

STATE OF NEW YORK
PUBLIC HEALTH AND HEALTH PLANNING COUNCIL
AD HOC COMMITTEE ON NURSING HOME CERTIFICATE OF NEED

AGENDA

Wednesday, January 7, 2026
1:00 PM-2:30 PM

Via Live Webcast

<https://www.health.ny.gov/events/webcasts/>

I. Welcome, Introductions and Refresh Committee Goal and Objectives

Presenter -Scott LaRue

- **Overview** -To examine current policies and practices governing the review of nursing home Certificate of Need (CON) applications and develop recommendations for the Department of Health (DOH) that could be applied uniformly across all nursing home reviews and utilized in developing project recommendations.
- **Recap** – At the last meeting, we heard from the Bureau of Financial Analysis about how it conducts its financial reviews, and we heard from the Medicaid Fraud Control Unit about some common mechanisms they’ve seen being used to circumvent rules about equity withdrawals and character and competence reviews, particularly leases. Today, we will focus on related party transactions, and particularly on consulting and administrative services agreements. We will also look at contingencies and conditions associated with PHHPC approval.

II. Focus Areas for Discussion-

- **Nursing Home Authority to Execute Agreements – 45 minutes**

Presenter – Andrew Lebwohl, NYS Department of Health

- **Overview** – The Department of Health will provide a presentation to the Ad Hoc Committee outlining the statutes and regulations governing the authority of a nursing home operator to enter into agreements that affect the management, operations and finances of the facility. The presentation will also identify some limitations on that authority.

III. Ad Hoc Committee Questions and Discussion - 30 minutes

IV. Wrap Up and Next Steps (*Scott LaRue*)