

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 651 -2014, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT WITH HUDSON RIVER HEALTHCARE, INC. (HRHCare) FOR THE OPERATION OF THE SOUTH BROOKHAVEN FAMILY HEALTH CENTER-WEST AND THE MARILYN SHELLABARGER SOUTH BROOKHAVEN FAMILY HEALTH CENTER EAST AT SHIRLEY**

**WHEREAS**, there is a continuing 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 contractual agreements with Hudson River Healthcare, Inc. (HRHCare) for administrative, management and primary health care services at the South Brookhaven Family Health Center West and the Marilyn Shellabarger South Brookhaven Family Health Center East at Shirley (the Health Centers); 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 for the South Brookhaven Family Health Center-West requires payment to HRHCare from the County for a five (5) year period, expected to begin in late 2014, totaling \$ 11.3 million over that period and the proposed agreement for the Marilyn Shellabarger South Brookhaven Family Health Center East at Shirley requires payment to HRHCare from the County for a five (5) year period, expected to begin in late 2014, totaling \$12 million over that period, resulting in a combined estimated net savings to Suffolk County over the five (5) year period of \$ 32.8 million dollars; and

**WHEREAS**, HRHCare will provide for the continuation of programs 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 Centers at their current locations, though a sub-lease for the South Brookhaven Family Health Center West and a lease with the County for the Marilyn Shellabarger South Brookhaven Family Health Center East at Shirley and

will continue using the name Marilyn Shellabarger South Brookhaven Family Health Center East at Shirley in addition to its own name; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the County Executive is hereby authorized to execute agreements 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 the South Brookhaven Family Health Center- West and the Marilyn Shellabarger South Brookhaven Family Health Center East at Shirley (the Health Centers) under the Article 28 licenses of HRHCare, and to assist this entity in the establishment of FQHC Health Centers at these sites, contingent upon State approvals necessary for SCDHS to cease operations of its existing Article 28 health centers at the South Brookhaven Family Health Center- West and the Marilyn Shellabarger South Brookhaven Family Health Center East at Shirley and also contingent upon federal and State approvals necessary for HRHCare to begin operation of an Article 28 FQHC health center at each location in a seamless transition; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the financial arrangement with HRHCare shall be in the form of Community Benefit Grants limited to a term of five (5) years, a sub-lease with the County for the South Brookhaven Family Health Center-West and a lease with the County for the Marilyn Shellabarger South Brookhaven Family Health Center East at Shirley; and be it further

**3<sup>rd</sup>** **RESOLVED**, that certain assets and inventory, including equipment and furniture, used to carry out the functions and operations of the Health Centers, as set forth in the proposed contract(s) presented with this Resolution are declared surplus to the County needs; and be it further

**4<sup>th</sup>** **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

**5<sup>th</sup>** **RESOLVED**, that HRHCare will operate the Health Centers at their current locations, using the name Marilyn Shellabarger South Brookhaven Family Health Center East at Shirley for the Shirley location, in addition to its own name; and be it further

**6<sup>th</sup>** **RESOLVED**, that the County is authorized to execute all documents necessary to enable HRHCare to occupy the South Brookhaven Family Health Center-West located at 365 East Main Street, Patchogue, New York, subject to the approval of the County Attorney; and be it further

**7<sup>th</sup>** **RESOLVED**, that a lease for the Marilyn Shellabarger South Brookhaven Family Health Center East at Shirley located at 550 Montauk Highway & Dorsett Place, Shirley, New York shall require approval via a duly enacted resolution of this Legislature; and be it further

**8<sup>th</sup>** **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

**9<sup>th</sup>**            **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: September 9, 2014

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: September 12, 2014