



March 03, 2023

James V. McDonald
Acting Commissioner
New York State Department of Health
Corning Tower
Empire State Plaza
Albany, NY 12237

Dear Commissioner McDonald:

We write regarding the proposal to merge the New York Eye and Ear Infirmary (NYEEI) and Mount Sinai Beth Israel. On February 9th, the Public Health and Health Planning Council (PHHPC) voted 11-6 in favor of the proposal (222087) and advanced it to your office without a formal recommendation. To our knowledge this is the first time in over a decade there was insufficient support on the PHHPC to formally recommend approval of a Certificate of Need (CON) request. Some members of the PHHPC cited concerns including Mt. Sinai's unclear plans for the facility following the merger, their insufficient community outreach, and the vocal opposition from members of the community and health professionals who work at the facility.

Since 1820 NYEEI has provided indispensable and high-quality eye, ear, nose, and throat care for working people, union families, retirees, immigrants, and other underserved and vulnerable communities in lower Manhattan and the surrounding area. NYEEI serves tens of thousands of patients annually and its location in the heart of our community and the mix of services at a single site make these services more easily accessible to New Yorkers who rely on them—many of whom face physical disabilities with courage and resilience.

On February 1st, local legislators wrote a letter to Mt. Sinai CEO, Ken Davis where we outlined our concerns with the merger request and asked for a pause and a real community conversation. As the matter now rests at your desk, we request a meeting to discuss this matter prior to any decisions on the issue. It is imperative that the community and their elected representatives have a voice in the future of crucial healthcare services.

Sincerely,

A handwritten signature in black ink, appearing to be "Harvey Epstein".

Harvey Epstein
State Assemblymember, District 74

A handwritten signature in black ink, appearing to be "Brian Kavanagh".

Brian Kavanagh
State Senator, District 27

A handwritten signature in black ink, appearing to be "Brad Hoylman-Sigal".

Brad Hoylman-Sigal
State Senator, District 47

Deborah Glick
Assemblymember, District 66

Grace Lee
Assemblymember, District 65

Michael Durso
State Assembly Member, District 9

Mark Levine
Manhattan Borough President

Carlina Rivera
NYC Council Member, District 2

Chris Marte
NYC Council Member, District 1

Crystal Hudson
Chair, Committee on Aging
NYC Council Member, District 35

Erik Bottcher
NYC Council Member, District 3

Gale Brewer
NYC Council Member, District 6

Julie Menin
NYC Council Member, District 5

Keith Powers
NYC Member, District 4

Linda Lee
Chair, Committee on Mental Health,
Disabilities, and Addiction
NYC Council Member, District 23

Lynn Schulman
NYC Council Member, District 29

Pierina Sanchez
NYC Council Member, District 14

cc: Senator Gustavo Rivera, Chair of the Senate Committee on Health
Assemblymember Amy Paulin, Chair of the Assembly Committee on Health
Chatodd Floyd, Deputy Secretary for Legislative Affairs and Policy, Executive Chamber
Mischa Sogut, Assistant Commissioner for Governmental Affairs, NYS Department of Health

