



NEW YORK STATE SENATOR

Brian X. Foley

Senator Foley, Suffolk County Legislators Propose PBC for Foley Skilled Nursing Facility

BRIAN X. FOLEY September 3, 2010

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Senator Brian X. Foley (D – Blue Point) and members of the Suffolk County Legislature announced today their proposal for the creation of a Public Benefit Corporation (PBC) for the John J. Foley Skilled Nursing Facility. This proposal would protect the public mission of the facility by avoiding its sale to a private entity, while relieving the county of the responsibility for operating the facility.

The Public Benefit Corporation would be similar to the one utilized in Nassau County, under which the A. Holly Patterson facility has been able to move from being in the red to being in the black within a relatively short period of time. After carefully studying that model, Legislators Bill Lindsay and John Kennedy approached Senator Foley to sponsor enabling legislation in the state senate. Senator Foley then secured sponsorship of companion legislation in the assembly from Assemblyman Steve Englebright (D – Setauket), with leading co-sponsorship from Assemblyman Fred Thiele (I – Sag Harbor).

“The John J. Foley Skilled Nursing Facility provides an invaluable service for members of our community who cannot care for themselves,” said Senator Foley. “When my father and others first conceived of the idea of this particular facility, they had in mind that it would be

a public facility that would provide the highest level of care possible. I and others have remained steadfast in our fight to maintain it as a public entity dedicated to treating our sick residents. We need to safeguard the mission of this facility by sponsoring legislation in the state senate that will create a public benefit corporation for the facility and allow it to continue to serve the public in the way it was intended to. I ask the County Executive to withhold judgment until such time as the legislature undertakes a review of this viable alternative.”

“Many of these patients are those most in need in Suffolk County, and rely upon our network of service delivery, including both the short term rehab, as well as the longer term residential care at John J. Foley,” said Legislator Kennedy. “We can achieve the County Executive’s stated goal of realizing much-needed revenue for the 2011 operating budget, while keeping important public assets in public hands.”

“Suffolk County, through Presiding Officer Bill Lindsay’s leadership, has reduced the county’s subsidy substantially at the John J. Foley Skilled Nursing Facility over the last several years,” said Legislator Kate Browning (WF – Shirley). “More recently the employees at the facility have pledged to make concessions to further reduce the county’s burden. In addition, we are continuing to move towards a cost-neutral facility through innovative and creative ideas, and pursuing a public benefit corporation does just that. It worked in Nassau County, and Suffolk County should follow this successful approach. I fully support Senator Foley in his efforts to enable Suffolk County to provide for those individuals that have nowhere else to go. Like his father, Senator Foley understands that government is needed as a last resort for those who are most vulnerable, and I thank him for working to that end.”

"Creating a Public Benefit Corporation for the John J. Foley Skilled Nursing Facility will allow Suffolk County residents to continue receiving the high level of care the facility provides," said Assemblyman Englebright. "For five decades, it has operated as a public

facility, catering to those residents who require various kinds of medical care, as well as both physical and occupational therapy. This mission of providing a high level of care in a local facility, often to those who cannot afford the benefit of private health care, should be maintained. I am glad to sponsor this legislation in the assembly."

The John J. Foley Skilled Nursing Facility is a 264-bed facility located in Yaphank. In the last few months, in an effort to do their part to reduce the deficit the facility is facing in hopes of keeping the facility open, around 160 of the facility's over 200 employees filed a petition agreeing to work-rule concessions. Both Stony Brook University Medical Center and Brookhaven Memorial Hospital have expressed an interest in establishing the critical collaborative operating agreements with the new Public Benefit Corporation.