

**Public Health and Health Planning Council
2018 Annual Report**

I. General Council Activities in 2018

The Public Health and Health Planning Council (PHHPC) held a total of 17 meetings.

<u>Meeting Dates</u>	<u>Meeting</u>	<u>PHHPC Meeting Location</u>
1/25/2018	Committee Day: Establishment and Project Review Committee	NYC
2/8/2018	Special Establishment and Project Review Committee Health Planning Committee Full Council Annual Meeting	NYC Buffalo Rochester
2/15/2018	Joint Meeting of the Public Health Committee and the Ad Hoc Committee to Lead the Prevention Agenda	Albany
3/22/2018	Establishment and Project Review Committee	Albany NYC
4/12/2018	Committee on Codes, Regulations and Legislation Special Establishment and Project Review Committee Full Council Joint Meeting of the Health Planning and Establishment and Project Review Committee	Albany
5/16/2018	Joint Meeting of the Public Health Committee and the Ad Hoc Committee to Lead the Prevention Agenda	NYC Albany
5/17/2018	Committee Day: Establishment and Project Review Committee	NYC

6/7/2018	Committee on Codes, Regulations and Legislation Special Establishment and Project Review Committee Full Council	NYC
7/19/2018	Committee Day: Establishment and Project Review Committee	Albany
8/2/2018	Committee on Codes, Regulations and Legislation Full Council	Albany
9/17/2018	Joint Meeting of the Health Planning and Establishment and Project Review Committee	NYC
9/26/2018	Joint Meeting of the Public Health Committee and the Ad Hoc Committee to Lead the Prevention Agenda	NYC Albany Buffalo
9/27/2018	Committee Day: Establishment and Project Review Committee	Albany Buffalo
10/11/2018	Committee on Codes, Regulations and Legislation Special Establishment and Project Review Committee Full Council	NYC
11/29/2018	Committee Day: Establishment and Project Review Committee Health Planning Committee	Albany
12/3/2018	Public Health Committee	NYC Albany Buffalo
12/13/2018	Committee on Codes, Regulations and Legislation Special Establishment and Project Review Committee Full Council	Albany

II. Membership

Jeffrey Kraut, Chair

Jo Ivey Boufford, M.D., Vice Chair

Judy Baumgartner

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.

Kathleen Carver Cheney, Esq.

Angel Alfonso Gutiérrez, M.D.

Thomas Holt

Gary Kalkut, M.D.

Harvey Lawrence

Glenn Martin, M.D., D.F.A.P.A., CIP

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

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 2018

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

Members

Angel Alfonso Gutiérrez, M.D., Chair

Thomas Holt, Vice Chair

Judy Baumgartner

Kathleen Carver Cheney

John Ruge, M.D., MPP

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

Patsy Yang, Dr.P.H.

Work Conducted in 2018

ADOPTION

In 2018, the Codes Committee recommended, and the Council subsequently approved, six regulatory proposals. These regulatory changes were designed to promote health and safety, expand access to services and create consistency between state and federal regulations. The following provisions of Title 10 of the New York Codes Rules and Regulations (NYCRR) were amended:

Part 405 – Hospital Policies and Procedures for Individuals with Substance Use Disorders:

This amendment creates the requirement that hospitals establish policies and procedures for the identification, assessment and referral of individuals with substance use disorders.

Subpart 5-1 – Public Water Systems Revised Total Coliform Rule: This amendment revises provisions pertaining to the monitoring of total coliform bacteria in public water systems in accordance with federal requirements.

Parts 402, 403, 700, 763, 766, 794, and 1001 – Advanced Home Health Aides: These amendments revise several parts of Title 10 regarding Advanced Home Health Aide authorization to perform advanced tasks with appropriate training and under supervision by registered nurses employed in home care services agencies, enhanced assisted living residences, and hospice programs.

Section 405.4 – Sepsis Protocols: This amendment updates hospital evidence-based protocols for the early recognition and treatment of patients with severe sepsis and septic shock, clarifies that existing definitions are for hospital data collection purposes and ensures the Department’s ability to receive data through different intake options and/or different formats as needed in the future.

Sections 405.7 and 751.9 – Patients’ Bill of Rights: These amendments update information reflected in the Patients’ Bill of Rights to specify the right to treatment without discrimination based on gender identity, identify a caregiver who will be included in discharge planning and provided with post discharge information or instruction, and to be informed of rights afforded to them by the surprise bill law, among other provisions.

Section 400.18 – Statewide Planning and Research Cooperative System: This amendment grants the Department the flexibility to explore new data intake options consistent with Public Health Law Section 2816, and makes other necessary updates.

REGULATORY PROPOSALS FOR INFORMATION

In 2018, 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.

Section 405.34 – Stroke Center Designation: This proposal would create a new section of Title 10 related to stroke center designations. The new section would establish a voluntary stroke center designation program and stroke system of care for hospitals in New York State.

Section 415.32 – Nursing Home Weekly Bed Census: This proposal would create a new section of Title 10 that would require nursing homes to electronically submit a weekly bed census data survey to the Department to ensure accurate bed availability.

Part 766 – Annual Registration of Licensed Home Care Services Agencies: This proposal would update requirements for licensed home care services agencies with respect to annual registration and reporting.

Part 405 and Section 751.5 – Hospital Policies for Victims of Human Trafficking: This proposal would require hospitals and diagnostic and treatment centers to establish policies and procedures pertaining to the identification and referral of victims of human trafficking.

Part 14 – Food Service Establishments: This proposal would restrict the use of liquid nitrogen and dry ice in food preparation.

Part 19 – Clinical Laboratory Directors: This proposal would update the list of recognized board certifications that qualify clinical laboratory directors, among other changes.

B. Committee on Establishment and Project Review

Members

Peter Robinson, Chair	
Gary Kalkut, M.D., Vice Chair	Jeffrey Kraut
Judy Baumgartner	Scott La Rue
John Bennett, Jr., M.D.	Harvey Lawrence
Howard Berliner	Glenn Martin, M.D.
Lawrence S. Brown, Jr., M.D., M.P.H.	Hugh Thomas, Esq.
Angel Gutierrez, M.D.	Anderson Torres, Ph.D.
Thomas Holt	

Work Conducted in 2018

*****See Attachments for Complete Report*****

C. Committee on Health Planning

Members

John Ruge, M.D. MPP - Chair	
Judy Baumgartner	Scott La Rue
John Bennett, Jr., M.D.	Harvey Lawrence
Howard Berliner	Glenn Martin, M.D.
Jo Ivey Boufford, M.D.	Ellen Rautenberg
Kathleen Carver Cheney	Peter Robinson
Jeffrey Kraut	

Work Conducted in 2018

In 2018, under the leadership of John Ruge, M.D., the Committee on Health Planning met several times to discuss various health policy initiatives and issues.

Part 705 Demonstration Program for Establishing Observation Beds at Cancer Care Centers located at Hospital Extension Clinics

On April 12, 2018, the Health Planning Committee held a joint meeting with the Establishment and Project Review Committee to discuss Part 705 Demonstration Program for establishing observation beds at cancer care centers located at hospital extension clinics. The Department presented parameters for the observation bed demonstration program and data reporting requirements for the observation bed demonstration program.

Establishment Models

On September 17, 2018, the Health Planning Committee held a joint meeting with the Establishment and Project Review Committee to discuss establishment models and corporate parent models. At this meeting, Michael Peregrine was a guest speaker who presented governance models-national healthcare landscape.

Cardiac PCI Services

On November 29, 2018 the Department presented to the Health Planning Committee an overview of the Cardiac Services RMI Workgroup and a review of the existing and proposed new CON Regulations for cardiac PCI services. The Health Planning Committee recommended that the proposed cardiac PCI regulation be forwarded to the Committee on Codes, Regulations and Legislation for review and adoption.

Stroke Center Designation

In 2018, the Committee recommended the Glens Falls Hospital Center and St. Joseph's Hospital Health Center for Stroke Center designation.

D. Committee on Public Health

Members

Jo Ivey Boufford, M.D., Chair	
Anderson Torres, Ph.D., Vice Chair	Nilda Soto
John Bennett, Jr., M.D.	Theodore Strange, M.D.
Lawrence S. Brown, Jr., M.D., M.P.H.	Kevin Darnell Watkins, M.D., M.P.H.
Angel Gutiérrez, M.D.	Patsy Yang, Dr.P.H.
Ellen Rautenberg	

Work Conducted in 2018

In 2018, the Public Health Committee, under the leadership of Jo Ivey Boufford, Chairperson, worked intensively with the Ad Hoc Committee to update the Prevention Agenda, the state's health improvement plan, for 2019-2024. The Committee supported efforts led by the Governor's office to implement a Health Across All Policies initiative and support activities with New York State Office for the Aging to make New York the first Age Friendly state. It also implemented the Council's recommendations for incorporating attention to prevention into Certificate of Need reviews for hospitals by requiring hospitals to report on the alignment of hospital community investments with the Prevention Agenda in the communities they serve.

The Public Health Committee and the Ad Hoc Committee to Lead the Prevention Agenda met three times in 2018. In February 2018, the committees reviewed findings from the NYS Health Assessment and considered potential revisions to the priorities, goals and focus areas for the Prevention Agenda 2019-2024. Between February and April, the Committee members solicited stakeholder feedback from an online survey, in person meetings as well as solicitations made to

other state agencies. At a May 2018 meeting, the committees finalized the priorities and focus areas based on those findings. Over the summer, committee members participated in priority specific efforts to develop action plans for each of the five priorities. In September, the Committees met again to review and finalize the plan. The updated plan was presented to and approved by the full Council in December.

The vision for the updated Prevention Agenda is that New York is the Healthiest State in the Nation for People of All Ages. The plan incorporates a strong focus on addressing the social determinants of health and a Health Across All Policies approach to incorporate health considerations into policy making and programming across sectors and policy areas to improve the health of the community. The plan also includes attention to interventions that support healthy aging. The Ad Hoc Committee focused attention on these initiatives by expanding its membership to include non-health state agencies such as the Office for the Aging, the Department of State and the New York State Department of Agriculture and Markets. At the February meeting, the two Committees heard from the new Bureau of Social Determinants of Health in the Office of Health Insurance Programs. That office is incorporating attention to social determinants and Health Across All Policies as it implements Value Based Payment pilot projects that address Prevention Agenda objectives.

The Public Health Committee partnered with the Health Planning Committee and DOH staff to implement the recommendation of the PHHPC that attention to the Prevention Agenda and community benefit spending be incorporated into the Certificate of Need reviews. Starting in June, Certificate of Need applications for hospital establishment and construction projects include information about the applicant's activities which advance Prevention Agenda goals and address community public health needs. To facilitate consideration of public health factors, specific questions are asked of each applicant, including whether the hospital is investing community benefit dollars in the specific category of community health improvement services in support of local Prevention Agenda efforts. Responses are included in the written reports to the PHHPC when applications are considered. The goal is to expand this to non-hospital projects including ambulatory care and long-term care facilities in 2019.

Finally, the Public Health Committee selected Maternal Mortality as a health issue for special focus (in addition to its work on the Prevention Agenda) in 2013. A series of staff presentations from across the Department and panels of providers and payers in women's health were held during 2014-7 to explore advances and remaining challenges in this important area, especially the dramatic racial disparities in maternal deaths in NYS. The PHHPC endorsed a report and recommendations on this issue from the Public Health Committee in 2016 and these were transmitted to the Commissioner. In light of ever-increasing national media attention on the issue, the Governor appointed a Taskforce on Maternal Mortality and Disparate Racial Outcomes Co-Chaired by Commissioner Zucker. Dr. Boufford was invited to join the Taskforce, and many of the PHHPC's findings and recommendations were included in the Taskforce report recently issued with new investments announced for the 2019-20 Executive budget. The Public Health Committee has now selected violence prevention within the framework of the Prevention Agenda as its next focus area and will begin work on this in 2019.

E. Committee on Health Personnel and Interprofessional Relations

Members

Glenn Martin, M.D., Chair
Angel Gutiérrez, M.D.

Kathleen Carver-Cheney,
Thomas Holt

The Committee did not convene.