

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 506 -2014, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT WITH HUDSON RIVER HEALTHCARE, INC. (HRHCare) FOR THE OPERATION OF THE MARTIN LUTHER KING JR. COMMUNITY HEALTH CENTER IN WYANDANCH

WHEREAS, there remains an unprecedented fiscal crisis in the County of Suffolk, in part due to substantial reductions in Article 6 State Aid funding for services provided in the County's network of Health Centers; and

WHEREAS, the New York State Department of Health (NYSDOH) has encouraged the Suffolk County Department of Health Services (SCDHS) to exit the direct health care business for primary care; and

WHEREAS, on October 30, 2013 a Request for Proposals (RFP) Waiver was approved for the Department of Health Services to enter into a contractual agreement with Hudson River Healthcare, Inc. (HRHCare) for administrative, management and primary health care services at the Martin Luther King Jr. Community Health Center (the "Health Center"); and

WHEREAS, HRHCare is a not-for-profit, New York State licensed, Federally Qualified Health Center (FQHC) delivering culturally sensitive, linguistically appropriate, full life cycle primary, preventative, behavioral, and oral healthcare, as well as Family Planning, HIV, TB, and STD services, and other enabling services to medically underserved populations throughout the Hudson Valley and Long Island areas; and

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

WHEREAS, this transaction will maintain continuity of care to patients during the transition, and will expand services in compliance with FQHC program requirements; and

WHEREAS, the proposed agreement requires payment to HRHCare from the County for a five (5) year period, to begin in 2014 totaling \$14.6 million over that period, and will result in an estimated net savings to Suffolk County over the five (5) year period of \$8.6 million dollars; and

WHEREAS, HRHCare will provide for the continuation of a program for outpatient diagnosis and treatment of New York State mandated public health services on behalf of the County in a separate written agreement with the County; and

WHEREAS, HRHCare will operate the Health Center at its current location, using the name Martin Luther King Jr. Community Health Center, in addition to its own name, at 1556 Straight Path, Wyandanch, N.Y. through a lease agreement with the County; now, therefore be it

1st RESOLVED, that the County Executive is hereby authorized to execute an agreement with Hudson River Healthcare, Inc., in a form substantially similar to the draft attached hereto, for a term not to exceed five (5) years, subject to the approval of the County Attorney, for the operation of a Health Center in Wyandanch under the Article 28 license of HRHCare, and to assist this entity in the establishment of a FQHC Health Center at this site,

contingent upon State approvals necessary for SCDHS to cease operations of its existing Article 28 health center at the current Wyandanch site, and also contingent upon Federal and State approvals necessary for HRHCare to begin operation of an Article 28 FQHC health center in a seamless transition; and be it further

2nd **RESOLVED**, that the financial arrangement with HRHCare shall be in the form of a Community Benefit Grant limited to a term of five (5) years, a lease agreement and certain assets and inventory used in the Health Center, without further financial commitment on the part of Suffolk County; and be it further

3rd **RESOLVED**, that certain assets and inventory, including equipment and furniture, used to carry out the function and operation of the Health Center in Wyandanch as set forth in the proposed contract presented with this Resolution are declared surplus to the County needs; and be it further

4th **RESOLVED**, that the agreement presented with this Resolution may include the transfer of designated equipment and furniture to HRHCare purchased with either County or State funds, a review by the County Attorney having determined that there are no bonding issues preventing transfer of the equipment and furniture; and be it further

5th **RESOLVED**, that HRHCare will operate the Health Center at its current location, using the name Martin Luther King Jr. Community Health Center, in addition to its own name; and be it further

6th **RESOLVED**, that the County is authorized to execute all documents necessary to enable HRHCare to occupy the property located at 1556 Straight Path, Wyandanch, N.Y., subject to the approval of the County Attorney; and be it further

7th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, subject to the approval of the County Attorney, to execute any and all related documents necessary to effectuate or otherwise give full force and effect to this transaction, the execution of which by the County Executive and/or his designee shall be conclusive evidence of the approval, the authorization and the direction thereof of this Legislature; and be it further

8th **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: June 17, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: July 1, 2014