

Ram Raju, MD, MBA, FACS, FACHE
President and CEO

July 29, 2015

Ms. Katherine Ceroalo
New York State Department of Health
Bureau of House Counsel, Regulatory Affairs Unit
Corning Tower Building, Rm. 2438
Empire State Plaza
Albany, New York 12237

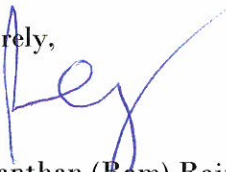
Dear Ms. Ceralo,

As President and Chief Executive Officer of the New York City Health and Hospitals Corporation, I am writing in support of the pending request of the College of American Pathologists (CAP) and the New York State Society of Pathologists (NYSSPATH) made to the Department of Health for the rescission of 10 NYCRR Section 34-2.11 (b)(1)(v).

The regulation cited herein, in the view of the New York City Health and Hospitals Corporation, presents an unnecessary and improper impediment to quality of care to the extent that it proscribes pathologists, as directors of hospital clinical laboratories, from responding to inquiries from patients. As previous communications submitted by the pathology organizations affirm that pathologists have a medical obligation and a legal duty of care to their patients, this regulation constitutes a legal impediment to the appropriate discharge of that obligation and legal duty. Furthermore, of commensurate concern, the faithful discharge of that duty and obligation under this regulation could be construed to jeopardize the legal compliance of laboratories in the hospitals that we represent. Accordingly, we urge the Department to rescind such regulation as counter-productive to the very high standards of quality that the New York City Health and Hospitals Corporation promotes and embraces.

Thank you for your time with respect to this matter.

Sincerely,



Ramanthan (Ram) Raju, MD, MBA, FACS, FACHE
President and Chief Executive Officer