

1 PUBLIC HEARING OF THE :
STATE HEALTH PLANNING :
2 BOARD/BARNERT HOSPITAL :

3 Paterson, New Jersey
Tuesday, April 22, 2008

4

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6 B E F O R E: THE STATE HEALTH PLANNING BOARD

7

8 COMMITTEE MEMBERS:

9

CATHERINE A. AINORA, F.A.C.H.E.,
10 Senior Vice President
System Development Planning

11

12 SHAROL A. LEWIS, M.D.,
Medical Director
13 Utilization Management, Health
Affairs

14

15 WILLIAM CONROY,
Assistant Commissioner/Department
16 of Health & Senior Services

17

18 ALSO PRESENT: RUTH CHARBONNEAU,
Director
19 Office of Legal and Regulatory
Affairs

20

21

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1 TRANSCRIPT of the PUBLIC HEARING OF THE
2 STATE HEALTH PLANNING BOARD/BARNERT HOSPITAL,
3 taken in the above-entitled matter before Jane E.
4 Clancy, a Certified Court Reporter (License No.
5 693) and Notary Public of the State of New Jersey,
6 taken at the PATERSON COMMUNITY COLLEGE, College
7 Boulevard, Paterson, New Jersey on TUESDAY, APRIL
8 22, 2008, commencing at 6:00 p.m.

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1 CHAIRWOMAN AINORA: Good evening,
2 everyone, my name is Catherine Ainora and I am the
3 Vice Chair of the State Health Planning Board of
4 New Jersey.

5 Joining me tonight is Mr. William
6 Conroy, who is an Assistant Commissioner with the
7 Department of Health and Senior Services; and also
8 in attendance is another member of the State
9 Health Planning Board, Dr. Sharol Lewis.

10 This is a Public Hearing of the
11 State Health Planning Board in relation to the
12 closure of Barnert Hospital.

13 The Department of Health has deemed
14 this application complete in accordance with the
15 requirements of law.

16 The State Health Planning Board is
17 now required to hold a Public Hearing on this
18 application within 30 days of this action.

19 Adequate notice of this hearing has
20 been published in accordance with the provisions
21 of N.J.A.C. 26:2H-15.8.

22 This notice was sent to the
23 Secretary of State who posted the notice in a
24 public place. Copies of the hospital's
25 Certificate of Need Application are available for

1 review at the Paterson Public Library, the New
2 Jersey State Library in Trenton, and at the
3 Department of Health and Senior Services, which is
4 also located in Trenton.

5 Information gathered tonight at this
6 hearing will be reviewed by the full State Health
7 Planning Board, in addition to reviewing the
8 application from Barnert Hospital, the Department
9 staff's analysis and recommendations in a public
10 meeting.

11 Although not all of the members of
12 the State Health Planning Board are here tonight,
13 this community public hearing is being transcribed
14 and there will be a full transcript, along with
15 any written comments which you wish to give us
16 tonight, will be made available to all the Board
17 members along with the transcript, written
18 submissions prior to the meeting that will review
19 this application, and I believe that meeting,
20 Ruth, is scheduled for May 1st and the location is
21 East Windsor.

22 If you want additional information
23 on that, contact the Department and they will be
24 sure to give you the additional information as to
25 where the final State Health Planning Board

1 Meeting will be.

2 There will be limited time
3 available, although we don't have such a big crowd
4 so that may not be a problem, but there will be
5 limited time available tonight.

6 The Applicant will present the
7 application and answer questions at the May 1st
8 hearing.

9 In the interests of making efficient
10 use of time for tonight's hearing, we usually have
11 speakers to be held to three minutes. If you have
12 longer written comments, please feel free to
13 provide them to us.

14 Anyone interested in speaking should
15 sign up. We have a sign-in sheet and you could
16 talk to Ruth if you have additional comments for
17 people who have not signed in.

18 Anyone who wants to submit written
19 comments after tonight and before the Board
20 meeting on the 1st of May, please do so. Such
21 comments can be submitted no later than April 29
22 and should be addressed to the State Health
23 Planning Board in care of Department of Health and
24 Senior Services.

25 For those of you who are unfamiliar

1 with the Certificate of Need process, the State
2 Health Planning Board will vote on a
3 recommendation after the decision on this
4 application which will ultimately be submitted to
5 the Commissioner of Health.

6 The State Health Planning Board's
7 hearing, May 1st, is part of the Certificate of
8 Need process and your comments will be considered
9 as we review issues related to health planning, to
10 hospital-related services and access of health
11 care services.

12 Your comments are a very important
13 part of this process and will be considered with
14 all the other materials that we do get from the
15 Applicant.

16 The Board can recommend approval of
17 the application, approval with conditions, or they
18 can deny the application before it.

19 Those recommendations are made to a
20 Commissioner of Health who has the ultimate, final
21 decision-making. Thank you.

22 The first speaker on the list is Kim
23 Freeman. Mr. Freeman, could you speak into the
24 mic and could you also spell your name?

25 MR. FREEMAN: My name is Kim Freeman.

1 I've been a resident of Paterson for 46 years.
2 I'm basically here because I'm very concerned
3 about Paterson which only has one hospital now.
4 And my understanding, I asked a lot of questions
5 before people came in, I wanted to know the gist
6 of what was going on in laymen's terms so I can
7 explain to other folks what has happened, and my
8 understanding is basically, the hospital has had a
9 negative cash-flow for many, many years. Is that
10 true?

11 CHAIRWOMAN AINORA: We actually have
12 not received the full application as a Board yet.
13 The State Department of Health has it so I can't
14 answer that question.

15 MR. FREEMAN: It is my understanding
16 of the people who know a little bit more about
17 this issue than I do is that the hospital has been
18 in trouble for many years now because basically,
19 Paterson is poor and many people don't have
20 insurance.

21 Many people can't pay when they go;
22 they use the hospital in impoverished areas such
23 as Paterson and other places; poor people use the
24 hospital as a primary care provider, particularly
25 the emergency room and other things like that.

1 God help you if you have to do a
2 procedure or something of this nature.

3 Now, I'm very concerned because both
4 my children were born in Barnert Hospital. All
5 right? And I think that as a Patersonian at one
6 time we had three hospitals before the General
7 Hospital burned down.

8 What I'm seeing now, I want to
9 apologize to the citizens of Paterson because I
10 should have stepped up. Other leaders in Paterson
11 should have stepped up before we got to this
12 point, the bankruptcy, and maybe something could
13 have been done.

14 At this point, I understand that the
15 hospital has filed for bankruptcy. Is that
16 correct?

17 CHAIRWOMAN AINORA: I actually don't
18 know.

19 MR. FREEMAN: That's what we're here
20 to find out, what has happened, why it has
21 happened.

22 MR. CONROY: Excuse me, this is not
23 an informational presentation. We are here to
24 listen and take testimony.

25 MR. FREEMAN: Okay.

1 Mr. CONROY: If you can, please just
2 direct your remarks to whatever statements you
3 would like to make, whatever further questions you
4 would like the Board to look into at a later
5 point.

6 For purposes of today's hearing, we
7 are unable to have a give and take or dialog about
8 what's going on.

9 MR. FREEMAN: Okay. I just want to
10 verify what I'm hearing, what I read in the paper.
11 All right?

12 My comment is this: Hopefully, even
13 if the hospital has closed, it is my understanding
14 that it will be a facility that will provide
15 medical care to the City of Paterson.

16 I live in the Third Ward. All
17 right? And I think that the Third Ward and the
18 City of Paterson, we definitely need two
19 hospitals.

20 Now, I don't know whether Barnert
21 will become a hospital again or they will change
22 into a medical facility. But I just want people
23 in Paterson to realize that there are some leaders
24 in Paterson who care about Barnert Hospital. I
25 care about Barnert Hospital. All right? It's not

1 too far away from my home.

2 I think that what we need to do is
3 not allow something like this to happen again and
4 I think that we need to do everything possible,
5 that if we do convert Barnert Hospital to a
6 medical facility, that the people of Paterson will
7 have a chance to utilize the services, and also,
8 we have to provide for our kids. That is my
9 comment.

10 CHAIRWOMAN AINORA: Thank you, Mr.
11 Freeman. Reva Johnson?

12 MS. JOHNSON: My name is Reva
13 Johnson, and it's spelled R E V A
14 J O H N S O N.

15 I am here tonight because I am very
16 concerned about the hospital not being there not
17 because I had an emergency matter, but I was
18 already concerned because due to the fact that we
19 have more people in the Fourth Ward now than when
20 I moved here over 49 years ago, and so therefore,
21 there's a lot of things that goes on in the late
22 afternoon and night where an emergency room is
23 really needed.

24 And I'm very aware that there's a
25 lot of people who don't have the money nor the

1 finances and no kind of way to go to a doctor, but
2 I know there should be some service for us in case
3 of emergency because from just a small little slip
4 and fall, I found myself in a predicament where it
5 took eight hours for me to get some care.

6 You go to the hospitals, Valley and
7 St. Joe's, you can't get in there. If you are in
8 pain -- thank God, it wasn't a heart attack or
9 anything where I really was in serious condition.

10 And I'm worried for the children in
11 our area because they play outside in the
12 afternoon and to the park. Accidents do happen
13 and a lot of people in my neighborhood and in the
14 Eastside, Fourth Ward, there's no transportation.
15 They can't go around and run around from place to
16 place like I did.

17 I was very fortunate to have someone
18 to drive me from place to place during this
19 incident.

20 I know for myself, I have children
21 who are 48 years old. They both were born here in
22 Paterson in Barnert Hospital. They grew up here
23 and Barnert Hospital has been a very great source
24 for us, and we always had insurance.

25 But I would like to really know why

1 people who don't have the insurance or Medicare,
2 Medicaid, whatever they had, why wasn't the
3 hospital paid like the other hospitals pay for
4 patients because I had read an article where some
5 places be paying more for patients than Barnert
6 Hospital.

7 So I wouldn't feel good about
8 knowing that they got cheated without getting paid
9 and I would like to see some type of medical
10 service back there at the Barnert Hospital so that
11 we can have some place to go when we are out late
12 afternoon or middle of the night emergencies not
13 only for my family, but for my community and my
14 church family in which it is right there in that
15 area. Thank you very much.

16 CHAIRWOMAN AINORA: Thank you, Miss
17 Johnson. Is there anyone else who hasn't signed
18 up that would like to speak?

19 MS. WALKER: My name is Karen Walker.
20 I'm also a resident of Paterson for the past 28
21 years I believe, and even prior to that I lived
22 here and did my nurse's training at Barnert
23 Hospital so there's a long history.

24 I have used Barnert Hospital
25 repeatedly through the years for health care

1 issues, and I'm very concerned as a nurse who runs
2 an HIV Clinic in this city. I now have one
3 hospital to send my patients to.

4 We had a very good working
5 relationship with the HIV Department at Barnert
6 Hospital, and that's gone.

7 No one is going to say that the
8 other hospital in town cannot provide good care.
9 It's not about that. It's about how many people
10 are served by one hospital.

11 And a few months ago a reporter said
12 to me, well, why do you care that this hospital is
13 closing?

14 As mentioned previously by Reva, I
15 have a car. I can get in my car and go anywhere
16 that I need to go or choose to go for medical
17 care.

18 We have taken away the choice from
19 the residents of Paterson. And what's very
20 difficult to explain and hard for people to
21 understand is that Barnert Hospital was much more
22 than a health care facility.

23 You know, it was founded by a
24 philanthropist who was the mayor of this city. He
25 cared deeply about the residents in his community

1 and he opened it specifically to serve people who
2 could not be served elsewhere, who would not be
3 served elsewhere, and to provide a space for
4 medical providers who were not allowed to practice
5 elsewhere because of ethnic and racial issues.

6 So this is a very deep-seeded issue
7 in this community. It was the only hospital for
8 years that people who were Black and Brown could
9 go to. And now, you've taken that away from them.

10 It's unfortunate that this hearing
11 wasn't held several months ago because we had a
12 number of public meetings where there were
13 hundreds of people present, and now I think the
14 community is feeling like this is way too little
15 and way to late because if the state had cared
16 about our residents, they would have listened
17 before they closed our doors.

18 I think that the state was made very
19 aware. I know they were because I served as Vice
20 Chairman of an organization called PUSH, People
21 United to Save the Hospital.

22 It was made up of 28 organizations
23 who used the hospital as a community meeting
24 space, people who ran autism groups, HIV support
25 groups and planning meetings, AA, NA, and I don't

1 even know the names of all of them.

2 But they were involved. We sent
3 over a thousand letters to the governor. We sent
4 several hundred to our senators and to our
5 assemblymen -- assembly woman. And so the state
6 has been made very well aware of how this
7 community feels so I just want to caution you not
8 to think that because there are only a few people
9 here tonight, that the community doesn't care.

10 I think they are in the grieving
11 process and I can tell you that my husband was
12 also chairman of this hospital board and he is not
13 here tonight because he said they know how I feel,
14 number one and number two, my stomach is churning
15 just to bring this all up again.

16 This has been very, very painful for
17 this community for many, many reasons and so I
18 know you don't want to answer a question, my
19 question to put out there, has this Board ever met
20 and reconsidered and really reopened a facility
21 that the state had already closed its doors of?

22 And secondly, if we have any kind of
23 input then as to what gets put into that building.
24 Please ensure that at least there's an urgent care
25 center, imaging services, same day surgery

1 centers, things people can use that are in the
2 community that will be as convenient as possible
3 for them. Thank you.

4 CHAIRWOMAN AINORA: Thank you. Is
5 there someone else that would like to speak?

6 MS. POU: Good evening, ladies and
7 gentlemen. I didn't automatic get up because I
8 didn't know if there was someone that was next in
9 line.

10 First, let me begin by saying that I
11 want to personally thank each and every one of you
12 this evening.

13 My name is Nellie Pou. I'm the
14 assembly woman representing the 35th Legislative
15 District which covers the City of Paterson.

16 I'm native born and raised in the
17 City of Paterson. So I come here with some real
18 concerns, and of course, I'm a little sad by what
19 actually occurred with the closing of Barnert
20 Hospital. But just the same, I would like to
21 thank the Health Planning Board for holding this
22 public forum.

23 On a critical issue that affects
24 some of our most vulnerable residents of the City
25 of Paterson, Paterson as you know is the state's

1 third largest city and home to some 150,000 men,
2 women and children. And yet, today, as we appear
3 before you, we only have one emergency room within
4 our city to serve our entire population.

5 When Barnert closed in February,
6 Paterson was dealt a serious blow. Many of us in
7 this room fought hard to keep that from happening.
8 But we lost that battle.

9 We warned that the hospital's
10 closure would be a devastating blow to Paterson
11 and towns around there.

12 We were clear that Barnert's closure
13 would put a tremendous onus on one long medical
14 facility, that being St. Joseph Regional Medical
15 Hospital, and even the new financial and staffing
16 burden on that medical institution.

17 As I have stated before, Barnert
18 Hospital was the medical epi-center of Paterson's
19 Eastside section where residents knew they could
20 receive quality care regardless of income or
21 medical coverage.

22 For many people in the community,
23 the hospital was looked upon as the medical
24 provider of last resort, as the place to seek
25 refuge from pain and trauma. How did we get to

1 this point?

2 I know that what is happening in
3 Paterson is not unique to our city. Barnert's
4 closure reflects a systematic failure in New
5 Jersey, and indeed, even beyond the state's
6 borders.

7 Just about on a daily basis I see
8 headlines of similar battles in other cities like
9 Newark and Plainfield. But we shouldn't spend
10 valuable time pointing the fingers at any one
11 person, organization or institution for getting us
12 in this mess, and yes, in plain English, this is a
13 mess. It's a mess for all of us here as residents
14 of the City of Paterson that is concerned in terms
15 of how we are going to make sure that the everyday
16 medical health delivery system of our community
17 and for our residents are properly provided for.

18 I have been meeting and speaking
19 with various parties involved affected by
20 Barnert's closure. My goal has been to gather and
21 share information so that we can work on a
22 solution for our city and our residents.

23 However, a viable solution can only
24 come about if we work as a team, and I am
25 referring to all the public and private entities.

1 This is not an issue that can be
2 resolved easily. Everyone may not be happy with
3 the outcome. But as the Chair of the Assembly of
4 the Appropriations Committee, I know all too well
5 the importance of what happens in terms of putting
6 the dollars and cents in terms of making sure of
7 what actually happens with the closure or the
8 financial impact that it has.

9 That is why I think it's important
10 for us to make sure that along those lines that we
11 continue to work together so that we can meet the
12 needs of all of our residents throughout the City
13 of Paterson.

14 Again, I stress the fact that we
15 have closed, if not more so, a greater number of
16 150,000 people in the City of Paterson and the
17 very small 8 point square miles throughout the
18 city and all of our surrounding bordering towns
19 that would be responsible with one hospital.

20 We want to make sure that the needs
21 of the community and any emergent situation is
22 properly dealt with so as not to put the strain on
23 the one only remaining hospital to make sure that
24 they have the wherewithal to continue to provide
25 that and at the same time, this very section of

1 the City of Paterson, that being the Eastside
2 section of Paterson is also provided for and the
3 residents of this side of the city is provided
4 for, the proper care and the means of having
5 accessible medical care to them.

6 Many of our residents throughout
7 this part of the city are unable to have their own
8 transportation to and from and as you can only
9 well imagine when you are in a very difficult
10 situation and in need of medical care, it's very
11 difficult to have to take more than one bus to get
12 there if you cannot afford anything, and of
13 course, you are dealing with people who do not
14 have the medical health care ability to be able to
15 get to a private physician or other type of
16 medical care.

17 I'm asking that each and everyone
18 remember that the ultimate decision will affect
19 the lives of some of our most vulnerable people in
20 the State of New Jersey and certainly here in the
21 City of Paterson.

22 I come here not to share with you
23 just all of what you may already know with regards
24 to Barnert Hospital and what occurred, but I come
25 here as a representative of the 35th District, as

1 a person who is very interested in making sure
2 that our community is served well, as a person who
3 is interested in making sure that we do all that
4 we can with all of the officials of the State of
5 New Jersey, the Department of Health and all of
6 you to see how we can better work together and
7 help to resolve this issue.

8 I want to again thank you for coming
9 here and while I agree with the speaker before me
10 that, you know, this comes at a time when it's
11 really at a point for us not knowing what to do
12 with so much that we had cared about in terms of
13 our hospital.

14 I know that in my heart that the
15 state is prepared and is willing to do whatever
16 needs to get done to ensure that the people of
17 Paterson is protected, and I'm hoping and I'm
18 looking forward to working with you, but I will
19 also be looking to make sure that that gets done
20 as well. I thank you.

21 CHAIRWOMAN AINORA: Thank you. Is
22 there anyone else who would like to speak?

23 MS. ZIMMERMAN: Hi, good evening. My
24 name is Elise Zimmerman and I'm the President and
25 CEO of the Northern New Jersey Maternal Health

1 Consortium.

2 I too have witnessed a series of
3 hospital closings, Hospital Center at Orange,
4 Pascack Valley Hospital, Passaic Beth Israel, the
5 General Hospital at Passaic, Barnert and tomorrow
6 night there will be a public hearing for Columbus
7 so as the Assembly woman has said, this is not
8 unique. This is a trend going on throughout New
9 Jersey and throughout the rest of the country.

10 As a Maternal Health specialist, I
11 just want to say for the record that in the year
12 2006 there were approximately 900 babies that were
13 delivered at Barnert Hospital.

14 Now, about one hundred of those
15 babies were from Passaic County outside of the
16 City of Paterson. About one hundred of those
17 babies were from Bergen County and about 55 of
18 those babies were from Clifton.

19 So there were about 650 babies more
20 or less that were delivered in Barnert Hospital.
21 So the Northern Consortium which has its concern,
22 the residents of Paterson, Passaic, Essex, Bergen
23 and Morris County, we called a meeting of the
24 concerned parties including the Paterson Healthy
25 Mother's Healthy Babies Leadership, St. Joe's, St.

1 Mary's, Planned Parenthood, Paterson Community
2 Health Care, Paterson Counseling Center
3 Mountainside and the Bergen Regional Medical
4 Center, and we came together to state about number
5 one, the need for comprehensive women's health
6 care.

7 Comprehensive women's health care I
8 think is the number one concern. With the
9 elimination of Barnert as was mentioned by an
10 earlier speaker, not only are choices of hospitals
11 limited, but as we know, St. Mary's and St. Joe's
12 provide services in accordance with the religious
13 doctrine.

14 Therefore, there are certain
15 services which need to be provided to the women
16 within Passaic County that are in the process of
17 being identified by this particular group.

18 We have identified willing providers
19 at the table. We are working with Planned
20 Parenthood, Mountainside, Bergen Regional Medical
21 Center so that there will be options. But in
22 order for these providers to give services, we
23 also need to look into transportation as was
24 mentioned earlier.

25 And the third point that I would

1 like to emphasize is just the need for emergency
2 services.

3 St. Joe's Hospital has been
4 stepping up to the plate, but they also feel as
5 though they cannot alone deal with the burden of
6 emergency services and so we have been in touch
7 with not only urgi-centers, but making sure that
8 both the Federal Qualified Health Center in
9 Paterson and in Passaic have information that's
10 available to consumers who don't necessarily need
11 to go to the emergency room who can better get
12 care for in a shorter period of time and more
13 effectively in local primary health care clinics.
14 I thank you for your attention.

15 CHAIRWOMAN AINORA: Thank you. Is
16 there anyone else would like to speak? Let's
17 stick around for a little bit.

18 We're going to take a two minute
19 recess and if you have any written testimony,
20 please feel free to leave it. The State Health
21 Planning Board meeting is on the 1st if you do
22 want to come back.

23 (There is a recess taken)

24 MS. CHARBONNEAU: On behalf of the
25 State Health Planning Board no additional members

1 of the public have arrived so we are closing the
2 State Health Planning Board Community Hearing with
3 a closure of Barnert Hospital.

4 (Whereupon hearing was concluded at
5 8 p.m.)

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1 C E R T I F I C A T E

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4 I, Jane E. Clancy, a Certified Court

5 Reporter and Notary Public of the State of New

6 Jersey, do hereby certify that the foregoing is a

7 true and accurate transcript of my stenographic

8 notes.

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21 Jane E. Clancy

22 Certified Court Reporter

23 Dated: April 22, 2008

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