STATE OF NEW YORK

8468

2017-2018 Regular Sessions

IN ASSEMBLY

June 16, 2017

Introduced by M. of A. PERRY -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the Kings county health care facility transformation program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivisions 1, 2 and 5 of section 2825-a of the public health law, as added by section 1 of part J of chapter 60 of the laws of 2015, are amended and three new subdivisions 2-a, 2-b and 2-c are added to read as follows:

1. A Kings county health care facility transformation program is hereby established under the joint administration of the commissioner and the president of the dormitory authority of the state of New York for the purpose of strengthening and protecting continued access to health care services in communities**; establishing a long term transformation of health care in the central and northeastern region of Brooklyn through the establishment of a more efficient and effective health care infrastructure aimed toward improving the overall quality of care in the region**. The program shall provide capital funding in support of projects that replace inefficient and outdated facilities as part of a merger, consolidation, acquisition or other significant corporate restructuring activity intended to create a financially sustainable system of care. The issuance of any bonds or notes hereunder shall be subject to the approval of the director of the division of the budget, and any projects funded through the issuance of bonds or notes hereunder shall be approved by the New York state public authorities control board, as required under section fifty-one of the public authorities law.

2. The commissioner and the president of the authority shall enter into an agreement, subject to approval by the director of the budget, and subject to section sixteen hundred eighty-r of the public authorities law, for the purposes of awarding, distributing, and administering

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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the funds made available pursuant to this section. Such funds may be distributed by the commissioner and the president of the authority for capital grants to general hospitals, residential health care facilities, diagnostic and treatment centers, primary care providers, and home care providers, certified or licensed pursuant to article thirty-six of this chapter, for capital non-operational works or purposes that support the purposes set forth in this section. A copy of such agreement, and any amendments thereto, shall be provided to the chair of the senate finance committee, the chair of the assembly ways and means committee, and the director of the division of budget no later than thirty days prior to the release of a request for applications for funding under this program. Projects awarded under section twenty-eight hundred twenty-five of this article shall not be eligible for grants or awards made available under this section. **Project awards pursuant to this section shall be made within one hundred twenty days of the due date for applications submitted in response to the request for applications for funding under the Kings county health care facility transformation program. At least thirty days prior to announcing project awards, the department shall conduct a public hearing in Kings county to disseminate information related to the status of the process and other relevant information regarding related state-funded initiatives in the region, and provide an opportunity for public comment. The department shall provide appropriate notification to the public, elected officials, and to local officials no less than ten business days prior to such hearing.**

2-a. Within five days following the announcement of project awards, the department shall provide a comprehensive briefing to the legislature which shall include, but not be limited to: information related to the projects awarded; the proposed timeline of such projects; next steps for the implementation of the Kings county health care facility transformation program; information regarding how project applications were scored; and information regarding projects not awarded funding under this section. Not more than thirty days following such announcement, the department shall also conduct a public hearing in Kings county to disseminate information and receive comments related to the projects awarded, including but not limited to: how they will strengthen local health care facilities; how they will increase access; how they will lead to the establishment of a comprehensive ambulatory care network; how they will intersect with other ongoing health care and population health projects in Brooklyn; and to the extent practicable, review of a comprehensive implementation timeline. The department shall provide appropriate notification to the public, elected officials, and local officials not less than ten business days prior to such hearing.

2-b. The legislature shall be notified not less than ten days prior to any public meeting scheduled by, or in conjunction with the department that is related to the Kings county health care facility transformation program or other related Brooklyn initiatives.

2-c. Should the commissioner determine that the applications received pursuant to this section do not satisfactorily fulfill the requirements established for project awards, the commissioner shall notify the chair of the senate finance committee and the chair of the assembly ways and means committee no later than sixty days following the published due date of the request for applications. Such notification shall include information regarding the deficiencies in the applications, the number of applicants, a listing provider types, and other relevant information deemed appropriate by the commissioner. Within thirty days of such notification to the legislature, the commissioner shall re-issue a

request for applications for the Kings county health care facility transformation program. The due date for applications shall not be more than thirty days from the date of the re-issued request for applications. Project awards shall be made within one hundred twenty days from such application deadline.

5. [~~The~~] Beginning in the first quarter following the announcement of project awards, the department shall provide quarterly briefings to the legislature and provide a report on a quarterly basis to the chairs of the senate finance, assembly ways and means, senate health and assembly health committees. Such reports shall be submitted no later than sixty days after the close of the quarter, and shall include information related to the status of current projects, including but not limited to: initiatives to strengthen and make local health care facilities sustainable, while leading to less state funding support; the status of efforts to increase access to quality and affordable health care in communities; the progress toward developing a comprehensive ambulatory care network; and the interaction of such projects with related state-funded projects and initiatives in Brooklyn such as developing open space and improving and enhancing recreational facilities, establishing healthy food programs, youth development programs, affordable housing initiatives, economic development, violence prevention initiatives, and community infrastructure sustainability initiatives. Such reports shall also conform to the reporting requirements of subdivision twenty of section twenty-eight hundred seven of this article, as applicable.

§ 2. This act shall take effect immediately.