

CRAIN'S Health Pulse

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LICH scores return to court

Brooklyn Health Partners, the top-scoring bidder for Long Island College Hospital, will have until Tuesday to come up with a \$25 million deposit. Justice Johnny Lee Baynes postponed a hearing on a lawsuit filed by BHP until Tuesday, May 13, to allow the bidder to come up with the money and to file a so-called 2806 application. The application would allow BHP to immediately take over the operation of the hospital from SUNY.

In a [separate motion](#), six community groups, represented by Jim Walden of Gibson Dunn & Crutcher, are asking to have the scores given by six individuals on the scoring committee tossed. The groups allege the scorers didn't follow the instructions in the settlement between SUNY, unions and community groups, which said that full-service hospitals would receive a higher score.

While full-service hospitals received only a partial boost in the scoring, Mr. Walden said "it would be impossible" under the settlement terms for the three other hospital proposals to score as low as they did.

"Only two things resulted in a lower score," he said, "if you didn't offer an acute-care ICU and inpatient beds, which all four hospital proposals did and nonhospital proposals did not."

At least two of the scorers were not appointed by SUNY, said Jeff Strabone, a member of the Cobble Hill Association, one of the plaintiffs.

The New York State Nurses Association and 1199 SEIU, which had joined the initial suit to keep the hospital open, are not a party to the most recent motion. "They just got the motion today and they're considering whether to join," Mr. Walden said.

If the bids were re-scored, Prime Healthcare would jump to second place. A NYSNA spokeswoman did not immediately respond to a request for comment. But NYSNA has fought bitterly against Prime in its base in California, where NYSNA Executive Director Jill Furillo hails from. Her position on Prime, [quoted here](#) in 2011, is clear.

“Hospitals should be a center for therapeutic care delivery with a focus on providing patients the best atmosphere to promote healing and recovery. Instead [Prime founder Dr. Prem] Reddy seems intent on creating virtual sweatshop conditions that punish nurses and put patients at risk,” said Jill Furillo, who at the time was the California Nurses Association's Southern California bargaining director.

A spokesman for SUNY declined to comment on the ongoing legal matter, but said, “The judge did say negotiations with Peebles can continue.” The Peebles Corp., which did not propose a full-service hospital, is currently the second-scoring bidder, and would drop to third if the bids were re-scored.