

Protecting our communities from rampant health industry consolidation

Statewide Senior Action Conference
October 13, 2021

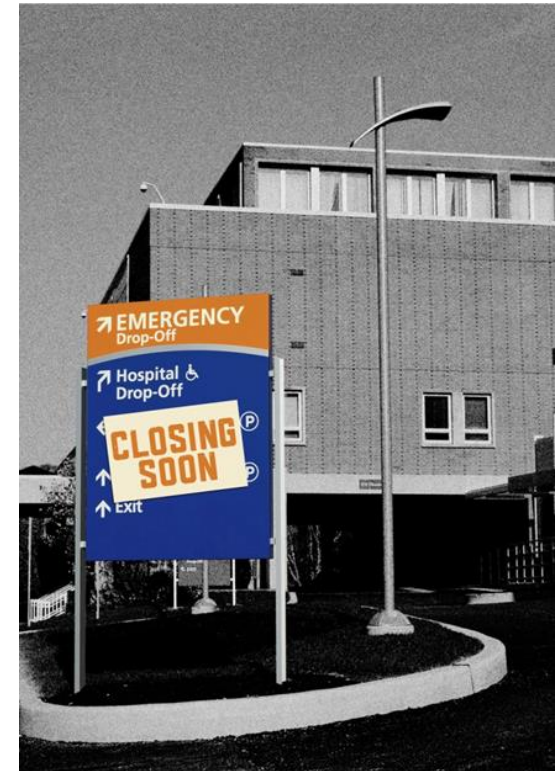
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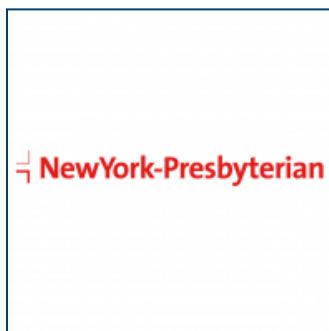
Why do our communities need protecting?

- More than 40 acute care hospitals have closed across NYS over the last 20 years.
- Others have downsized -- closing ERs, ICUs, maternity units and other services.
- Such closures can leave communities without timely access to needed care.
- Rural areas and low-income urban neighborhoods are especially hard hit.



Many remaining hospitals have joined large regional health systems

- 12 large systems now control more than half the acute care hospitals and 70% of the beds in the state
- Four mega-systems have acquired multiple hospitals, physician practices and outpatient centers.



Big health systems don't always protect hospitals they acquire

- Montefiore acquired Mount Vernon Hospital and downsized it.
- Montefiore also took over Cornwall Hospital and gradually closed it.
- Mount Sinai acquired 700-bed Beth Israel Medical Center and tried to replace it with a new 70-bed facility.



What about nursing homes?

- For-profit firms buying up nursing homes to convert to luxury condos. **Need I say Rivington House?**
- For profit firms taking over management of nursing homes and cutting staff, skimping on food.

Community needs must be considered before for-profit takeover of **nursing homes**



What did the pandemic expose about oversight of our health facilities?

- Inequitable distribution of hospital beds across geographic regions of the state.
- Disproportionate impact on people of color who live in the very areas where there are too few hospital beds.
- Lack of any real process for health system planning in New York State.



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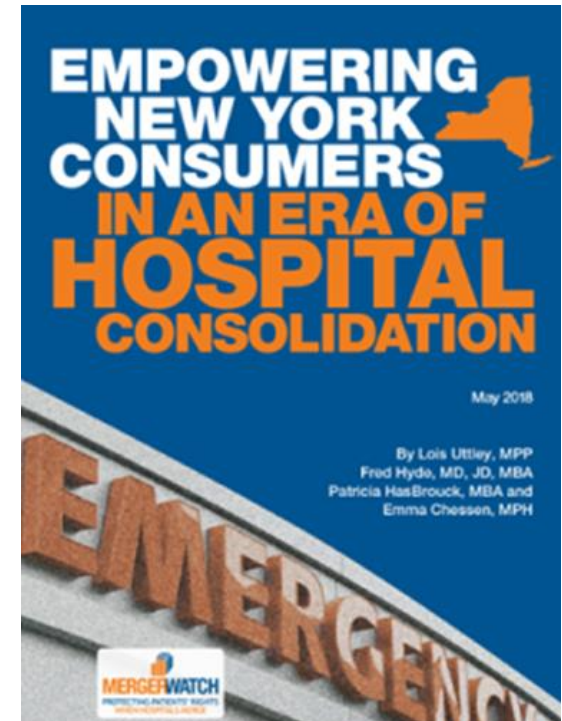
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Who decides how many hospital and nursing home beds are needed, and where?

- Big health systems and corporate owners of nursing homes are the primary initiators of proposed changes.
- There is no system of regional health planning to forecast the need for beds and encourage/reward proposals that meet those needs.
- State health officials largely respond to what health systems and owners propose. State review occurs through a Certificate of Need (CON) process.

State oversight through CON is inadequate to serve community needs

- State oversight of consolidation through Certificate of Need (CON) process **lacks transparency and consumer engagement.**
- Consumers have **little or no notice or say** when their local hospitals are downsizing, closing or joining large systems. Or when nursing homes change owners.
- There are no **required public hearings** in affected communities.



Who are the deciders?

Representatives of big health systems dominate state review board:

- **Chair Jeff Kraut is Executive VP of Northwell Health, the state's biggest health system.**
- Chair of the project review committee is Peter Robinson, VP of University of Rochester Medical Center.
- Scott La Rue, President of Archcare, often speaks on nursing home issues.
- **Out of 24 members, only one is a consumer representative:** Ann Monroe, retired former head of the Health Foundation of Western and Central NY.



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What can we do?

- **A first step:** Add a **Health Equity Assessment** requirement to all CON applications by hospitals, nursing homes and other health providers.
- Require independent assessments of how proposed transactions would affect medically-underserved people.

COVID-19 exposed the **inequities** in our health care system



Now it is time to **take action** on the lessons we learned

PASS THE HEALTH EQUITY ASSESSMENT BILL

A191a/S1451a



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How would this HEA work?

- Requires **meaningful engagement of affected communities**, especially medically-underserved people: older people, people with disabilities, rural residents, BIPOC, low income, women, LGBTQ people and more
- For downsizings and closings, require applicants to demonstrate how affected consumers would be able to continue to get needed services elsewhere.
- Completed assessment must be publicly posted on the NYS DOH website, so consumers can review it and submit comments to regulators.



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Health equity assessment bill has passed the state Legislature!

- Health Committee Chairs Gustavo Rivera and Dick Gottfried won final legislative passage of this bill.
- **We are calling on Gov. Kathy Hochul to sign it.**
- We are urging incoming DOH Commissioner Mary Basset to support and implement it.



Change the CON process to give consumers a greater voice

- **Increase the number of consumer representatives** on the state CON review board. Cuomo signed legislation to add another consumer seat, but then never appointed anyone! We are calling on Gov. Hochul to fill this seat.
- **Engage the public** if a hospital plans to close entirely or eliminate the ER or maternity care. Require 90 days advance notice, a public hearing and a closure plan that addresses consumer concerns.
- **Require every hospital to have a consumer advisory board**, and involve that board in review of proposed consolidation.



Creating a statewide consumer voice



Coalition calls to halt downsizing at Beth Israel, Mount Vernon hospitals

As New York works to drastically increase its hospital capacity, community groups and the state's largest nurses union are calling for the governor to halt projects that would reduce beds at Mount Sinai Beth Israel in Manhattan and Montefiore Mount Vernon in Westchester County.





- Statewide Senior Action Council
- Children's Defense Fund-NY
- NY Immigration Coalition
- Empire Justice Center
- March of Dimes NY
- Community Catalyst
- Metro NY Health Care for All
- Community Service Society-NY
- Center for Independence of the Disabled-NY
- Commission on the Public's Health System
- Neighbors to Save Rivington House

Want more information? Want to join CVHSA?

- Contact me at luttley@communitycatalyst.org
- Or leave a message at my office at 212-870-2010. I'm there 3 days a week.



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