



Department of Health
 Three Capitol Hill
 Providence, RI 02908-5097
 TTY: 711
www.health.ri.gov

MINUTES OF MEETING
HEALTH SERVICES COUNCIL
PROJECT REVIEW COMMITTEE-II

DATE: 7 February 2013

TIME: 2:30 PM

LOCATION: Department Operations Center
 Rhode Island Department of Health

ATTENDANCE:

| Name | Present | Absent | Excused |
|-----------------------------------|---------|--------|---------|
| Committee-II | | | |
| Victoria Almeida, Esq. (Chair) | | | X |
| John J. Barry III | X | | |
| Raymond C. Coia, Esq. | X | | |
| Joseph L. Dowling, MD | X | | |
| Maria R. Gil (Secretary) | X | | |
| Catherine E. Graziano, RN, PhD | X | | |
| Robert Hamel, RN | | | X |
| Jeanette Matrone, RN, PhD | | | X |
| Daniel Orgel, MPA | X | | |
| Denise Panichas | X | | |
| Reverend David Shire (Vice Chair) | X | | |
| Committee-I | | | |
| Roberta Feather, CNS, PhD, JD | X | | |

Staff: Valentina Adamova, MBA, Michael K. Dexter, MPA, Benjamin Kopple, Esq., Joseph G. Miller, Esq., Stephen Morris, Esq.

Public: (Attached)

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

The meeting was called to order at 2:35 PM. The Chair noted that conflict of interest forms are available to any member who may have a conflict. A motion was made and passed by a vote of seven in favor and none opposed (7-0) that the availability of minutes for this meeting be

extended beyond the time frame as provided for under the Open Meetings Act. Those members voting in favor were: Barry, Coia, Dowling, Gil, Graziano, Orgel, Shire.

2. General Order of Business

The next item on the agenda was the application of **East Bay Comprehensive Cancer Center, LLC**, for certificate of need to provide radiation therapy services in Bristol. Rev. Shire chaired the meeting.

The applicant made a presentation and answered Committee' questions.

Public comments were made by Tara Lock, Director of Oncology at Southcoast Hospitals Group, Donald Williams, Dr. Dugal, resident of Tiverton and Chief of Radiation Oncology at St. Anne's Hospital in Fall River, and Dr. Oldenburg, President of North Main Radiation Oncology.

Ms. Panichas stated that she has yet to be convinced that anybody who comes before us has been able to demonstrate how the costs rise because there are more facilities, when in fact for certain sets of standards, more competition brings prices down.

A motion was made by Ms. Panichas, seconded by Mr. Coia and passed by a vote of six in favor, one opposed, and one recusal (6-1-1) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor included: Barry, Coia, Gil, Graziano, Orgel, Panichas. Those members opposed included: Shire. Those members recusing included: Dowling. The following reasons were given by each member for their vote:

| | Vote in Favor | Vote in Opposition |
|---------------|---|---|
| Mr. Barry | Yes. I think its consistent with the Comprehensive Plan. I think it serves a community that needs the service. | |
| Mr. Coia | Yes. I'm convinced based on the totality of the evidence by the applicant that the criteria necessary for our approval has been met and for that reason I am voting to approve the motion. | |
| Sen. Graziano | Yes. My rationale might be a little different, but I come from a family where there have been a multiple numbers of cancers and I appreciate that this will be a one-stop shopping in the sense that once a patient has been diagnosed, the treatment will begin and all of the efforts the applicant talks about will go forward in terms of helping patients achieve whatever the goal is, release or removal of the cancer or at least extending the life of the person. | |
| Ms. Panichas: | I vote yes because I believe the applicant has demonstrated not only the criteria for the CON, but also all of the other ancillary plans that the Health Department has about cancer and access to care. | |
| Rev. Shire: | | I vote no because I don't believe the applicant has demonstrated need or affordability and just incidentally I think state boundaries are artificial in terms of the residence. I'm concerned about expanding services when I really haven't seen a need in this particular case. |

| | | |
|------------|---|--|
| Ms. Gil: | Yes. I believe there is a need for those who live in that area. I also believe the memorandum with the East Bay Community Action is a real bonus. Yes. I believe there is a need for those who live in that area. I also believe the memorandum with the East Bay Community Action is a real bonus, I think that's a real bonus. And while I also respect all of the comments that have been made, 10 miles, 15 miles, if you're somebody who has to get on a bus, I almost think you should just try taking the trip. If I were in Warwick and wanted to go someplace in Warwick, I might end up in Providence. It might take me three hours to get there, so I don't know what the routes are in Bristol, but you know even though it might be a short distance, it could be very long, a very long trip. | |
| Mr. Orgel: | I vote yes for reasons already well articulated by my fellow council members also voting yes. | |

3. Adjournment

There being no further business, the meeting was adjourned at 4:21 PM.

Respectfully submitted,



Valentina D. Adamova, MBA
 (Acting) Chief Health Program Evaluator
 Office of Health Systems Development