



## Legislation Text

---

**File #:** Res 1238-2020, **Version:** \*

---

Res. No. 1238

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A4071/S870, relating to increasing membership on the public health and health planning council and directing the appointment of members representing particular areas of concern.

By Council Member Rivera

Whereas, According to Kaiser Health News, across the nation hospitals are shifting away from traditional inpatient facilities, with health care providers investing in outpatient clinics, same-day surgery centers, free-standing emergency rooms, and microhospitals; and

Whereas, According to the New York State Health Foundation, as the health care industry's focus shifts to community-based outpatient care, hospital transformations, including closures and consolidations, have increased in frequency; and

Whereas, Over the last 20 years, 41 hospitals in New York State have closed all of their inpatient services, and the overall number of community hospitals has decreased; and

Whereas, According to the New York State Department of Health (NYSDOH), 78 hospital mergers or acquisitions were approved or pending between 2011 and September 2017; and

Whereas, According to the New York State Health Foundation, 764 hospital beds were lost between 2015 and 2017 throughout the state, and now the twelve largest non-profit health systems in the state are in control of half of all acute care hospitals and 70 percent of inpatient acute care beds; and

Whereas, Hospital shifts and consolidations have various effects on the community; and

Whereas, While experts say that large health organizations can more easily manage population health and health care, facilitate electronic information exchange, accept risk in value-based purchasing arrangements,

and provide support to failing community hospitals through consolidation, studies show that prices increase when hospitals consolidate, with one study finding that prices were 12 percent higher on average in areas where one hospital dominated the market versus areas with at least four competitors; and

Whereas, There is concern that hospital consolidation and transformation will leave people with little to no access to needed inpatient services; and

Whereas, According to the Independent Budget Office, New York City Health + Hospitals (H+H) has seen a significant increase in the hospitalization of patients requiring mental health services in recent years, coinciding with increased hospital consolidations; and

Whereas, In July of 2017, mental health hospitalizations at the 11 hospitals that comprise H+H grew roughly 20 percent while, over the same six-year period, mental health hospitalizations decreased by approximately five percent among the voluntary hospitals in New York City; and

Whereas, Hospital transformation also impacts the medical community and, according to the New York Times, doctors in small practices feel pressured to join large health systems; and

Whereas, As of 2016, large hospital groups employed 43 percent of the nation's primary care doctors; and

Whereas, A state-mandated review process, known as the Certificate of Need (CON) program, governs the establishment, ownership, construction, renovation, and change in service of health care facilities in New York; and

Whereas, According to NYSDOH, prior to establishing or constructing new facilities, renovating existing facilities or programs, adding or deleting services, modifying service areas, acquiring major medical equipment, or changing ownership of facilities, agencies, or programs, health care facilities are required to submit a CON application and obtain approval from NYSDOH or the Public Health and Health Planning Council (PHHPC); and

Whereas, A year-long study by MergerWatch, funded by the New York State Health Foundation, found

that the CON process lacks transparency, consumer engagement, and sufficient oversight of health care providers; and

Whereas, For example, summaries of CON applications made available to the public often do not explain how the proposed change would meet the needs of medically-underserved people, such as those who are low income, racial and ethnic minorities, women, and people with disabilities; and

Whereas, A4071/S870, sponsored by Senator Brad Hoylman and Assembly Member Dick Gottfried, calls for an increase in membership on the PHHPC and directs the appointment of members representing particular areas of concern; and

Whereas, A4071/S870 would expand the PHHPC to include additional consumer and labor representatives and legislative appointees; and

Whereas, The PHHPC should aim to be more transparent and accessible to consumers, and the consumer voice needs to be represented in the decision making process; and

Whereas, This goal would be more achievable if advocates have more seats at the table; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A4071/S870, relating to increasing membership on the public health and health planning council and directing the appointment of members representing particular areas of concern.

EB  
LS 10099  
07/11/2019