



NEW YORK STATE SENATOR

Daniel L. Squadron

## Squadron, Simon Bill to Increase Transparency and Community Input WHEN Hospitals Are Threatened Passes Cmte

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### "LICH Act" Passes in Bipartisan Vote, Moves to Finance Committee

#### **Squadron: No Community Should Experience The Chaos We Did At LICH**

ALBANY – Today, the Local Input in Community Healthcare (LICH) Act -- which would establish a clear, transparent, and community-oriented process when hospital closures are threatened -- passed the Senate Health Committee in a bipartisan vote. The bill now goes to the Senate Finance Committee.

The LICH Act would allow the Commissioner of the State Department of Health (DOH) to only approve a hospital closure application if the needs of the community and impacted stakeholders, including access to emergency medical care, can be adequately met. And, under the proposal, the Commissioner would not be allowed to close a hospital without a significant and thorough community input process dictated by a statutorily imposed timeline.

"It's encouraging that the Senate Health Committee has supported community input and transparency with today's bipartisan vote -- no community should experience the chaos that LICH's closure caused," said **State Senator Daniel Squadron**. "This bill would ensure that a community's healthcare needs and the viability of the institution are core questions when hospitals are threatened. I will continue pushing this bill with Assemblymember Simon, and I look forward to working toward its passage in the Finance Committee."

"Thanks to Senator Squadron's advocacy, the Senate Health Committee has recognized what we have known for some time -- that New Yorkers need the LICH Act, so that communities are notified in advance of proposed hospital closures, and the communities' health needs are assessed and addressed before a closure can take place," said **Assemblymember Jo Anne Simon**, who sponsors the bill in the Assembly.

The proposed closure of LICH ended up in court for nearly two years, during which the judge said that the current regulation governing hospital closures is "unconstitutionally vague." The court proceeding made clear that there was no process for determining the healthcare impact of the hospital's closure on the community or Brooklyn. In addition, there was no role for community input or transparency.

Current law only requires a community forum to be held after a hospital has already been closed and does not require the Commissioner to consider the health care needs of the community, including emergency medical care or transitional care, as part of the Commissioner's decision to approve a hospital closure.

Squadron used a procedural rule called a "Motion for Committee Consideration" to ensure the legislation would be voted on in the Health Committee. The bill has a number of prior models. It is based on a bill carried by then-Assemblymember Stringer that aimed to establish a community-oriented process for siting state facilities. It is also similar to a bill that passed the Senate 59-0 in 2009.