



NEW YORK STATE SENATOR

Gustavo Rivera

State Senator Gustavo Rivera And Assemblymember Jo Anne Simon On Governor Hochul's Veto of Their Local Input For Community Healthcare (LICH) Act

GUSTAVO RIVERA December 16, 2024

| ISSUE: **HOSPITAL CLOSURES, ACCESS TO HEALTHCARE**

(New York, NY) - Today, State Senator Gustavo Rivera (SD-33) and Assemblymember Jo Anne Simon (AD-52) released a statement after Governor Kathy Hochul vetoed their Local Input for Community Healthcare Act ([S.8843A/A.1633](#)) last Friday, December 13. This bill passed both the State Senate and State Assembly with strong bipartisan support for the first time ever this past legislative session.

The now vetoed bill would have addressed existing gaps in the state's review of proposed hospital and critical unit closures, and require adequate advance notice to local officials and the public, a community forum held 150 days in advance of the proposed closure date to allow public comment on the hospital's closure plan, a final closure plan that addresses concerns raised at the community forum, and public disclosure of all submitted plans by the Department of Health.

"I'm bitterly disappointed by Governor Hochul's decision to veto our bill, the Local Input for Community Healthcare (LICH) Act. Healthcare facilities all across the State are closing without any real input from the communities they serve, leaving already vulnerable communities without essential care. It is now imperative that the State Department of

Health follows the Governor's directive and make the necessary changes to ensure that transparency and public engagement are at the core of the hospital closure process, and we will not stop there. I plan to work with Assemblymember Simon to reintroduce this legislation and continue our push for meaningful community engagement in the hospital closure process. I want to express my gratitude to my Senate and Assembly colleagues, especially to longtime bill sponsor Assemblymember Jo Anne Simon, patients, healthcare workers and advocates across the state who have fought for this bill for years," **said State Senator Gustavo Rivera, Chair of the Senate Health Committee.** "In New York State, we should be creating more avenues to improve our communities' access to healthcare, not limit it. As Senate Health Chair, I'm committed to continue to push for meaningful reforms that will give our communities the power to protect their healthcare services. We must fix what's irredeemably broken and we must do it now."

Assemblymember Jo Anne Simon said, "I am deeply disappointed by Governor Hochul's veto of the LICH Act, which would have ensured better state oversight and meaningful community engagement when a hospital closure is planned. Past hospital closures have left communities struggling with reduced access to healthcare and longer emergency response times. These decisions should not happen behind closed doors where there is no chance of saving the hospital or unit, or even planning for the community's future access to healthcare. When a hospital closes, it's more than a building shutting down—it's cutting off a lifeline." She continued, "Since its introduction, this bill has only gained increasing support. Senator Rivera and I remain steadfast in our efforts and will reintroduce this bill in the upcoming session."

According to the Governor's veto memo, the bill did not strike the right balance between its intended purposes and the "financial reality that struggling hospitals face and changes in healthcare service delivery" but that the Governor is directing the New York State

Department of Health to develop and propose reforms to the hospital closure process. However, the bill sponsors note that the bill does not prevent hospital closures, but outlines a reformed process for closures, and already has provisions to allow DOH to fast-track a closure process in many circumstances including financial crisis.

In the last two decades, more than 40 hospitals have closed across New York, 10 hospitals have closed essential maternity services, and several psychiatric beds that were closed early in the Covid-19 pandemic have not been restored. A study by the Center for Healthcare Quality and Payment Reform found that there are 27 rural hospitals in the state at risk of closing, amounting to 53% of New York's rural hospitals. There is also concern about the potential closures of Beth Israel Hospital in Manhattan and SUNY Downstate's University Hospital in Brooklyn, and attempts to close services in the Capital District (childbirth in Troy, and in-patient services in Schenectady), and in the Catskill region in Sullivan County (transfer of key hospital services into another county altogether).

This bill has the support of a strong coalition of labor leaders, patient advocates and community activists. Their [response to the veto can be found here](#).

RELATED LEGISLATION

2023-S8843A

-
- Introduced

- ○ In Committee Assembly
 - In Committee Senate
- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Vetoed By Governor
- Signed By Governor
-

Requires public notice and public engagement when a general hospital seeks to close entirely or a unit that provides maternity, mental health or substance use care

March 20, 2024

Vetoed

Sponsored by **Gustavo Rivera**

Do you support this bill?