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54TH DISTRICT

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September 21, 2026

NYS Comptroller Thomas P. DiNapoli
110 State Street
Albany, NY 12236

Dear Comptroller DiNapoli,

I am writing to respectfully request that your office conduct an independent audit pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and in Article II, Section 8 of the State Finance Law, of the NYS Department of Health's performance of duties as required by Section 2800 of the Public Health Law and other related statutes—specifically pertaining to its planning and oversight of hospital closures and the loss of critical hospital services.

The recent closure of inpatient labor and delivery, newborn nursery and postpartum services at Newark-Wayne Community Hospital underscored the importance and urgency for the people I represent. However, Newark-Wayne is not an isolated case. Communities across New York have lost maternity, emergency, psychiatric, substance use, and other essential hospital services.

The purpose of this audit would be to determine whether the Department of Health has a comprehensive statewide plan to ensure communities have access to critical hospital services within a reasonable distance.

This question is especially important in rural communities, where one hospital may serve patients across a large geographic area. When a hospital or service closes, patients may have to travel much farther for care, while nearby hospitals, ambulance services and other providers face additional demands.

This is not about requiring hospitals to continue services they cannot safely staff or financially sustain. It is about whether the state is identifying services at risk and working with hospitals and communities before closure becomes the only option.

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I respectfully ask that the audit determine whether the Department of Health:

1. Has a comprehensive statewide plan identifying where critical hospital services are needed and what constitutes reasonable access to those services;
2. Tracks which hospitals and services are at risk because of staffing, financial or patient volume challenges;
3. Uses the impact assessment information hospitals submit as part of the closure process to evaluate travel times, emergency access, community health needs and the capacity of surrounding providers, and documents how that information influences its final decision;
4. Considers the combined regional impact of repeated closures rather than reviewing each proposal in isolation;
5. Provides affected communities with sufficient notice and a meaningful opportunity to provide input before a final decision is made, and documents and considers that input as part of its review;
6. Works with hospitals, other state agencies and affected communities to consider feasible alternatives before a critical service is lost; and
7. Monitors whether patients continue to have reasonable access to care after a closure is approved.

An independent audit would help determine whether New York is planning ahead or simply responding to closures one at a time. It would also provide greater transparency about how these decisions are made and whether the needs of affected communities are being fully considered and appropriately responded to.

I also ask that the findings of this audit be made publicly available and that a copy of the final report be provided to my office. Thank you for considering this request. I look forward to your response.

Sincerely,

Pamela A. Helming
New York State Senator
54th District