

**\* REVISED 9/9/08**

**State of New York**  
**Public Health Council**

**ANNUAL MEETING**

**AGENDA**

**September 12, 2008**  
**10:00 a.m.**

**90 Church Street**  
**4<sup>th</sup> Floor, Room 4E03 & 4E04**  
**New York City**

**I. INTRODUCTION OF OBSERVERS**

Dr. William F. Streck, Chairman

**II. APPROVAL OF MINUTES**

July 11, 2008

Exhibit #1

**III. ELECTION OF OFFICERS**

§ Vice Chairperson

§ Committee Chairpersons and Members

- Codes & Legislation Committee
- Establishment of Health Care Facilities Committee
- Health Personnel and Interprofessional Relations Committee
- Ad Hoc Committee to Support the Prevention Agenda Toward the Healthiest State.

**IV. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES**

Commissioner Richard F. Daines, M.D.

**V. ESTABLISHMENT**

**A. Committee on Establishment of Health Care Facilities**

Susan Regan, Esq., Chair

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

**CON Applications**

**Ambulatory Surgery Centers**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
072143	SurgiCare Ambulatory Surgery Center of New York (Bronx County)	Contingent Approval	Exhibit #2
072151	Upstate Orthopedic Ambulatory Surgery Center, LLC (Onondaga County)	Contingent Approval	Exhibit #3

**Home Health Agency Licensures**

Exhibit #4

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
1720	Chenango County Public Health Nursing Service (Chenango County)	Approval	
1637	United Helpers Canton Nursing Home, Inc. d/b/a Canton Home Health Care Services (St. Lawrence County)	Approval	
1610	Finger Lakes United Cerebral Palsy, Inc. d/b/a Finger Lakes Cerebral Palsy Association (Ontario, Seneca, Wayne and Yates Counties)	Approval	
1677	Innovative Care, LLC (Genesee, Livingston, Monroe, Ontario, Seneca and Wayne Counties)	Approval	
1618	Learning Disabilities Association of Western New York, Inc. (Erie County)	Approval	

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	<u>Number</u>
1542	Phoenix Frontiers, Inc. (Erie, Niagara Counties)	Approval	
1607	Youth Empowerment Project, Inc. (Herkimer, Madison and Oneida Counties)	Approval	

**Amended and Restated Certificate of Incorporation**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
United Helpers Nursing Home, Inc.	Approval	Exhibit #5

**Certificate of Amendment of the Certificate of Incorporation**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Peconic Health Corporation	Approval	Exhibit #6
Rehab Programs, Inc.	Approval	Exhibit #7

**Certificate of Dissolution**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Westchester Artificial Kidney Foundation, Inc.	Approval	Exhibit #8

**CATEGORY 2:** Applications Recommended for Approval with the Following:

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

**Residential Health Care Facility**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
072026	West Lawrence Care Center, LLC  (Queens County) Conflict – H. Fensterman	Contingent Approval	Exhibit #9

### **Diagnostic and Treatment Center**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
081151	Catholic Managed Long Term Care, Inc. (New York County) Conflict – F. Serbaroli	Contingent Approval	Exhibit #10

### **Certified Home Health Care Agencies**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
072195	Family Care Certified Services of Brooklyn/Queens (Kings County) Conflict – S. Regan	Contingent Approval	Exhibit #11
072196	Family Care Certified Services of Nassau (Nassau County) Conflict – S. Regan	Contingent Approval	Exhibit #12

### **Long Term Home Health Care Agency**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
072194	Family Care Certified Services of Nassau (Nassau County) Conflict – S. Regan	Contingent Approval	Exhibit #13
	<b>Home Health Agency Licensures</b>		Exhibit #14

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
1655	Sterling Glen Care at Home, LLC d/b/a Sterling Glen Care at Home (Nassau, Queens, Suffolk and Westchester Counties)	Approval	Conflict– S. Regan
1642	Amber Court @ Suffolk County, LLC (Nassau and Suffolk Counties)	Approval	Conflict – S. Regan

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	<u>Number</u>
1600	The Center for Family Support, Inc. (Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk and Westchester Counties)	Approval	Conflict – S. Regan *Interest – P. Yang
1617	United Cerebral Palsy Association of Putnam and Southern Dutchess Counties, Inc. d/b/a Hudson Valley Cerebral Palsy Association (Dutchess, Orange, Putnam and Westchester Counties)	Approval	Conflict – S. Regan *Interest – P. Yang

**Certificate of Incorporation**

<u>Applicant</u>	<u>E.C. Recommendation</u>	
Beth Israel Medical Center Foundation, Inc. Conflict/Abstention – Dr. Daines Conflict/Abstention – H. Fensterman	Approval	Exhibit #15
St. Luke’s-Roosevelt Hospital Center Foundation, Inc. Interest/Abstention – Dr. Daines	Approval	Exhibit #16

**CATEGORY 3:** Applications Recommended for Approval with the Following:

- § No PHC Member Recusals
- § Establishment Committee Dissent, or
- § Contrary Recommendations by SHRPC or HSA

NONE.

**CATEGORY 4:** Applications Recommended for Approval with the Following:

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

NONE.

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

NONE.

**CATEGORY 6:** Applications for Individual Consideration/Discussion

**Home Health Agency Licensures**

Exhibit #17

<u>Number</u>	<u>Applicant/Facility</u>	<u>E.C. Recommendation</u>	
1665	Premier Home Health Care Services, Inc. (Bronx, Kings, New York, Queens and Richmond Counties)	Approval	Conflict – S. Regan *Abstaining - F. Serbaroli

**Administrative Law Judge’s Report and Recommendation**

<u>Number</u>	<u>Applicant/Facility</u>	<u>E. C. Recommendation</u>	
031156	Long Island Hand and Orthopedic Surgery Center, LLC (Suffolk County) Interest – T. Strange Recusal – H. Friedman Recusal – W. Streck	No Recommendation	Exhibit #18

**B. Report of Establishment Applications** Exhibit #19

**C. Status Report on Requests for Hearings on Applications for Establishment** Exhibit #20

Thomas Conway, General Counsel

**VI. PUBLIC HEALTH POLICY**

**Report of Office of Health Systems Management Activities**

Jim Clyne, Deputy Commissioner, Office of Health Systems Management

**VII. PUBLIC HEALTH SERVICES**

**Office of Public Health Report**

Ad Hoc Committee on Strengthening New York's Public Health System in the 21<sup>st</sup> Century

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

Joan Ellison, RN, MPH

Public Health Director, Livingston County Department of Health

**VIII. PROFESSIONAL**

**Report of the Committee on Health Personnel and Interprofessional Relations**

Edward Stolzenberg, Chair

Two Cases.

**IX. NEXT MEETING**

November 14, 2008 (Albany)

**X. ADJOURNMENT**