

**Public Health and Health Planning Council  
2022 Annual Report**

**I. General Council Activities in 2022**

The Public Health and Health Planning Council (PHHPC) held a total of 16 meetings.

<b><u>Meeting Dates</u></b>	<b><u>Meeting</u></b>	<b><u>PHHPC Meeting Location</u></b>
1/11/2022	Special Committee on Codes, Regulations and Legislation  Special Full Council	Albany Zoom
1/27/2022	Committee Day:  Establishment and Project Review Committee	Albany Zoom
2/10/2022	Committee on Codes, Regulations and Legislation  Annual Full Council	Albany Zoom
3/1/2022	Joint Health Planning Committee and Public Health Committee	Albany Zoom
3/2/2022	Special Establishment and Project Review Committee  Special Full Council	Albany Zoom
3/17/2022	Special Committee on Codes, Regulations and Legislation  Special Full Council	Albany Zoom
3/24/2022	Committee Day:  Establishment and Project Review Committee	Albany Zoom
4/15/2022	Committee on Codes, Regulations and Legislation  Full Council	Albany Zoom
5/19/2022	Committee Day:  Establishment and Project Review Committee	Albany Zoom
6/2/2022	Committee on Codes, Regulations and Legislation  Full Council	Albany NYC Zoom

7/14/2022	Committee Day: Establishment and Project Review Committee	Albany
7/28/2022	Committee on Codes, Regulations and Legislation Full Council	Albany NYC
9/15/2022	Special Committee on Codes, Regulations and Legislation Special Full Council Establishment and Project Review Committee	Albany NYC
10/6/2022	Committee on Codes, Regulations and Legislation Full Council	Albany NYC
11/17/2022	Special Committee on Codes, Regulations and Legislation Special Full Council Committee Day: Establishment and Project Review Committee	Albany NYC
12/8/2022	Committee on Codes, Regulations and Legislation Full Council	Albany NYC

## **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.  
Angel Alfonso Gutiérrez, M.D.  
Thomas Holt  
Gary Kalkut, M.D.  
Scott La Rue  
Harvey Lawrence  
Roxanne Lewin, M.D.  
Sabina Lim, M.D.  
Ann Monroe  
Mario Ortiz, R.N., Ph.D., F.A.A.N.

Ellen Rautenberg, M.H.S. (served until 5/31/2022)  
Peter Robinson  
John Ruge, M.D., MPP  
Denise Soffel, Ph.D. (appointed 6/2/2022)  
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. 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 2022

#### A. **Committee on Codes, Regulations and Legislation**

##### **Members**

Angel Alfonso Gutiérrez, M.D., Chair (6/2011 – 1/2022)	Thomas Holt, Vice Chair (6/2011 – 1/2022)
Vice Chair (2/2022 – 12/31/2022)	Chair (2/2022 – present)

Jeffrey Kraut	Kevin Watkins, M.D., M.P.H.
Roxanne Lewin, M.D.	Patsy Yang, Dr.P.H.
John Rugge, M.D., MPP	

##### Work Conducted in 2022

#### **EMERGENCY ADOPTION**

**In 2022, the Codes Committee recommended, and the Council subsequently approved, the following 8 regulations amending Titles 10 and 18 of the New York Codes, Rules and Regulations (NYCRR) for emergency adoption. These emergency regulations addressed critical public health concerns.**

**20-22 Amendment of Sections 405.11 and 415.19 of Title 10 NYCRR (Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements):** In order for hospital and nursing home staff to safely provide care for COVID-19 positive patients and residents, or patients and residents infected with another communicable disease, while ensuring that they themselves do not become infected with COVID-19 or any other communicable disease, personal protective equipment (PPE), including masks, gloves, respirators, face shields and gowns, must be readily available and used. Therefore, these regulations ensure that hospitals and nursing homes have sufficient PPE stockpiles in the event of a communicable disease outbreak, should supply chain issues arise, to ensure each facility is adequately prepared to protect its staff and patients or residents, without needing to rely on the State’s emergency stockpile. The regulations set forth two distinct calculations for hospitals and nursing homes to calculate the requisite 60-day PPE supply and set forth the specific types of PPE required in the stockpile. **This regulation was on the Codes agenda on January 11, 2022, April 5, 2022, June 2, 2022, September 15, 2022, and November 17, 2022.**

**21-06 Addition of Subpart 66-4 to Title 10 NYCRR (COVID-19 Vaccinations of Nursing Home and Adult Care Facility Residents and Personnel):** These regulations seek to prevent the spread of COVID-19 in nursing homes and adult care facilities (ACFs) and to help protect 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 was established by regulation to 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 regulation was on the Codes agenda on January 11, 2022, April 5, 2022 and June 2, 2022.**

**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):** These regulatory amendments permit the State Commissioner of Health or their designee to take specific actions, as well as to temporarily suspend or modify certain regulatory provisions (or parts thereof) in Titles 10 and 18 of the NYCRR during a state disaster emergency, where such provisions are not required by state or federal law. The Commissioner's authority to suspend or modify certain regulations, as set forth in these regulations, are intended to ensure that the State has the most efficient regulatory tools to facilitate the State's and regulated parties' response efforts to Surge and Flex the healthcare system statewide. The regulation also permits the Commissioner to take certain actions, where consistent with any Executive Order (EO) issued by the Governor during a declared state disaster emergency. Examples include issuing directives to authorize and require clinical laboratories or hospitals to take certain actions consistent with any such EOs, as well as the temporary suspension or modification of additional regulatory provisions when the Governor temporarily suspends or modifies a controlling state statute. The regulatory amendments also require hospitals to: develop disaster emergency response plans; maintain a 60-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 regulation was on the Codes agenda on January 11, 2022, April 5, 2022, June 2, 2022, September 15, 2022 and November 17, 2022.**

**21-14 Addition of Section 2.61 to Title 10 NYCRR, Amendment of Sections 405.3, 415.19, 751.6, 763.13, 766.11, 794.3 & 1001.11 of Title 10 NYCRR & Sections 487.9, 488.9 and 490.9 of Title 18 NYCRR (Prevention of COVID-19 Transmission by Covered Entities):** These regulations require certain covered entities to ensure their personnel are fully vaccinated against COVID-19, and to document evidence thereof in appropriate records. Such covered entities are also required to review and make determinations on medical exemption requests and provide reasonable accommodations thereof to protect the wellbeing of the patients, residents and personnel in such facilities. These regulations further require documentation and information regarding personnel vaccinations, as well as approved exemption requests, to be provided to the Department immediately upon request. **This regulation was on the Codes agenda on January 11, 2022 and March 17, 2022.**

**20-06 Amendment of Part 2, Section 405.3 and Addition of Section 58-1.14 to Title 10 NYCRR (Investigation of Communicable Disease):** These regulations update, clarify and strengthen the Department’s authority, as well as that of local health departments, to take specific actions to control the spread of disease, including actions related to investigation and response to a disease outbreak, as well as the issuance of isolation and quarantine orders. **This regulation was on the Codes agenda on February 10, 2022, April 5, 2022, June 2, 2022, July 28, 2022, October 6, 2022 and December 8, 2022.**

**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):** These regulations provide that masking may be required under certain circumstances, as determined by the Commissioner based on COVID-19 incidence and prevalence, as well as any other public health and/or clinical risk factors related to COVID-19 disease spread. **This regulation was on the Codes agenda on February 10, 2022, April 5, 2022, June 2, 2022, July 28, 2022, October 6, 2022 and December 8, 2022.**

**21-15 Addition of Sections 2.9 and 2.62 to Title 10 NYCRR (COVID-19 Reporting and Testing):** Empowers Commissioner to issue determinations requiring the immediate implementation of heightened COVID-19 testing protocols for population segments that may be at increased risk of transmission due, in part, to their employment or residential circumstances. These regulations also permit the Department to require reporting of testing and positive reports among school students, teaching staff, and any other employees or volunteers. **This regulation was on the Codes agenda February 10, 2022 and April 5, 2022.**

**22-21 Amendment of Section 23.1 of Title 10 NYCRR (Mpox Virus to the List of Sexually Transmitted Diseases (STDs)):** This amendment adds the Mpox virus (formerly known as “Monkeypox” until redesignation by the World Health Organization) to Group B of the existing list of STDs. County local health departments (LHDs) have an existing legal obligation to control the spread of Mpox under Public Health Law Article 6 communicable disease guidance. Consistent with such guidance, this regulation requires STD clinics operated by LHDs or providing services through contractual arrangements to provide diagnosis and treatment, including prevention services, to persons diagnosed or at risk for 3 Mpox, either directly or through referral. Further, this regulation allows minors to consent to their own Mpox testing, prevention services (including vaccine), and treatment. **This regulation was on the Codes agenda on October 6, 2022.**

## ADOPTION

**In 2022, the Codes Committee recommended, and the Council subsequently approved, the following 7 regulations amending Titles 10 and 18 of the NYCRR for permanent adoption. These regulations were designed to promote health and safety, expand access to services, and align state policies with transformative changes in health 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):** These regulations were amended to codify the procedure for the notification to the Long-term care ombudsman (LTCO), residents, staff, and others of an application for the establishment of a nursing home operator.

**21-14 Addition of Section 2.61 to Title 10 NYCRR, Amendment of Sections 405.3, 415.19, 751.6, 763.13, 766.11, 794.3 & 1001.11 of Title 10 NYCRR & Sections 487.9, 488.9 and 490.9 of Title 18 NYCRR (Prevention of COVID-19 Transmission by Covered Entities):** These regulations require certain covered entities to ensure their personnel are fully vaccinated against COVID-19, and to document evidence thereof in appropriate records. Such covered entities are also required to review and make determinations on medical exemption requests and provide reasonable accommodations thereof to protect the wellbeing of the patients, residents and personnel in such facilities. These regulations further require documentation and information regarding personnel vaccinations, as well as approved exemption requests, to be provided to the Department immediately upon request.

**21-06 Addition of Subpart 66-4 to Title 10 NYCRR (COVID-19 Vaccinations of Nursing Home and Adult Care Facility Residents and Personnel):** These regulations were implemented to help prevent the spread of COVID-19 in nursing homes and adult care facilities (ACFs) and to help protect 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 was established by regulation to help ensure residents are less likely to suffer a COVID-related death or severe illness and that fewer staff test positive for COVID-19.

**20-24 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):** These regulatory amendments permit the State Commissioner of Health or their designee to take specific actions, as well as to temporarily suspend or modify certain regulatory provisions (or parts thereof) in Titles 10 and 18 of the NYCRR during a state disaster emergency, where such provisions are not required by state or federal law. The Commissioner's authority to suspend or modify certain regulations, as set forth in these regulations, are intended to ensure that the State has the most efficient regulatory tools to facilitate the State's and regulated parties' response efforts to Surge and Flex the healthcare system statewide. The regulation also permits the Commissioner to take certain actions, where consistent with any Executive Order (EO) issued by the Governor during a declared state disaster emergency. Examples include issuing directives to authorize and require clinical laboratories or hospitals to take certain actions consistent with any such EOs, as well as the temporary suspension or modification of additional regulatory provisions when the Governor

temporarily suspends or modifies a controlling state statute. The regulatory amendments also require hospitals to: develop disaster emergency response plans; maintain a 60-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.

**21-13 Addition of Section 415.34 to Title 10 NYCRR (Nursing Home Minimum Direct Resident Care Spending):** These regulations implement the statutory directive of Public Health Law section 2828. Specifically, pursuant to the statute, the regulations (1) set forth how facilities that fail to meet the statutory minimum spending requirements must pay the State, (2) provide exceptions from the minimum spending requirements for residential health care facilities that serve certain specialized populations, (3) set forth factors the Department will use to determine whether to waive the spending requirements for facilities unable to comply due to “unexpected or exceptional circumstances that prevented compliance,” and (4) provide factors the Department will use to determine whether to exclude extraordinary revenues and capital expenses from the calculations to determine whether a facility has met its minimum spending requirements. Requiring nursing homes to spend an appropriate amount of revenue on the direct care of residents and resident-facing staffing will reduce errors, complications, and adverse resident care incidents. It will also improve the safety and quality of life for all long-term care residents in New York State.

**21-20 Amendment to Sections 415.2 and 415.13 of Title 10 NYCRR (Minimum Staffing Requirements for Nursing Homes):** These regulations implement the statutory directive of Public Health Law section 2895-b. Specifically, pursuant to the statute, the regulations: (1) set forth minimum nurse staffing standards; (2) provide for the imposition of penalties for failure to meet minimum staffing standards; (3) provide for mitigating factors for failure to meet the minimum staffing requirements; and (4) set forth a process for the Department to determine facilities that are in need of assistance to meet the staffing requirements. Research has demonstrated that as nurse turnover increases in nursing homes, the quality of resident care declines. Therefore, having adequate nurse staffing levels provides residents with the highest quality of care. Requiring these facilities to meet this minimum level of staffing will help ensure patient safety and improve the quality of care received by the residents of the nursing home.

**22-11 Amendment of Subpart 5-1 of Title 10 NYCRR (Public Water Systems):** Amendments were made to Title 10, Subpart 5-1 to correct typographical errors and inconsistencies with the Code of Federal Regulations to retain the Department’s primacy enforcement authority under the Safe Drinking Water Act. These regulatory amendments were adopted by consensus rulemaking.

## REGULATORY PROPOSALS FOR INFORMATION

**In 2022, the following 4 proposals to amend Title 10 NYCRR were presented to the Codes Committee and the Council for information after a Notice of Proposed Rulemaking was filed in the *State Register*.**

**21-06 Addition of Subpart 66-4 to Title 10 NYCRR (COVID-19 Vaccinations of Nursing Home and Adult Care Facility Residents and Personnel):** These regulations seek to prevent the spread of COVID-19 in nursing homes and adult care facilities (ACFs) and to help protect 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 was established by regulation to help ensure residents are less likely to suffer a COVID-related death or severe illness and that fewer staff test positive for COVID-19.

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**22-16 Amendment of Subpart 5-1 of Title 10 NYCRR (Maximum Contaminant Levels (MCLs)):** These regulations are proposed for adoption pursuant to Public Health Law (PHL) section 1112, which requires the Department to adopt Emerging Contaminants Monitoring Requirements (ECMR). Specifically, PHL section 1112 requires that Notification Levels (NLs) be established for 23 PFAS designated as "emerging contaminants." The first category is a sum of 6 compounds to 0.0000300 mg/L (30 ppt) with a 10 ppt notification level for hexafluoropropylene oxide-dimer acid (HFPO-DA/GenX) and the second category is a sum of 13 compounds to 0.000100 mg/L (100 ppt). Decisions on each PFAS chemical's notification category were made based on an evaluation of liver toxicity effect levels, human half-lives,



established reference doses, and chemical structure similarities. The 30 ppt notification levels applies to the sum of six (6) PFAS compounds and the 100 ppt NL applies to the sum 13 PFAS compounds. Confirmed sample results that are at or above either NL will prioritize evaluations of the public water system, allow for exposure reduction recommendations based on those evaluations, and provide advanced communication to the community served by the water system.

**B. Committee on Establishment and Project Review**

**Members**

Peter Robinson, Chair  
Gary Kalkut, M.D., Vice Chair  
John Bennett, Jr., M.D.  
Howard Berliner  
Angel Gutierrez, M.D.  
Thomas Holt  
Jeffrey Kraut

Scott LaRue  
Harvey Lawrence  
Sabina Lim, M.D.  
Ann Monroe  
Hugh Thomas, Esq.  
Anderson Torres, Ph.D.

## Project Review 2022

The following projects were reviewed by the Establishment and Project Review Committee and forwarded to the Public Health and Health Planning Council in 2022.

### HOSPITALS

#### Hospital Mergers

212223 C New York-Presbyterian Hospital - New York Weill Cornell Center  
Certify NewYork-Presbyterian Brooklyn Methodist Hospital as a new division of The New York and Presbyterian Hospital

#### Hospital Modernizations or Expansions

212282 C	Auburn Community Hospital Construct a radiation oncology center with a linear accelerator on the hospital campus and certify Radiology-Therapeutic O/P	\$ 14,127,057
21218 C	United Memorial Medical Center Certify a new extension clinic at 8103 Oak Orchard Road, Batavia providing primary care, other medical specialties, and single-specialty ambulatory surgery (gastroenterology) services	\$ 33,776,631
212135 C	University Hospital SUNY Health Science Center Certify a new division to be called Upstate University Hospital at Hutchings to provide inpatient behavioral health services to adolescents and children to be located at 620 Madison Avenue, Syracuse, and certify 29 psychiatric beds	\$ 3,086,375
212174 C	Westchester Medical Center Construct a five-story inpatient bed tower on the main campus to house 96 beds (41 ICU and 55 Medical/Surgical), and with shell space on the 5th Floor, with no change in total certified beds	\$ 165,800,164

#### Cardiac Surgery

211094 C	New York-Presbyterian Hospital - New York Weill Cornell Center Certify Adult Heart Transplant Services and acquire requisite equipment	\$ 8,352,970
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#### Hospital Ambulatory Surgery Centers

212248 C	NYU Langone Hospital-Long Island Certify a new single-specialty ambulatory surgery center extension clinic on the 7th floor of 211 Station Road, Mineola	\$ 18,219,372
212212 C	NYU Langone Orthopedic Center Certify ambulatory surgery - multi-specialty and perform renovations to add an 18-OR ambulatory surgery center in the extension clinic located at 333 East 38th Street, New York	\$ 189,297,119

#### Hospital Beds

221054 C	Canton-Potsdam Hospital Certify 15 additional Medical/Surgical beds, construct a four-story addition to include 60 single-bedded rooms, an expansion of the emergency department and shell space, and renovate the existing emergency department	\$ 71,795,281
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## Project Review 2022

212113 C	North Shore University Hospital Construct an 8-story addition to include new surgical suites and intensive care units (ICU) and certify 38 additional ICU beds, 20 via an intra-network bed transfer from LIJ Valley Stream (Companion to 212127) (Amends and Supersedes 172212)	\$ 560,705,671
212259 C	Sisters of Charity Hospital - St. Joseph Campus Perform renovations to create an addiction treatment unit and convert 40 medical/surgical beds to 40 chemical dependence rehabilitation beds	\$ 7,885,120
221105 C	Strong Memorial Hospital Construct an inpatient bed tower, certify 9 Intensive Care beds and 35 Medical/Surgical beds, and perform renovations to expand and modernize the emergency department	\$ 557,250,894

### RESIDENTIAL HEALTH CARE FACILITIES

#### RHCF Establishments

192228 E	Betsy Ross Operations, LLC d/b/a Betsy Ross Rehabilitation and Nursing Establish Betsy Ross Operations, LLC as the new operator of the 120-bed residential health care facility located at 1 Elsie Street, Rome	
192027 E	Crest Opco LLC d/b/a Crest Manor Living and Rehabilitation Center Establish Crest Opco LLC as the new operator of the 80-bed residential health care facility (RHCF), located at 6745 Pittsford-Palmyra Road, Fairport	
192336 E	DURNC Operating, LLC d/b/a Dunkirk Rehabilitation & Nursing Center Establish DURNC Operating, LLC as the new operator of the 40-bed residential health care facility located at 447-449 Lake Shore Drive West, Dunkirk, currently operated by Absolut Center for Nursing and Rehabilitation at Dunkirk, LLC	
192026 E	Eastside Opco LLC d/b/a East Side Nursing & Rehab Establish Eastside Opco LLC as the new operator of the 80-bed residential health care facility located at 62 Prospect Street, Warsaw currently operated as East Side Nursing Home	
192332 E	EDRNC Operating, LLC d/b/a Eden Rehabilitation & Nursing Center Establish EDRNC Operating, LLC as the new operator of the 40-bed residential health care facility located at 2806 George Street, Eden currently operated by Absolut Center for Nursing and Rehabilitation at Eden, LLC	
202054 E	Forest View Center for Rehabilitation & Nursing Transfer of 12.5% ownership interest from one (1) withdrawing stockholder to one (1) new stockholder	
211233 E	Glen Island Center for Nursing and Rehabilitation Transfer 90.01 percent interest from one withdrawing shareholder to the remaining shareholder	
192204 E	Highland Nursing Home, Inc. d/b/a North Country Nursing & Rehabilitation Center Transfer 100 percent shareholder interest to ten new shareholders	

## Project Review 2022

- 221084 E Hilaire Farm Skilled Living & Rehabilitation Center, LLC d/b/a Hilaire Rehab & Nursing  
Transfer 33.3% ownership interest from one deceased member to one new member
- 192333 E HORNC Operating, LLC d/b/a Houghton Rehabilitation & Nursing Center  
Establish HORNC Operating, LLC as the new operator of the 100-bed residential health care facility located at 9876 Luckey Drive, Houghton currently operated by Absolut Center for Nursing and Rehabilitation at Houghton, LLC
- 211276 E J&H Operations, LLC d/b/a Swan Lake Nursing & Rehabilitation  
Establish J&H Operations, LLC d/b/a Swan Lake Nursing & Rehabilitation as the new operator of Suffolk Center for Rehabilitation and Nursing an existing 120-bed residential health care facility at 25 Schoenfeld Boulevard Patchogue
- 202203 E Kingsway Arms Nursing Center, Inc.  
Transfer 19.0826 percent ownership to an existing member
- 202084 E Lawrence Nursing Care Center, Inc.  
Transfer of 90.1% ownership interest from four (4) withdrawing stockholders to four (4) remaining stockholders, each of whom will own 25% ownership interest
- 202106 E Montgomery Operating Co., LLC d/b/a Montgomery Nursing and Rehabilitation Center  
Transfer a total of 99% ownership interest from four withdrawing members and one existing member to six new members
- 202066 E New Vanderbilt Rehabilitation and Care Center, Inc.  
Transfer 30.2% interest from one withdrawing member to the three remaining members
- 201024 E Optima Care Brentwood, LLC d/b/a Maria Regina Rehabilitation and Nursing  
Establish Optima Care Brentwood, LLC as the operator of the 188-bed residential health care facility located at 1725 Brentwood Road, Brentwood currently operated by Maria Regina Residence, Inc.
- 202122 E Providence Rest, Inc.  
Establish Catholic Health Care System as the active parent/co-operator of Providence Rest, a 200-bed residential health care facility located at 3304 Waterbury Avenue, Bronx
- 202269 E Ross OPCO LLC d/b/a Ross Center for Nursing and Rehabilitation  
Establish Ross OPCO LLC as the new operator of Ross Center for Nursing and Rehabilitation, an existing 120 bed skilled nursing facility located at 839 Suffolk Avenue, Brentwood
- 192335 E SARNC Operating, LLC d/b/a Salamanca Rehabilitation & Nursing Center  
Establish SARNC Operating, LLC as the new operator of the 120-bed residential health care facility located at 451 Broad Street, Salamanca currently operated by Absolut Center for Nursing and Rehabilitation at Salamanca, LLC

## Project Review 2022

- 211087 E The Premier Center for Rehabilitation of Westchester, LLC d/b/a Springvale Nursing and Rehabilitation Center  
Establish The Premier Center for Rehabilitation of Westchester, LLC as the new operator of Bethel Nursing and Rehabilitation Center, a 200-bed residential health care facility located at 67 Springvale Road, Croton-On-Hudson
- 202034 E Ulster NH Operations LLC d/b/a Golden Hill Center for Rehabilitating and Nursing  
Establish Ulster NH Operation LLC as the new operator of the 280-bed residential health care facility located at 99 Golden Hill Drive, Kingston, currently operated as Golden Hill Nursing and Rehabilitation Center
- 211139 E Village Acquisition I, LLC d/b/a Lower West Side Rehabilitation and Nursing Center  
Establish Village Acquisition I, LLC as the new operator of VillageCare Rehabilitation and Nursing Center, a 105-bed residential health care facility located at 214 West Houston Street, New York

### **RHCF Modernizations or Expansions**

- 221065 C Elizabeth Seton Children's Center \$ 118,000,000  
Certify a 96-bed residential health care facility for a Young Adult Demonstration Program to be constructed at 315 North Street, White Plains
- 212105 C Rutland Nursing Home, Inc. \$ 43,039,119  
Certify an 80-bed Young Adult Demonstration Program, with no change in total certified beds, and perform requisite renovations - OBH

### **DIAGNOSTIC AND TREATMENT CENTERS**

#### **Diagnostic and Treatment Center Establishments**

- 221224 E 21 Reade Place ASC, LLC d/b/a Bridgeview Endoscopy  
Transfer 41.6665% ownership interest to five new members of the sole member LLC
- 221231 B A Friendly Face Akademy, Corp. \$ 466,082  
Establish and construct a new diagnostic and treatment center for primary care and other medical specialties at 1887 Richmond Avenue, Staten Island
- 221267 E Advanced Endoscopy LLC d/b/a Advanced Endoscopy Center  
Transfer of 10.71213% ownership interest from three withdrawing Class B members to one new member LLC
- 212079 E Ambulatory Surgery Center of Western New York LLC  
Transfer 77% ownership interest from 23 existing members to one new member
- 211143 E AMSC, LLC d/b/a Downtown Bronx ASC  
Transfer 100% of membership interest in AMSC, LLC d/b/a Downtown Bronx ASC

## Project Review 2022

221115 E	Apex Surgical Center Transfer a total of 48.87% ownership interest from three withdrawing members and four existing members to two new individual members, one new member LLC comprised of multiple individual members, and two existing members		
221145 B	Apple Care Health Establish and construct a new diagnostic and treatment center at 1578 Fulton Street, Brooklyn	\$	1,202,557
192211 B	Beach Channel D&TC, LLC d/b/a Beach Channel Diagnostic and Treatment Center Establish and construct a diagnostic and treatment center to be located at 50-15 Beach Channel Drive, Far Rockaway, in Peninsula Nursing and Rehabilitation Center	\$	1,276,882
212219 B	Bronx Community Health Network, Inc. Establish and construct a Diagnostic and Treatment Center at 3763 White Plains Road, Bronx with a mobile van extension clinic to provide primary care and dental services - Safety Net	\$	5,031,392
221268 E	Carnegie Hill Endoscopy, LLC Transfer of 18.66% ownership interest from three withdrawing Class B members to one new member LLC		
212176 B	Columbia/NewYork-Presbyterian Advanced Imaging, Inc. Establish and construct a diagnostic and treatment center at 710 West 168th Street, New York, and an extension clinic at 722 West 168th Street, New York; both specializing in radiology and imaging services	\$	53,289,721
212213 B	East 180 Operating, LLC d/b/a East 180th Street Health and Treatment Center Establish and construct a diagnostic and treatment center located at 870 East 180th Street, Bronx	\$	11,660,135
221269 E	East Side Endoscopy, LLC d/b/a East Side Endoscopy and Pain Management Center Transfer 41.926% ownership interest from three withdrawing members to a new member LLC; 83.3333% interest from two withdrawing members to existing members within two member LLCs and 9.306% from an existing member to a new member within a member LLC		
221270 E	Endoscopy Center of Niagara, LLC Transfer 49% ownership interest from one withdrawing Class A member LLC to two new Class A member LLCs		
221271 E	Endoscopy Center of Western New York, LLC Transfer 100% ownership interest from 15 withdrawing members to two new member LLCs		
221272 E	Island Digestive Health Center Transfer 10% ownership interest from three withdrawing members to one new member LLC		

## Project Review 2022

221265 B	JAL 28 LLC d/b/a A Merryland Health Center Establish JAL 28 LLC as the new operator of A Merryland Health Center, a diagnostic and treatment center at 2873 West 17th Street, Brooklyn, currently operated by A Merryland Operating LLC, and certify Medical Services - Other Medical Specialties		
211085 B	KD Hudson Ventures, LLC d/b/a Avalon Medical Group Establish and construct a Diagnostic and Treatment Center to be located at 121 Executive Drive, New Windsor for primary and specialty care through the relocation, consolidation, and conversion of multiple private practices	\$	2,361,979
212182 E	Main Street Radiology at Bayside LLC Transfer ownership interest in a member LLC from ten withdrawing members to the remaining members and seven new members		
221206 E	Northern Westchester Facility Project LLC d/b/a Yorktown Center for Specialty Surgery Transfer 20.044% from sixteen existing members to eleven new members and seek PHHPC approval of eight existing members		
212057 B	NY Med South Bronx, LLC Establish and construct a Diagnostic and Treatment Center to be located at 2825 Third Avenue, Bronx	\$	1,576,267
221227 B	Parkchester DTC LLC d/b/a Parkchester Diagnostic and Treatment Center Establish and construct a diagnostic and treatment center at 1879 Gleason Avenue, Bronx, perform renovations, and construct new space adjoining the existing building - CRFP	\$	4,648,617
211226 E	Perry Avenue Family Medical, Inc. Transfer 100 percent ownership from the existing members to two new members at 85 percent and 15 percent respectively		
221070 B	Pinpoint Medical, LLC Establish and construct a diagnostic and treatment center at 649 39th Street, Brooklyn	\$	2,494,577
212258 B	Rego Park Counseling, LLC d/b/a Rego Park Diagnostic and Treatment Center Establish and construct a Diagnostic and Treatment Center at 63-36 99th Street, Rego Park, co-located with mental health and substance use disorder services	\$	418,480
221212 E	Smile New York Outreach, LLC Transfer of 100% ownership interest from one withdrawing member to a new member within the sole member LLC		
211151 B	W Medical, LLC d/b/a W Health Center Establish and construct a diagnostic and treatment center to be located at 70 Lee Avenue, Brooklyn	\$	558,082
212208 B	World Health Clinicians, Inc. d/b/a Circle Care Center - Westchester Establish and construct an Article 28 diagnostic and treatment center to be located at 34 South Broadway, White Plains	\$	141,030

## Project Review 2022

221199 B	Yaldeinu Health Inc. Establish and construct a new diagnostic and treatment center at 1600 63rd Street, Brooklyn, to provide Primary Care and Other Medical Specialties services	\$	547,295
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### **Freestanding Ambulatory Surgery Centers**

212271 C	Ambulatory Surgery Center of Niagara Convert from single-specialty (ophthalmology) ambulatory surgery to multi-specialty ambulatory surgery and perform requisite renovations	\$	158,468
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212177 C	Buffalo Surgery Center, LLC Relocate the GI Suite to an adjacent building on the same campus with requisite renovations, renovate and expand existing space to create additional operating rooms, and convert to multispecialty ambulatory surgery	\$	6,243,756
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221095 B	Empire CSS, LLC d/b/a Empire Center for Special Surgery Establish and construct a new multi-specialty ambulatory surgery center at 4855 Hylan Boulevard, Staten Island	\$	6,676,577
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221191 B	Maxillofacial Ambulatory Surgery Center, LLC Establish and construct a single-specialty freestanding ambulatory surgery center (FASC) at 400 Townline Road, Hauppauge, specializing in oral and maxillofacial surgical procedures	\$	3,719,676
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201004 B	Pelham Parkway SC, LLC d/b/a Pelham Parkway Surgery Center Establish and construct a new multi-specialty ambulatory surgery center to be located at 1000 Pelham Parkway South, Bronx in currently vacant space in a multi-use building that includes Morningside Nursing and Rehabilitation Center	\$	8,393,727
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221213 E	Performance Surgical Center, LLC d/b/a Performance Surgical Center Establish Performance Surgical Center, LLC as the new operator of Millenium Ambulatory Surgery Center, a multi-specialty freestanding ambulatory surgical center at 1408 Ocean Avenue, Brooklyn		
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202057 B	Premier SC, LLC t/b/k/a Premier Ambulatory Surgery Center of New York, LLC Establish and construct a new multi-specialty freestanding ambulatory surgery center with four (4) operating rooms to be located at 176-60 Union Turnpike, Fresh Meadows	\$	10,576,961
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### **Establishment of New Dialysis Providers (Change of Ownership)**

211201 E	MVNY Partners I, LLC d/b/a U.S. Renal Care Faxton Dialysis Establish MVNY Partners I, LLC as the new operator of the 36-station chronic renal dialysis center located at 1676 Sunset Avenue, Utica, currently operated by Faxton-St. Lukes Healthcare.		
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211202 B	MVNY Partners II, LLC d/b/a U.S. Renal Care St. Luke's Home Dialysis Establish MVNY Partners II, LLC as the operator of the 8-station dialysis center located at 1650 Champlin Ave, Utica, currently operated by Faxton-St. Luke's Healthcare and certify Home Hemo and Home Peritoneal Dialysis Training & Support Services		
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## **Project Review 2022**

- 211203 B MVNY Partners III, LLC d/b/a U.S. Renal Care Masonic Care Community Dialysis  
Establish MVNY Partners III, LLC as the operator of the 20-station dialysis center located at 2150 Bleeker St., Utica, currently operated by Faxton-St. Lukes Healthcare and certify Home Hemo and Home Peritoneal Dialysis Training & Support services.
- 211204 B MVNY Partners IV, LLC d/b/a U.S. Renal Care Rome Dialysis  
Establish MVNY Partners IV, LLC as the operator of the 16-station dialysis center located at 91 Perimeter Rd, Rome currently operated by Faxton-St Lukes Healthcare and certify Home Hemodialysis and Home Peritoneal Dialysis Training & Support services
- 211205 B MVNY Partners V, LLC d/b/a U.S. Renal Care Herkimer Dialysis  
Establish MVNY Partners V, LLC as the operator of the 8-station dialysis center located at 201 E State St, Herkimer currently operated by Faxton-St Lukes Healthcare and certify Home Hemo and Home Peritoneal Dialysis Training & Support services
- 211206 B MVNY Partners VI, LLC d/b/a U.S. Renal Care Hamilton Dialysis  
Establish MVNY Partners VI, LLC as the operator of the 8-station dialysis center located at 10 Easton St, Hamilton currently operated by Faxton-St Lukes Healthcare and certify Home Hemo and Home Peritoneal Dialysis Training & Support services
- 211207 B MVNY Partners VII, LLC d/b/a U.S. Renal Care Oneida Dialysis  
Establish MVNY Partners VII, LLC as the operator of the 8-station dialysis center located at 131 Main St., Oneida currently operated by Faxton-St. Luke's Healthcare and certify Home Hemo and Home Peritoneal Dialysis Training & Support Services

## **CERTIFIED HOME HEALTH AGENCIES**

### **Certified Home Health Agencies**

- 221184 E Emerest Certified Home Health Care of NY LLC d/b/a Royal Care Certified Home Health Care of NY  
Establish Emerest Certified Home Health Care of NY LLC as the new operator of Cabrini Certified Home Health Agency, a Certified Home Health Agency currently operated by Cabrini of Westchester and relocate it to 798 Southern Boulevard, Bronx
- 202185 E Wellbound II LLC  
Establish Wellbound II LLC as the new operator of Bethel Nursing Home Company Certified Home Health Agency

### **Hospices**

- 212251 C Hospice Care Network d/b/a Hospice Care of Long Island, Queens South Shore  
Acquire the assets of Hospice of Westchester - Putnam (HWP), add Westchester and Putnam as approved counties, close HWP's 540 White Plains Road, Tarrytown office, and use a new assumed name in the expanded service area

## Project Review 2022

212149 C	Hospice of Jefferson County/Palliative Care of Jefferson County Certify four additional residence beds and decertify two inpatient certified beds, for a total certified capacity of 12 residence beds and perform requisite renovations to accommodate the new beds	\$	2,207,196
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**TABLE I**

**Median Processing Times**

*(Acknowledgement to Director Action in Days)*

	Admin	Full	LHCSA	Ltd
<b>2018</b>	65	150	586	21
<b>2019</b>	87	148	186	28
<b>2020</b>	84	216	165	52
<b>2021</b>	98	152	0	62
<b>2022</b>	83	193	0	63

**TABLE I (A)**

**Historical Project Volume and Values**

Year	Number of Actions						Value of Actions <i>(in thousands)</i>					Average Value <i>(in thousands)</i>			
	Admin	Full	LHCSA	Ltd	Notice	Total	Admin	Full	Ltd	Notice	Total	Admin	Full	Ltd	Notice
2018	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
2022	108	82	0	165	329	684	607,503	1,888,166	411,429	872,998	3,780,095	5,625	23,026	2,494	2,653

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

<b>2022</b>								
Region	Number of Projects				Value of Projects ( <i>in thousands</i> )			
	Admin	Full	Ltd	Total	Admin	Full	Ltd	Total
Western	11	11	8	30	10,980	14,232	25,343	50,555
Finger Lakes	13	3	18	34	79,112	591,512	33,538	704,163
Central	7	13	10	30	18,199	91,309	13,065	122,574
NY Penn	2	0	3	5	2,797	0	1,227	4,024
Northeast	5	1	17	23	18,255	0	16,770	35,025
Hudson Valley	13	11	16	40	91,202	286,381	19,542	397,126
New York City	37	34	74	145	324,685	320,555	266,823	912,063
Long Island	20	9	19	48	62,272	584,177	35,120	681,569
<b>Total</b>	<b>108</b>	<b>82</b>	<b>165</b>	<b>355</b>	<b>\$607,503</b>	<b>\$1,888,166</b>	<b>\$411,429</b>	<b>\$2,907,098</b>

<b>2021</b>								
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
<b>Total</b>	<b>101</b>	<b>42</b>	<b>217</b>	<b>360</b>	<b>\$433,342</b>	<b>\$562,628</b>	<b>\$404,613</b>	<b>\$1,400,583</b>

TABLE II (A)  
**Disapprovals**  
**2022**

None

TABLE II (B)  
**Withdrawals**  
**2022**

Withdrawals by Applicant	29
Withdrawals by Department	<u>22</u>
<b>Total</b>	<b>51</b>

**TABLE III**  
**Bed Changes by Facility Type by Region**  
**2022**

<b>HOSPITALS</b>	Western	Finger Lakes	Central	NY-Penn	North East	Hudson Valley	NYC	Long Island	TOTAL
<b>Bed Category</b>									
AIDS	0	0	0	0	0	0	-13	0	-13
Bone Marrow Transplant	0	0	0	0	0	0	0	0	0
Chemical Dependence, Detox	0	0	0	0	0	0	-62	0	-62
Chemical Dependence, Rehab	40	0	0	0	0	0	-11	0	29
Coma Recovery	0	0	0	0	0	0	-2	0	-2
Coronary Care	0	0	0	0	0	0	0	0	0
Intensive Care	0	9	0	0	0	0	0	38	47
Maternity Beds	12	0	0	0	-6	0	2	0	8
Medical/Surgical	-52	35	15	20	0	0	-24	-20	-26
Neonatal Intensive Care	0	0	0	0	0	0	7	0	7
Neonatal Intermediate Care	0	0	0	0	0	0	2	0	2
Neonatal Continuing Care	0	0	0	0	0	0	0	0	0
Pediatric	0	0	0	0	0	0	-10	0	-10
Pediatric ICU	0	0	0	0	0	0	0	0	0
Physical Medicine & Rehabilitation	0	0	0	0	0	0	0	0	0
Prisoner	0	0	0	0	0	0	0	0	0
Psychiatric	0	0	29	0	0	0	-23	0	6
Transitional Care	0	-26	0	-20	0	0	-16	0	-62
Traumatic Brain Injury	0	0	0	0	0	0	-18	0	-18
<b>New York State Total</b>	<b>0</b>	<b>18</b>	<b>44</b>	<b>0</b>	<b>-6</b>	<b>0</b>	<b>-168</b>	<b>18</b>	<b>-94</b>

<b>RESIDENTIAL HEALTH CARE FACILITIES</b>	Western	Finger Lakes	Central	NY-Penn	North East	Hudson Valley	NYC	Long Island	TOTAL
<b>Bed Category</b>									
AIDS	0	0	0	0	0	0	-50	0	-50
RHCF	0	0	0	0	0	92	50	0	142
Behavioral Intervention	0	0	0	0	0	0	0	0	0
Neurodegenerative	0	0	0	0	0	0	0	0	0
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
<b>New York State Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>92</b>	<b>0</b>	<b>0</b>	<b>92</b>

**TABLE IV**  
**Approved Projects by Facility Type**  
**2022**

**TABLE IV (A)**

**Administrative Review Projects**

Region	CHHA	DTC	HOSPICE	HOSPITAL	RHCF	TOTAL
Western	0	6	0	5	0	11
Finger Lakes	0	3	0	10	0	13
Central	0	1	0	5	1	7
NY-Penn	0	0	0	2	0	2
Northeastern	0	2	0	3	0	5
Hudson Valley	0	10	0	3	0	13
New York City	0	21	0	14	2	37
Long Island	0	9	0	11	0	20
<b>New York State Total</b>	<b>0</b>	<b>52</b>	<b>0</b>	<b>53</b>	<b>3</b>	<b>108</b>

**TABLE IV (B)**

**Full Review Projects**

Region	CHHA	DTC	HOSPICE	HOSPITAL	LHCSA	RHCF	TOTAL
Western	0	5	0	1	0	5	11
Finger Lakes	0	0	0	2	0	1	3
Central	0	8	1	3	0	1	13
NY-Penn	0	0	0	0	0	0	0
Northeastern	0	0	0	0	0	1	1
Hudson Valley	1	4	0	1	0	5	11
New York City	1	24	0	3	0	6	34
Long Island	0	2	1	2	0	4	9
<b>New York State Total</b>	<b>2</b>	<b>43</b>	<b>2</b>	<b>12</b>	<b>0</b>	<b>23</b>	<b>82</b>

**TABLE IV (C)**

**Limited Review Projects**

Region	DTC	HOSPITAL	RHCF	TOTAL
Western	2	5	1	8
Finger Lakes	2	13	3	18
Central	2	6	2	10
NY-Penn	0	3	0	3
Northeastern	1	15	1	17
Hudson Valley	5	10	1	16
New York City	6	66	2	74
Nassau-Suffolk	3	11	5	19
<b>New York State Total</b>	<b>21</b>	<b>129</b>	<b>15</b>	<b>165</b>

TABLE V  
**Public Health and Health Planning Council**  
**Establishment Projects Reviewed by Facility Type**  
**2022**

Facility Type	Current Year				2021	2020	2019
	Approval	Disapproval	Deferral	Total	Total	Total	Total
Hospitals	0	0	0	0	2	2	3
Residential Health Care Facilities	21	0	1	22	0	1	15
Diagnostic and Treatment Centers	41	0	2	43	21	24	40
Certified Home Health Agencies	2	0	0	2	5	2	11
Hospices	0	0	0	0	0	0	1
Licensed Home Care Services Agency	0	0	0	0	0	2	18
<b>New York State Total</b>	<b>64</b>	<b>0</b>	<b>3</b>	<b>67</b>	<b>28</b>	<b>31</b>	<b>88</b>



### **C. Health Planning Committee**

#### **Members**

John Ruge, M.D. MPP - Chair	
John Bennett, Jr., M.D.	Roxanne Lewin, M.D.
Howard Berliner	Ann Monroe
Jo Ivey Boufford, M.D.	Mario Ortiz, R.N., Ph.D., F.A.A.N.
Jeffrey Kraut	Ellen Rautenberg (served until 5/31/2022)
Scott LaRue	Peter Robinson
Harvey Lawrence	Denise Soffel, Ph.D. (6/2022)

### **D. Public Health Committee**

#### **Members**

Jo Ivey Boufford, M.D., Chair	
Anderson Torres, Ph.D., Vice Chair	Ellen Rautenberg (served until 5/31/2022)
John Bennett, Jr., M.D.	Denise Soffel, Ph.D. (6/2022)
Angel Gutiérrez, M.D.	Nilda Soto
Sabina Lim, M.D.	Theodore Strange, M.D.
Ann Monroe	Kevin Watkins, M.D., M.P.H.
Mario Ortiz, R.N., Ph.D., F.A.A.N.	Patsy Yang, Dr.P.H.

#### **Work Conducted in 2022**

The Public Health Committee and the Health Planning Committee convened a joint meeting on March 1, 2022 to discuss how the Council, the Public Health Committee and the Health Planning Committee can begin to work together to advance their shared agenda. The joint meeting was developed with the assistance of the Office of Public Health Practice and the Commissioner's Office to put a marker down for future joint Public Health Committee and Health Planning Committee meetings.

The main focus of the meeting was on the topics of the Prevention Agenda, public health successes at the local level, Health Across All Policies and Healthy Aging, and the Office of Health Insurance Programs (OHIP) 1115 Waiver proposal, public health workforce, and maternal mortality. The committee's heard presentations from a panel of public health directors, commissioners from Onondaga, Otsego and Orange County on their work on COVID and on their work on the broader public health agenda during COVID. The Department of Health and the NYS Office of the Aging provided updates on the implementation for the Executive Order issued in 2018 on Health Across All Policies and Healthy Aging in the State. The State agencies that have been involved in the Health Across All Policies structure and meetings have continued to be active throughout 2022. The committee's also heard presentations on the public health workforce, which largely focused on the Public Health Service Corps. There was an update on maternal mortality and the committee heard an update on the progress of the Governor's Commission on Maternal Mortality. The last topic on the agenda was OHIP providing an update on the 1115 waiver.

**E. Committee on Health Personnel and Interprofessional Relations**

**Members**

Hugh Thomas, Esq.  
Angel Gutiérrez, M.D.

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

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

Adopted

## 2022 Ambulatory Surgery Centers - Limited Life Report

### Original Limited Life Projects

#### Reports required - Annually

								Approved Target %		Year Two			Year Three			Year Four					
CON #	Fac ID	Facility Name	OpCert#	County	OpCert Start Date	OpCert Exp Date	Specialty Type	Charity Care	Medicaid	Actual Visits	Actual Charity Care	Actual Medicaid	Actual Visits	Actual Charity Care	Actual Medicaid	Actual Visits	Actual Charity care	Actual Medicaid			
121017	9909	Surgery of Tomorrow	7001143R	Kings	4/25/2016	4/24/2021	Gynecology	2.5%	29.2%	304	4.9%	0.0%	414	4.8%	1.7%	841	2.5%	43.8%			
151186	10175	Premier Ambulatory Surgery Center	1465200R	Erie	7/31/2018	7/30/2023	Gastroenterology/ Ophthalmology	2.0%	6.2%	2,047	0.0%	1.6%	1,306	0.0%	9.3%	1,815	0.0%	9.4%			
131030	10225	Bay Ridge Surgi-Center <sup>2</sup>	7001152R	Kings	11/23/2018	11/22/2023	Multi	2.0%	12.0%	1,262	0.0%	0.0%	1,453	0.0%	0.0%	3,112	N/A	0.0%			
152377	10241	Yorktown Center for Specialty Surgery <sup>1</sup>	5968200R	Westchester	12/17/2018	12/16/2023	Multi	2.0%	2.9%	1,055	2.7%	0.1%	2,098	N/A	9.1%	2,737	2.7%	7.8%			
142197	10239	Surgical Pain Center of the Adirondacks	0901206R	Clinton	12/20/2018	12/20/2023	Pain Management	2.1%	12.8%	1,677	0.5%	0.0%	2,716	2.1%	1.8%	3,777	6.2%	16.0%			
171477	10250	OrthoNY Surgical Suites	4552202R	Saratoga	2/1/2019	2/1/2024	Multi	2.0%	10.7%	2,751	0.0%	12.7%	4,088	0.0%	15.7%						
162026	10266	Manhattan Reproductive Surgery Center	7002299R	New York	3/27/2019	3/26/2024	Gynecology	2.0%	2.0%	4,054	0.0%	0.0%	3,029	5.6%	0.0%						
122051	10301	Rockaways ASC Development LLC <sup>1,2</sup>	7003290R	Queens	5/23/2019	5/22/2024	Multi	3.4%	14.6%	3,122	N/A	0.0%	7,484	N/A	0.0%						
181103	10344	WNY Medical Management	1401236R	Erie	10/16/2019	10/15/2022	Multi	2.1%	7.4%	3,460	1.4%	1.3%	2,309	0.8%	4.6%						
131050	10373	New York Center for Ambulatory Surgery	7002818R	New York	12/13/2019	12/12/2024	Multi	2.2%	6.0%	480	1.2%	1.7%	939	0.3%	9.6%						
132134	10412	Moshenyat Gastroenterology Center	7001154R	Kings	4/10/2020	4/9/2025	Gastroenterology	2.0%	12.0%												
161234	10423	Hudson Specialty Surgery Center	7002300R	New York	6/30/2020	6/29/2025	Ophthalmology	2.0%	6.0%	1,183	2.5%	12.4%									
181066	10432	Cornerstone Surgery Center	2754000R	Monroe	8/31/2020	8/30/2025	Ophthalmology	2.0%	3.0%	1,507	0.4%	0.3%									
171198	13961	Star Surgical Suites	2905001R	Nassau	10/20/2020	10/19/2025	Gastroenterology	2.0%	3.2%	1,317	11.6%	0.2%									
162011	13957	Queens Surgical Center	7003000R	Queens	10/21/2020	10/20/2025	Multi	2.0%	5.0%	614	33.9%	37.9%									
171077	13982	CitiMed Surgery Center	7003292R	Queens	11/20/2020	11/19/2025	Multi	2.0%	6.0%	2,023	0.0%	0.0%									
182326	13981	Triborough Ambulatory Surgery Center	7000296R	Bronx	12/24/2020	12/24/2025	Multi	2.0%	10.0%												
141290	13983	Surgicare of Westside	7002819R	New York	12/16/2020	12/15/2025	Multi	2.0%	5.0%	156	1.9%	0.0%									
191137	15164	Greater Binghamton Eye Surgery Center	0303201R	Broome	5/18/2021	5/17/2026	Ophthalmology	2.0%	5.0%	Year Two data not yet due											
192021	15189	Northeast Endoscopy, LLC	5151212R	Suffolk	7/14/2021	7/13/2026	Gastroenterology	2.0%	13.0%	Year Two data not yet due											
191189	15171	Upper West Side Endoscopy	7002820R	New York	7/21/2021	7/20/2026	Gastroenterology	2.0%	15.0%	Year Two data not yet due											
201240	15229	Fifth Avenue Surgery	7002195R	New York	7/20/2021	7/19/2026	Multi	1.0%	2.0%	Year Two data not yet due											
182327	15262	Hudson Surgery Center	7002821R	New York	1/13/2022	1/12/2027	Multi	2.0%	20.0%	Year Two data not yet due											
192309	15264	The Derfner Foundation	7002822R	New York	2/22/2022	2/21/2027	Multi	2.0%	5.0%	Year Two data not yet due											
191164	15277	Harlem Road Ambulatory Surgery Center	1401239R	Erie	3/17/2022	3/16/2027	Urology	2.0%	7.9%	Year Two data not yet due											
182205	15285	Atlas Surgery Center	1401240R	Erie	4/21/2022	4/20/2027	Multi	2.0%	16.2%	Year Two data not yet due											
191212	15289	Atlantic Surgery Center	5154215R	Suffolk	4/26/2022	4/25/2027	Gastroenterology	3.0%	15.0%	Year Two data not yet due											
192298	15290	Renal Focus ASC Plainview	2952204R	Nassau	5/6/2022	5/5/2027	Vascular Access	1.5%	9.6%	Year Two data not yet due											
192069	15300	Crotona Parkway Ambulatory Surgery Center	7000002R	Bronx	6/10/2022	6/9/2027	Multi	2.0%	10.0%	Year Two data not yet due											
211054	15338	Ainsworth Ambulatory Surgery Center	2905205R	Nassau	8/2/2022	8/1/2027	Pain Management	2.0%	5.0%	Year Two data not yet due											
191283	15335	NY Endovascular Center	7002823R	New York	8/16/2022	8/15/2027	Endovascular Access	4.0%	10.0%	Year Two data not yet due											
202090	15358	Intrepid Lane Endoscopy & Surgery Center	3301229R	Onondaga	10/4/2022	10/3/2027	Multi	2.0%	5.1%	Year Two data not yet due											
		<sup>1</sup> 2020 data is from SPARCS.																			
		<sup>2</sup> 2021 data is from SPARCS																			
								<b>Data Sources (based on OpCert Start Year in table below, except for footnoted facilities):</b>													
								<b>OpCert start year for 2016 and after- Data is from AHCF Cost or Annual reports, unless otherwise noted</b>													
								<b>DOH staff has confirmed that facilities are unable to accurately reflect charity care through SPARCS</b>													
								<b>Submitted AHCF cost reports may inconsistently display Medicaid Managed Care</b>													
								<b>OpCert Start</b>													
								<b>Year</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>										
								2016	2017	2018	2019										
								2017	2018	2019	2020										
								2018	2019	2020	2021										
								2019	2020	2021	2022										
								2020	2021	2022	2034										
								2021	2022	2023	2024										





