§ 3631. Special powers of the corporation. In order to effectuate the purposes of this title, the corporation shall have the following additional powers, except as limited by this title, the public health law, the mental hygiene law, the social services law, the education law, the civil practice law and rules, and any other applicable law or regulation:

1. To operate, manage, superintend, and control any health facility under its jurisdiction and to repair, maintain, and otherwise keep up any such health facility, and to establish, collect, and adjust fees, rentals, and other charges for the sale, lease, or sublease of any such health facility or real property, subject to the terms and conditions of any contract, lease, sublease, or other agreement with the county;

2. To provide health and medical services for the public, directly or by agreement or lease with any person, firm, partnership, limited liability company, or private or public corporation or association through or in the health facilities of the corporation or otherwise, and to make internal policies governing admissions and health and medical services; and to establish, collect, and adjust fees and other charges for the provision of such health and medical services; and to provide and maintain training programs for resident physicians, post-graduate clinical fellows, graduate students, other allied health professionals and intern medical services; and to sponsor and conduct research, educational, and training programs;

3. To provide uncompensated care to persons in need of health care services without the ability to pay;

4. To provide, maintain, and operate a medical transport service; provided, however, that nothing in this section shall prohibit the corporation from adopting a schedule of charges for medical transport;

5. To participate in managed care networks, fee-for-service, and other joint and cooperative arrangements for the provision of general comprehensive and specialty health care services, directly or through contract with other service providers or entities;

6. To establish subsidiary corporations or other entities in accordance with subdivision nine of this section:

(a) to meet the demands of health care delivery changes; and

(b) to market, manufacture, or develop products or services developed by the corporation's clinical and research activities;

7. To enter into contracts, leases, subleases, and other agreements for the purpose of affiliating with a medical college or colleges, including the state university of New York, in conjunction with the corporation's health facilities, which agreements may provide for the management, operation, and staffing of health facilities, the reconstruction, renovation, or addition to health facilities; the provision of necessary facilities, utilities, and services; and such other conditions or features necessary and proper for such purpose and for the public health and general welfare;

8. To determine the conditions under which a physician may be extended the privilege of practicing within a health facility under the jurisdiction of the corporation, to promulgate reasonable internal policies for the conduct of all persons, physicians, and allied health practitioners within such facility, and to appoint and grant privileges to qualified and competent clinical practitioners; and

9. (a) Except as provided in this subdivision or as expressly limited by any applicable state law or regulation, to exercise and perform all or part of its purposes, powers, duties, functions, or activities through one or more subsidiary corporations or companies owned or controlled wholly or in part by the corporation, which shall be formed pursuant to the business corporation law, the limited liability company law, or the not-for-profit corporation law, in each case subject to all the limitations provided in this title.

(b) Any such subsidiary may be authorized to act as a general or limited partner in a partnership or as a member of a limited liability company and to enter into an arrangement calling for an initial and subsequent payment by such subsidiary in consideration of an interest in revenues or other contractual rights.

(c) No subsidiary of the corporation shall own, operate, manage, or control the existing acute inpatient and outpatient facilities and services in operation as part of the Erie County Medical Center healthcare network on the effective date of this title.

(d) An entity shall be deemed a subsidiary corporation or company whenever and so long as: (i) more than half of any voting shares of such subsidiary are owned or held by the corporation or (ii) a majority of the directors, trustees, or members of such subsidiary are designees of the corporation.

10. As set forth in section thirty-six hundred twenty-six of this title, the creation and operation of the Erie County Medical Center Corporation is in all respects for the benefit of the people of the state of New York and of the county of Erie and is a state, county, and public purpose. The exercise by such corporation of the functions, powers, and duties provided in this title constitutes the performance of an essential public and governmental function. The corporation has advised that it intends to continue engaging in certain collaborative activities with, and limited to, the other parties to the Great Lakes Health, Inc. Restated Binding Agreement of 2012 and the University at Buffalo of the State University of New York for the purpose of promoting improved quality of and access to health care services and improved clinical outcomes, consisting of: (a) development of a non-exclusive joint health information technology platform; (b) joint marketing of health care services; (c) joint purchasing of services, supplies and equipment related to the provision of health care services; (d) development of a joint set of clinical quality standards; (e) coordination and integration of clinical services to reduce redundancy and increase efficiency; (f) joint management of graduate medical education and academic affiliations; and (g) joint discussions with rural hospitals regarding the possibility of coordinating and integrating clinical services. To promote improved quality of and access to health care services and improved clinical outcomes, and consistent with the corporation's furtherance of its health care purposes through the exercise of the special powers exercised pursuant to this section and the general powers exercised pursuant to this title, it is the policy of the state to supplant competition for the purpose of

immunizing the planning and implementation of the enumerated activities by the corporation in collaboration with any one of the aforementioned entities from liability under the federal and state antitrust laws, to the extent that such collaborative activities are reflected in agreements executed by two or more of the aforementioned entities during such time as the Great Lakes Health, Inc. Restated Binding Agreement of 2012 remains in effect; provided, however, that nothing in this subdivision shall be construed to extend such declaration of policy to any activities other than those specifically enumerated and described herein, which remain subject to any and all applicable state and federal antitrust laws.