

*4/13/2023

STATE OF NEW YORK
PUBLIC HEALTH AND HEALTH PLANNING COUNCIL

AGENDA

April 18, 2023
10:00 a.m.

90 Church Street, Conference Rooms 4 A/B, NYC

I. INTRODUCTION OF OBSERVERS

Jeffrey Kraut, Chair

II. 2022 ANNUAL REPORT

2022 Public Health and Health Planning Council Annual Report
*****For Informational Purposes*****

III. APPROVAL OF MINUTES

December 8, 2022 PHHPC Meeting Minutes

January 26, 2023 Special PHHPC Meeting Minutes

February 9, 2023 PHHPC Meeting Minutes

IV. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES

A Report of the Department of Health

James V. McDonald, M.D., M.P.H., Acting Commissioner of Health

B Report of the Office of Aging and Long Term Care

Adam Herbst, Deputy Commissioner, Office of Aging and Long Term Care

C Report of the Office of Health Equity and Human Rights

Johanne Morne, Deputy Commissioner, Office of Health Equity and Human Rights

D Report of the Office of Primary Care and Health Systems Management

John Morley, M.D., Deputy Commissioner, Office of Primary Care and Health Systems Management

E Report of the Office of Public Health

Ursula Bauer, PhD, MPH, Deputy Commissioner, Office of Public Health

V. ***PUBLIC HEALTH SERVICES**

Report on the Activities of the Public Health Committee

Jo Ivey Boufford, M.D., Chair of the Public Health Committee

VI. ***HEALTH POLICY**

Report on the Activities of the Health Planning Committee

John Rugge, M.D., Chair of Health Planning Committee

VII. **PROJECT REVIEW RECOMMENDATIONS AND ESTABLISHMENT ACTIONS**

A. **Report of the Committee on Establishment and Project Review**

Gary Kalkut, Vice Chair of Establishment and Project Review Committee

APPLICATIONS FOR CONSTRUCTION OF HEALTH CARE FACILITIES

CATEGORY 1: Applications Recommended for Approval – No Issues or Recusals, Abstentions/Interests

CON Application

Acute Care Services - Construction

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	221082 C	Jamaica Hospital Medical Center (Queens County)	Contingent Approval

CATEGORY 2: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Without Dissent by HSA
- ❖ Without Dissent by Establishment and Project Review Committee

NO APPLICATIONS

CATEGORY 3: Applications Recommended for Approval with the Following:

- ❖ No PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendations by HSA

CON Application

Ambulatory Surgery Centers - Construction

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	222234 C	Atlantic Surgery Center (Suffolk County) Dr. Berliner – Abstained at EPRC	Contingent Approval

CATEGORY 4: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendation by HSA

NO APPLICATIONS

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

NO APPLICATIONS

CATEGORY 6: Applications for Individual Consideration/Discussion

NO APPLICATIONS

**B. APPLICATIONS FOR ESTABLISHMENT AND
CONSTRUCTION OF HEALTH CARE FACILITIES**

CATEGORY 1: Applications Recommended for Approval – No Issues or Recusals,
Abstentions/Interests

CON Applications

Ambulatory Surgery Centers – Establish/Construct

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	212260 B	Surgicore Suffolk, LLC (Suffolk County)	Contingent Approval
2.	222181 B	Bronx Vascular Surgical Center, LLC (Bronx County)	Contingent Approval
3.	222227 B	Southern Tier Surgery Center, LLC (Broome County)	Contingent Approval

Home Health Agency Licensures – Establish/Construct

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	222086 E	Aimer Home Care Corp. (Geographical Service Area: Rensselaer, Columbia, Greene, Washington and Schenectady Counties)	Approval
2.	222156 E	Right At Home Nassau North Shore (Geographical Service Area: Nassau, Suffolk, Queens Counties)	Approval

Certificate of Amendment of the Restated Certificate of Incorporation

Applicant

Glens Falls Hospital Foundation, Inc.

E.P.R.C. Recommendation

Approval

CATEGORY 2: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Without Dissent by HSA
- ❖ Without Dissent by Establishment and Project Review Committee

CON Applications

Ambulatory Surgery Centers – Establish/Construct

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 222213 B	Staten Island GSC, LLC d/b/a Ambulatory Surgery Center of Staten Island (Richmond County) Mr. Kraut – Interest/Abstaining Dr. Strange – Interest/Abstaining	Contingent Approval

Diagnostic and Treatment Centers – Establish/Construct

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1. 221123 E	Community Inclusion, Inc. d/b/a TRC Community Health Center of Western New York (Chautauqua County) Mr. Holt - Interest	Contingent Approval

Certificate of Dissolution

Applicant

St. Teresa’s Nursing Home, Inc.
Mr. LaRue – Recusal

E.P.R.C. Recommendation

Approval

CATEGORY 3: Applications Recommended for Approval with the Following:

- ❖ No PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendations by or HSA

NO APPLICATIONS

CATEGORY 4: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendation by HAS

NO APPLICATIONS

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

NO APPLICATIONS

CATEGORY 6: Applications for Individual Consideration/Discussion

NO APPLICATIONS

VIII. REGULATION

Report of the Committee on Codes, Regulations and Legislation

Thomas Holt, Chair of the Committee on Codes, Regulations and Legislation

For Emergency Adoption

20-22 Amendment of Sections 405.11 and 415.19 of Title 10 NYCRR
(Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements)

20-06 Amendment of Part 2, Section 405.3 and Addition of Section 58-1.14 to
Title 10 NYCRR (Investigation of Communicable Disease)

For Information

20-06 Amendment of Part 2, Section 405.3 and Addition of Section 58-1.14 to
Title 10 NYCRR (Investigation of Communicable Disease)

23-05 Addition of Section 400.26 to Title 10 NYCRR & Amendment of Sections
600.1 & 710.2 of Title 10 NYCRR (Inclusion of a Health Equity Impact
Assessment as Part of the Certificate of Need (CON) Process)

IX. NEXT MEETINGS

June 15, 2023 (NYC)
June 29, 2023(NYC)

X. ADJOURNMENT

******Agenda items may be called in an order that differs from above******