

RESOLUTION NO. 59 -2012, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR A LIMITED PUBLIC-PRIVATE PARTNERSHIP WITH HUDSON RIVER HEALTHCARE, INC. (HRHCare) FOR THE OPERATION OF "THE ELSIE OWENS NORTH BROOKHAVEN COUNTY HEALTH CENTER AT CORAM"

WHEREAS, during 2011, the County Executive recommended the closure of "The Elsie Owens North Brookhaven County Health Center at Coram" as a result of the reduced level of reimbursement of Article 6 State Aid from the New York State Department of Health (NYSDOH) for the operation of the County's health center network; and

WHEREAS, in response to the recommended closure, NYSDOH proposed an alternative solution and recommended that the Suffolk County Department of Health Services (SCDHS) discuss a potential arrangement with Hudson River Healthcare, Inc. (HRHCare) for the operation of this specific health center, which is currently operated under contract by Stony Brook University Hospital; and

WHEREAS, the 2012 Recommended Budget included savings related to Stony Brook University Hospital's contract for the operation of "The Elsie Owens North Brookhaven County Health Center at Coram" "in anticipation of developing creative alternatives which will ensure the continuation of quality health care services to the area's residents"; and

WHEREAS, the Budget Review Office's (BRO) "Review of the 2012 Recommended Operating Budget" supported the transition of the Health Center to another license holder, "especially an FQHC (Federally Qualified Health Center)", ... "as it would allow the residents in North Brookhaven the opportunity for better and more comprehensive care than under the current contract, with less net cost to Suffolk County," and BRO further recommended acceptance of the offer of HRHCare, the FQHC interested in operating the North Brookhaven Health Center; and

WHEREAS, the 2012 Adopted Operating Budget includes appropriations for Stony Brook University Hospital (pseudo-code AML1) to provide funding for the operation of "The Elsie Owens North Brookhaven County Health Center at Coram" for a portion of 2012, and to provide funding for a pro-rata Community Benefit payment for the operation of that health center under a limited public-private partnership beginning in the 2nd Quarter of 2012, requiring the transfer of a portion of that pseudo-code to the Contract Agency budget line of the Division of Patient Care Services to provide payment to HRHCare for the pro-rated portion of Year 1 of the proposed agreement; and

WHEREAS, the proposed agreement requires a Community Benefit payment to HRHCare, Inc. for a five (5) year period, with the continuation of the County's lease payments and related property tax payments for the existing lease for the remainder of the lease term which expires in 2035, for an estimated savings to Suffolk County over the five (5) year Community Benefit period of \$3.1 million, and long-term savings from Years 6-23 estimated at an additional \$38.7 million; and

WHEREAS, HRHCare is a not-for-profit, New York State licensed, FQHC delivering culturally sensitive, linguistically appropriate, full life cycle primary, preventative, behavioral and oral healthcare and enabling services to medically underserved populations throughout New York State's Hudson Valley and Long Island areas; and

WHEREAS, HRHCare is the only FQHC currently operating in Suffolk County;
and

WHEREAS, a Request for Proposals (RFP) Waiver was approved by the RFP Waiver Committee on December 9, 2011 in satisfaction of the procurement requirements for the operation of "The Elsie Owens North Brookhaven County Health Center at Coram" by HRHCare; and

WHEREAS, the contract award will have no impact on the current 2012 Adopted Operating Budget but if this contract is not awarded the continued operation of the Health Center would require an additional \$2.1 million; and

WHEREAS, HRHCare currently has appointed one (1) Suffolk County resident to its Board of Directors, and has agreed to appoint a second Suffolk County resident as part of this proposed arrangement, consistent with the HRHCare by-laws governing Board member appointments; and

WHEREAS, the contract will provide that the name of the health center will remain as "The Elsie Owens North Brookhaven County Health Center at Coram"; now, therefore be it

1st **RESOLVED**, that the County Executive be and hereby is authorized to execute a five (5) year contract with Hudson River Healthcare, Inc. for the operation of "The Elsie Owens North Brookhaven County Health Center at Coram" under the Article 28 license of HRHCare, and to assist this entity in the establishment of an FQHC Health Center at this same site, contingent upon State approvals necessary for SCDHS to cease operations of its existing Article 28 health center at that site, and also contingent upon Federal and State approvals necessary for HRHCare to begin operation of an Article 28 FQHC health center at that site in a seamless transition; and be it further

2nd **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the balance of the funds remaining at the termination of the contractual agreement with Stony Brook University Hospital for the operation of this health center from 001-HSV-4100-4980-AML1 Stony Brook University Hospital to 001-HSV-4101-4980 Contract Agencies; and be it further

3rd **RESOLVED**, that the financial arrangement with HRHCare shall be limited to a term of five (5) years for the Community Benefit payment, and further limited to the remaining term of the existing lease, which expires in the year 2035; and be it further

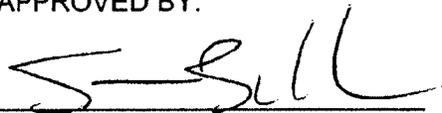
4th **RESOLVED**, that the County is authorized to execute all documents necessary to enable HRHCare to occupy the property located at 82 Middle Country Road, Coram in compliance with HRHCare's licensing requirements; and be it further

5th **RESOLVED**, that the contract will include the transfer of designated equipment to HRHCare, and that a review by the County Attorney has indicated that there are no bonding issues related to the equipment; and be it further

6th **RESOLVED**, that this Legislature, being the State Environment Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

DATED: March 13, 2012

APPROVED BY:


County Executive of Suffolk County

Date: 3.28.2012

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on March 13, 2012 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res. 1135*

Res. No. 59

March 13, 2012

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Y
 TAKEN out of order

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	/				
2	Jay H. SCHNEIDERMAN	/				
3	Kate M. BROWNING	/				
4	Thomas MURATORE	/				
5	Kara HAHN	/				
6	Sarah S. ANKER	/				
7	Rob CALARCO	/				
9	Ricardo MONTANO	/				
10	Thomas CILMI	/				
11	Thomas F. BARRAGA	/				
12	John M. KENNEDY, JR.	/				
13	Lynne C. NOWICK	/				
15	DuWayne GREGORY	/				
16	Steven H. STERN	/				
17	Lou D'AMARO	/				
18	William SPENCER	/				
14	Wayne R. HORSLEY, D.P.O.	/				
8	William J. LINDSAY, P.O.	/				
	Totals	18				

MOTION

Approve

___ Table: _____

___ Send To Committee

___ Table Subject To Call

___ Lay On The Table

___ Discharge

___ Take Out of Order

___ Reconsider

___ Waive Rule _____

___ Override Veto

___ Close

___ Recess

APPROVED FAILED _____

No Motion _____ No Second _____

RESOLUTION DECLARED

___ ADOPTED

___ NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote

Intro. Res. No. 1542-2012
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/5/2012

**RESOLUTION NO. 523 -2012, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
59-2012**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 59-2012; and

WHEREAS, this resolution when adopted contained a technical error; and

WHEREAS, the County Executive desires technical correction to this resolution; now, therefore be it

1ST **RESOLVED**, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 59-2012

Change the 12th Whereas clause

FROM:

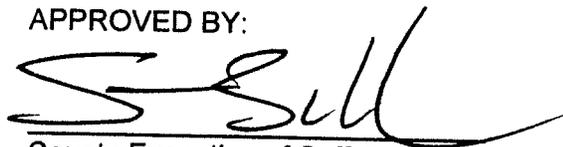
WHEREAS, the contract will provide that the name of the health center will remain as "The Elsie Owens North Brookhaven County Health Center at Coram"; now, therefore be it

TO:

WHEREAS, the contract will provide that the name of the health center shall be "Elsie Owens Health Center".

DATED: JUN 19 2012

APPROVED BY:


County Executive of Suffolk County

Date: 6-28-2012

Intro. Res. 1542

Res. No. 523

June 19, 2012

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO	✓				
18	William SPENCER				✓	
14	Wayne R. HORSLEY, D.P.O.	✓				
8	William J. LINDSAY, P.O.				✓	
Totals		16	—	—	2	—

MOTION	
<input checked="" type="checkbox"/>	Approve
___	Table: _____
___	Send To Committee
___	Table Subject To Call
___	Lay On The Table
___	Discharge
___	Take Out of Order
___	Reconsider
___	Waive Rule ___
___	Override Veto
___	Close
___	Recess
APPROVED <input checked="" type="checkbox"/>	FAILED ___
No Motion ___	No Second ___

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
___ NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call ___ Voice Vote