

STATE OF NEW YORK
PUBLIC HEALTH AND HEALTH PLANNING COUNCIL

AGENDA

November 16, 2023

*Immediately following the Special Establishment and Project Review Committee meeting,
which is to begin immediately following the Committee on Codes, Regulations, and
Legislation meeting*

(Codes scheduled to begin at 9:15 a.m.)

90 Church Street, 4th Floor CR 4 A/B, New York, New York 10007

I. INTRODUCTION OF OBSERVERS

Jeffrey Kraut, Chair

II. APPROVAL OF MINUTES

September 7, 2023 PHHPC Meeting Minutes

III. REPORT OF DEPARTMENT OF HEALTH ACTIVITIES

A. Report of the Department of Health

James V. McDonald, M.D., M.P.H., Commissioner of Health

B. Report of the Office of Aging and Long Term Care

Adam Herbst, Deputy Commissioner, Office of Aging and Long Term Care

C. Report of the Office of Public Health

Ursula Bauer, PhD, MPH, Deputy Commissioner, Office of Public Health

D. Report of the Office of Primary Care and Health Systems Management

John Morley, M.D., Deputy Commissioner, Office of Primary Care and Health Systems Management

E. Report of the Office of Health Equity and Human Rights

Tina Kim, Deputy Director, Office of Health Equity and Human Rights

IV. PUBLIC HEALTH SERVICES

Report on the Activities of the Public Health Committee

Jo Ivey Boufford, M.D., Chair of Public Health Committee

V. REGULATION

Report of the Committee on Codes, Regulations and Legislation

Thomas Holt, Chair of the Committee on Codes, Regulations and Legislation

For Emergency Adoption

23-07 Amendment of Section 405.45 of Title 10 NYCRR
(Trauma Centers – Resources for Optimal Care of the Injured Patient)

For Information

20-22 Amendment of Sections 405.11 and 415.19 of Title 10 NYCRR
(Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements)

23-20 Addition of Section 405.46 to Title 10 NYCRR (Hospital Cybersecurity Requirements)

21-21 Amendment of Part 425 of Title 10 NYCRR (Adult Day Health Care)

VI. PROJECT REVIEW RECOMMENDATIONS AND ESTABLISHMENT ACTIONS

A. Report of the Committee on Establishment and Project Review

Peter Robinson, Chair of Establishment and Project Review Committee

APPLICATIONS FOR CONSTRUCTION OF HEALTH CARE FACILITIES

CATEGORY 1: Applications Recommended for Approval – No Issues or Recusals,
Abstentions/Interests

NO APPLICATIONS

CATEGORY 2: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Without Dissent by HSA
- ❖ Without Dissent by Establishment and Project Review Committee

CON Applications

Acute Care Services - Construction

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	231325 C	NYU Langone Hospitals (Nassau County) Dr. Kalkut – Recusal	Contingent Approval

Cardiac Services Construction – Construction

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	231103 C	NYU Langone Hospital-Brooklyn (Kings County) Dr. Kalkut - Recusal	Contingent Approval

CATEGORY 3: Applications Recommended for Approval with the Following:

- ❖ No PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendations by HSA

NO APPLICATIONS

CATEGORY 4: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendation by HSA

NO APPLICATIONS

CATEGORY 5: Applications Recommended for Disapproval by OHSM or Establishment and Project Review Committee - with or without Recusals

NO APPLICATIONS

CATEGORY 6: Applications for Individual Consideration/Discussion

NO APPLICATIONS

APPLICATIONS FOR ESTABLISHMENT AND CONSTRUCTION OF HEALTH CARE FACILITIES

CATEGORY 2: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Without Dissent by HSA
- ❖ Without Dissent by Establishment and Project Review Committee

Certificates

Restated Certificate of Incorporation

Applicant

Rochester General Hospital Association, Inc.
(Monroe County)
Mr. Thomas - Interest

E.P.R.C. Recommendation

Approval

CATEGORY 3: Applications Recommended for Approval with the Following:

- ❖ No PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendations by HSA

CON Application

Residential Health Care Facilities – Establish/Construct

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	231044 E	Sunset SNF Operations LLC d/b/a Sunset Lake Center for Rehabilitation and Nursing (Sullivan County) Dr. Berliner – Opposed at EPRC Ms. Monroe – Opposed at EPRC	No Recommendation

CATEGORY 1: Applications Recommended for Approval – No Issues or Recusals,
Abstentions/Interests

CON Applications

Residential Health Care Facilities – Establish/Construct

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	192204 E	Highland Nursing Home, Inc. d/b/a North Country Nursing & Rehabilitation Center (St. Lawrence County)	Contingent Approval
2.	231011 E	Fairport SNF LLC d/b/a Fairport Skilled Nursing & Rehab (Monroe County)	Contingent Approval
3.	231259 E	Tupper Lake Center LLC d/b/a Tupper Lake Center for Nursing and Rehabilitation (Franklin County)	Contingent Approval

Home Care Service Agency Licensures

New LHCSA's

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	231010 E	Vilas Home Care, LLC (Geographical Service Area: Clinton, Essex, and Franklin Counties)	Approval

Changes of Ownership

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	222238 E	Auburn Assisted Living LLC (Geographical Service Area: Cayuga County)	Contingent Approval
2.	222220 E	Kris Agency And Home Care, Inc. (Geographical Service Area: Bronx, Kings, Nassau, New York, and Queens Counties)	Contingent Approval
3.	222255 E	Riverside Select Services, LLC d/b/a Cottage Homecare Services (Geographical Service Area: Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, and Westchester Counties)	Approval

Ambulatory Surgery Centers – Establish/Construct

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	231369 E	Westside ASC LLC d/b/a Westside Ambulatory Surgery Center (New York County)	Contingent Approval
2.	231380 B	Mohawk Valley Surgery Center (Oneida County)	Contingent Approval

Diagnostic and Treatment Centers – Establish/Construct

	<u>Number</u>	<u>Applicant/Facility</u>	<u>E.P.R.C. Recommendation</u>
1.	221277 E	Medcare LLC (Kings County)	Approval

Certificates

Certificate of Incorporation

	<u>Applicant</u>	<u>E.P.R.C. Recommendation</u>
	The Foundation of Catholic Health (Erie County)	Approval

Certificate of Assumed Name

Applicant

VJJ Holding Company, LLC (Suffolk County)

E.P.R.C. Recommendation

Approval

Certificate of Dissolution

Applicant

DOJ Dialysis Center Corp.

Wartburg Nursing Home, Inc.

Greater Harlem Nursing Home and Rehabilitation Center, Inc.

E.P.R.C. Recommendation

Approval

Approval

Approval

CATEGORY 4: Applications Recommended for Approval with the Following:

- ❖ PHHPC Member Recusals
- ❖ Establishment and Project Review Committee Dissent, or
- ❖ Contrary Recommendation by HSA

NO APPLICATIONS

CATEGORY 5:

Applications Recommended for Disapproval by OHSM or Establishment and Project Review Committee - with or without Recusals

NO APPLICATIONS

CATEGORY 6: Applications for Individual Consideration/Discussion

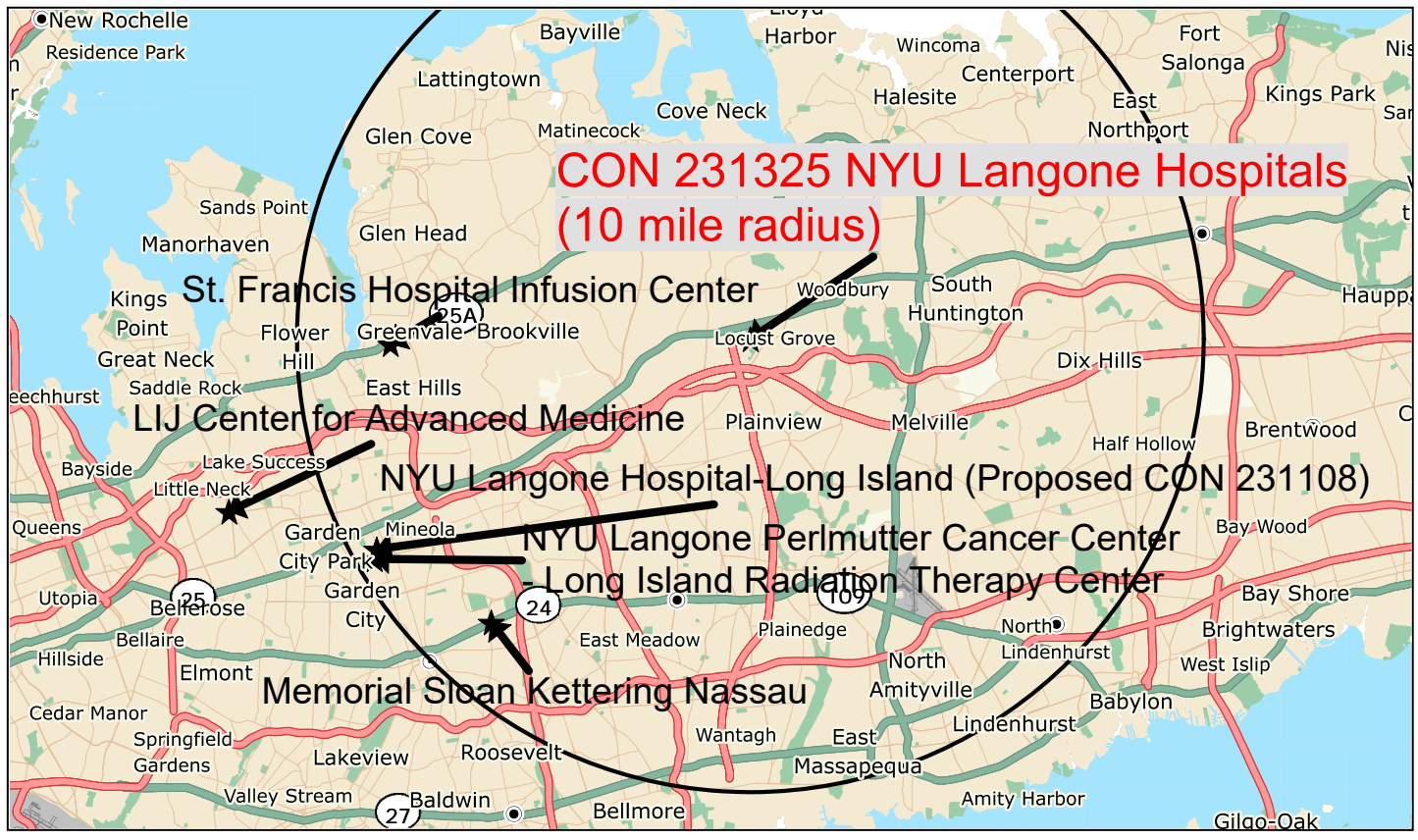
NO APPLICATIONS

VII. NEXT MEETINGS

January 25, 2024 (NYC)
February 8, 2024 (NYC)

VIII. ADJOURNMENT

******Agenda items may be called in an order that differs from above******



**CON 231325 NYU Langone Hospitals
(10 mile radius)**

St. Francis Hospital Infusion Center

LIJ Center for Advanced Medicine

NYU Langone Hospital-Long Island (Proposed CON 231108)

**NYU Langone Perlmutter Cancer Center
- Long Island Radiation Therapy Center**

Memorial Sloan Kettering Nassau

NYU Langone Hospitals
Consolidated Balance Sheets
August 31, 2022 and 2021

<i>(in thousands)</i>	2022	2021
Assets		
Current assets		
Cash and cash equivalents	\$ 1,548,227	\$ 1,802,962
Short-term investments	1,072,402	1,273,620
Assets limited as to use	9,171	11,841
Patient accounts receivable, net	1,039,526	896,425
Contributions receivable	99,364	61,886
Insurance receivables - billed	110,633	105,457
Other current assets	376,484	403,806
Total current assets	<u>4,255,807</u>	<u>4,555,997</u>
Long-term investments	61,874	57,991
Assets limited as to use, less current portion	1,252,472	1,389,431
Contributions receivable, less current portion	128,696	133,578
Professional liabilities insurance recoveries receivable	63,062	70,541
Operating lease right-of-use assets	542,569	542,158
Other assets	116,941	80,031
Property, plant and equipment, net	4,891,042	4,770,717
Total assets	<u>\$ 11,312,463</u>	<u>\$ 11,600,444</u>
Liabilities and Net Assets		
Current liabilities		
Current portion of long-term debt and finance lease obligations	\$ 70,990	\$ 53,776
Current portion of operating lease obligations	36,502	34,485
Accounts payable and accrued expenses	445,695	420,597
Accrued salaries and related liabilities	385,993	381,068
Deferred revenue	125,635	113,688
Due to related organizations	45,240	73,856
Other current liabilities	20,190	338,377
Total current liabilities	<u>1,130,245</u>	<u>1,415,847</u>
Long-term debt and finance lease obligations, less current portion	3,154,938	3,175,044
Long-term operating lease obligations, less current portion	553,468	551,933
Professional liabilities	885,829	847,910
Accrued pension liabilities	389,700	515,645
Accrued postretirement liabilities	73,928	93,624
Other liabilities	338,619	459,228
Total liabilities	<u>6,526,727</u>	<u>7,059,231</u>
Net assets		
Net assets without donor restrictions	4,393,528	4,166,554
Net assets with donor restrictions	392,208	374,659
Total net assets	<u>4,785,736</u>	<u>4,541,213</u>
Total liabilities and net assets	<u>\$ 11,312,463</u>	<u>\$ 11,600,444</u>

NYU Langone Hospitals
Consolidated Statements of Operations
Years Ended August 31, 2022 and 2021

<i>(in thousands)</i>	2022	2021
Operating revenues and other support		
Net patient service revenue	\$ 6,539,043	\$ 6,168,439
Grants and sponsored programs	13,480	23,346
Insurance premiums earned	108,014	106,708
Contributions	14,921	8,661
Endowment distribution and return on short-term investments	(28,677)	37,501
Other revenue	710,912	718,696
Net assets released from restrictions for operating purposes	19,139	17,281
Total operating revenues and other support	<u>7,376,832</u>	<u>7,080,632</u>
Operating expenses		
Salaries and wages	2,158,889	2,051,353
Employee benefits	689,861	656,052
Supplies and other	3,347,874	3,228,383
Depreciation and amortization	435,510	421,383
Interest	125,522	128,811
Total operating expenses	<u>6,757,656</u>	<u>6,485,982</u>
Gain from operations	619,176	594,650
Other items		
Other component of pension and postretirement costs	27,866	24,539
Investment return, net	(226,320)	166,417
Mission based payment to NYUGSoM	(50,000)	(50,000)
Other	(9,876)	12,977
Excess of revenue over expenses	<u>360,846</u>	<u>748,583</u>
Other changes in net assets without donor restrictions		
Changes in pension and postretirement obligations	161,261	192,239
Contributions for capital asset acquisitions	51	754
Equity transfers to related organizations, net	(303,366)	(35,387)
Net assets released from restrictions for capital purposes	509	3,841
Net assets released from restrictions for hazard mitigation	8,631	-
Other	(958)	(11)
Net increase in net assets without donor restrictions	<u>\$ 226,974</u>	<u>\$ 910,019</u>

NYU Langone Hospitals
Statement of Financial Position
February 28, 2023

(in thousands)

	NYU Langone Hospitals (Obligated Group)	CCC550	Eliminations	Total
Assets				
Current assets				
Cash and cash equivalents	\$ 1,340,519	\$ -	\$ -	\$ 1,340,519
Short-term Investments	1,126,832	-	-	1,126,832
Assets limited as to use	19,330	-	-	19,330
Patient accounts receivable, net	1,132,266	-	-	1,132,266
Contribution receivable	99,364	-	-	99,364
Insurance receivables - billed	-	129,580	(76,804)	52,776
Other current assets	535,522	5,729	-	541,251
Total current assets	4,253,833	135,309	(76,804)	4,312,338
Long-term Investments	67,830	-	-	67,830
Assets limited as to use, less current portion	268,949	960,525	-	1,229,474
Contributions receivable, less current portion	89,770	-	-	89,770
Professional liabilities insurance recoveries receivable	63,062	-	-	63,062
Other assets	357,533	-	(222,255)	135,278
Operating lease right-of-use assets	523,190	-	-	523,190
Property, plant and equipment, net	4,948,992	-	-	4,948,992
Total assets	\$ 10,573,159	\$ 1,095,834	\$ (299,059)	\$ 11,369,934
Liabilities and net assets				
Current liabilities				
Current portion of long-term debt	\$ 59,965	\$ -	\$ -	\$ 59,965
Current portion of operating lease obligations	37,122	-	-	37,122
Accounts payable and accrued expenses	411,945	1,457	-	413,402
Accrued salaries and related liabilities	314,379	-	-	314,379
Accrued interest payable	19,888	-	-	19,888
Current portion of accrued postretirement liabilities	3,536	-	-	3,536
Current portion of professional liabilities	3,844	-	-	3,844
Deferred revenue	16,071	62,611	(7,865)	70,817
Due to related organizations, net	33,780	-	-	33,780
Other current liabilities	77,434	-	(36,668)	40,766
Total current liabilities	977,964	64,067	(44,533)	997,498
Long-term debt and finance lease obligations, less current portion	3,142,820	-	-	3,142,820
Long-term operating lease obligations, less current portion	536,810	-	-	536,810
Professional liabilities	108,230	809,511	-	917,741
Accrued pension liabilities	321,554	-	-	321,554
Accrued postretirement liabilities, less current portion	66,673	-	-	66,673
Other liabilities	381,599	-	(32,271)	349,328
Total liabilities	5,535,650	873,579	(76,804)	6,332,425
Net assets				
Net assets without donor restrictions	4,649,847	222,255	(222,255)	4,649,847
Net assets with donor restrictions	387,662	-	-	387,662
Total net assets	5,037,509	222,255	(222,255)	5,037,509
Total liabilities and net assets	\$ 10,573,159	\$ 1,095,834	\$ (299,059)	\$ 11,369,934

Financial Statements

NYU Langone Hospitals
Statement of Operations
For the six months ended February 28, 2023

(in thousands)

	NYU Langone Hospitals (Obligated Group)	CCC550	Eliminations	Total
Operating revenues and other support				
Net patient service revenue	\$ 3,503,587	\$ -	\$ -	\$ 3,503,587
Grants and sponsored programs	1,207	-	-	1,207
Insurance premiums earned	-	87,342	(29,636)	57,705
Contributions	5,724	-	-	5,724
Endowment distribution and return on short-term investments	45,835	3,703	-	49,538
Other revenue	457,341	-	(18,683)	438,658
Net assets released from restrictions for operating purposes	3,670	-	-	3,670
Total operating revenues and other support	<u>4,017,364</u>	<u>91,045</u>	<u>(48,319)</u>	<u>4,060,090</u>
Operating expenses				
Salaries and wages	1,172,452	-	-	1,172,452
Employee benefits	362,146	-	-	362,146
Supplies and other	1,905,211	72,362	(29,636)	1,947,937
Depreciation and amortization	216,462	-	-	216,462
Interest	61,413	-	-	61,413
Total operating expenses	<u>3,717,684</u>	<u>72,362</u>	<u>(29,636)</u>	<u>3,760,410</u>
Gain from operations	299,680	18,683	(18,683)	299,680
Other items				
Other component of pension and postretirement costs	11,819	-	-	11,819
Investment return in excess of endowment distribution, net	27,174	-	-	27,174
Mission based payment to NYUGSoM	(25,001)	-	-	(25,001)
Other	18	-	-	18
Excess of revenue over expenses	<u>313,690</u>	<u>18,683</u>	<u>(18,683)</u>	<u>313,690</u>
Other changes in net assets without donor restrictions				
Changes in pension and postretirement obligations	70,294	-	-	70,294
Contributions for capital asset acquisitions	1,059	-	-	1,059
Equity transfers to related organizations, net	(140,899)	-	-	(140,899)
Net assets released from restrictions for hazard mitigation	12,631	-	-	12,631
Other	(456)	-	-	(456)
Net increase (decrease) in net assets without donor restrictions	<u>\$ 256,319</u>	<u>\$ 18,683</u>	<u>\$ (18,683)</u>	<u>\$ 256,319</u>

NYU Langone Hospitals
Consolidated Balance Sheets
August 31, 2022 and 2021

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Assets		
Current assets		
Cash and cash equivalents	\$ 1,548,227	\$ 1,802,962
Short-term investments	1,072,402	1,273,620
Assets limited as to use	9,171	11,841
Patient accounts receivable, net	1,039,526	896,425
Contributions receivable	99,364	61,886
Insurance receivables - billed	110,633	105,457
Other current assets	376,484	403,806
Total current assets	<u>4,255,807</u>	<u>4,555,997</u>
Long-term investments	61,874	57,991
Assets limited as to use, less current portion	1,252,472	1,389,431
Contributions receivable, less current portion	128,696	133,578
Professional liabilities insurance recoveries receivable	63,062	70,541
Operating lease right-of-use assets	542,569	542,158
Other assets	116,941	80,031
Property, plant and equipment, net	4,891,042	4,770,717
Total assets	<u>\$ 11,312,463</u>	<u>\$ 11,600,444</u>
Liabilities and Net Assets		
Current liabilities		
Current portion of long-term debt and finance lease obligations	\$ 70,990	\$ 53,776
Current portion of operating lease obligations	36,502	34,485
Accounts payable and accrued expenses	445,695	420,597
Accrued salaries and related liabilities	385,993	381,068
Deferred revenue	125,635	113,688
Due to related organizations	45,240	73,856
Other current liabilities	20,190	338,377
Total current liabilities	<u>1,130,245</u>	<u>1,415,847</u>
Long-term debt and finance lease obligations, less current portion	3,154,938	3,175,044
Long-term operating lease obligations, less current portion	553,468	551,933
Professional liabilities	885,829	847,910
Accrued pension liabilities	389,700	515,645
Accrued postretirement liabilities	73,928	93,624
Other liabilities	338,619	459,228
Total liabilities	<u>6,526,727</u>	<u>7,059,231</u>
Net assets		
Net assets without donor restrictions	4,393,528	4,166,554
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Total liabilities and net assets	<u>\$ 11,312,463</u>	<u>\$ 11,600,444</u>

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Grants and sponsored programs	13,480	23,346
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Other revenue	710,912	718,696
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Operating expenses		
Salaries and wages	2,158,889	2,051,353
Employee benefits	689,861	656,052
Supplies and other	3,347,874	3,228,383
Depreciation and amortization	435,510	421,383
Interest	125,522	128,811
Total operating expenses	<u>6,757,656</u>	<u>6,485,982</u>
Gain from operations	619,176	594,650
Other items		
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Investment return, net	(226,320)	166,417
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Other	(9,876)	12,977
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Net assets released from restrictions for hazard mitigation	8,631	-
Other	(958)	(11)
Net increase in net assets without donor restrictions	<u>\$ 226,974</u>	<u>\$ 910,019</u>

NYU Langone Hospitals
Statement of Financial Position
February 28, 2023

(in thousands)

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Assets				
Current assets				
Cash and cash equivalents	\$ 1,340,519	\$ -	\$ -	\$ 1,340,519
Short-term Investments	1,126,832	-	-	1,126,832
Assets limited as to use	19,330	-	-	19,330
Patient accounts receivable, net	1,132,266	-	-	1,132,266
Contribution receivable	99,364	-	-	99,364
Insurance receivables - billed	-	129,580	(76,804)	52,776
Other current assets	535,522	5,729	-	541,251
Total current assets	4,253,833	135,309	(76,804)	4,312,338
Long-term Investments	67,830	-	-	67,830
Assets limited as to use, less current portion	268,949	960,525	-	1,229,474
Contributions receivable, less current portion	89,770	-	-	89,770
Professional liabilities insurance recoveries receivable	63,062	-	-	63,062
Other assets	357,533	-	(222,255)	135,278
Operating lease right-of-use assets	523,190	-	-	523,190
Property, plant and equipment, net	4,948,992	-	-	4,948,992
Total assets	\$ 10,573,159	\$ 1,095,834	\$ (299,059)	\$ 11,369,934
Liabilities and net assets				
Current liabilities				
Current portion of long-term debt	\$ 59,965	\$ -	\$ -	\$ 59,965
Current portion of operating lease obligations	37,122	-	-	37,122
Accounts payable and accrued expenses	411,945	1,457	-	413,402
Accrued salaries and related liabilities	314,379	-	-	314,379
Accrued interest payable	19,888	-	-	19,888
Current portion of accrued postretirement liabilities	3,536	-	-	3,536
Current portion of professional liabilities	3,844	-	-	3,844
Deferred revenue	16,071	62,611	(7,865)	70,817
Due to related organizations, net	33,780	-	-	33,780
Other current liabilities	77,434	-	(36,668)	40,766
Total current liabilities	977,964	64,067	(44,533)	997,498
Long-term debt and finance lease obligations, less current portion	3,142,820	-	-	3,142,820
Long-term operating lease obligations, less current portion	536,810	-	-	536,810
Professional liabilities	108,230	809,511	-	917,741
Accrued pension liabilities	321,554	-	-	321,554
Accrued postretirement liabilities, less current portion	66,673	-	-	66,673
Other liabilities	381,599	-	(32,271)	349,328
Total liabilities	5,535,650	873,579	(76,804)	6,332,425
Net assets				
Net assets without donor restrictions	4,649,847	222,255	(222,255)	4,649,847
Net assets with donor restrictions	387,662	-	-	387,662
Total net assets	5,037,509	222,255	(222,255)	5,037,509
Total liabilities and net assets	\$ 10,573,159	\$ 1,095,834	\$ (299,059)	\$ 11,369,934

Financial Statements

NYU Langone Hospitals
Statement of Operations
For the six months ended February 28, 2023

(in thousands)

	NYU Langone Hospitals (Obligated Group)	CCC550	Eliminations	Total
Operating revenues and other support				
Net patient service revenue	\$ 3,503,587	\$ -	\$ -	\$ 3,503,587
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Insurance premiums earned	-	87,342	(29,636)	57,705
Contributions	5,724	-	-	5,724
Endowment distribution and return on short-term investments	45,835	3,703	-	49,538
Other revenue	457,341	-	(18,683)	438,658
Net assets released from restrictions for operating purposes	3,670	-	-	3,670
Total operating revenues and other support	<u>4,017,364</u>	<u>91,045</u>	<u>(48,319)</u>	<u>4,060,090</u>
Operating expenses				
Salaries and wages	1,172,452	-	-	1,172,452
Employee benefits	362,146	-	-	362,146
Supplies and other	1,905,211	72,362	(29,636)	1,947,937
Depreciation and amortization	216,462	-	-	216,462
Interest	61,413	-	-	61,413
Total operating expenses	<u>3,717,684</u>	<u>72,362</u>	<u>(29,636)</u>	<u>3,760,410</u>
Gain from operations	299,680	18,683	(18,683)	299,680
Other items				
Other component of pension and postretirement costs	11,819	-	-	11,819
Investment return in excess of endowment distribution, net	27,174	-	-	27,174
Mission based payment to NYUGSoM	(25,001)	-	-	(25,001)
Other	18	-	-	18
Excess of revenue over expenses	<u>313,690</u>	<u>18,683</u>	<u>(18,683)</u>	<u>313,690</u>
Other changes in net assets without donor restrictions				
Changes in pension and postretirement obligations	70,294	-	-	70,294
Contributions for capital asset acquisitions	1,059	-	-	1,059
Equity transfers to related organizations, net	(140,899)	-	-	(140,899)
Net assets released from restrictions for hazard mitigation	12,631	-	-	12,631
Other	(456)	-	-	(456)
Net increase (decrease) in net assets without donor restrictions	<u>\$ 256,319</u>	<u>\$ 18,683</u>	<u>\$ (18,683)</u>	<u>\$ 256,319</u>

CON 231 103
BFA Attachment B Cont.



Office of the State Long Term Care Ombudsman

Two Empire State Plaza
Fifth Floor, Albany, NY 12223-1251
www.ltcombudsman.ny.gov

Claudette Royal
State Ombudsman
1-855-582-6769

To: Public Health and Health Planning Council

Re: 231044 Sunset SNF Operations LLC d/b/a Sunset Lake Center for Rehabilitation and Nursing

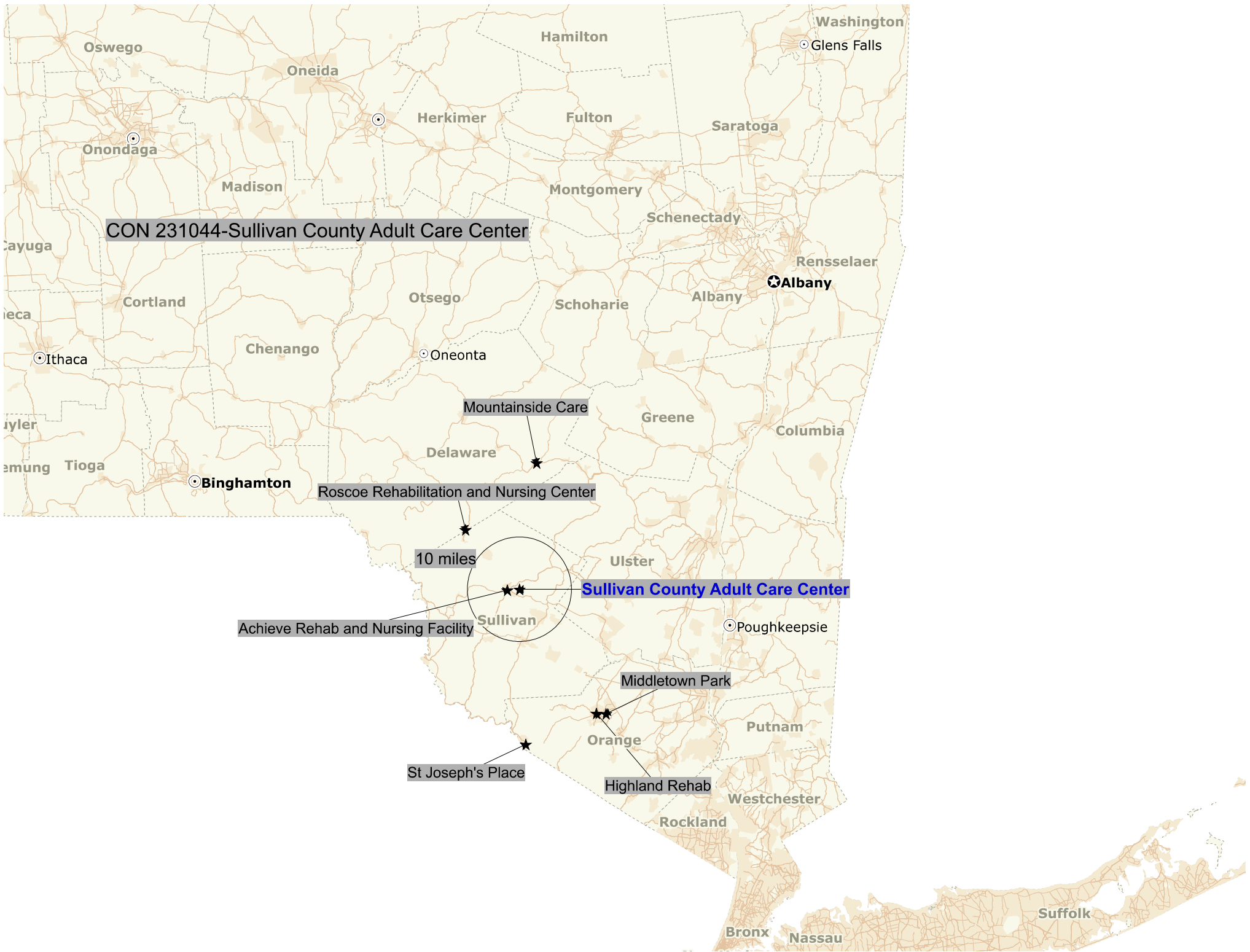
Date: August 4, 2023

Long Term Care Ombudsman Program Review:

The Office of the State Long Term Care Ombudsman has received and reviewed the application for change in ownership submitted by Sunset SNF Operations LLC d/b/a Sunset Lake Center for Rehabilitation and Nursing. The Office reviewed the two facilities currently operated by the proposed owners. There is a regular and consistent Ombudsman presence in both facilities. Based on the Office's review of any programmatic interactions and complaints received for these facilities, the Office has no objection to the approval of this application.

A handwritten signature in cursive script that reads "Claudette Royal".

Claudette Royal
New York State Ombudsman



Sunset SNF Operations LLC
Doing Business As
Sunset Lake Center for Rehabilitation and Nursing

CON # 231044
BFA Attachment B

Pro Forma Balance Sheet (AS OF APPROVAL DATE)

Operating Co.

ASSETS:

Cash and Cash Equivalents	\$ 2,653,839
Total Current Assets	\$ 2,653,839
TOTAL ASSETS	\$ 2,653,839

LIABILITIES:

Current Liabilities	-
Long-Term Liabilities	\$ -
TOTAL LIABILITIES	\$ -
Members' Equity	\$ 2,653,839
TOTAL LIABILITIES AND MEMBERS' EQUITY	\$ 2,653,839

Financial Summary

Sullivan County Adult Care Center

FISCAL PERIOD ENDED	<u>12/31/2022</u>	<u>12/31/2021</u>	<u>12/31/20</u>
ASSETS - CURRENT	\$3,873,315	\$7,376,671	\$4,223,122
ASSETS - FIXED AND OTHER	\$16,221,967	\$15,927,761	\$10,280,987
LIABILITIES - CURRENT	\$18,610,442	\$18,211,458	\$11,730,273
LIABILITIES - LONG-TERM	<u>\$40,625,478</u>	<u>\$40,157,374</u>	<u>\$33,249,644</u>
EQUITY	-\$39,140,638	-\$35,064,400	-\$30,475,808
<hr/>			
INCOME	\$9,561,182	\$10,036,379	\$8,304,766
EXPENSE	<u>\$15,518,540</u>	<u>\$17,541,436</u>	<u>\$20,548,864</u>
NET INCOME	-\$5,957,358	-\$7,505,057	-\$12,244,098
NON OPERATING REVENUES	<u>\$1,881,120</u>		
CHANGE IN NET ASSETS	-\$4,076,238		
<hr/>			
NUMBER OF BEDS	146	146	146
PERCENT OF OCCUPANCY (DAYS)	65.13%	58.09%	66.43%
<hr/>			
PERCENT OCCUPANCY (DAYS):			
MEDICAID	82.17%	85.00%	83.10%
MEDICARE	9.87%	7.50%	10.00%
PRIVATE/OTHER	7.96%	7.50%	6.90%
<hr/>			

SULLIVAN COUNTY CARE CENTER AT SUNSET LAKE
(AN ENTERPRISE FUND OF THE COUNTY OF SULLIVAN, NEW YORK)
Statements of Net Position
December 31, 2022 and 2021

	2022	2021
ASSETS		
Current assets:		
Cash and cash equivalents	\$ 1,887,485	\$ 2,165,391
Funds held in trust for patients	230,700	290,136
Patient receivables, net of allowance for estimated uncollectibles	1,566,042	1,581,264
Intergovernmental transfer receivables	-	467,792
Due from third-party payors	-	2,754,808
Inventories	125,166	64,943
Prepaid items	63,922	52,337
Total current assets	3,873,315	7,376,671
Noncurrent assets:		
Net pension asset	1,580,431	-
Capital assets, not being depreciated	44,800	44,800
Capital assets, being depreciated (net of accumulated depreciation)	183,741	261,784
Total noncurrent assets	1,808,972	306,584
Total assets	5,682,287	7,683,255
DEFERRED OUTFLOWS OF RESOURCES		
Deferred outflows—relating to pensions	3,406,561	5,735,863
Deferred outflows—relating to OPEB	11,006,434	9,885,314
Total deferred outflows of resources	14,412,995	15,621,177
LIABILITIES		
Current liabilities:		
Accounts payable	906,575	484,694
Due to third-party payors	164,186	89,233
Due to County General Fund	17,061,172	17,053,958
Accrued compensation and related costs	247,809	293,437
Resident trust funds	230,700	290,136
Total current liabilities	18,610,442	18,211,458
Noncurrent liabilities:		
Other postemployment benefits obligation	20,050,132	28,917,102
Net pension liability	-	24,646
Total noncurrent liabilities	20,050,132	28,941,748
Total liabilities	38,660,574	47,153,206
DEFERRED INFLOWS OF RESOURCES		
Deferred inflows—relating to pensions	5,735,292	7,378,013
Deferred inflows—relating to OPEB	14,840,054	3,837,613
Total deferred inflows of resources	20,575,346	11,215,626
NET POSITION		
Net investment in capital assets	228,541	306,584
Unrestricted	(39,369,179)	(35,370,984)
Total net position	\$ (39,140,638)	\$ (35,064,400)

The notes to the financial statements are an integral part of these statements.

SULLIVAN COUNTY CARE CENTER AT SUNSET LAKE
(AN ENTERPRISE FUND OF THE COUNTY OF SULLIVAN, NEW YORK)
Statements of Revenues, Expenses and Changes in Net Position
Years Ended December 31, 2022 and 2021

	2022	2021
OPERATING REVENUES		
Net patient service revenue	\$ 9,426,370	\$ 9,870,950
Other revenue	134,812	165,429
Total operating revenues	9,561,182	10,036,379
OPERATING EXPENSES		
Professional care of residents	4,898,209	5,434,424
General services	3,954,144	4,204,880
Administrative services	2,697,032	1,759,707
Employee benefits	3,424,808	5,640,073
New York State cash assessment	486,788	421,170
Depreciation	57,559	61,866
Interest expense	-	19,316
Total operating expenses	15,518,540	17,541,436
Operating loss	(5,957,358)	(7,505,057)
NONOPERATING REVENUES		
Intergovernmental transfers	-	2,285,023
Contribution from County	1,879,317	-
Provider relief funds	-	631,184
Interest income	1,803	258
Total nonoperating revenues	1,881,120	2,916,465
Change in net position	(4,076,238)	(4,588,592)
Total net position—beginning	(35,064,400)	(30,475,808)
Total net position—ending	\$ (39,140,638)	\$ (35,064,400)

The notes to the financial statements are an integral part of these statements.

<u>Operator</u>	<u>Name of the facility</u>	<u>Date</u>	<u>Beds</u>	<u>County</u>	<u>Esther Klein</u>
Kingston NH Operation, LLC	Ten Broeck Center for Rehab & Nursing	1-Oct-18	258	Uister	27.50%
Hampaton NH Operating, LLC.	Westhampton Care Center	1-Jan-18	180	Suffolk	3%

Affiliated Nursing Homes (Page 1)

**Beds
County**

BFA Attachment D cont

	<u>Ten Broeck Center for Rehab & Nursing</u>	<u>258 Ulster</u>	<u>12/31/2022</u>	<u>12/31/2021</u>	<u>12/31/2020</u>
Kingston NH Operation, LLC					
Current Assets			\$7,625,676	\$11,329,790	\$11,710,161
Fixed Assets			\$228,390,843	\$4,571,896	\$3,521,819
Total Assets			\$236,016,519	\$15,901,686	\$15,231,980
Current Liabilities			\$9,730,794	\$5,809,394	\$8,878,776
Long Term Liabilities			\$220,881,985	\$2,705,585	\$886,477
Total Liabilities			\$230,612,779	\$8,514,979	\$9,765,253
Net Assets			\$5,403,740	\$7,386,707	\$5,466,727
Working Capital Position			-\$2,105,118	\$5,520,396	\$2,831,385
Revenue			\$31,900,651	\$33,495,564	\$31,912,648
Expenses			\$31,983,619	\$30,695,064	\$27,981,149
Net Income			-\$82,968	\$2,800,500	\$3,931,499
<u>Hampatton NH Operating, LLC.</u>	<u>Westhampton Care Center</u>	<u>180 Suffolk</u>	<u>12/31/2022</u>	<u>12/31/2021</u>	<u>12/31/2020</u>
Current Assets			\$7,820,339	\$10,391,362	\$12,132,745
Fixed Assets			\$48,751,940	\$1,910,926	\$1,419,998
Total Assets			\$56,572,279	\$12,302,288	\$13,552,743
Current Liabilities			\$12,010,702	\$7,714,795	\$8,716,647
Long Term Liabilities			\$44,164,199	\$120,705	\$2,479,535
Total Liabilities			\$56,174,901	\$7,835,500	\$11,196,182
Net Assets			\$397,378	\$4,466,788	\$2,356,561
Working Capital Position			-\$4,190,363	\$2,676,567	\$3,416,098
Revenue			\$30,465,664	\$35,589,890	\$29,896,638
Expenses			\$31,235,074	\$27,216,690	\$26,583,933
Net Income			-\$769,410	\$8,373,200	\$3,312,705



Office of the State Long Term Care Ombudsman

Two Empire State Plaza
Fifth Floor, Albany, NY 12223-1251
www.ltcombudsman.ny.gov

Claudette Royal
State Ombudsman
1-855-582-6769

To: Public Health and Health Planning Council

Re: 192204 Highland Nursing Home Inc.

Date: October 23, 2023

Long Term Care Ombudsman Program Review:

The Office of the State Long Term Care Ombudsman has received and reviewed the application for change in ownership submitted by Highland Nursing Home Inc. The Office reviewed the four facilities currently operated by the proposed owners. There is regular presence in one of the facilities, monthly coverage in one of the facilities, quarterly coverage in one of the facilities and no regular or routine visitation schedule at one of the facilities. Based on the Office's review of any programmatic interactions and complaints received for these facilities, the Office has no objection to the approval of this application, however, would like to note a few concerns in one of the four facilities.

In Oak Hill Rehab and Nursing Care Center, where there is a regular and consistent Ombudsman presence, there is limited staff on the night shift. The most staff reported on the posted staffing is three staff for sixty residents, who reside on two floors. The Ombudsman has been discussing this with the Administration. It is also noted that residents often raise concerns related to the quality of incontinence supplies and that fresh fruits and vegetables are not available. While this may not necessarily be a regulatory requirement, it is a quality-of-life issue that effects resident satisfaction. This could be improved by considering alternate supplies and adding fresh foods to the menu options, which has been suggested by the Ombudsman.

Claudette Royal

<u>Current Owners of Real Property</u> 182 Highland Road, LLC	
<u>Members:</u>	<u>%</u>
Sari Landa	4.60%
Esther Gerwitz	4.58%
Alan Landa	4.58%
Steven Landa	4.58%
Joseph Landa	4.58%
Joshua Landa	4.58%
Menashe Eisen	5.00%
Blimie Peristein	5.00%
Tirtza Salamon	1.00%
Morddejai Salamon	17.00%
Menajem Salamon	30.00%
Yossi Mayer	5.00%
Suri Reich	5.00%
Hellen Majerovic	4.50%

Highland Nursing Home, Inc.
Doing Business As
North Country Nursing and Rehabilitation Center

Pro Forma Balance Sheet (AS OF APPROVAL DATE)

	<u>Operating Co.</u>
<u>ASSETS:</u>	
Cash and Cash Equivalents	\$ 2,391,876
Total Current Assets	<u>\$ 2,391,876</u>
Operating Assets	550,000
TOTAL ASSETS	<u><u>\$ 2,941,876</u></u>
<u>LIABILITIES:</u>	
Current Liabilities	-
Long-Term Liabilities	\$ -
TOTAL LIABILITIES	<u>\$ -</u>
Shareholders' Equity	<u>\$ 2,941,876</u>
TOTAL LIABILITIES AND SHAREHOLDERS' EQUITY	<u><u>\$ 2,941,876</u></u>

Financial Summary**Highland Nursing Home, Inc.**

FISCAL PERIOD ENDED	<u>12/31/2022</u>	<u>12/31/2021</u>	<u>12/31/20</u>
ASSETS - CURRENT	\$8,073,285	\$3,630,418	\$3,226,651
ASSETS - FIXED AND OTHER	\$14,422,657	\$2,423,872	\$2,132,288
LIABILITIES - CURRENT	\$8,256,367	\$2,804,963	\$2,415,777
LIABILITIES - LONG-TERM	<u>\$13,040,420</u>	<u>\$2,116,438</u>	<u>\$1,999,822</u>
EQUITY	\$1,199,155	\$1,132,889	\$943,340
<hr/>			
INCOME	\$14,208,050	\$12,715,350	\$8,025,085
EXPENSE	<u>\$14,141,759</u>	<u>\$15,044,169</u>	<u>\$7,404,321</u>
NET INCOME	\$66,291	-\$2,328,819	\$620,764
Medicare Relief Grant	\$0	\$1,180,732	\$0
Employee Retention Credit	<u>\$0</u>	<u>\$1,337,636</u>	<u>\$0</u>
Revised Net Income	\$66,291	\$189,549	\$620,764
<hr/>			
NUMBER OF BEDS	140	140	140
PERCENT OF OCCUPANCY (DAYS)	96.08%	78.75%	60.08%
<hr/>			
PERCENT OCCUPANCY (DAYS):			
MEDICAID	59.57%	65.02%	74.00%
MEDICARE	31.76%	27.72%	22.70%
PRIVATE/OTHER	8.67%	7.27%	3.30%
<hr/>			

BALANCE SHEET

December 31, 2022 and 2021

ASSETS

	2022	2021
CURRENT ASSETS		
Cash	\$ 940,942	\$ 965,446
Accounts receivable less allowance for doubtful accounts of \$111,600	2,222,475	1,623,259
Other accounts receivable		928,588
Inventory	17,598	17,598
Prepaid expenses	5,092,270	95,527
TOTAL CURRENT ASSETS	8,273,285	3,630,418
PATIENT FUNDS (Note 2)	153,845	236,838
GOODWILL of \$1,833,461, at cost less accumulated amortization of \$656,990 and \$473,644, respectively	1,176,471	1,359,817
RIGHT-OF-USE ASSETS - OPERATING LEASES (Note 11)	11,928,696	0
PROPERTY AND EQUIPMENT (Note 3)	963,645	827,217
TOTAL ASSETS	\$ 22,495,942	\$ 6,054,290

LIABILITIES AND STOCKHOLDERS' EQUITY

CURRENT LIABILITIES		
Accounts payable	\$ 718,127	\$ 661,972
Accrued expenses	95,500	68,030
Accrued salaries and payroll taxes	1,743,936	145,725
Rent payable	0	700,000
Current portion of operating lease payable (Note 11)	904,500	0
Current portion of long term debt (Note 7)	0	0
Payable to third party payors (Note 4)	4,794,304	1,229,236
TOTAL CURRENT LIABILITIES	8,256,367	2,804,963
PATIENT FUND LIABILITY (Note 2)	152,763	252,977
OPERATING LEASE PAYABLE, less current portion above (Note 11)	11,024,196	0
LONG-TERM DEBT, less current portion above (Note 7)	1,863,461	1,863,461
TOTAL LIABILITIES	21,296,787	4,921,401
STOCKHOLDER'S EQUITY		
Common stock - no par value, 200 shares issued and outstanding	12,758	12,758
ADDITIONAL PAID IN CAPITAL	226,413	226,413
Undistributed Earnings	959,984	893,718
TOTAL STOCKHOLDER'S EQUITY	1,199,155	1,132,889
TOTAL LIABILITIES AND STOCKHOLDERS' EQUITY	\$ 22,495,942	\$ 6,054,290

The accompanying Notes to Financial Statements are an integral part of this statement.

Highland Nursing Home, Inc.
D/B/A North Country Nursing & Rehabilitation Center

Project # 192204
BFA Attachment D cont

STATEMENT OF INCOME AND UNDISTRIBUTED EARNINGS

Years Ended December 31, 2022 and 2021

	2022	2021
OPERATING INCOME		
Patient service income	\$ 14,111,428	\$ 13,843,026
Other operating income	96,622	44,377
TOTAL OPERATING INCOME	14,208,050	13,887,403
OPERATING EXPENSES		
NON-REVENUE SUPPORT SERVICES		
Administrative services (Note 15)	1,960,456	1,578,874
Fiscal services	153,974	162,172
Plant, operations and main- tenance (Notes 3 & 4)	4,228,863	8,585,919
Patient food services	815,093	628,352
Housekeeping services	268,673	204,343
Laundry services	77,547	42,930
Nursing administration	693,957	661,874
Medical care services	34,697	76,257
Leisure time activities	87,227	88,164
Social services and admitting	240,790	141,847
TOTAL NON-REVENUE SUPPORT SERVICES	8,561,277	12,170,732
ANCILLARY SERVICE CENTERS	1,197,671	948,723
PROGRAM SERVICE CENTER	4,382,811	1,916,010
TOTAL OPERATING EXPENSES	14,141,759	15,035,465
NET INCOME BEFORE EMPLOYEE RETENTION CREDITS AND INCOME TAXES	66,291	(1,148,062)
EMPLOYEE RETENTION CREDITS (Note 14)	0	1,337,636
NET INCOME BEFORE INCOME TAXES	66,291	189,574
PROVISION FOR INCOME TAXES (Note 12)	25	25
NET INCOME	66,266	189,549
STOCKHOLDERS' EQUITY		
Balance, beginning of period	893,718	704,169
Plus Contributions	0	0
Less Distributions	0	0
Balance, end of period	\$ 959,984	\$ 893,718

The accompanying Notes to Financial Statements are an integral part of this statement.

Highland Nursing Home, INC.
D/B/A North Country Nursing & Rehabilitation Center
(A Subchapter S Corporation)

Project # 192204
BFA Attachment E

BALANCE SHEET

June 30, 2023

ASSETS

CURRENT ASSETS

Cash	\$	840,709
Accounts receivable		
less allowance for doubtful accounts of \$111,600		1,903,824
Inventory		17,598
Prepaid expenses		5,312,846
		<hr/>
TOTAL CURRENT ASSETS		8,074,977
PATIENT FUNDS (Note 2)		139,577
GOODWILL less accumulated amortization of \$748,663		1,084,798
RIGHT-OF-USE ASSETS - OPERATING LEASES (Note 10)		11,928,696
PROPERTY AND EQUIPMENT (Note 3)		1,423,965
		<hr/>
TOTAL ASSETS	\$	<u>22,652,013</u>

LIABILITIES AND STOCKHOLDERS' EQUITY

CURRENT LIABILITIES

Accounts payable	\$	455,295
Accrued expenses		130,472
Accrued salaries and payroll taxes		1,736,001
Current portion of long term debt (Note 7)		0
Current portion of operating lease payable (Note 10)		904,500
Payable to third party payors (Note 4)		4,877,125
		<hr/>
TOTAL CURRENT LIABILITIES		8,103,393
PATIENT FUND LIABILITY (Note 2)		142,013
OPERATING LEASE PAYABLE, less current portion above (Note 10)		11,024,196
LONG-TERM DEBT, less current portion above (Note 7)		1,863,461
		<hr/>
TOTAL LIABILITIES		21,133,063
STOCKHOLDER'S EQUITY		
Common stock - no par value, 200 shares		
issued and outstanding		12,758
ADDITIONAL PAID IN CAPITAL		226,413
Undistributed Earnings		1,279,779
		<hr/>
TOTAL STOCKHOLDER'S EQUITY		1,518,950
		<hr/>
TOTAL LIABILITIES AND STOCKHOLDERS' EQUITY	\$	<u>22,652,013</u>

Unaudited - See Accountant's Compilation Report

The accompanying Notes to Financial Statements are an integral part of this statement.

STATEMENT OF INCOME AND UNDISTRIBUTED EARNINGS

Six Months Ended June 30, 2023

	Three Months Ended June 30, 2023	Six Months Ended June 30, 2023
OPERATING INCOME		
Patient service income	\$ 4,183,071	\$ 8,216,304
Other operating income	8,659	112,751
	4,191,730	8,329,055
OPERATING EXPENSES		
NON-REVENUE SUPPORT SERVICES		
Administrative services	464,535	984,441
Fiscal services	29,481	69,354
Plant, operations and main- tenance (Notes 3 & 5)	1,803,543	3,344,390
Patient food services	211,875	430,395
Housekeeping services	76,713	164,374
Laundry services	18,286	35,767
Nursing administration	131,536	252,754
Medical care services	13,500	27,000
Leisure time activities	27,319	55,691
Social services and admitting	46,188	90,542
	2,822,976	5,454,708
ANCILLARY SERVICE CENTERS	346,473	695,607
PROGRAM SERVICE CENTER	910,526	1,858,919
	4,079,974	8,009,235
NET INCOME BEFORE MANAGEMENT FEES AND INCOME TAXES	111,756	319,820
MANAGEMENT FEES	0	0
	111,756	319,820
NET INCOME BEFORE INCOME TAXES	111,756	319,820
PROVISION FOR INCOME TAXES (Note 11)	0	25
	111,756	319,795
NET INCOME	\$ 111,756	319,795
STOCKHOLDERS' EQUITY		
Balance, beginning of period		959,984
Plus Contributions		0
Less Distributions		0
		1,279,779
Balance, end of period		\$ 1,279,779

Unaudited - See Accountant's Compilation Report

The accompanying Notes to Financial Statements are an integral part of this statement.

Project 192204
 BFA Attachment # F

<u>Operator</u>	<u>Name of the facility</u>	<u>Date</u>	<u>Beds</u>	<u>County</u>	<u>Suri Reich</u>	<u>Yossi Mayer</u>	<u>Hellen Majerovic</u>	<u>Joseph Landa</u>	<u>Joshua Landa</u>	<u>Tirtza Salamon</u>	<u>Menajem Salamon</u>	<u>Mordeiai Salamon</u>	<u>Blimie Perlstein</u>
Oak Hill Operating Co., LLC	Oakhill Rehabilitation & Nu	11-Feb-19	60	Tompkins	12.5%	12.50%	5.00%						
River View Facility Operations,	River View Rehabilitation &	11-Feb-19	77	Tioga	12.5%	12.50%	10.0%						
Windsor Park Nursing Home, I	Windsor Park Nursing Hon	1-Jan-22	70	Queens						6.0%	7.50%		
Gold Crest Care Center, Inc	Gold Crest Care Center	1-Jan-22	175	Bronx							7.50%		
Pending													
Highland Nursing Home, Inc	Highland Nursing Home, Inc'		140	St Lawren	5.0%	5.0%	4.50%	13.75%	13.75%	1.0%	35.00%	17.0%	5.0%

Affiliated Nursing Homes (Page 1)

BFA Attachment F

		Beds County	<u>12/31/2022</u>	<u>12/31/2021</u>	<u>12/31/2020</u>
<u>Oak Hill Operating Co., LLC</u>	<u>Oakhill Rehabilitation & Nursing Care Center</u>	<u>60 Tompkins</u>			
Current Assets			\$1,829,133	\$2,372,777	\$1,791,563
Fixed Assets			\$818,976	\$357,609	\$217,806
Total Assets			\$2,648,109	\$2,730,386	\$2,009,369
Current Liabilities			\$872,090	\$1,098,590	\$1,770,059
Long Term Liabilities			\$474,001	\$0	\$0
Total Liabilities			\$1,346,091	\$1,098,590	\$1,770,059
Net Assets			\$1,302,018	\$1,631,796	\$239,310
Working Capital Position			\$957,043	\$1,274,187	\$21,504
Revenue			\$6,458,816	\$7,969,013	\$6,314,001
Expenses			\$6,788,594	\$6,564,314	\$6,206,585
Net Income			-\$329,778	\$1,404,699	\$107,416
<u>River View Facility Operations, LLC</u>	<u>River View Rehabilitation & Nursing Care Center</u>	<u>77 Tioga</u>			
Current Assets			\$2,971,188	\$3,529,763	\$2,447,133
Fixed Assets			\$958,982	\$138,027	\$182,609
Total Assets			\$3,930,170	\$3,667,790	\$2,629,742
Current Liabilities			\$870,711	\$968,539	\$1,728,913
Long Term Liabilities			\$642,330	\$0	\$0
Total Liabilities			\$1,513,041	\$968,539	\$1,728,913
Net Assets			\$2,417,129	\$2,699,251	\$900,829
Working Capital Position			\$2,100,477	\$2,561,224	\$718,220
Revenue			\$7,264,712	\$8,405,789	\$7,054,956
Expenses			\$7,546,834	\$6,590,905	\$6,776,888
Net Income			-\$282,122	\$1,814,884	\$278,068
<u>Windsor Park Nursing Home, Inc.</u>	<u>Windsor Park Nursing Home</u>	<u>70 Queens</u>			
Current Assets			\$2,010,397	\$0	\$0
Fixed Assets			\$1,351,519	\$0	\$0
Total Assets			\$3,361,916	\$0	\$0
Current Liabilities			\$2,223,696	\$0	\$0
Long Term Liabilities			\$104,396	\$0	\$0
Total Liabilities			\$2,328,092	\$0	\$0
Net Assets			\$1,033,824	\$0	\$0
Working Capital Position			-\$213,299	\$0	\$0
Revenue			\$11,442,783	\$0	\$0
Expenses			\$11,767,559	\$0	\$0
Net Income			-\$324,776	\$0	\$0

Affiliated Nursing Homes (Page 2)

BFA Attachment F cont

	Beds			
	County			
	<u>175</u>	<u>12/31/2022</u>		
<u>Gold Crest Care Center, Inc</u>	<u>Gold Crest Care Center</u>	<u>Bronx</u>		
Current Assets		\$7,741,301	\$0	\$0
Fixed Assets		\$12,110,816	\$0	\$0
Total Assets		\$19,852,117	\$0	\$0
Current Liabilities		\$4,544,763	\$0	\$0
Long Term Liabilities		\$8,359,860	\$0	\$0
Total Liabilities		\$12,904,623	\$0	\$0
Net Assets		\$6,947,494	\$0	\$0
Working Capital Position		\$3,196,538	\$0	\$0
Revenue		\$24,407,697	\$0	\$0
Expenses		\$22,218,892	\$0	\$0
Net Income		\$2,188,805	\$0	\$0



Office of the State Long Term Care Ombudsman

Two Empire State Plaza
Fifth Floor, Albany, NY 12223-1251
www.ltcombudsman.ny.gov

Claudette Royal
State Ombudsman
1-855-582-6769

To: Public Health and Health Planning Council

Re: 231011 Fairport SNF LLC d/b/a Fairport Skilled Nursing & Rehab

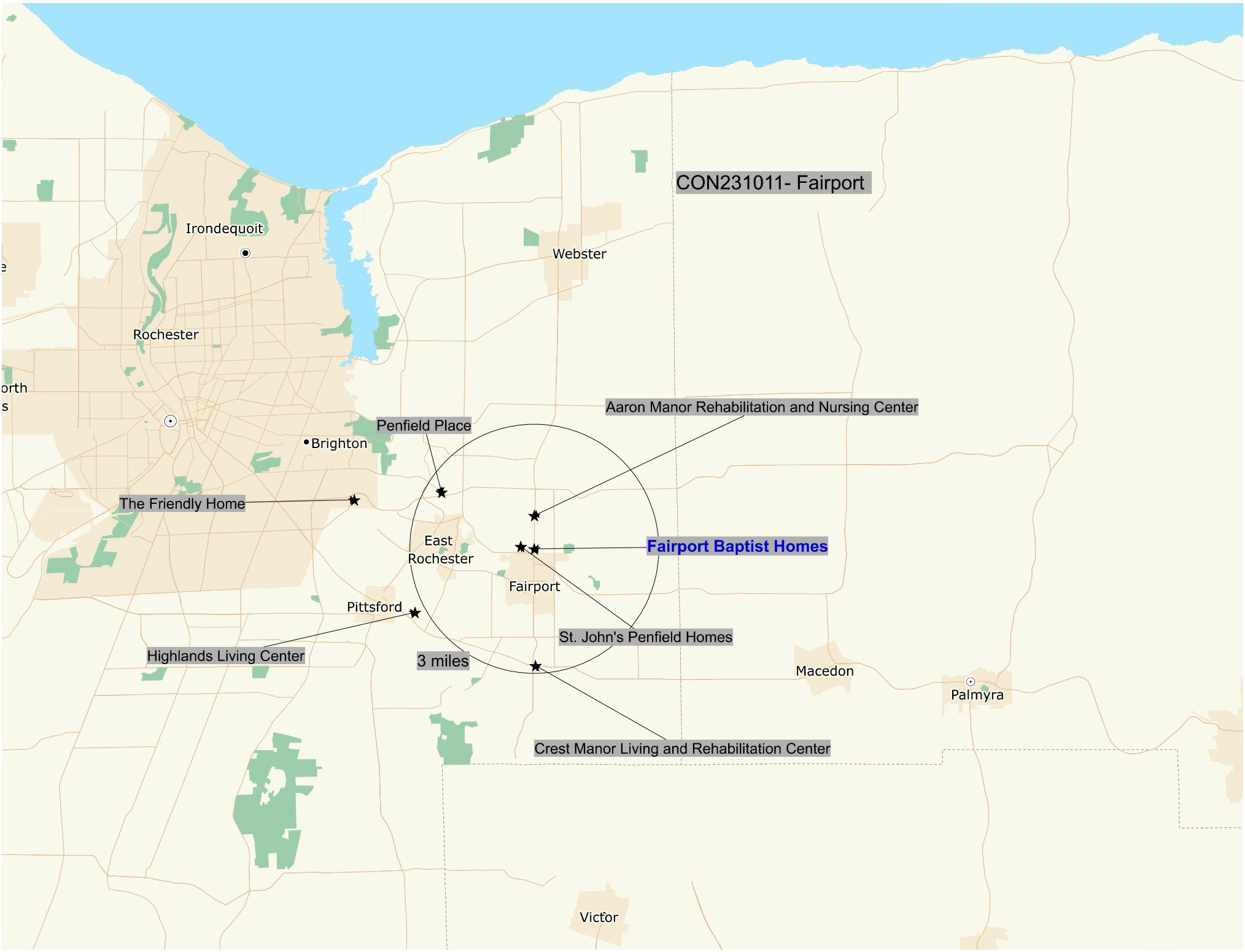
Date: October 23, 2023

Long Term Care Ombudsman Program Review:

The Office of the State Long Term Care Ombudsman has received and reviewed the application for change in ownership submitted by Fairport SNF LLC d/b/a Fairport Skilled Nursing & Rehab. The Office reviewed the four facilities currently operated by the proposed owners. There is a quarterly Ombudsman presence in three facilities, and no regular or routine coverage in one of the facilities. Based on the Office's review of any programmatic interactions and complaints received for these facilities, the Office has no objection to the approval of this application.

A handwritten signature in cursive script that reads "Claudette Royal".

Claudette Royal
New York State Ombudsman



CON231011- Fairport

Irondequoit

Webster

Rochester

Aaron Manor Rehabilitation and Nursing Center

Penfield Place

Brighton

The Friendly Home

Fairport Baptist Homes

East Rochester

Fairport

St. John's Penfield Homes

Pittsford

Highlands Living Center

3 miles

Macedon

Palmyra

Crest Manor Living and Rehabilitation Center

Victor

FAIRPORT SNF, LLC

PROFORMA BALANCE SHEET

January 1, 2024

ASSETS

	<u>Fairport Snf, Llc</u>
Current Assets	
Cash & Cash Equivalents (Members Contribution)	\$ 2,881,000
Total Current Assets	2,881,000
Non Current Assets	
Resident Funds	55,000
Intangible Assets- Goodwill	-
Fixed Assets - Net	25,000
Total Non Current Assets	80,000
Total Assets	\$ 2,961,000

LIABILITIES AND MEMBERS' EQUITY

Liabilities	
Accounts payable	\$ -
Total current liabilities	-
Long term Liabilities	
Resident Funds	55,000
Contingent Liability: Due to Medicaid	365,582
Total Long-term Liabilities	420,582
Total Liabilities	420,582
Members' Equity	2,540,418
Total Liabilities and Members' Equity	\$ 2,961,000

Financial Summary

Fairport Baptist Homes

FISCAL PERIOD ENDED	<u>12/31/2022</u>	<u>12/31/2021</u>	<u>12/31/20</u>
ASSETS - CURRENT	\$5,749,704	\$1,754,000	\$3,129,000
ASSETS - FIXED AND OTHER	\$5,947,245	\$10,421,000	\$8,915,000
LIABILITIES - CURRENT	\$3,602,688	\$7,872,000	\$6,316,000
LIABILITIES - LONG-TERM	<u>\$19,186,075</u>	<u>\$16,017,000</u>	<u>\$17,682,000</u>
EQUITY	-\$11,091,814	-\$11,714,000	-\$11,954,000

INCOME	\$11,993,055	\$17,004,492	\$18,625,000
EXPENSE	<u>\$15,264,002</u>	<u>\$16,445,701</u>	<u>\$18,560,000</u>
INCOME / LOSS	-\$3,270,947	\$558,791	\$65,000
COVID Related Grant Revenue	\$1,315,205		
Change in Funded Grant Revenue	\$1,898,166		
Miscellaneous	<u>\$679,273</u>		
Net Income	\$621,697		

NUMBER OF BEDS	142	142	142
PERCENT OF OCCUPANCY (DAYS)	64.24%	68.84%	87.89%

PERCENT OCCUPANCY (DAYS):			
MEDICAID	59.37%	59.61%	66.02%
MEDICARE	7.48%	8.16%	5.53%
PRIVATE/OTHER	33.15%	32.23%	28.45%

**FAIRPORT BAPTIST HOMES CARING MINISTRIES AND AFFILIATES
(DEBTOR IN POSSESSION)
CONSOLIDATED STATEMENT OF FINANCIAL POSITION
DECEMBER 31, 2022**

	<u>2022</u>
ASSETS	
CURRENT ASSETS:	
Cash	\$ 1,058,068
Receivables, net	1,264,740
Due from affiliates, net	1,630
Prepaid expenses and other current assets	<u>396,944</u>
Total current assets	<u>2,721,382</u>
OTHER ASSETS:	
Assets limited as to use	1,587,005
Beneficial interest in net assets of FBH Caring Ministries Foundation	541,555
Property, plant, and equipment, net	5,610,902
Investment in Northfield Housing Development Fund Corporation	128,168
Security deposits	211,573
Resident deposits held in trust	<u>42,730</u>
Total other assets	<u>8,121,933</u>
Total assets	<u>\$ 10,843,315</u>
LIABILITIES AND NET ASSETS	
LIABILITIES NOT SUBJECT TO COMPROMISE	
Accounts payable and accrued expenses	\$ 1,635,743
Accrued payroll and related benefits	471,358
Due to affiliates, net	248,730
Due to third-party payors, net	186,317
Current portion of long-term debt	15,596
Deferred revenue	<u>93,316</u>
Total liabilities not subject to compromise	<u>2,651,060</u>
LIABILITIES SUBJECT TO COMPROMISE:	
Accounts payable and accrued liabilities	1,841,091
Due to affiliate	1,378,598
Debt, net	7,796,422
Liability for retirement benefits	6,398,953
Workers' compensation liability	1,600,000
Due due third party payors	400,000
Security deposit payable	313,793
Resident deposits held in trust	<u>42,730</u>
Total liabilities subject to compromise	<u>19,771,587</u>
Total liabilities	<u>22,422,647</u>
NET ASSETS:	
Without donor restrictions	(10,988,072)
With donor restrictions	<u>(591,260)</u>
Total net assets	<u>(11,579,332)</u>
Total liabilities and net assets	<u>\$ 10,843,315</u>

The accompanying notes are an integral part of these statements.

**FAIRPORT BAPTIST HOMES CARING MINISTRIES AND AFFILIATES
(DEBTOR IN POSSESSION)
CONSOLIDATED STATEMENT OF ACTIVITIES AND CHANGE IN NET ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2022**

	<u>2022</u>
REVENUE:	
Resident service revenue	\$ 14,975,840
Rental income	261,372
Other operating revenue	<u>1,539,355</u>
Total revenues	<u>16,776,567</u>
OPERATING EXPENSES:	
Salaries and wages	7,444,170
Employee benefits	2,222,093
Depreciation	1,065,357
Interest	363,763
NYS cash receipts assessment	622,293
Supplies and materials	1,551,462
Purchased and contracted services	2,662,923
Fees	1,694,271
Other direct expenses	1,850,704
Bad debts	<u>28,589</u>
Total operating expenses	<u>19,505,625</u>
CHANGE IN NET ASSETS WITHOUT DONOR RESTRICTIONS BEFORE OTHER INCOME	<u>(2,729,058)</u>
OTHER INCOME :	
Change in funded status of pension	1,898,166
Interest and dividend income	561
Miscellaneous income	<u>1,500,120</u>
Total other income, net	<u>3,398,847</u>
CHANGE IN NET ASSETS BEFORE REORGANIZATION ITEMS	<u>669,789</u>
REORGANIZATION ITEMS	
Professional fees	<u>(329,066)</u>
Total reorganization items	<u>(329,066)</u>
CHANGE IN NET ASSETS WITHOUT DONOR RESTRICTIONS	<u>340,723</u>

(Continued)

<u>Operator</u>	<u>Name of the facility</u>	<u>Date</u>	<u>Beds</u>	<u>County</u>	<u>Eliezer Zelman</u>
WMOP LLC	Achieve Rehab and Nursing Facility	1-Sep-07	140	Sullivan	9.99%
Buena Vida SNF LLC	Buena Vida Rehabilitation & Nursing Cei	5-May-20	240	Kings	0.10%
Congregational SNF LLC	New York Congregational Nursing Cente	1-Jul-21	200	Kings	50%
Jackson Heights Care Center LLC	Regal Heights Rehab & Health Care Cer	1-Jul-20	280	Queens	49.50%

Affiliated Nursing Homes (Page 1)

**Beds
County**140
Sullivan12/31/202212/31/202112/31/2020WMOP LLCAchieve Rehab and Nursing
Facility

Current Assets	\$2,846,000	\$6,182,000	\$5,669,000
Fixed Assets	\$15,065,000	\$3,473,000	\$2,208,000
Total Assets	\$17,911,000	\$9,655,000	\$7,877,000
Current Liabilities	\$6,972,000	\$5,512,000	\$5,238,000
Long Term Liabilities	\$10,783,000	\$1,596,000	\$1,421,000
Total Liabilities	\$17,755,000	\$7,108,000	\$6,659,000
Net Assets	\$156,000	\$2,547,000	\$1,218,000
Working Capital Position	-\$4,126,000	\$670,000	\$431,000
Revenue	\$16,371,000	\$19,092,000	\$16,143,000
Expenses	\$18,773,000	\$18,635,000	\$16,093,000
Net Income	-\$2,402,000	\$457,000	\$50,000

Buena Vida SNF LLCBuena Vida Rehabilitation &
Nursing Center240
Kings12/31/202212/31/202112/31/2020

Current Assets	\$8,546,000	\$7,235,000	\$0
Fixed Assets	\$35,122,000	\$6,066,000	\$0
Total Assets	\$43,668,000	\$13,301,000	\$0
Current Liabilities	\$11,068,000	\$7,982,000	\$0
Long Term Liabilities	\$26,526,000	\$1,139,000	\$0
Total Liabilities	\$37,594,000	\$9,121,000	\$0
Net Assets	\$6,074,000	\$4,180,000	\$0
Working Capital Position	-\$2,522,000	-\$747,000	\$0
Revenue	\$37,326,000	\$34,059,000	\$0
Expenses	\$38,259,000	\$34,731,000	\$0
Net Income	-\$933,000	-\$672,000	\$0

Congregational SNF LLCNew York Congregational
Nursing Center200
Kings12/31/202212/31/202112/31/2020

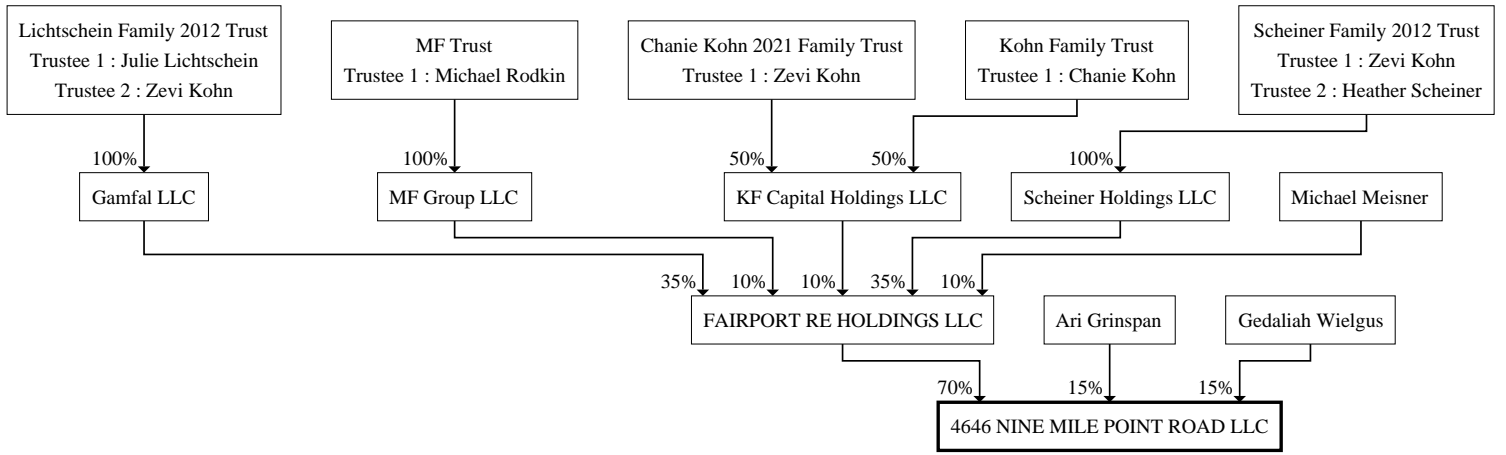
Current Assets	\$6,916,000	\$0	\$0
Fixed Assets	\$24,938,000	\$0	\$0
Total Assets	\$31,854,000	\$0	\$0
Current Liabilities	\$13,343,000	\$0	\$0
Long Term Liabilities	\$22,935,000	\$0	\$0
Total Liabilities	\$36,278,000	\$0	\$0
Net Assets	-\$4,424,000	\$0	\$0
Working Capital Position	-\$6,427,000	\$0	\$0
Revenue	\$25,143,000	\$0	\$0
Expenses	\$27,362,000	\$0	\$0
Net Income	-\$2,219,000	\$0	\$0

Affiliated Nursing Homes (Page 2)

	Beds			
	County	<u>12/31/2022</u>	<u>12/31/2021</u>	<u>12/31/2020</u>
<u>Jackson Heights Care Center LLC</u>	<u>280</u> <u>Queens</u>			
<u>Regal Heights Rehab & Health Care Center</u>				
Current Assets		\$18,234,000	\$12,916,000	\$0
Fixed Assets		\$17,446,000	\$18,241,000	\$0
Total Assets		\$35,680,000	\$31,157,000	\$0
Current Liabilities		\$13,874,000	\$10,113,000	\$0
Long Term Liabilities		\$31,426,000	\$33,683,000	\$0
Total Liabilities		\$45,300,000	\$43,796,000	\$0
Net Assets		-\$9,620,000	-\$12,639,000	\$0
Working Capital Position		\$4,360,000	\$2,803,000	\$0
Revenue		\$46,518,000	\$42,339,000	\$0
Expenses		\$40,686,000	\$35,034,000	\$0
Net Income		\$5,832,000	\$7,305,000	\$0

4646 Nine Mile Point Road, LLC

Members	New Ownership	%
Gedaliah Wielgus		15%
Aryeh Grinspan		15%
Fairport RE Holdings, LLC		70%
Gamfal LLC	35%	
Lichtschein Family Trust	100%	
Scheiner Holdings, LLC	35%	
Scheiner Family 2012 Trust	100%	
KF Capital Holdings, LLC	10%	
Chanie Kohn 2021 Family Trust	50%	
Kohn Family Trust	50%	
MF Group, LLC	10%	
MF Trust	100%	
Michael Meisner	10%	
Total -Fairport RE Holdings, LLC`	100%	
Total -4646 Nine Mile Point Road, LLC`		100%





Office of the State Long Term Care Ombudsman

Two Empire State Plaza
Fifth Floor, Albany, NY 12223-1251
www.ltcombudsman.ny.gov

Claudette Royal
State Ombudsman
1-855-582-6769

To: Public Health and Health Planning Council

Re: 231259 Tupper Lake Center LLC d/b/a Tupper Lake Center for Nursing and Rehabilitation

Date: October 23, 2023

Long Term Care Ombudsman Program Review:

The Office of the State Long Term Care Ombudsman has received and reviewed the application for change in ownership submitted by Tupper Lake Center LLC d/b/a Tupper Lake Center for Nursing and Rehabilitation. The Office reviewed the three facilities currently operated by the proposed owners. There is no regular presence in two of the facilities, and a quarterly Ombudsman presence in one of the facilities. Based on the Office's review of any programmatic interactions and complaints received for these facilities, the Office has no objection to the approval of this application.

Claudette Royal
New York State Ombudsman

Tupper Lake Center LLC
Doing Business As
Tupper Lake Center for Nursing and Rehabilitation

Pro Forma Balance Sheet (AS OF APPROVAL DATE)

	<u>Operating Co.</u>
<u>ASSETS:</u>	
Cash and Cash Equivalents	\$ 1,341,168
Total Current Assets	<u>\$ 1,341,168</u>
TOTAL ASSETS	<u>\$ 1,341,168</u>
<u>LIABILITIES:</u>	
Current Liabilities	-
Long-Term Liabilities	\$ -
TOTAL LIABILITIES	<u>\$ -</u>
Members' Equity	<u>\$ 1,341,168</u>
TOTAL LIABILITIES AND MEMBERS' EQUITY	<u>\$ 1,341,168</u>

* The amount of the assumed liabilities cannot be reasonably ascertained at this time.

Financial Summary - Adirondack Medical Center d/b/a Adirondack Health and Affiliates

	<u>12-31-21</u>	<u>12-31-22</u>	<u>draft</u> <u>6-30-23</u>
ASSETS - CURRENT	\$55,096,507	\$35,776,646	\$37,252,301
ASSETS - FIXED AND OTHER	91,956,149	85,568,805	86,747,230
LIABILITIES - CURRENT	29,906,584	23,394,727	25,392,316
LIABILITIES - LONG-TERM	<u>32,143,646</u>	<u>28,561,703</u>	<u>28,772,694</u>
EQUITY	\$85,002,426	\$69,389,021	\$69,834,521
<hr/>			
INCOME	\$131,985,469	\$119,823,712	\$65,829,701
EXPENSE	<u>131,342,652</u>	<u>129,446,402</u>	<u>66,335,315</u>
NET OPERATING INCOME / (LOSS)	\$642,817	(\$9,622,690)	(\$505,614)
OTHER INCOME / (EXPENSES)	\$6,760,315	(\$5,990,715)	\$1,064,396
NET INCOME / (LOSS)	\$7,403,132	(\$15,613,405)	\$558,782

Financial Summary - Mercy Living Center

	<u>12-31-21</u>	<u>12-31-22</u>	<u>draft</u> <u>6-30-23</u>
INCOME	\$4,679,121	\$3,938,241	\$2,284,082
EXPENSE	<u>8,035,314</u>	<u>8,471,796</u>	<u>3,793,427</u>
NET OPERATING INCOME / (LOSS)	(\$3,356,193)	(\$4,533,555)	(\$1,509,345)
OTHER INCOME / (EXPENSES)	\$0	\$0	\$0
NET INCOME / (LOSS)	(\$3,356,193)	(\$4,533,555)	(\$1,509,345)

NUMBER OF BEDS	60	60	60
PERCENT OF OCCUPANCY (DAYS)	84.22%	70.37%	64.10%

MEDICAID	68.91%	89.84%	84.61%
MEDICARE	5.09%	4.30%	5.50%
PRIVATE PAY / OTHER	26.00%	5.86%	9.88%

Stand alone balance sheet presentation for Mercy Living Center is not available as the facility is a hospital-based nursing home. For reporting purposes, Mercy Living Center's balance sheet is combined with the balance sheet of Adirondack Medical Center. Financial summary for Adirondack Medical Center for 2021, 2022, and 2023 is representative of the entire organization, while a financial summary based on Mercy Living Center's income statements for some corresponding periods is provided separately.

Affiliated Nursing Homes

Gold Crest Care Center, Inc.	Beds: 175			
	County: Bronx	<u>12-31-22</u>	<u>12-31-21</u>	<u>12-31-20</u>
Current Assets		\$6,678,301	\$8,735,454	\$6,245,120
Fixed/Other Assets		\$13,173,816	\$12,447,798	\$13,078,147
Total Assets		\$19,852,117	\$21,183,252	\$19,323,267
Current Liabilities		\$4,544,763	\$4,273,751	\$5,416,568
Long Term Liabilities		\$8,359,860	\$9,563,790	\$10,898,432
Total Liabilities		\$12,904,623	\$13,837,541	\$16,315,000
Net Assets		\$6,947,494	\$7,345,711	\$3,008,267
Working Capital Position		\$2,133,538	\$4,461,703	\$828,552
Revenue		\$24,072,545	\$24,042,734	\$22,374,286
Expenses		\$22,217,392	\$20,798,298	\$19,366,968
Net Income		\$186,950	\$2,700,008	\$994,010

Hollis Park Manor Nursing Home, Inc.	Beds: 80			
	County: Queens	<u>12-31-22</u>	<u>12-31-21</u>	<u>12-31-20</u>
Current Assets		\$1,924,510	\$2,922,397	\$1,670,251
Fixed/Other Assets		\$7,324,826	\$2,719,787	\$2,486,640
Total Assets		\$9,249,336	\$5,642,184	\$4,156,891
Current Liabilities		\$1,309,864	\$1,060,633	\$1,872,570
Long Term Liabilities		\$4,390,589	\$634,444	\$580,743
Total Liabilities		\$5,700,453	\$1,695,077	\$2,453,313
Net Assets		\$3,548,883	\$3,947,107	\$1,703,578
Working Capital Position		\$614,646	\$1,861,764	-\$202,319
Revenue		\$11,042,703	\$10,897,224	\$8,938,788
Expenses		\$10,627,117	\$9,574,454	\$9,472,028
Net Income		\$77,362	\$2,283,529	\$24,870

Windsor Park Rehab & Nursing Center	Beds: 70			
	County: Queens	<u>12-31-22</u>	<u>12-31-21</u>	<u>12-31-20</u>
Current Assets		\$2,010,397	\$2,226,404	\$1,186,677
Fixed/Other Assets		\$1,351,519	\$1,450,746	\$1,510,089
Total Assets		\$3,361,916	\$3,677,150	\$2,696,766
Current Liabilities		\$1,637,750	\$858,244	\$1,863,982
Long Term Liabilities		\$690,342	\$1,460,306	\$2,051,061
Total Liabilities		\$2,328,092	\$2,318,550	\$3,915,043
Net Assets		\$1,033,824	\$1,358,600	-\$1,218,277
Working Capital Position		\$372,647	\$1,368,160	-\$677,305
Revenue		\$11,440,110	\$9,927,896	\$9,001,225
Expenses		\$11,762,257	\$9,685,272	\$9,875,119
Net Income		-\$324,775	\$2,591,880	-\$857,961

Tupper Lake Center LLC
Doing Business As
Tupper Lake Center for Nursing and Rehabilitation

ORGANIZATIONAL CHART

<u>Tupper Lake Center LLC</u>	
Members:	
Menajem (Mark) Salamon	67.0%
Jonathan Gewirtz	33.0%
Total	<hr/> 100.0%

Doing Business As
Tupper Lake Center for Nursing and Rehabilitation

RHCF Administrator
 Director of Nursing
 Direct Care Staff
 Support Staff
 Clerical Staff

Lease

<u>Tupper Lake Propco LLC</u>	
(RHCF Real Estate)	
Tupper Lake Investors LLC	10.0%
Siata Holdings, LLC	57.0%
Sari Landa	5.5%
Esther Gewirtz	5.5%
Alan Landa	5.5%
Steven Landa	5.5%
Joseph Landa	5.5%
Joshua Landa	5.5%
	<hr/> 100.00%

Tupper Lake Investors LLC is owned by Yehudis Klein and Blimie Perlstein. Siata Holdings, LLC is owned by the Menajem Salamon Family Trust. The beneficiaries of this trust are the children of Menajem Salamon. Menajem Salamon is a non-member Manager of Siata Holdings, LLC. David Salamon (Menajem Salamon's brother) is the Trustee of the Menajem Family Trust.

ATTACHMENT A

Workforce information:

What is the current availability of professional/paraprofessional workers to staff your program? Who are the competing employers? How do you propose to successfully compete? Include training, recruitment, and transportation strategies. How do you coordinate with the Department of Labor or any other local workforce initiatives?

RESPONSE:

This application involves the change of ownership of an existing, operational LHCSA that provides nursing, home health aide and personal care aide services. It is the intention of Riverside Select Services, Inc. to retain the professional/paraprofessional staff currently employed by the LHCSA. Ari Stein has been managing the day-to-day operations of the LHCSA since November 24, 2020 and the LHCSA has not experienced any significant issues with recruiting or retaining staff during that time.

Competing Employers and Plan to Successfully Compete:

The LHCSA is licensed in the following counties: Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk and Westchester. There are 112 CHHAs; 290 RHCFS; 314 ACFs; and 102 Hospitals considered as competing employers in the service area counties. Cottage Homecare Services is a diverse agency that tailors the needs of the patient with the religious and language barriers they face, in particular the Caribbean and South Asian communities. The applicant believes there are few health care providers, especially LHCSAs in Cottage Homecare's service area, targeting this demographic. Some of the languages that the LHCSA staff speak are: English; Spanish; Russian; Chinese; Igbo; Creole; Hindi; Punjabi; Urdu; Bengali; Tagalog; Arabic; Farsi; Pasto; and Tamil. Therefore, the applicant believes that they have a unique niche in the service area and will be able to successfully compete by continuing to be sensitive to this underserved community.

Additionally, most of the LHCSA's patients will require more than eight (8) hours of home care service each day. A patient that is having a live-in aide would require three (3) aides per week or even a split case (round-the-clock service) would require five (5) aides per week, which is not being done by most LHCSAs. As described in further detail under recruitment, Cottage Homecare Services has an affiliation with two (2) Home Health Aide (HHA) training schools located in Brooklyn and the Bronx that provide the LHCSA with sufficient HHAs.

Recruitment:

Staff recruitment efforts will include recruiting qualified persons for full-time and parttime work. The LHCSA will use a variety of methods for seeking staff, such as media advertisements and fliers in neighborhoods, personal contacts, visits to training schools and incentives to employees who refer new staff. Primarily, the applicant will continue the affiliations with Brooklyn Institute of Vocational Training, located at 110-05 Liberty Avenue, Brooklyn, NY 11419, and Clinton Institute Inc., located at 319 E. 149th Street, Bronx, NY 10455, which provide Home Health Aide training. The LHCSA is currently recruiting 60 HHA candidates per month from both vocational schools and will continue under the new operator. These schools offer first priority to Cottage Homecare on graduates. Given this unique arrangement, Cottage Homecare Services will continue to

have sufficient staff to provide home care coverage to the patients who require longer care and for the increased visit volume projected for Year 1 and Year 3.

Training:

Upon completion of the on-boarding process, the LHCSA will provide all existing and new professional/paraprofessional staff with orientation. The orientation will be conducted by a Registered Nurse with relevant experience. Staff will also receive on-site training on the specific functions of their employment from individuals who have the experience and the relevant skill sets needed to help them thrive.

In addition to orientation and on-site training, professional/paraprofessional staff will receive in-service training throughout the year, covering topics such as patient rights, emergency preparedness, infection control, fall prevention, etc. The agency will also monitor trends and update in-service training based on the needs of their patients.

Transportation:

Cottage Homecare Services is currently providing transportation services to its HHAs and PCAs to help them reach the hard-to-serve areas in Nassau, Suffolk and Westchester Counties. Some of the Agency's aides are driven from their home to the patient's home and driven back home at the end of a visit.

The applicant believes that providing transportation services ensures that aides reach patients safely and on time; this is an incentive to new staff considering working for Cottage Homecare Services.

Workforce Initiatives:

Utilizing available resources is an important part of ensuring that the LHCSA continues to employ qualified candidates to provide high-quality care to patients in accordance with their service plans. The agency intends to keep up to date with DOL hiring events and have ongoing communication with community partners.

4. What impact will the initiation/expansion of your program have on the workforce or other health care providers in the community? How will you minimize any adverse impact?

RESPONSE:

As stated above in response to Question 3, this application involves a change in the ownership of an existing, operational LHCSA. The applicant intends to retain existing staff and will continue the affiliation with two (2) training schools located in Brooklyn and the Bronx. Cottage Homecare recruits 60 Home Health Aides per month from these schools. Therefore, the applicant does not believe that this application will have any adverse impact on other providers in the community.

5. What measures will you adopt to promote retention of specific categories of your workforce?

RESPONSE:

The LHCSA does not experience employee retention issues because it offers highly competitive compensation and benefit packages and provides excellent, ongoing training, professional development and support. There will be no change to these benefits.

An example of a continued benefit that Riverside Select Services, LLC will implement is a monthly program to demonstrate staff appreciation. Employees who have demonstrated a desire to continue to work in the healthcare field and who are working above and beyond expectations will be elected to receive leadership roles where they can utilize their experience while gaining increased exposure to learn about the industry.

Employees who demonstrate these qualities will receive positive recognition from management for their efforts. Through these positive reinforcements, the staff will see a secure future in the organization and will want to stay and grow at Cottage Homecare.

CON 231369-Westside Ambulatory Surgery Center

The Derfner Foundation ASC

Fifth Avenue Surgery Center

Manhattan Surgery Center

Manhattan
Surgicare of Westside

New York Center for Ambulatory surgery

1 mile

Midtown Surgery Center

Fifth Avenue Surgery Center

Westside Ambulatory Surgery Center

SurgiCare of Manhattan, LLC

Hudson Surgery Center

East Side Endoscopy & Pain Management Center

Gramercy Surgery Center, Inc

New York



WESTSIDE ASC LLC

ESTABLISH A MULTI-SPECIALTY AMBULATORY SURGERY CENTER

PRO FORMA BALANCE SHEET

ASSETS

Cash		\$196,002
Moveable Equipment	\$	72,385
TOTAL ASSETS	\$	268,387

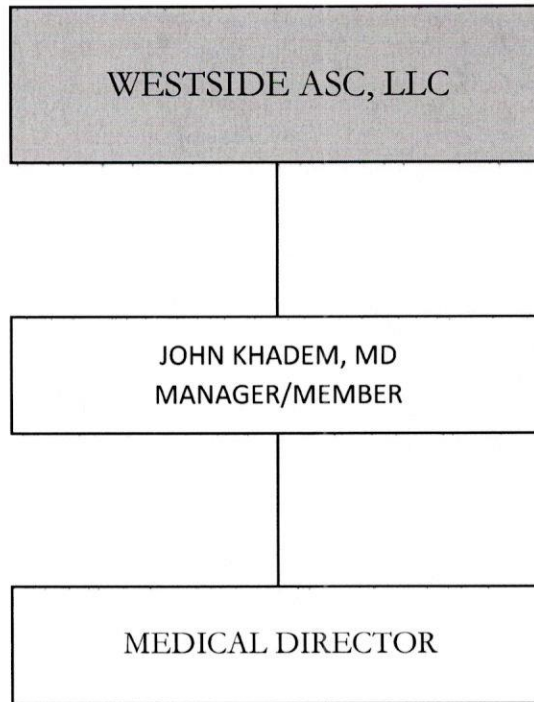
LIABILITIES AND MEMBERS EQUITY

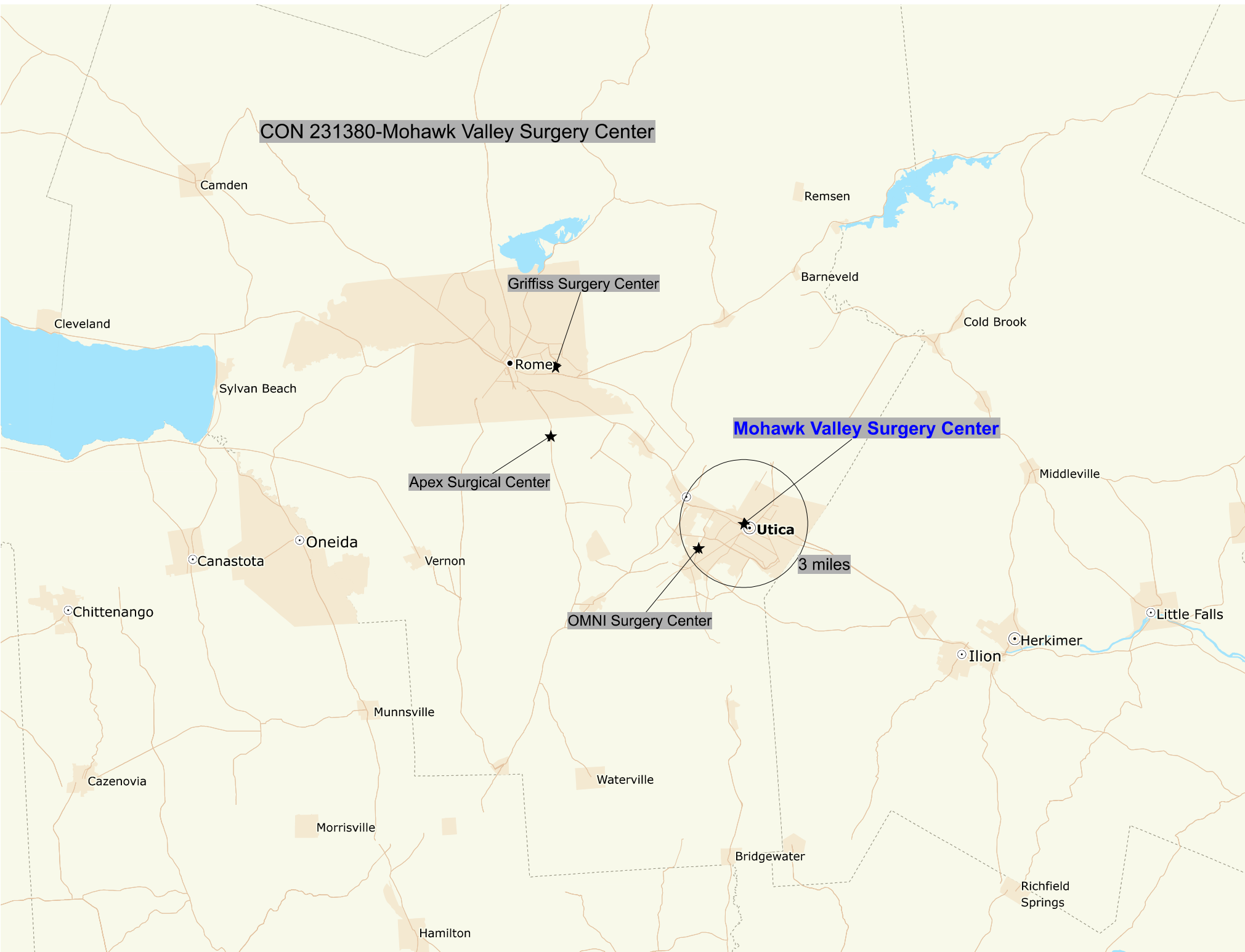
LIABILITIES

Mortgage on Equipment		\$0
Working Capital Loan		\$0
TOTAL LIABILITIES		\$0

MEMBERS EQUITY \$268,387

TOTAL LIABILITIES AND
MEMBERS EQUITY \$268,387





CON 231380-Mohawk Valley Surgery Center

Camden

Remsen

Griffiss Surgery Center

Barneveld

Cold Brook

Cleveland

Rome

Sylvan Beach

Mohawk Valley Surgery Center

Middleville

Apex Surgical Center

Utica

3 miles

Oneida

Vernon

Canastota

OMNI Surgery Center

Little Falls

Herkimer

Ilion

Chittenango

Munnsville

Waterville

Cazenovia

Morrisville

Bridgewater

Richfield Springs

Hamilton

MOHAWK VALLEY HEALTH SYSTEM AND SUBSIDIARIES

Consolidated Balance Sheets

December 31, 2022 and 2021

<u>Assets</u>	<u>2022</u>	<u>2021</u>
Current assets:		
Cash and cash equivalents	\$ 22,068,905	36,621,269
Investments	181,939,845	216,315,807
Escrow deposit	1,120,894	1,232,917
Assets limited as to use	22,000,316	39,666,409
Patient accounts receivable, net	60,985,146	57,506,871
Other current assets	33,327,671	22,714,089
Inventories	16,318,507	16,960,470
Prepaid expenses	4,527,536	5,365,312
Due from affiliates, net	-	6,300
	<hr/>	<hr/>
Total current assets	342,288,820	396,389,444
Investments, net of current portion	4,528,164	4,528,164
Assets limited as to use, net of current portion	112,200,582	194,215,103
Property and equipment, net	588,233,591	428,485,284
Operating lease right-of-use assets	7,097,666	9,384,218
Other assets	25,258,066	23,736,068
	<hr/>	<hr/>
	<hr/>	<hr/>
Total assets	\$ <u>1,079,606,889</u>	<u>1,056,738,281</u>

<u>Liabilities and Net Assets</u>	<u>2022</u>	<u>2021</u>
Current liabilities:		
Line of credit	\$ 9,845,000	-
Current portion of long-term debt	3,680,000	5,955,000
Current portion of finance lease obligations	1,773,616	2,068,911
Current portion of operating lease liabilities	1,529,201	1,875,280
Accounts payable and accrued expenses	74,731,159	58,929,813
Accrued payroll, payroll taxes and benefits	21,578,290	27,963,199
Current portion of estimated self-insured liabilities	4,359,280	5,228,491
Contract liability - Medicare Accelerated and Advance Payment Program	-	9,684,358
Estimated third-party payor settlements, net	17,686,022	36,140,285
Other current liabilities	7,584,393	9,198,647
	<u>142,766,961</u>	<u>157,043,984</u>
Total current liabilities		
Long-term debt, net of current portion:		
Revenue bonds	324,942,071	329,903,000
Finance lease obligations	3,627,526	5,401,294
	<u>328,569,597</u>	<u>335,304,294</u>
Total long-term debt, net of current portion		
Operating lease liabilities, net of current portion	6,127,943	8,029,299
Accrued pension liability	17,654,095	36,106,891
Other liabilities	30,382,944	29,687,671
Estimated self-insured liabilities, net of current portion	20,314,493	19,441,200
	<u>545,816,033</u>	<u>585,613,339</u>
Total liabilities		
Net assets:		
Without donor restrictions	207,230,354	236,251,304
With donor restrictions	326,560,502	234,873,638
	<u>533,790,856</u>	<u>471,124,942</u>
Total net assets		
Commitments, contingencies and uncertainties (notes 2, 5, 8 and 11)		
Total liabilities and net assets	\$ <u>1,079,606,889</u>	<u>1,056,738,281</u>

~~See accompanying notes to consolidated financial statements.~~

MOHAWK VALLEY HEALTH SYSTEM AND SUBSIDIARIES

Consolidated Statements of Operations and Changes in Net Assets

Years ended December 31, 2022 and 2021

	<u>2022</u>	<u>2021</u>
Revenues, gains and other support without donor restrictions:		
Net patient service revenue	\$ 579,374,565	539,662,903
Pandemic Relief Fund grants	3,960,996	3,916,388
Premium revenue	11,813,073	12,742,135
Other operating revenue	50,334,589	31,944,479
Net assets released from restrictions used for operations	2,464,814	1,506,096
	<u>647,948,037</u>	<u>589,772,001</u>
Total revenues, gains and other support without donor restrictions		
Expenses:		
Salaries and wages	279,382,122	267,126,008
Employee benefits	49,251,939	49,173,309
Supplies and other	303,857,914	248,444,665
Depreciation and amortization	20,791,087	20,906,754
Interest	2,390,794	2,172,067
New York State gross receipts taxes	2,591,280	2,580,627
	<u>658,265,136</u>	<u>590,403,430</u>
Total expenses		
Net loss from operations	<u>(10,317,099)</u>	<u>(631,429)</u>
Other revenue (expense):		
Investment income (loss), net of fees	(34,808,553)	21,709,523
Other components of net periodic pension cost	(1,249,035)	(3,878,129)
Gain on sale of dialysis assets	-	3,867,720
Contributions and other	3,081,025	31,287,545
	<u>(32,976,563)</u>	<u>52,986,659</u>
Total other revenue (expense), net		
Excess (deficiency) of revenues over expenses	<u>\$ (43,293,662)</u>	<u>52,355,230</u>

ASSETS:	
Cash	\$1,349,584
Moveable Equipment	2,632,351
Leasehold Improvements	<u>12,483,028</u>
TOTAL ASSETS	\$16,464,963
LIABILITIES	\$0
NET ASSETS	\$16,464,963

Medcare LLC

Revised 10-24-22

Pro Forma Balance Sheet

ASSETS

Cash	\$	241,164
Leasehold Improvement & Moveable Equipment	\$	20,000
Goodwill	\$	1,480,000
Total Assets	\$	1,741,164

LIABILITIES & MEMBERS EQUITY

Current Liabilities	\$	100,000
Long Term Debt	\$	-
Short Term Debt	\$	-
Total Liabilities	\$	100,000

Members Equity \$ 1,641,164

Total Liabilities and Members
Equity \$ 1,741,164

MEDCARE, LLC
(A Limited Liability Company)

BALANCE SHEETS

December 31, 2021 and 2020

	<u>2021</u>	<u>2020</u>
CURRENT ASSETS		
Cash	\$ 134,239	\$ 99,221
Accounts Receivable - Net	223,824	202,997
Prepaid Expenses	7,500	7,500
TOTAL CURRENT ASSETS	<u>365,563</u>	<u>309,718</u>
LEASEHOLD IMPROVEMENTS AND EQUIPMENT- NET (Note 3)	<u>20,986</u>	<u>31,105</u>
OTHER ASSETS		
Goodwill	600,000	600,000
Security Deposit (Note 4)	13,000	13,000
TOTAL OTHER ASSETS	<u>613,000</u>	<u>613,000</u>
TOTAL ASSETS	<u>\$ 999,549</u>	<u>\$ 953,823</u>
<u>LIABILITIES AND MEMBER'S EQUITY</u>		
CURRENT LIABILITIES		
Accrued Expenses	\$ 53,761	\$ 42,883
Accrued Payroll and Taxes	32,154	69,437
Payroll Protection Program Loan (Note 7)	-	115,210
Member Loan (Note 5)	74,698	74,698
TOTAL CURRENT LIABILITIES	<u>160,613</u>	<u>302,228</u>
COMMITMENTS AND CONTINGENCIES (Note 4)		
MEMBER'S EQUITY	<u>838,936</u>	<u>651,595</u>
TOTAL LIABILITIES AND MEMBER'S EQUITY	<u>\$ 999,549</u>	<u>\$ 953,823</u>

The accompanying notes are an integral part of these financial statements

MEDCARE, LLC
(A Limited Liability Company)

STATEMENTS OF INCOME AND MEMBER'S EQUITY

For the Years Ended December 31, 2021 and 2020

	<u>2021</u>	<u>2020</u>
OPERATING REVENUES		
Patient Service Revenues	\$ 1,175,826	\$ 1,293,774
HHS Stimulus Revenue (Note 6)	-	4,162
Forgiveness of Payroll Protection Program Loan (Note 7)	115,210	-
Other Income	-	10,069
	<u>1,291,036</u>	<u>1,308,005</u>
TOTAL OPERATING REVENUES		
	<u>1,291,036</u>	<u>1,308,005</u>
OPERATING EXPENSES		
Salaries	536,386	723,925
General and Administrative	221,521	269,127
Facility Costs	15,413	18,593
Medical Costs	165,313	163,252
Property Costs	105,448	108,330
Employee Benefits	59,614	64,142
	<u>1,103,695</u>	<u>1,347,369</u>
TOTAL OPERATING EXPENSES		
	<u>1,103,695</u>	<u>1,347,369</u>
NET (LOSS) INCOME	187,341	(39,364)
MEMBER'S EQUITY, BEGINNING OF YEAR	651,595	756,704
MEMBER'S DISTRIBUTIONS	-	(65,745)
MEMBER'S EQUITY, END OF YEAR	<u>\$ 838,936</u>	<u>\$ 651,595</u>

The accompanying notes are an integral part of these financial statements