



Department of Health

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TTY: 711

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MINUTES OF MEETING
HEALTH SERVICES COUNCIL

DATE: 29 April 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		
Catherine E. Graziano, RN, PhD	X		
Robert Hamel, RN	X		
Theresa Jeremiah	X		
Amy Lapierre		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: Michael K. Dexter, MPA, Sarah Mancone, Joseph G. Miller, Esq., Steve Morris, Esq., Krista Sevigny (Intern)

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 2:31 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 25 March 2014 were adopted as submitted. A motion was made and passed by a vote of thirteen in favor with none opposed (13-0) 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, Coia, Donahue, Feather, Gernt, Graziano, Hamel, Matrone, Orgel, Panichas, Ricci, Sgouros, and Shire.

2. General Order of Business

The next item on the agenda was report of the Committee of the Health Services Council on the applications of **MinuteClinic Diagnostic of Rhode Island, LLC [CVS Caremark Corporation]** for initial licensure for 7 Organized Ambulatory Care Facilities at: 1054 Cass Avenue in Woonsocket; 681 Reservoir Avenue in Cranston; 120 Eddie Dowling Highway in North Smithfield; 1285 S. County Trail in East Greenwich; 799 Hope Street in Providence; 11 Main Street in Wakefield; and 151 Franklin Street in Westerly. Reverend Shire, Vice-Chair, chaired the meeting on this matter as Ms. Almeida, Chair, recused. Mr. DeToy recused. Mr. Donahue recused. Staff reviewed the information distributed for this application.

Representatives of the applicant responded to the Council's questions.

Comments were made in support of this applicant by Marie Ghazal, RN, MS, CEO of the Rhode Island Free Clinic.

Comments were made in opposition of the application by Elizabeth Lange, MD, a primary care physician in Rhode Island.

Comments were made in opposition of the application by John Solomon, MD, a primary care physician in Rhode Island.

A motion was made by Mr. Hamel, seconded by Mr. Coia, and passed by a vote of eleven voting in favor, one opposed, and three recusals (11-1-3) to recommend that this application be approved as conditioned in the Committee Report. Those members voting in favor were: Coia, Feather, Gernt, Graziano, Hamel, Jeremiah, Matrone, Orgel, Panichas, Ricci, Shire. Those members opposed included: Sgouros. Those members recused included: Almeida, DeToy, Donahue.

As part of the vote, Mr. Hamel stated, *"I believe that CVS has proved that they have the character, commitment, and competence, and standing in the community, to demonstrate that this particular project has been successful in other states, and has been successful in nearby Massachusetts. They have been pretty clear as to the scope of their practice, and I move that we accept it."*

Mr. Sgouros stated, *"I guess I would just like to say that I intend to vote no on this. I am not sure exactly how cost controls will eventually manifest to the health care system, and I think it's very important that they actually do. But the cost control by forcing the patient-centered medical home direction, that initiative, forcing them to compete with the low cost, for-profit clinics does not seem to me to be in the right direction."*

Mr. Coia stated, *“I vote yes, and with this vote incorporate the comments that I set forth in the sub-committee.”*

Reverend Shire stated, *“I vote yes, but with some reservations regarding, once again, the ethics of dispensing and prescribing in the same facility, and I sure would like to get an answer.”*

Mr. Gernt stated, *“I think it’s time that we shape up the health care system, and I think that we are far too set in our ways within our practices and our businesses. I think the MinuteClinic will hopefully send a wakeup call to the other practitioners out there to get their act together.”*

Ms. Panichas stated, *“I am voting yes with reservation as I mentioned during the sub-committee meeting, and I would like the Director to know that I was concerned about MinuteClinic’s performance of sports physicals for children.”*

Dr. Feather stated that she was voting yes, *“with reluctance.”*

The next item on the agenda was the report of the Committee of the Health Services Council on the application of **Massachusetts Eye and Ear Associates, Inc. d/b/a Massachusetts Eye and Ear – Southern New England Retina Associates [Foundation of the Massachusetts Eye and Ear Infirmary, Inc.]** for initial licensure as an Organized Ambulatory Care Facility at 1 Randall Square in Providence to provide ophthalmology services. Reverend Shire, Vice-Chair, chaired the meeting on this matter as Ms. Almeida, Chair, recused. Staff reviewed the information distributed for this application.

Representatives of the applicant responded to the Council’s questions and suggested an amendment to condition three to read “that the facility seek appropriate accreditation from a nationally recognized accrediting agency.”

A motion was made and seconded to recommend that this application be approved as conditioned in the Committee Report with the change to condition three as amended. The motion passed with thirteen voting in favor, none opposed, and two recusals (13-0-2). Those members voting in favor were: Coia, DeToy, Donahue, Feather, Gernt, Graziano, Jeremiah, Matrone, Orgel, Panichas, Ricci, Sgouros, Shire. Those members recused included: Almeida, Hamel.

The next item on the agenda was the report of the Committee of the Health Services Council on the application of **DPB Enterprises, Inc. [Daniel P. Belhumeur (50%) and David A. Belhumeur (50%)]** for change in effective control of Comfort Keepers, a home care provider at 7 Austin Avenue in Greenville. Staff reviewed the information distributed for this application.

Representatives of the applicant responded to the Council’s questions.

A motion was made and seconded to recommend that this application be approved as conditioned in the Committee Report. The motion passed with fourteen voting in favor and none opposed (14-0). Those members voting in favor were: Almeida, Coia, DeToy, Donahue, Feather, Graziano, Hamel, Jeremiah, Matrone, Orgel, Panichas, Ricci, Sgouros, Shire.

3. **Adjournment**

There being no further business, the meeting was adjourned at 3:36 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael K. Dexter". The signature is written in a cursive style with a large, prominent 'M' and 'D'.

Michael K. Dexter
Chief
Office of Health Systems Development