protect health care personnel, consistent with federal Centers for Disease Control guidance, for at least 60 days by August 31, 2020, and at least 90 days by September 30, 2020, at rate of usage equal the average daily rate that PPE was used between April 13, 2020 and April 27, 2020; provided, however, that upon request the Department may grant an extension of the deadline to October 30, 2020, at its sole and exclusive discretion for having at least a 90 day supply of PPE.

20-24 Addition of Sections 1.2, 700.5 and Part 360 to Title 10 NYCRR; Amendment of Sections 400.1, 405.24 & 1001.6 of Title 10 NYCRR and Sections 487.3, 488.3 and 490.3 of Title 18 NYCRR (Surge and Flex Health Coordination System): The proposed regulatory amendments would also require hospitals to: develop disaster emergency response plans; maintain a 90-day supply of personal protective equipment (PPE); ensure that staff capable of working remotely are equipped and trained to do so; and report data as requested by the Commissioner.

20-27 Amendment of Section 405.11 and Addition of New Sections 77.13, 77.14 and 415.33 to Title 10 NYCRR (COVID-19 Confirmatory Testing): The proposed amendments would allow New York State to more fully assess the number of COVID-19 cases and conduct contact tracing, testing of hospital patients and nursing home residents must be mandatory, where such patients or residents are or were suspected, but not known, to have been suffering from COVID-19.

20-06 Amendment of Part 2, Section 405.3 and Addition of Section 58-1.14 to Title 10 NYCRR (Investigation of Communicable Disease; Isolation and Quarantine): The proposed amendments will promote public health by establishing minimum standards for clinical laboratory testing and reporting of test results, including to the Department for purposes of taking prompt action to address outbreaks of disease.

21-06 Addition of Subpart 66-4 to Title 10 NYCRR (COVID-19 Vaccinations of Nursing Home and Adult Care Facility Residents and Personnel): The proposed amendments are necessary to prevent the spread of COVID-19 in nursing homes and adult care facilities and to help ensure the health and life of residents of nursing homes and ACFs by requiring such congregate care facilities to offer or arrange for consenting residents and personnel to receive the COVID-19 vaccine. This requirement will help ensure residents are less likely to suffer a COVID-related death or severe illness and that fewer staff test positive for COVID-19.

20-25 Amendment of Section 405.34(g) of Title 10 NYCRR (Stroke Services): The proposed amendments would require that hospitals that received designation as a stroke center prior to the enactment of the regulation to enter into a contractual 3 agreement with a certifying organization recognized by the Commissioner of Health within two years of the effective date of the regulation. Within a year after the hospital enters into a contractual agreement with the certifying organization, they must complete their certification as a stroke center and request designation as a stroke center from the Department.

21-13 Addition of Section 415.34 to Title 10 NYCRR (Nursing Home Minimum Direct Resident Care Spending): The proposed amendments would govern the disposition of revenue in excess of expenses permitted under PHL § 2828 for residential health care facilities. Specifically, PHL § 2828 directs that, as of January 1, 2022, every residential health care facility shall spend a minimum of 70 percent of revenue on direct resident care and 40 percent of revenue on resident-facing staffing, wherein amounts spent on resident-facing staffing are included in the amount spent on direct resident care.

21-17 Amendment of Part 405 of Title 10 (Clinical Staffing in General Hospitals): The amended regulations implement requirements under Section 2805-t of the Public Health Law requiring every general hospital to create a clinical staffing committee made up of registered nurses, licensed practical nurses, ancillary staff members providing direct patient care, and hospital administrators, by January 1, 2022.

21-20 Amendment to Sections 415.2 and 415.13 of Title 10 NYCRR (Minimum Staffing Requirements for Nursing Homes): The amendments are being proposed to ensure safe and appropriate levels of nurse staffing in nursing homes in order to improve the care for residents of nursing homes.

21-08 Amendment of Section 756.3 and Repeal of Section 756.4 of Title 10 NYCRR (Abortion Services): The proposed regulatory changes are necessary to protect and promote the health of New Yorkers seeking to access abortion services, consistent with PHL § 2800. The proposed amendments will better enable abortion service clinics, as PHL Article 28 diagnostic and treatment centers, to provide safe, high-quality services by aligning the regulations with current clinical standards for providing abortion care.

21-19 Amendment of Sections 600.1 and 600.2 of Title 10 NYCRR (Article 28 Nursing Homes; Establishment; Notice and Character and Competence Requirements): The regulatory changes are being proposed to provide a deliberate and reasonable application process for the establishment or incorporation of health care facilities in New York. The purpose of the establishment application process is to codify an application review process that includes an assessment of character and competence, quality of care metrics, financial feasibility, and other relevant factors, for the benefit of those who seek health care services at State-regulated facilities. **This proposal was on the Codes Committee as an addendum during the September 23rd meeting and on the October 7, Full Council meeting agenda, both times “for discussion”.**

B. Committee on Establishment and Project Review

Members

Peter Robinson, Chair	Scott LaRue
Gary Kalkut, M.D., Vice Chair	Harvey Lawrence
John Bennett, Jr., M.D.	Sabina Lim, M.D. (June 2021)
Howard Berliner	Glenn Martin, M.D. (served until June 2021)
Lawrence S. Brown, Jr., M.D., M.P.H. (served until June 2021)	Ann Monroe
Angel Gutierrez, M.D.	Hugh Thomas, Esq.
Thomas Holt	Anderson Torres, Ph.D.
Jeffrey Kraut	

Project Review 2021

The following projects were reviewed by the Establishment and Project Review Committee and forwarded to the Public Health and Health Planning Council in 2021.

HOSPITALS

Hospital Active Parents / Co-Operators

- 212009 E Long Island Community Hospital and Hospice
Establish NYU Langone Health System as the active parent and co-operator of Long Island Community Hospital and Long Island Community Hospital Hospice and change the corporate name of the operator
- 211023 E The New York Community Hospital of Brooklyn, Inc.
Establish Maimonides Medical Center as the active parent and co-operator of The New York Community Hospital of Brooklyn, Inc.

Hospital Modernizations or Expansions

- 211073 C John T. Mather Memorial Hospital of Port Jefferson New York, Inc. \$ 82,397,804
Construct an addition to create a new emergency department
- 202168 C Lewis County General Hospital \$ 33,067,278
Construct a two (2) story surgical pavilion and perform renovations to existing space
- 211234 C Mount St. Mary's Hospital and Health Center \$ 65,008,773
Construct a new 10-bed hospital division to be located at 6001 Shimer Drive, Lockport
- 202263 C Staten Island University Hosp-North \$ 126,450,547
Fit out two floors of a recently constructed building attached to the hospital to house the new Women and Newborn Center and decertify four maternity beds
- 202244 C University Hospital SUNY Health Science Center \$ 19,558,975
Certify an extension clinic d/b/a UPSTATE Cancer Center at Verona to be located at 5548 State Route 31, Verona to include Therapeutic Radiology Services and the addition of a Linear Accelerator

Cardiac Surgery

- 211079 C Garnet Health Medical Center \$ 16,837,492
Certify an Adult Cardiac Surgery Program and perform requisite renovations

Certification of Cardiac Catheterization Services

- 211213 C Mount Sinai Hospital - Mount Sinai Hospital of Queens \$ 253,375
Certify Cardiac Catheterization - Percutaneous Coronary Intervention and Electrophysiology services, with no construction needed
- 211180 C New York Community Hospital of Brooklyn, Inc. \$ 4,484,679
Certify Cardiac Catheterization - Percutaneous Coronary Intervention (PCI) and Cardiac Catheterization - Electrophysiology (EP) services with requisite construction.

Project Review 2021

Hospital Beds and Services

211008 C	Roswell Park Cancer Institute Certify 22 additional medical/surgical beds and two additional ICU beds and perform requisite construction	\$	2,651,493
211176 C	Strong Memorial Hospital Certify 11 Physical Medicine and Rehabilitation beds and perform construction to accommodate the new beds.	\$	6,730,000

DIAGNOSTIC AND TREATMENT CENTERS

Diagnostic and Treatment Center Establishments

211251 B	Allhealth D&T Center-Brooklyn2 Transfer 100% ownership interest from two (2) withdrawing members to two (2) new members and certify Medical Services - Other Medical Specialties at the main site and at an existing extension clinic located at 1100 Coney Island Avenue, Brooklyn		
211132 B	Arena Care LLC Establish and construct a Diagnostic & Treatment Center to be located at 8 Maple Avenue, Bay Shore, to provide primary and specialty medical care, behavioral health, occupational therapy, physical therapy, and speech-language pathology services	\$	2,878,501
201273 B	CFR Advance Services, LLC d/b/a Village Med & Rehabilitation Establish and construct a new diagnostic and treatment center to be located at 61-33 Woodhaven Boulevard, Rego Park	\$	1,297,111
212032 B	Emes Vision Center LLC Establish and construct a Diagnostic and Treatment Center to be located at 5202-5204 16th Avenue, Brooklyn to provide ophthalmology and optometry services	\$	616,055
211035 E	Griffiss Surgery Center Transfer two (2) percent interest from existing members to one (1) new member		
202257 E	Heritage One Day Surgery Transfer 15.66 percent interest to one (1) new member from five (5) existing members		
212013 E	Long Island Center for Digestive Health, LLC Transfer 51% membership interest in the Long Island Center for Digestive Health, LLC from existing members to Northwell LICDH Ventures, LLC.		
211262 B	Montefiore Westchester Community Corp. t/b/k/a Montefiore Einstein Advanced Care Establish Montefiore Westchester Community Corp. as the operator of the facility located at 555 Taxter Road, Elmsford that is currently operating as an extension clinic of Burke Rehabilitation Hospital and certify Other Medical Specialties services		

Project Review 2021

202005 B	New York City Health & Hospital Corporation/Gotham Health FQHC, Inc. d/b/a Roosevelt Community Health Center of Excellence Establish and construct a new diagnostic and treatment center to be located at 37-50 72nd Street, Jackson Heights - Safety Net	\$	31,244,030
202004 B	New York City Health & Hospitals Corporation/Gotham Health FQHC, Inc. d/b/a Broadway Community Health Center of Excellence Establish and construct a new diagnostic and treatment center to be located at 815 Broadway, Brooklyn - Safety Net	\$	77,347,207
201275 B	New York City Health & Hospitals Corporation/Gotham Health FQHC, Inc. d/b/a Tremont Community Health Center of Excellence Establish and construct a new diagnostic and treatment center to be located at 1920 Webster Avenue, Bronx - Safety Net	\$	34,455,661
202191 E	New York Preventive Health Center Transfer 100 percent ownership interest in Ajay 28, LLC d/b/a New York Preventive Health Center to three (3) new members		
212015 B	RiverSpring Project Corp. t/b/k/a RiverSpring DTC Corp. Establish and construct a diagnostic and treatment center to be located at 673 Livonia Avenue, Brooklyn, and an extension clinic to be located at 63 Marcus Garvey Boulevard, Brooklyn, to serve the PACE Program of ElderServe Health, Inc.	\$	1,942,643
211042 B	Rockwell Health, LLC Establish and construct a diagnostic and treatment center to be located at 17 West 9th Street, Brooklyn for primary care and other medical specialties including radiology, cardiology, pulmonology and endocrinology	\$	1,764,900
211270 B	Samaritan Daytop Health, Inc. Establish and construct a Diagnostic and Treatment Center to be located at 362 East 148th Street, Bronx and certify Medical Services-Primary Care - Safety Net	\$	3,511,706
<u>Freestanding Ambulatory Surgery Centers</u>			
202273 B	147 Wellness LLC t/b/k/a Midtown Endoscopy & Surgical Center, LLC Establish and construct a three-single-specialty ambulatory surgery center for gastroenterology, gynecology, and podiatry surgery services to be located at 147 East 26th Street, New York	\$	2,923,078
211054 B	Ainsworth Health, LLC Establish and construct a pain management single-specialty Freestanding Ambulatory Surgery Center to be located at 1103 Stewart Avenue, 3rd Floor, Garden City		
211219 B	Alpha Ambulatory Project, LLC t/b/k/a Alpha Ambulatory Surgery Center, LLC Establish and construct a free-standing multi-specialty ambulatory surgery center to be located at 110 East 60th Street, New York	\$	4,096,365
202090 B	Intrepid Lane ASC, LLC d/b/a Intrepid Lane Endoscopy and Surgery Center Establish and construct a multi-specialty ambulatory surgery center with four operating rooms located at 190 Intrepid Lane, Syracuse	\$	5,432,427

Project Review 2021

202093 C Richmond Pain Management ASC \$ 552,204
Certify an existing single specialty pain management ambulatory surgery center as a multi-specialty ambulatory surgery center and perform renovations to add a decontamination/sterilization suite

201113 B Syosset SASC, LLC t/b/k/a Syosset Ambulatory Surgery Center, LLC \$ 6,154,386
Establish and construct a multi-specialty ambulatory surgery center to be located at 115 Eileen Way, Syosset

Establishment of New Dialysis Providers with New Dialysis Stations

202102 B Novo Dialysis Jamaica, LLC \$ 4,350,459
Establish and construct a 36-station Chronic Renal Dialysis Center, including Home Hemodialysis Training and Support, to be located at 214-70 Jamaica Avenue, Queens

Diagnostic and Treatment Center Modernizations or Expansions

211005 C Syracuse Community Health Center, Inc. \$ 22,485,316
Relocate the main site from 819 South Salina Street, Syracuse and decertify Certified Mental Health Services. - Safety Net

CERTIFIED HOME HEALTH AGENCIES

Certified Home Health Agencies

202250 E Assured Care Home Health, LLC
Establish Assured Care Home Health, LLC as the new operator of Long Island Jewish Medical Center Home Care Department, a certified home health agency (CHHA) and relocate the CHHA to 100-04 Ditmars Boulevard, East Elmhurst serving the same counties

211039 C Guthrie Home Health
Expand the service area to include Tompkins and Cortland counties (PHL 2805-x waiver)

211107 E Northern Lights Home Health Care
Transfer 25 percent interest from one withdrawing member to the remaining members evenly

211169 E OGL Holdings, LLC d/b/a Mount Sinai at Home
Establish OGL Holdings, LLC as the new operator of an existing certified home health agency (CHHA) located at 1000 South Oyster Bay Road, Hicksville

201038 E St. Joseph's Health at Home
Establish St. Joseph's Health at Home, Inc. as the new operator of the certified home health agency currently operated by St. Joseph's Hospital Health Center with Trinity Home Health Services is the parent and Trinity Health is the grandparent

201230 E VNA Home Health
Establish Albany Visiting Nurse Home Care Services Group (VNA Group) as the parent and Albany Medical Center as the grandparent of Visiting Nurse Association of Albany, Inc.

Project Review 2021

Hospices

211032 C	Niagara Hospice, Inc. Certify six (6) additional Residence beds to increase to 16 Residence beds and 26 total certified beds, and perform requisite construction	\$	1,814,569
----------	---	----	-----------



TABLE I

Median Processing Times
(Acknowledgement to Director Action in Days)

	Admin	Full	LHCSA	Ltd
2017	77	131		32
2018	65	150	586	21
2019	87	148	186	28
2020	84	216	165	52
2021	98	152	0	62

TABLE I (A)

Historical Project Volume and Values

Year	Number of Actions						Value of Actions (in thousands)					Average Value (in thousands)			
	Admin	Full	LHCSA	Ltd	Notice	Total	Admin	Full	Ltd	Notice	Total	Admin	Full	Ltd	Notice
2017 ¹	208	120		339	449	1116	1,313,820	2,250,447	536,739	1,939,118	6,040,124	6,316	18,754	1,583	4,319
2018 ²	148	97	35	283	332	895	759,184	2,393,107	527,475	608,464	4,288,229	5,130	24,671	1,864	1,833
2019	97	101	18	305	399	920	492,504	657,505	528,747	1,080,223	2,758,980	5,077	6,510	1,734	2,707
2020	86	56	2	189	295	628	346,232	1,561,724	359,591	586,177	2,853,724	4,026	27,888	1,903	1,987
2021	101	42	0	217	359	719	433,342	562,628	404,613	414,448	1,815,031	4,291	13,396	1,865	1,154

¹ September 2017 regulatory changes:
Review thresholds for general hospitals increased for limited and administrative reviews
Notices for repair, maintenance, and infrastructure no longer required for projects < \$6M
All HIT projects require a Notice instead of LRA/CON regardless of cost

² LHCSA projects not included prior to 2018

TABLE I (B)
Projects Reviewed and Related Capital Expenditures by Region
Last Two Calendar Years

2021								
Region	Number of Projects				Value of Projects (<i>in thousands</i>)			
	Admin	Full	Ltd	Total	Admin	Full	Ltd	Total
Western	17	3	13	33	69,825	70,834	18,901	159,560
Finger Lakes	10	1	29	40	20,585	6,730	47,617	74,932
Central	11	8	19	38	12,321	74,562	36,889	123,772
NY Penn	3	1	2	6	10,392	2	1,411	11,806
Northeast	9	1	15	25	8,346	0	15,267	23,614
Hudson Valley	12	2	33	47	67,073	16,837	75,341	159,252
New York City	32	18	81	131	180,734	302,232	160,072	643,037
Long Island	7	8	25	40	64,065	91,431	49,115	204,611
Total	101	42	217	360	\$433,342	\$562,628	\$404,613	\$1,400,583

2020								
Region	Number of Projects				Value of Projects (<i>in thousands</i>)			
	Admin	Full	Ltd	Total	Admin	Full	Ltd	Total
Western	9	3	18	30	9,747	6,682	32,048	48,477
Finger Lakes	3	6	22	31	5,408	152,762	33,723	191,893
Central	6	4	14	24	23,414	5,997	6,263	35,674
NY Penn	0	1	2	3	0	131,242	55	131,297
Northeast	14	2	23	39	20,237	0	18,621	38,858
Hudson Valley	8	7	23	38	53,997	13,618	49,340	116,955
New York City	39	25	60	124	186,602	228,441	137,308	552,351
Long Island	7	8	27	42	46,827	1,022,982	82,232	1,152,041
Total	86	56	189	331	\$346,232	\$1,561,724	\$359,591	\$2,267,547

TABLE II (A)
Disapprovals
2021

None

TABLE II (B)
Withdrawals
2021

Withdrawals by Applicant	50
Withdrawals by Department	<u>16</u>
Total	66

TABLE III
Bed Changes by Facility Type by Region
2021

HOSPITALS	Western	Finger Lakes	Central	NY-Penn	North East	Hudson Valley	NYC	Long Island	TOTAL
Bed Category									
AIDS	0	0	0	0	0	0	0	0	0
Bone Marrow Transplant	0	0	0	0	0	0	0	0	0
Chemical Dependency, Detox	0	0	0	0	0	0	0	0	0
Chemical Dependency, Rehab	0	0	0	0	0	0	0	0	0
Coma Recovery	0	0	0	0	0	0	0	0	0
Coronary Care	0	0	0	0	0	0	-10	0	-10
Intensive Care	2	0	0	0	0	12	-6	0	8
Maternity Beds	0	0	0	0	0	0	19	0	19
Medical/Surgical	32	0	0	0	0	-12	-217	-28	-225
Neonatal Intensive Care	0	0	0	0	0	0	0	0	0
Neonatal Intermediate Care	0	0	0	0	0	0	0	0	0
Neonatal Continuing Care	0	0	0	0	0	0	0	0	0
Pediatric	0	-4	0	0	0	0	-15	0	-19
Pediatric ICU	0	4	0	0	0	0	0	0	4
Physical Medicine & Rehabilitation	0	11	0	0	0	0	0	28	39
Prisoner	0	0	0	0	0	0	0	0	0
Psychiatric	-12	0	0	0	0	0	-14	0	-26
Traumatic Brain Injury	0	0	0	0	0	0	0	0	0
New York State Total	22	11	0	0	0	0	-243	0	-210

RESIDENTIAL HEALTH CARE FACILITIES	Western	Finger Lakes	Central	NY-Penn	North East	Hudson Valley	NYC	Long Island	TOTAL
Bed Category									
RHCF Beds	0	0	0	0	0	-41	-92	0	-133
Behavioral Intervention	0	0	0	0	0	0	0	0	0
Neurodegenerative	0	0	0	0	0	27	0	0	27
Pediatric	0	0	0	0	0	0	0	0	0
Traumatic Brain Injury	0	0	0	0	0	0	0	0	0
Ventilator, Adult	0	0	0	0	0	0	0	0	0
Ventilator, Pediatric	0	0	0	0	0	0	0	0	0
New York State Total	0	0	0	0	0	-14	-92	0	-106

TABLE IV
Approved Projects by Facility Type
2021

TABLE IV (A)

Administrative Review Projects

Region	CHHA	DTC	HOSPICE	HOSPITAL	RHCF	TOTAL
Western	0	11	0	6	0	17
Finger Lakes	0	3	0	7	0	10
Central	0	5	0	6	0	11
NY-Penn	0	1	0	2	0	3
Northeastern	0	5	0	4	0	9
Hudson Valley	0	9	0	2	1	12
New York City	0	21	1	9	1	32
Long Island	0	1	0	6	0	7
New York State Total	0	56	1	42	2	101

TABLE IV (B)

Full Review Projects

Region	CHHA	DTC	HOSPICE	HOSPITAL	LHCSA	RHCF	TOTAL
Western	0	0	1	2	0	0	3
Finger Lakes	0	0	0	1	0	0	1
Central	2	4	0	2	0	0	8
NY-Penn	1	0	0	0	0	0	1
Northeastern	1	0	0	0	0	0	1
Hudson Valley	0	1	0	1	0	0	2
New York City	0	14	0	4	0	0	18
Long Island	2	4	0	2	0	0	8
New York State Total	6	23	1	12	0	0	42

TABLE IV (C)

Limited Review Projects

Region	DTC	HOSPITAL	RHCF	TOTAL
Western	4	8	1	13
Finger Lakes	0	27	2	29
Central	3	15	1	19
NY-Penn	0	2	0	2
Northeastern	0	14	1	15
Hudson Valley	3	25	5	33
New York City	14	47	20	81
Nassau-Suffolk	3	18	4	25
New York State Total	27	156	34	217

TABLE V
Public Health and Health Planning Council
Establishment Projects Reviewed by Facility Type
2021

Facility Type	Current Year				2020	2019	2018
	Approval	Disapproval	Deferral	Total	Total	Total	Total
Hospitals	2	0	0	2	2	3	8
Residential Health Care Facilities	0	0	0	0	1	15	33
Diagnostic and Treatment Centers	21	0	0	21	24	40	30
Certified Home Health Agencies	5	0	0	5	2	11	11
Hospices	0	0	0	0	0	1	2
Licensed Home Care Services Agency	0	0	0	0	2	18	35
New York State Total	28	0	0	28	31	88	119

Work Conducted in 2021

C. Health Planning Committee

Members

John Rugge, M.D. MPP - Chair	
John Bennett, Jr., M.D.	Roxanne Lewin, M.D. (June 2021)
Howard Berliner	Glenn Martin, M.D. (until June 2021)
Jo Ivey Boufford, M.D.	Ann Monroe
Kathleen Carver Cheney	Mario Ortiz, R.N., Ph.D., F.A.A.N.
Jeffrey Kraut	Ellen Rautenberg
Scott LaRue	Peter Robinson
Harvey Lawrence	

The Committee did not officially meet in 2021 due to the intensive, monthly regulatory work carried out by PHHPC during the COVID-19 pandemic.

D. Public Health Committee

Members

Jo Ivey Boufford, M.D., Chair	
Anderson Torres, Ph.D., Vice Chair	Mario Ortiz, R.N., Ph.D., F.A.A.N.
John Bennett, Jr., M.D.	Ellen Rautenberg
Lawrence S. Brown, Jr., M.D., M.P.H. (until June 2021)	Nilda Soto
Angel Gutiérrez, M.D.	Theodore Strange, M.D.
Sabina Lim, M.D. (June 2021)	Kevin Watkins, M.D., M.P.H.
Ann Monroe	Patsy Yang, Dr.P.H.

The Committee did not officially meet in 2021 due to the intensive, monthly regulatory work carried out by PHHPC during the COVID-19 pandemic.

Work Conducted in 2021

D. Committee on Health Personnel and Interprofessional Relations

Members

Glenn Martin, M.D., Chair (until June 2021)	Angel Gutiérrez, M.D.
Hugh Thomas, Esq. (June 2021)	Thomas Holt
Kathleen Carver-Cheney, Esq	Mario Ortiz, R.N., Ph.D., F.A.A.N.

The Committee reviewed and decided on seven health personnel cases in Executive Session.

Adopted April 5, 2022