

MINUTES OF MEETING
HEALTH SERVICES COUNCIL

DATE: 27 April 2010

TIME: 2:00 PM

LOCATION: Conference Room 401

ATTENDANCE:

Council: **Present:** Victoria Almeida, Esq., (Vice Chair), John X. Donahue, Joseph L. Dowling, M.D., John W. Flynn, Wallace Gernt, Maria Gil, Catherine E. Graziano, R.N., Ph.D., Robert Hamel, R.N., Theresa Jeremiah, Amy Lapierre, Steven Lonardo, Thomas M. Madden, Esq., Robert J. Quigley, D.C (Chair), Robert Ricci, Reverend David Shire (Secretary)

Excused: Raymond C. Coia, Esq., Gary J. Gaube, Daniel Orgel, MPA Denise Panichas

Not Present: Robert Whiteside

Staff: Valentina D. Adamova, MBA, Michael K. Dexter, MPA

Public: (Attached)

1. Call to Order, Approval of Minutes, Conflict of Interest Forms, Time Extension for the Minutes Availability, and Election of Officers.

The meeting was called to order at 2:45 PM. Mr. Gernt noted that he did not second the 2nd vote at the meeting of April 6, 2010. Minutes of the Health Services Council meeting of 6 April 2010 were adopted as amended. The Chair noted that conflict of interest forms are available to any member who may have a conflict. A motion was made, seconded and passed by a vote of eleven in favor and none opposed (11-0) that the availability of the minutes for this meeting be extended beyond the time frame provided for under the Open Meetings Act. Those members voting in favor were: Almeida, Donahue, Dowling, Gernt, Graziano, Jeremiah, Lonardo, Madden, Quigley, Ricci, Shire.

The next item on the agenda was the Election of Health Services Council Officers. The nominations for the Health Services Council Officers were as follows: Chairman - Robert J. Quigley, Vice Chairman - Victoria Almeida, Secretary – Reverend David Shire. There being no other nominations from the floor, the nominations were closed. The Council Members cast their ballots. The results of the election were as follows: Chairman – Robert J. Quigley (15 votes); Vice Chairman – Victoria Almeida (14 votes); Secretary – Reverend David Shire (15 votes).

2. General Order of Business

The next item on the agenda was the recent financial disclosure of **Kent Hospital** and recent approval of the Ambulatory Surgery Center CON.

Ms. Coletta, president of Kent Hospital, discussed the financial performance of the hospital and the timing of the layoffs of LPNs. She noted that interim financial statements are generally not present or made public. She stated that LPNs have been a subject for many years. The Vice Chair inquired as to whether this information ought to have been disclosed. Ms. Coletta stated that she can't share information like that with the Council as it would be at a public meeting. Mr. Gernt noted that the Council wants to support out of the box thinking but wants to understand it.

The Council discussed the findings of the Committee on the Kent Hospital's CON and how that information is transmitted to the Council for its consideration. Mr. Madden suggested more thorough presentation requirements from future applicants to the full Council. Ms. Lapierre stated that more attention should be given to the consultant's report and that review criteria should be provided. The Chair stated that in the future Havery Zimmerman will make his presentation before the Council as well and that the CON review criteria list will be provided to the Council.

The next item on the agenda was the *Report of the Committee of the Health Services Council on the application of C.P. Atlas Holdings, Inc. for change in effective control of American Renal Holdings, Inc. including: ARA-Pawtucket Dialysis, LLC, ARA-Tiverton Dialysis, LLC, ARA-Providence Dialysis, LLC, ARA-East Providence Dialysis, LLC, ARA-Johnston Dialysis, LLC, Dialysis Center of Wakefield, LLC, Dialysis Center of Westerly, LLC, Dialysis Center of Woonsocket, LLC, and Dialysis Center of West Warwick, LLC.* Staff summarized the application and the deliberations of the Committee on this matter.

The applicant and Centerbridge Capital Partners, LP ("Centerbridge") confirmed their commitment to the conditions of approval. The applicant reviewed the role of Centerbridge, private equity firm, and noted its long term commitment to the RI facilities.

A motion was made by Sen. Graziano, seconded and passed by a vote of thirteen in favor, none opposed and two recusals (13-0-2) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor were: Donahue, Flynn, Gernt, Gil, Graziano, Hamel, Jeremiah, Lapierre, Lonardo, Madden, Quigley, Ricci, Shire. Those members recusing were: Almeida, Dowling.

3. Adjournment

There being no further business, the meeting was adjourned at 3:30 PM.

Respectfully submitted,

Valentina D. Adamova, MBA
Health Economics Specialist