

**MINUTES OF THE MEETING  
HEALTH SERVICES COUNCIL**

**DATE: 26 October 2004**

**TIME: 3:00 PM**

**LOCATION: Health Policy Forum**

**ATTENDANCE:**

**Council: Present: Victoria Almeida (Vice Chair), Edward F. Almon, Robert L. Bernstein, Raymond Coia, John W. Flynn, Maria R. Gil, Catherine E. Graziano, Marvin Greenberg, Robert S.L. Kinder, MD, Robert J. Quigley (Chair), DC, Robert Ricci, Larry Ross, Reverend David Shire, John Young**

**Not Present: James Daley, Rosemary Booth Gallogly, Wallace Gernt, John Keimig, Denise Panichas, Robert Whiteside, William B. Zuccarelli**

**Staff: Valentina D. Adamova, Michael K. Dexter, Joseph G. Miller, Donald C. Williams**

**Public: (see attached)**

## **1. Call to Order, Approval of Minutes and Conflict of Interest Forms**

**The meeting was called to order at 3:00 PM. The minutes of the 28 September 2004 meeting of the Health Services Council were approved as submitted. Staff noted that conflict of interest forms are available to any member who may have a potential conflict.**

## **2. General Order of Business**

**The first item on the agenda was the Report of the Health Services Council on the Application of The Miriam Hospital for a Certificate of Need to Construct Three Floors to House Medical/Surgical Nursing Units, Upgrade the Emergency Department, and Consolidate and Upgrade Diagnostic and Patient Treatment Areas. Staff summarized the committee discussions and deliberations on this matter.**

**Ms. Coletta, COO of The Miriam Hospital, made a presentation to the Committee:**

- o Summarized the previous CON applications that were approved by the Health Services Council.**
- o This proposed project is the last piece and would add a third floor to the radiology building, and two oldest buildings on campus, A and B, would be replaced.**

- o This is being funded from equity and based on the most recent financial statements The Miriam has \$96.5 million in unrestricted investments.**
- o There is a capital campaign underway.**
- o Miriam will need to generate \$2.6 million from operations, and based on its financial performance this is an achievable goal.**

**Staff requested that the applicant address the relationship of this proposal to any long-range capital improvement plans at the hospital.**

**Ms. Coletta stated that this proposal completes the long-range capital plans by replacing the oldest buildings and taking the facility up to its licensed bed capacity. She stated that on an annual operating basis there will be approximately a \$3 million return from this project.**

**Mr. Flynn inquired as to the affordability of the project. Ms. Coletta stated that on an annual operating basis there will be approximately a \$3 million return from the project. To a question regarding the applicant's growth projections, Ms. Coletta stated that if the projected 15% growth in observations doesn't materialize overall there would still be a need in the market. A Council member stated that based on the Shape Study there will be a need for beds in the future.**

**A motion was made, seconded and passed by a vote of fourteen in favor and none opposed (14-0) to recommend that the application be approved as amended. Those members voting in favor of the motion**

were: Almeida, Almon, Bernstein, Coia, Flynn, Gil, Graziano, Greenberg, Kinder, Quigley, Ricci, Ross, Shire, Young.

Victoria Almeida stated for the record that she is recusing herself with respect to the applications of Riverview Nursing Home, Inc. d/b/a Riverview Healthcare Community for change in effective control and certificate of need.

The next item on the agenda was the Report of the Committee of the Health Services Council on the Application of Riverview Nursing Home, Inc. d/b/a Riverview Healthcare Community for a Change in Effective Control of Laurel Foster Home, Inc. d/b/a Laurel Health Care Center. Staff summarized the committee discussions and deliberations on this matter. Staff noted that no advisory has been received from the Office of Facilities Regulation by the Committee at the time of its vote with respect to Mr. Ryan's other facilities, and as of today there is no advisory and based on that the Committee was not apprised of any licensure issues regarding other nursing facilities owned and controlled by David and Sally Ryan.

Staff noted that after Committee's recommendation for approval, based on media accounts, it was noted that Mr. Ryan was a general partner of a limited partner of Mt. St. Francis Health Center. Staff noted that the Committee asked for additional information regarding that relationship, the responses were provided to the Council

members in the mailing. Staff stated that essentially the questions asked if Mr. Ryan, as a limited partner, had any roles or responsibilities, direct or indirect, with respect to the operations of Mt. St. Francis, to which Mr. Ryan responded that neither he nor Health Facility Associates has taken part either directly or indirectly in the operation or management of Mt. St. Francis. Staff stated that another question was asked to confirm the ownership of Health Facilities, which is the limited partner of Mt. St. Francis, the response is Health Facilities in which I, Mr. Ryan, hold interest as the sole general partner and limited partner, Health Facilities is the sole limited partner in Mt. St. Francis, the general partner, Mr. Ryan, is 1%, and the limited partner is 99%. Staff noted that Mr. Ryan has indicated that he owns 33% of the general partner of the limited partner of Mt. St. Francis. Additionally, the applicant was asked whether or not Mt. St. Francis has any relationship with Riverview and the answer was that Mt. St. Francis has no interest either directly or indirectly in Riverview Nursing Home, Inc. Staff stated that the fourth question was with respect to whether Mr. Antonio L. Giordano had any relationship with Riverview Nursing Home, Inc. who was the applicant before you, the response was Mr. Giordano has no interest either directly or indirectly in Riverview Nursing Home, Inc. Staff stated that Mr. Ryan is here along with legal counsel.

Ms. Rocha, legal counsel to the applicant, introduced Mr. Ryan, Ms. Carragher, the controller at Health Concepts, and Mr. Gage, administrator of Riverview. Mr. Ross inquired, with respect to Health

**Facilities Associates, as to its function or role. Mr. Ryan stated that it was a partnership to finance three nursing homes, Bayberry Commons in Burriville, Westerly Health Center in Westerly, and Mt. St. Francis in Woonsocket. He stated that he was the general partner of Westerly Health Center, his brother Lloyd was general partner of Bayberry Commons, and Antonio L. Giordano was the general partner of Mt. St. Francis. He stated that this was all put together as part of a \$17 million bond issue. He noted that he has since purchased Bayberry's partnership and Westerly's partnership and he really has nothing to do with Mt. St. Francis. He stated that Mt. St. Francis is Antonio L. Giordano's project.**

**Mr. Ross asked if that's more of Mr. Ryan's ownership of the physical facility. Mr. Ryan stated exactly. Ms. Rocha stated that Health Facilities Associates has no role with respect to the applications before the Council, it is the limited partner of Mt. St. Francis, and in her understanding of the structure that Mr. Ryan just described, that this was done in early 1980s before the tax Reform Act of 1986 and one of the purposes with respect to the limited partners was to provide tax benefits.**

**The Chairman asked for confirmation that Mr. Ryan states that he has no relationship as far as Mt. St. Francis. The Chairman asked if there is any other relationship since this was brought up in the newspaper, between Mr. Ryan and Mr. Ryan's facilities and the facilities that Mr. Giordano operates, or has been. Mr. Ryan stated that there is none**

and there has never been. Mr. Bernstein asked if Mr. Ryan never had any personal relationships, business wise with Mr. Giordano. Mr. Ryan stated that business wise, Mr. Giordano was the consultant and Mr. Giordano provided the financing via Suburban Mortgage.

Mr. Almon asked for clarification if the name was Suburban Mortgage. Mr. Ryan answered yes and noted that it is a kind of a bank. Mr. Almon inquired if that is located in Washington. Mr. Ryan answered yes. Mr. Almon requested that the applicant clarify the difference between Health Facilities Associates and Health Concepts. Ms. Rocha stated that there is no relationship, Health Facilities Associates is a limited partner of Mt. St. Francis, which is not before this Council; Health Concepts, of which Ms. Carragher is the controller, is the management company that serves Mr. Ryan's nursing homes. Mr. Ryan stated that it is a business that had nothing to do with public facilities, Health Facilities is a limited partner, Health Concepts is a management company that manages ten nursing homes, and that has nothing to do with Mt. St. Francis.

Mr. Almon noted that the address for both is on Broad Street and asked if it in the same building. Ms. Carragher stated yes, that Health Concepts and Health Facilities are in the same building because Mr. Ryan is the general partner of Health Facilities, and so the documents are kept in the same office. Mr. Almon asked if that is the same building that Mr. Giordano is located in. Ms. Carragher stated that Mr. Giordano is located on Broad Street but not in the same building. Mr.

**Ryan stated that Mr. Giordano is located in the Stanley Building.**

**Mr. Greenberg asked if Health Facilities has a financial interest in Mt. St. Francis in any way. Ms. Rocha stated that Health Facilities Associates is the limited partner. Mr. Greenberg inquired as to who owns Health Facilities Associates. Ms. Rocha stated that Mr. Ryan is the general partner, he has approximately 33% interest, and then the other limited partners are outside investors. Mr. Greenberg stated that his being that Mt. St. Francis is going down the tubes, and Health Facilities is an owner and there doesn't seem to be any questions about what was going on or any communication, it just seems a little out of the ordinary when you have an investment that's going down and nobody seems to be in contact with anything. Mr. Ryan stated that these are limited partners and this is a limited partnership. Ms. Rocha stated that by law limited partners can't control the day-to-day operations. Mr. Greenberg stated that he understands that. He stated that he guessed if he had an investment as a limited partner in something that was going bad he would be vocal especially where the general partner has a track record like Mr. Giordano.**

**Staff asked, following up on what Mr. Greenberg said, if the applicant is saying that the limited partner had no recourse if there was a problem with its investment. Staff stated that there is an understanding that Mt. St. Francis owes quite a bit of outstanding taxes and there is a possibility that it will be in the Receivership, and 99% of the investment in that facility is by the limited partners. Staff**

inquired as to what happens to the limited partner's investment and what recourse would it have to reinvest or further invest in this facility to maintain its value. Mr. Ryan stated that he is not sure about how one would organize the efforts of a limited partnership to manage the operations of a nursing home. Mr. Bernstein asked if the limited partner has the right to sue the general partner, if the limited partner's investment was mishandled. Mr. Ryan stated that anybody can sue anybody, and he doesn't know. Ms. Rocha stated that as a lawyer she will tell that there are legal rights and responsibilities between general and limited partners, and that's between those parties. She stated that the only thing she will tell, what she read in the Providence Journal, her understanding of Mt. St. Francis is that this is really another issue for a different day because its not related to this application and it is providing quality care to its residents, and it's a good facility in Woonsocket. Mr. Greenberg stated that Mt. St. Francis is on the brink according to what he read. He asked how much of an investment has Health Facilities made in this and is that public knowledge. Ms. Rocha stated that she doesn't know, this was formed back in the early 80's, and she doesn't have that information.

Rev. Shire addressed the Chairman and stated that maybe the Council would feel better if the Council knew for sure and that what the Council is transacting today does not connect with any enterprise that is on the brink of failure. Ms. Rocha stated that it does not. She stated that they are totally separate entities. She stated that the applicants who are before the Council are separate and apart from Mt.

**St. Francis and Health Facilities Associates. She stated that the Council is acting on the application of Riverview Nursing Home, Inc. Rev. Shire stated that the only connection is that Mr. Ryan is personally involved in a limited partnership of another facility. Ms. Rocha stated that Mr. Ryan happens to be a general partner of a limited partner. Staff stated that Mr. Miller, legal counsel to the Department, is here. Rev. Shire asked Mr. Miller if that limited partnership that's been described has any relationship to the decisions the Council is making today.**

**Mr. Miller stated that it is very difficult to answer, one would have to determine whether or not the limited partnership of Mt. St. Francis, the inter relationship between the general partner and the limited partner, and whether or not the limited partner had any recourse against the general partner to prevent the problems that Mt. St. Francis would be undergoing and then whether or not one would determine that Mr. Ryan as the general partner of that limited partner had any responsibility to investigate, intervene, prevent, and then as to whether or not one would deem that to be relevant with respect to Mr. Ryan's general conduct in taking care of nursing homes, and those are kind of some wide spread issues as to how far you want to stretch that kind of responsibility.**

**Ms. Rocha stated that Health Facilities Associates is not a healthcare provider, its not a licensed healthcare provider, so if the Council wants to look at the track record of this applicant as a healthcare**

provider, it should look at Riverview and Mr. Ryan and all of the other nursing homes that he owns and operates in the state, and he has an excellent record and the Department would confirm that. She stated that she knows that it is confusing because of the similarities in names and even location, same street, different house, but they are separate entities and it would not be fair to judge these applications on an entity that's for investment purposes that doesn't provide healthcare services.

Staff stated that when we look at character, competence, and standing in the community we go beyond just the corporation, we do go to the principals. Staff noted that just as Riverview is organized separately, or structured separately from Laurel, and the 8 or 9 other facilities, they are all separate corporations, we would certainly look at the other facilities, Bayberry, Morgan, Westerly, as they might relate to the care provided, and then assess Riverview against that. Staff stated that we don't think the fact that these are all separate corporation means that they are compartmentalized and not to be reviewed by the Health Services Council.

Ms. Rocha stated that she thinks it makes sense for you to look at Mr. Ryan's other facilities, her point is that Mr. Ryan, as a general partner of a limited, that cannot provide healthcare services, and its can't run the operations, so there is no measure to judge.

Staff stated that they took the opportunity to look back at the

previous filing of Mt. St. Francis for a change in operator, it was Sterling at the time, and did find the partnership agreement. Staff noted that they don't know whether it's the same one that is still in effect but this is what was in effect in 1995. Staff stated that one of the tenants of this agreement stated, that under the Section 'Removal of the General Partner', it said that the limited partner shall have the right to remove a general partner for any of the following reasons, one of which is any actual fraud, willful misconduct, gross negligence or the breach of fiduciary duty in the performance of the general partner's duties and obligations as general partner. Staff stated that the question is whether or not the limited partner of Mt. St. Francis Associates did not act in accordance with their rights as a limited partner in removing a general partner in a facility that appears to be possibly going into receivership, that's the question, and Mr. Ryan is the general partner of that limited partnership.

Ms. Rocha stated that even if we agree with premise, appears to be, possibly, there have been no findings for those thresholds staff just mentioned.

Staff stated that they are trying to clarify what's being discussed.

Mr. Williams stated that he thinks character, competence and standing in the community is a general term, its not a legally defined term, its one you should take a general English intuitive understanding of, and define it as such. He noted that it is not related

**to a particular conviction or a disbarment or exclusion from HUD. He stated that it's a very general statement that the legislature put in the statute to evaluate by the Council, by the Director, the character, competence and standing in the community, it doesn't mean that you've been put in jail, it doesn't mean that you are barred from HUD, it's a general statement that means exactly what it says.**

**Ms. Rocha stated that they would be happy to answer any questions. She stated that Mr. Ryan has a stellar reputation in standing, character, competence in this community for providing the highest quality of care for over 40 years.**

**Mr. Williams stated that it doesn't restrict itself to the provision of care.**

**Mr. Almon stated that he thinks that the fear that the Council has is that could an adverse event take place regarding Mt. St. Francis that would drag down Riverview.**

**Ms. Rocha stated that the answer is no.**

**Mr. Almon stated that in other words, is there a complete wall of separation, so whatever we are discussing here today under no circumstances could be adversely affected by a negative impact from Mt. St. Francis.**

**Ms. Rocha stated that's correct, they are independent, and they have no relationship.**

**Mr. Almon stated that what we are talking about, change in effective control, Riverview takes over Laurel, and expands its operation.**

**Ms. Rocha stated that the reason they want to do that is because patients at Laurel are in an obsolete building, and we want to put them into an adequate building.**

**Mr. Ryan stated that anybody in this room could be an investor in Mt. St. Francis, anybody here could have a share of that limited partnership. He stated that many people in RI do, as people give up their shares he buys them. He noted that eventually, if he lives long enough, he will buy them all but anybody here, could be an investor in that limited partnership and would be sitting here just like him with nothing between you, you couldn't go out there and operate Mt. St. Francis, you would have no influence whatsoever. He stated that such a person would be getting the same financial statements that he gets, would be getting the same legal opinion that he gets, would be reading the same things in the paper today with you as a limited partner as he is sitting here today. He stated that it is not going to impinge on your life or anybody else's life or mine even.**

**Ms. Rocha said that lets just assume worst case basis that Mt. St. Francis goes into receivership and it closes, it will have no impact on**

**the care given to Laurel residents who we hope will be at Riverview if you approve these applications. She stated that it will have no impact.**

**The Chairman stated that he really feels that the Committee is justified under the circumstances to ask these questions and do due diligence and he does feels some people here as well as him are confused and he thinks it would be helpful no matter what the result is here that the applicant kind of in simple terms clarify some of the things that the applicant has told us and maybe working with staff or the Department's counsel just regardless of what happens, before the time limit has expired and so forth, that the Council have something very clear in their minds and the Council also has to have a report from Facilities Regulation, so there will have to be some conditions if approval is made some conditions of approval that the Council get this information. He stated that he doesn't want to leave here as confused as he was when he came in and he thinks it would be good for the applicant with its legal ability to put the answers to these questions together in a simple form for the Council.**

**Ms. Rocha stated that the applicant wants to answer all the questions that the Council has, that's what the applicant tried to do with the questions that came in last week and the applicant got them back to the Department on Friday. She stated that she asked Mr. Ryan about the Office of Facilities Regulations, and he told her that there are no outstanding issues with respect to the facilities.**

**The Chairman stated that the Council has to get a report from the Office of Facilities Regulation.**

**Mr. Greenberg stated that he understands that as a limited partner, when you first buy into a limited partnership, you sort of know who the general partner is but at this late date, he would question why anybody would want to make an investment as a limited partner with Mr. Giordano as the general partner.**

**Mr. Ryan stated that was back in the late 70's.**

**Mr. Greenberg stated that he is not questioning that. He stated that he is questioning that Mr. Ryan said that he would buy more shares in the limited partnership if they became available now.**

**Mr. Ryan stated that's more of the limited partnership, these are investments. He stated that this is a nursing home, he is in a nursing home business. He stated that if you wanted to sell your limited partnership he would buy it probably. He stated that eventually you get to 50% and now you can make a change in ownership, possibly.**

**Mr. Flynn stated that he has a question on equity. He stated that he thought it might pertain to the 2nd one but he thinks it pertains to both. He noted that Riverview will assume effective control of Laurel, the applicant proposes to purchase Laurel through a license purchase agreement, the purchase price of Laurel is \$850,000 of**

which \$170,000 is funded through equity. He stated that then the Council received today Riverview Health Community CON application revised on 10/25/04 worksheet #2. He stated that on the next page is worksheet #3, please indicate the financing mix for the capital cost of this proposal, this is on the 2nd proposal of Riverview.

Staff stated that if the Council is going on to the CON there was a condition that figures in the CEC and CON be clarified and be made consistent. Staff stated that there was a revised CON report that was handed out, along with the revised tables for that for the Council's review. Staff stated that they just want to make sure that the Council member is looking at the revised one that was handed out, or the one that came in the mailing.

Mr. Flynn stated that came in today. He noted that in this proposal for Riverview, it says new equity \$170,000, that's the same \$170,000 from the first proposal.

Ms. Carragher answered yes and stated that's the 20% of the \$850,000 purchase price.

Mr. Flynn stated that it's a total \$5 million project, and new equity is 3%.

Ms. Carragher stated that's because the existing \$4.2 million debt that is listed there, that is the mortgage that is already in place with 30

**some odd years left out of the 40 year mortgage.**

**Mr. Flynn stated that for the two proposals, if you put them all together, the investment of equity is approximately 3% of the total project.**

**Ms. Carragher answered no and stated that there is equity in Riverview, that's existing equity in Riverview in that building. She noted that the new equity is for purchase of the 60-bed license, to purchase Laurel, that purchase price is \$850,000.**

**Mr. Flynn asked if the new owner is investing \$170,000 in cash.**

**Ms. Carragher answered yes.**

**Mr. Flynn noted that then the new owner assumes existing debt of \$4.2 million.**

**Ms. Carragher stated that debt already belongs to Riverview Nursing Home; it's just allocated today to the assisted living and not skilled nursing, so it isn't new debt.**

**Mr. Flynn asked if the applicant looked at refinancing that. He stated that the reason he asked is because it is at 8.5%.**

**Ms. Carragher stated that there is a 10-year lock, and it can't be**

**refinanced until 2007. She noted that the applicant has tried to break the lock but has been unsuccessful.**

**Staff asked if the mortgage on the existing debt is Suburban or a different mortgage.**

**Ms. Carragher answered Suburban.**

**Mr. Flynn asked if there is a minimum requirement for equity.**

**Staff answered that its 20%. Staff stated that we looking at the acquisition in this instance of Laurel; there are 2 different corporations, the individual holders of shares are common to both, the price is \$850,000 for Laurel. Staff stated that the equity is \$170,000 and the remainder is a promissory note, 5-year promissory note.**

**Mr. Flynn stated that in the 2nd proposal, new owner equity is going to be 12%.**

**Staff stated that the 2nd one also includes some renovations, which is 20% the policy on equity on renovations.**

**Ms. Rocha stated that what the applicant is trying to do with the Council's approval, the Project Review Committee that met several times on this matter has recommended approval unanimously, Department of Human Services supports this application, what the**

applicant is trying to do is to take 60 residents who are in an obsolete building and put them into state-of-the-art building so that they will continue to receive high quality care from a very well respected healthcare provider with a proven track record in the state. She stated that while the applicant appreciates the Council's comments and concerns, the applicant wants to answer all of the Council's questions, she thinks when the Council focuses on what the applicant is really trying to do here, this is something that is good for these people and good for the people of the state. She stated that the applicant would ask that consistent with the recommendation of the Project Review Committee, that the Council approve the application.

Staff asked if to the applicant's knowledge does Mr. Giordano have any ownership in Suburban Mortgage.

Mr. Ryan stated that he doesn't have a clue.

Mr. Bernstein asked if the applicant's accounting firm know.

Ms. Carragher stated that she is not employed by him, she has no idea whether he does or not.

Ms. Rocha stated that she would tell the Council that Mr. Giordano has no ownership direct or otherwise, any interest in the matters that are before the Council, in providing care for these residents who we want to move to Riverview.

**Mr. Greenberg stated that Ms. Rocha keeps saying anything that is before the Council, and asked if there is anything else. Ms. Rocha answered no and stated that she meant these two applications.**

**Mr. Greenberg stated that because he knows that there are other entities here, and he just wonders because even in the letter, one of the questions was Mt. Saint Francis has no interest either directly or indirectly in Riverview, and it says 'identification of any relationships or property interests, direct or indirect, that Antonio L. Giordano may have with Riverview Nursing Home, Inc.' and he was just wondering if Mr. Giordano has any interest in any of the healthcare facilities that Mr. Ryan presently owns.**

**Mr. Ryan stated that Mr. Giordano never did.**

**Ms. Graziano stated just for clarification that Mr. Ryan already owns Riverview, he already owns Laurel and he simply wants to transfer 60 patients into new facilities.**

**Mr. Flynn asked if someone could ascertain that this meets the requirement for equity. Staff stated that it is their understanding that this meets the requirement for equity, yes, 20% acquisition.**

**The Chairman stated that it is confusing from some of the financials exactly where the 20% is, and maybe that is something that can be**

clarified by the applicant, even now or in writing when the applicant is clarifying some of the other confusion.

Ms. Carragher stated that the acquisition of Laurel by Riverview is \$850,000, 20% of equity requirement of that is \$170,000 that will be paid in cash. She stated that the other capital expenditure listed here is the existing debt and what that building cost back in 1997. She noted that debt is already on the books of Riverview, and that there is no new debt. She stated that the 20% equity is in the form of cash of \$850,000. She stated that its personal equity in Riverview is close to \$1 million, that formula isn't part of this but Riverview in the purchase of Laurel, 20% of which is \$170,000. She noted that the applicant responded previously and said that the applicant will provide a copy of the check.

Ms. Graziano stated that she would move that the Council approve the application with stipulations already identified, that is answers to some questions relative to the financial interest. The Chairman noted the report from the Facilities Regulations, so that approval would be conditioned upon the Council's receipt of this information. He stated that this information would be then forwarded to the Director.

A motion was made, seconded and passed by a vote of thirteen in favor, none opposed and one recusal (13-0-1) to recommend that the application be approved with the additional conditions of approval. Those members voting in favor of the motion were: Almon, Bernstein,

**Coia, Flynn, Gil, Graziano, Greenberg, Kinder, Quigley, Ricci, Ross, Shire, Young. Almeida recused.**

**The Chairman stated that a lot of things have come up in the near past and the Council has to do its job and this is no reflection upon Mr. Ryan. He stated that the Council has to clarify these issues that were brought up in a newspaper since the Council's decision was made.**

**Ms. Rocha stated that the applicant appreciates that and wants to make sure that the Council has all the information to make a decision.**

**The next item on the agenda was the Report of the Committee of the Health Services Council on the Application of Riverview Nursing Home, Inc. d/b/a Riverview Healthcare Community for a Certificate of Need to increase its licensed bed capacity through acquisition of Laurel Foster Home, Inc. d/b/a Laurel Health Care Center. Staff summarized the committee discussions and deliberations on this matter. Staff noted that Ms. Rocha is here representing Riverview.**

**The Chairman stated that he thinks some of the Council's requirements before on Office of Facility Regulations and things conditioned are appropriate for this application as well. He stated that if there are no comments from the Committee he thinks that the Council has gone through all the issues, and he will entertain a**

**motion.**

**Staff asked for clarification that the same conditions apply to this recommendation. The Chairman confirmed that it is the same conditions.**

**A motion was made, seconded and passed by a vote of twelve in favor, one opposed and one recusal (12-1-1) to recommend that the application be approved with the additional conditions of approval. Those members voting in favor of the motion were: Almon, Bernstein, Coia, Gil, Graziano, Greenberg, Kinder, Quigley, Ricci, Ross, Shire, Young. Flynn opposed. Almeida recused.**

### **3. Adjournment**

**There being no further business the meeting was adjourned at 4:10 PM.**

**Respectfully submitted,**

**Valentina D. Adamova**