



CITY OF BUFFALO

**BYRON W. BROWN
MAYOR**



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CITY OF BUFFALO, NEW YORK**

**TESTIMONY BEFORE
NEW YORK STATE ASSEMBLY
COMMITTEE ON HEALTH
REGARDING
THE BERGER COMMISSION REPORT**

**SUBMITTED
MONDAY, DECEMBER 11, 2006**

BUFFALO, NEW YORK

On behalf of the citizens of Buffalo, New York, the State of New York's second largest city, I am submitting this written testimony to the New York State Assembly Committee on Health.

The recently released recommendations of the New York State Commission on Health Care Facilities in the 21st Century, known commonly as the Berger Commission, has predictably raised concern in communities across the state, particularly here in Buffalo and Western New York. It has also offered communities a vision for a health care system that could provide improved services to those in need, better professional training for health care professionals and a more rational system at more affordable cost.

In advance of the release of the Commission's report, I met individually and collectively with the leaders of the four main health care systems that operate in our community - Kaleida Health, Catholic Health System, Erie County Medical Center Healthcare Network and Sheehan Memorial Hospital.

These meetings were designed to determine what potential impact the yet-to-be-released recommendations of the Berger Commission would have on the delivery of health care services in our community. In addition, we wanted to communicate with Governor-elect Eliot Spitzer, whose Administration will implement the recommendations of the Berger Commission.

In our correspondence to the Governor-elect we wrote, "...if the Berger Commission Report is implemented in a thoughtful and sensitive manner and if there are sufficient resources to carry it to completion, and it contains a strategy to minimize or prevent job loss, we may have a far better health care system in our community. The implementation of recommendations from this report will impact the quality of health care, the costs of basic services and the image of our area in the national marketplace. A first-rate health care system and its costs are key components of a vibrant regional economy. "

We agreed that improvements to the current system are required. And we stated that adequate funding is needed to safeguard and improve our current delivery of health care, to provide for transformation to a globally competitive world-class health care system, and to support those who are directly affected by any change.

Six key areas were identified as critical to the appropriate delivery of health care services to the residents of our region. Those key areas are:

Sufficient Funding- Under all likely scenarios it will be necessary to obtain significant new funds for our area's health care system. Transition and transformation will require multi-year funding in the range of hundreds of millions of dollars. It is preferred that funds be provided as incentives to regions that will induce rather than require changes. I believe our health care systems are prepared to collectively find a way to move forward if the stage is properly set and there are assurances regarding the financial situation of all parties. Beginning a process of fundamental change where the needed funds are not available will be very harmful to all of our health care systems and to the overall process of improvement.

Needs of Underserved- A large portion of the City of Buffalo has been designated as medically underserved due to the significant barriers to health care faced by City residents. In Buffalo, for example, mortality rates from heart disease are 20 percent higher than the New York State average. There is also a high prevalence of chronic disease among City residents leading to hypertension-related hospitalization rates that are 50 percent higher than the statewide average. Diabetes-related hospital admissions are 30 percent higher than the overall rate in the state. Moreover, teen pregnancy and infant death rates in Buffalo are among the highest in the State. Implementation of the Berger Report must result in improved health care and better clinical outcomes for Buffalo's underserved populations. Any other outcome will be unacceptable.

Stability During Change- It is critical that the release of the Berger Report and the subsequent media attention not destabilize the ongoing operations of health care facilities and systems. Any statements regarding the planned closing of a hospital could precipitate a mass exodus of professional staff looking for more secure positions, perhaps outside our area. I therefore request that the Report's recommendations not be implemented immediately, but rather undergo what will likely be a multi-year process of review and implementation. The steps involving implementation by the Health Department should be specified along with a timeline that will show how complex this process will be.

Certificate of Need Process (CON)- This process should be streamlined so that the needed approvals can be obtained rapidly rather than take the current multi-year process and at the same time altered to prevent approvals that are inconsistent with an approved plan for a region. There might be a need to place a moratorium on certain CONs to prevent unfair competitive behavior of health care providers not affected by the Berger Report while major health care systems are undergoing complex changes.

Changes in Long-Term Care- It is important that the expected changes in long-term care be considered as part of this process. As patients are discharged from hospitals, it is very difficult, especially for low- to middle income residents, to obtain care in another facility. There are insufficient long-term care beds serving the city and there are not any high-level care facilities in Buffalo. The Report's recommendations should not be implemented if there is a possibility the status of long-term care remains stagnant or deteriorates.

Community and Individual Transition- As part of the implementation strategy the state should implement significantly funded, well conceived multi-year efforts to support communities and individuals who will be adversely affected by the changes that are expected. Communities and neighborhoods might have the very underpinning of their commercial districts impacted. Doctors and other professional service providers and their building owners may find themselves isolated from their patients and the hospitals that they serve. Thousands of individuals, many in their middle years with limited education, may find themselves in need of employment. These people will require upgrading of their skills, support during the transition, capital to commence new business ventures and aggressive help to locate new employment opportunities.

Following the release of the Berger Commission Report, I called a news conference to reiterate my position that the implementation of the recommendations of the Berger Commission must include a well-funded job training/job creation component and that the condition of health care service delivery in Buffalo must be strengthened, not weakened once the recommended actions are put in place.

Now that the Report has been issued I want to clearly state my concern that there be no jobs lost in Buffalo. Job losses would have a very negative impact on our growing, but still fragile economy.

Since taking office, my Administration's top priority has been economic development and job creation. That priority remains at the top of my agenda and, clearly, job creation, not job loss, is an essential component of that agenda.

Following the Berger Commission's 17 months of work, it makes every bit of sense to ensure that the ensuing planning process for implementing these recommendations will be thorough and detailed.

I want to reiterate key positions I have stated that are important to my Administration, if and when the recommendations of the Berger Commission are implemented:

- Improving the quality of health care for all city residents
- Reducing costs that burden our entire economy
- Protecting neighborhoods and business districts economically
- And, most importantly, provide for transition of any displaced workers into comparable jobs at other institutions or new career opportunities.

It is clear health care delivery in our state and city needs to be more competitive by being excellent and efficient, which will improve health care delivery and could result in creating more jobs in the future.

Again the implementation of the recommendations of the Berger Commission must strengthen, not weaken the health care industry in our community and not damage Buffalo's economy. And, as important, we cannot have any further loss of health care services to people who are medically underserved.

If the recommendations of the Berger Commission can ultimately strengthen health care service delivery, create new job opportunities and bring a new era of excellence in Buffalo's health care industry, then the work of the Commission will have been a great service to our community.

If, however, it is found that over the next month of legislative analysis and public comment, that this plan fails to achieve these goals, I would encourage the elected leaders of our state to determine alternate means to attain the outcomes that are necessary to strengthen our state's health care system.

Thank you.