

# STATE OF NEW YORK

6713

2017-2018 Regular Sessions

## IN SENATE

June 14, 2017

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

1 Section 1. Subdivisions 1, 2 and 5 of section 2825-a of the public  
2 health law, as added by section 1 of part J of chapter 60 of the laws of  
3 2015, are amended and three new subdivisions 2-a, 2-b and 2-c are added  
4 to read as follows:

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14 that replace inefficient and outdated facilities as part of a merger,  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

22 2. The commissioner and the president of the authority shall enter  
23 into an agreement, subject to approval by the director of the budget,  
24 and subject to section sixteen hundred eighty-r of the public authori-  
25 ties 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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1 the funds made available pursuant to this section. Such funds may be  
2 distributed by the commissioner and the president of the authority for  
3 capital grants to general hospitals, residential health care facilities,  
4 diagnostic and treatment centers, primary care providers, and home care  
5 providers, certified or licensed pursuant to article thirty-six of this  
6 chapter, for capital non-operational works or purposes that support the  
7 purposes set forth in this section. A copy of such agreement, and any  
8 amendments thereto, shall be provided to the chair of the senate finance  
9 committee, the chair of the assembly ways and means committee, and the  
10 director of the division of budget no later than thirty days prior to  
11 the release of a request for applications for funding under this  
12 program. Projects awarded under section twenty-eight hundred twenty-five  
13 of this article shall not be eligible for grants or awards made avail-  
14 able under this section. Project awards pursuant to this section shall  
15 be made within one hundred twenty days of the due date for applications  
16 submitted in response to the request for applications for funding under  
17 the Kings county health care facility transformation program. At least  
18 thirty days prior to announcing project awards, the department shall  
19 conduct a public hearing in Kings county to disseminate information  
20 related to the status of the process and other relevant information  
21 regarding related state-funded initiatives in the region, and provide an  
22 opportunity for public comment. The department shall provide appropriate  
23 notification to the public, elected officials, and to local officials no  
24 less than ten business days prior to such hearing.

25 2-a. Within five days following the announcement of project awards,  
26 the department shall provide a comprehensive briefing to the legislature  
27 which shall include, but not be limited to: information related to the  
28 projects awarded; the proposed timeline of such projects; next steps for  
29 the implementation of the Kings county health care facility transforma-  
30 tion program; information regarding how project applications were  
31 scored; and information regarding projects not awarded funding under  
32 this section. Not more than thirty days following such announcement, the  
33 department shall also conduct a public hearing in Kings county to  
34 disseminate information and receive comments related to the projects  
35 awarded, including but not limited to: how they will strengthen local  
36 health care facilities; how they will increase access; how they will  
37 lead to the establishment of a comprehensive ambulatory care network;  
38 how they will intersect with other ongoing health care and population  
39 health projects in Brooklyn; and to the extent practicable, review of a  
40 comprehensive implementation timeline. The department shall provide  
41 appropriate notification to the public, elected officials, and local  
42 officials not less than ten business days prior to such hearing.

43 2-b. The legislature shall be notified not less than ten days prior to  
44 any public meeting scheduled by, or in conjunction with the department  
45 that is related to the Kings county health care facility transformation  
46 program or other related Brooklyn initiatives.

47 2-c. Should the commissioner determine that the applications received  
48 pursuant to this section do not satisfactorily fulfill the requirements  
49 established for project awards, the commissioner shall notify the chair  
50 of the senate finance committee and the chair of the assembly ways and  
51 means committee no later than sixty days following the published due  
52 date of the request for applications. Such notification shall include  
53 information regarding the deficiencies in the applications, the number  
54 of applicants, a listing provider types, and other relevant information  
55 deemed appropriate by the commissioner. Within thirty days of such  
56 notification to the legislature, the commissioner shall re-issue a

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

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

25 § 2. This act shall take effect immediately.