

New York State Department of Health

Health Equity Impact Assessment Conflict of Interest Form

This Conflict of Interest form must be completed in full, signed by the Independent Entity, and submitted with the Health Equity Impact Assessment.

Section 1 – Definitions

Independent Entity means individual or organization with demonstrated expertise and experience in the study of health equity, anti-racism, and community and stakeholder engagement, and with preferred expertise and experience in the study of health care access or delivery of health care services, able to produce an objective written assessment using a standard format of whether, and, if so, how, the facility's proposed project will impact access to and delivery of health care services, particularly for members of medically underserved groups.

Conflict of Interest means having a financial interest in the approval of an application or assisting in drafting any part of the application on behalf of the facility, other than the health equity assessment.

Stakeholders shall include individuals or organizations currently or anticipated to be served by the facility, employees of the facility including facility boards or committees, public health experts including local health departments, residents of the facility's service area and organizations representing those residents, patients or residents of the facility, community-based organizations, and community leaders.

Section 2 – Independent Entity

What does it mean for the Independent Entity to have a conflict of interest? For the purpose of the Health Equity Impact Assessment, if one or a combination of the following apply to the Independent Entity, the Independent Entity **HAS** a conflict of interest and must **NOT** perform the Health Equity Impact Assessment:

- The Independent Entity helped compile or write any part of the Certificate of Need (CON) application being submitted for this specific project, other than the Health Equity Impact Assessment (for example, an individual or organization hired to compile the Certificate of Need application for the facility's project cannot be the same individual or organization conducting the Health Equity Impact Assessment);
- The Independent Entity has a financial interest in the outcome of this specific project's Certificate of Need application (i.e., individual is a member of the facility's Board of Directors or advisory board); or
- The Independent Entity has accepted or will accept a financial gift or other incentive from the Applicant in addition to the fair market value cost of performing the Health Equity Impact Assessment.

Section 3 – General Information

About the Independent Entity

1. Name of Independent Entity: Manatt, Phelps, & Phillips, LLP (“Manatt”)
2. Is the Independent Entity a division/unit/branch/associate/employee of, or in a similar role in relationship to, an organization (Y/N)?
☐ If yes, indicate the name of the organization:
No
3. Is the Independent Entity able to produce an objective written Health Equity Impact Assessment on the facility’s proposed project (Y/N)?
Yes
4. Briefly describe the Independent Entity’s previous experience working with the Applicant. Has the Independent Entity or any organization to which the Independent Entity has belonged performed any work for the Applicant in the last 5 years?

Manatt meets the definition of “independent entity” in Title 10 NYCRR 400.26. Manatt is without a conflict of interest as follows:

- Manatt did not help compile or write any part of the CON application being submitted for this Proposed Project, other than the Health Equity Impact Assessment (HEIA);
- Manatt does not have a financial interest in the outcome of this Proposed Project’s CON application; and
- Manatt has not accepted, nor will Manatt accept a financial gift or other incentive from the Applicant in addition to the fair market value cost of performing the HEIA.

Manatt currently has, and previously has had, other engagements with NYC Health + Hospitals and Maimonides Health (“Other Engagements”). Although Manatt’s work on the Other Engagements does not create a lack of independence or conflict of interest under the HEIA rules, out of an abundance of caution Manatt screened from the HEIA (a) all Manatt personnel who currently work on Other Engagements, and (b) have worked on Other Engagements in the past two years (such two-year standard being consistent with the “two-year rule” under NY Public Officers Law § 73(8)(a)). Specifically, Manatt personnel who are working or have worked in the past two years on Other Engagements were not assigned to work on the HEIA, do not have access to files relating to the HEIA, and were instructed not to communicate about Other Engagements with anyone working on the HEIA. The Manatt personnel who work on the HEIA were informed of this screen and directed not to discuss the HEIA with any personnel working on, or who have worked in the past two years, on Other Engagements.

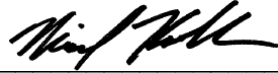
Section 4 – Attestation

I, Michael Kolber (individual name), having personal knowledge and the authority to execute this Conflict of Interest form on behalf of Manatt, Phelps, and Phillips, LLP
June 2026

(INDEPENDENT ENTITY), do hereby attest that the Health Equity Impact Assessment for project NYC Health + Hospitals and Maimonides Health Transaction (PROJECT NAME) provided for NYC Health + Hospitals (APPLICANT) has been conducted in an independent manner and without a conflict of interest as defined in Title 10 NYCRR § 400.26.

I attest that the feedback and personal information collected from stakeholders through the meaningful engagement process is legitimate, having not been altered, misrepresented, or falsified in any manner.

I further attest that the information provided by the INDEPENDENT ENTITY in the Health Equity Impact Assessment and on this Conflict of Interest form is true and accurate to the best of my knowledge, and fulfills the intent of the Health Equity Impact Assessment requirement.

Signature of Independent Entity: 

Date: 07/20/2026