



Department of Health

Three Capitol Hill  
Providence, RI 02908-5097

TTY: 711

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**MINUTES OF MEETING**  
**HEALTH SERVICES COUNCIL**

**DATE:** 21 January 2014

**TIME:** 2:30 PM

**LOCATION:** Department Operations Center  
Rhode Island Department of Health

**ATTENDANCE:**

Name	Present	Absent	Excused
Victoria Almeida, Esq. (Chair)	X		
John J. Barry III			X
Raymond C. Coia, Esq.			X
Steven R. DeToy	X		
John X. Donahue	X		
Joseph L. Dowling, MD	X		
Roberta Feather, CNS, PhD, JD	X		
Wallace Gernt	X		
Maria R. Gil (Secretary)			X
Catherine E. Graziano, RN, PhD	X		
Robert Hamel, RN	X		
Theresa Jeremiah	X		
Amy Lapierre			X
Steven Lonardo	X		
Thomas M. Madden, Esq.	X		
Jeanette S. Matrone, RN, PhD			X
Daniel Orgel, MPA	X		
Denise Panichas	X		
Robert Ricci	X		
Tom Sgouros	X		
Reverend Shire (Vice-Chair)			X
Robert Whiteside		X	

**Staff:** Valentina D. Adamova, MBA, Edward D'Arezzo, Michael K. Dexter, MPA, Sarah Mancone (Intern), Joseph G. Miller, Esq., Steve 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 2:39 PM. The Chair noted that conflict of interest forms are available to any member who may have a conflict. Minutes of the Health Services Council meeting of 19 November 2013 were adopted as submitted. A motion was made and passed by a vote of fifteen in favor and none opposed (15-0) that the availability of minutes for this meeting be extended beyond the time frame as provided for under the Open Meetings Act due to the increase in administrative burdens on staff. Those members voting in favor were: Almeida, DeToy, Donahue, Dowling, Feather, Gernt, Graziano, Hamel, Jeremiah, Lonardo, Madden, Orgel, Panichas, Ricci, Sgouros.

The Chair appointed the members who would serve on the Nominating Committee of the Health Services Council as: Ms. Jeremiah (Chair), for a three year term, Mr. Barry, for a two year term, and Mr. Coia, for a one year term.

**2. General Order of Business**

The next item on the agenda was the presentation on *Update on State Health Care Innovation Plan* by Lt. Governor Elizabeth Roberts. Lt. Governor reviewed the elements of the plan. Lt. Governor stated that the expectations are that the application will be released in February of 2014, application due to the federal government in April/May of 2014, and funding will come in the fall of 2014.

The Chair thanked Lt. Governor for her presentation.

The next item on the agenda was the expeditious review request of **All is Well Home Care, Inc.** for a Certificate of Need to establish a Home Care Provider at 510 Post Road in Warwick. Staff reviewed the information provided for the meeting.

A representative of the applicant reviewed the request and answered the Committee's questions.

A motion was made by Mr. Madden, seconded by Dr. Feather, and passed by a vote of fifteen in favor, and none opposed (15-0) to recommend that the expeditious review request be denied. Those members voting in favor included: Almeida, DeToy, Donahue, Dowling, Feather, Gernt, Graziano, Hamel, Jeremiah, Lonardo, Madden, Orgel, Panichas, Ricci, Sgouros. The following reasons were provided:

Mr. Madden stated that there was an "*inadequate case for urgency,*"

Dr. Feather said that "*the conditions are not met,*" and

Mr. Hamel stated that: "*Any of us that work in acute care and have to deal with home health agencies do not find there to be any shortage, and there is no data to support that there is. I work in acute care and we do a lot of business with home health agencies, and we never have any trouble with making a referral. All you need to do is listen to the radio in the afternoon and you hear half a*

*dozen home health care agencies advertising, so I do not see the public health urgency, and I do not think that if somebody does not have home care they end up institutionalized as wards of the state either.”*

The next item on the agenda was the expeditious review request of **Prime Healthcare Services – Landmark, LLC d/b/a New England Specialty Hospital** [Prime Healthcare Services, Inc., Prime Healthcare Holdings, Inc.] for a Certificate of Need to establish a 41-bed Long Term Acute Care Hospital on the second floor of the Rehabilitation Hospital of Rhode Island in North Smithfield. Staff reviewed the information provided for the meeting.

Representatives of the applicant made a presentation and answered the Committee’s questions.

A motion was made by Mr. Gernt, seconded by Mr. Madden, and passed by a vote of thirteen in favor, none opposed, and two abstentions (13-0-2) to recommend that the expeditious review request be approved. Those members voting in favor included: Almeida, DeToy, Donahue, Dowling, Feather, Gernt, Graziano, Jeremiah, Lonardo, Madden, Orgel, Panichas, Ricci. Those members abstained included: Sgouros, Hamel. Mr. Gernt stated his reason as being *“the time constraints they [the applicant] face with regards to what Congress is going to do, and the window that they have that is available to them. I believe they [the applicant] have demonstrated an urgent public need for this [expeditious review request].”*

The next item on the agenda was the Change Order Request to the 30 October 2013 decision to approve the application of **New England Home Therapies, Inc. d/b/a Care Point Partners** [BioScip, Inc.] for change in effective control of Parenteral Infusion Associates LLC d/b/a Care Point Partners, a home nursing care provider at 15 Hazel Street in Pawtucket to amend the conditions of approval. Staff reviewed the information provided for the meeting

Representatives of the applicant reviewed the request and answered the Committee’s questions. The applicant request that condition of approval number three be amended to remove the requirement for an agreement with a community health center (while keeping the free clinic agreement). That the amended condition read: *“that the applicant establish and put into effect formal agreements for referral of charity care cases with a minimum of one licensed free clinic within sixty (60) days of approval;”* Legal counsel to the applicant represented that he has reached out to the community health centers but there has been no interest in effectuating such an agreement due to the specialty nature of the services of the applicant.

A motion was made by Mr. Madden, seconded by Mr. DeToy, and passed by a vote of fourteen in favor, and one opposed (14-1) to recommend that the change order request be approved. Those members voting in favor included: Almeida, DeToy, Donahue, Dowling, Feather, Gernt, Graziano, Hamel, Jeremiah, Lonardo, Madden, Orgel, Ricci, Sgouros. Those members voting in opposition included: Panichas.

The next item on the agenda was the *Report of the Committee of the Health Services Council on the application of 100 Wampanoag Trail Operating Company, LLC for change in effective control of Chestnut Terrace Nursing and Rehabilitation Center in Riverside.* Staff summarized the application and deliberations of the Committee on this matter.

A motion was made by Mr. DeToy, seconded by Mr. Madden, and passed by a vote of fifteen in favor, and none opposed (15-0) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor included: Almeida, DeToy, Donahue, Dowling, Feather, Gernt, Graziano, Hamel, Jeremiah, Lonardo, Madden, Orgel, Panichas, Ricci, Sgouros.

**3. Adjournment**

There being no further business, the meeting was adjourned at 4:16 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "Valentina D. Adamova". The signature is written in a cursive, flowing style.

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