

## **Hackensack hospital seeks extension of Pascack license**

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The state Health Department is reviewing a request from Hackensack University Medical Center to extend the Dec. 28 expiration date for the license of Pascack Valley Hospital.

Hackensack is arguing that a 2008 law to keep development permits from expiring on projects that stalled during the recession applies to the license of the Westwood hospital that shut down two years ago.

Hackensack wants to reopen a full-service hospital on the site of the former Pascack Valley in Westwood but has yet to get permission from the state.

Health Commissioner Heather Howard told local legislators Thursday that the request for an extension was "under legal review," according to Donna Leusner, communications director for the department.

Attorney General Anne Milgram is expected to determine whether the Permit Extension Act of 2008 applies in this case, said state Sen. Gerald Cardinale, R-Demarest, who said he spoke with Milgram on Thursday. The law, sponsored by state Sen. Paul Sarlo, extends permits until January 2011.

### **Lawsuit looms**

Hackensack's attorney, William Harla of DeCotiis, FitzPatrick, Cole & Wisler, cites the law as the basis of the medical center's request to extend Pascack Valley's hospital license.

The request has been opposed by attorneys for The Valley Hospital in Ridgewood and Englewood Hospital and Medical Center, who have fought Hackensack's proposal to reopen the Westwood hospital since its inception. "The Permit Extension Act is not valid in this situation," said Megan Fraser, a spokeswoman for Valley. "There is no approval here."

If its request is not granted, Hackensack plans to sue the state Department of Health demanding an extension, said Cardinale, explaining that he had participated in strategy sessions with Hackensack's president, Robert C. Garrett, and its attorneys, as well as consulting with Howard and Milgram.

"We will take whatever steps [are] necessary to reopen this hospital," said a statement from Hackensack spokeswoman Nancy Radwin.

When Pascack Valley Hospital closed because of bankruptcy, Fred Jacobs, who then was the state health commissioner, allowed the license to remain inactive for 24 months.

"Any future purchaser of PVH who intends to reestablish an acute-care hospital at the PVH site ... must commence operation prior to the expiration of the 24-month period," he wrote.

Hackensack has proposed opening a 128-bed community hospital at the site and applied to the state in June 2008 to transfer the license from the bankrupt owners. It has operated a satellite emergency department there for 14 months.

When it appeared that the state Health Department staff was prepared to recommend rejection of their proposal earlier this year, Hackensack asked for a six-month hold on the application. That hold lasts until Jan. 7.

#### **Waiting for Christie**

A Dec. 16 letter from Hackensack's attorney for the first time revealed some of the motivation for Hackensack's delay, noting that the medical center wanted "to pursue settlement discussions with Englewood." Despite "good-faith efforts ... those gestures were never seriously reciprocated," the attorney said in the letter.

"We take issue with that," said Maria Margiotta, an Englewood spokeswoman. Hackensack "has ignored our opposition to the reopening of an acute-care hospital — a position we have made clear from the outset — based on the fact that a new acute-care hospital would destabilize our region."

The medical center is banking on the support of the incoming administration of Governor-elect Chris Christie, who promised at an August campaign rally in the Westwood hospital parking lot that he would support its reopening.

By extending the license, consideration of Hackensack's application can be delayed until a new health commissioner and other officials have been appointed.

Elected officials from the Pascack Valley towns gathered at Westwood Borough Hall on Thursday afternoon to show their support for extending the license. New, laminated posters have been printed, reading "Extend the hospital license."

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