TO: Local District Commissioners

SUBJECT: Adult Care Facilities: Prohibition of Referrals to Certain Facilities

ATTACHMENTS: List of Adult Care Facilities in Enforcement
(Available On-Line)

In 1994, three legislative proposals were enacted into law which pertain to Adult Care Facilities (ACFs). This legislation, Chapters 733, 734 and 735 of the Laws of 1994, amends various sections of the Social Services Law, Mental Hygiene Law and Public Health Law that pertain to the operation of ACFs and other providers of service to the residents of these facilities. Basically, these laws are intended to improve the quality of care in ACFs, strengthen related enforcement procedures and provide additional protections to the residents of these facilities.

An amendment to Section 460-d of the Social Services Law prohibits local social services districts from making referrals for admissions to ACFs that have received official written notice of any of the following:

- a proposed revocation, denial or suspension of the operator's operating certificate;
- the limitation of the operating certificate with respect to new admissions;
- the issuance of a Department order or commissioner's order or the seeking of equitable relief;
- the proposed assessment of civil penalties for certain violations of the Social Services Law.
To enable local social services districts to comply with this law, the Department issued two previous LCMs on this subject, the most recent being 95 LCM-120. This LCM included a list of affected facilities to which districts were not allowed to make referrals for admissions. Attached to this LCM is an updated list of ACFs to which districts must not make referrals for admissions. To assure that this law is effectively implemented, please distribute this list to your agency's Protective Services for Adults (PSA) staff, Family Type Home Coordinators, Legal staff and all other staff who are involved in arranging for the placement of dependent adults in ACFs.

If you have any questions about this law or your responsibilities with regard to the law, please call Dan Howells at (518) 432-2993 or Regina Driscoll at (518) 432-2836. Thank you for your cooperation on this matter.

Rose M. Pandozy
Deputy Commissioner
Services and Community Development
NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES
OFFICE OF HOUSING AND ADULT SERVICES
ADULT CARE FACILITIES IN ENFORCEMENT

FACILITIES REMOVED FROM SUSPENSION LIST
The following facilities have been deleted due to a change of operator or other resolution of the enforcement action:

- AMOS & SARAH HOLDEN HFA
- BUCZEK HOME FOR ADULTS
- KALET'S ADULT HOME
- LAKE SHORE ADULT HOME
- MARTIN RESIDENCE
- (NEW) SOUTH SHORE MANOR
- OAKLAND MANOR
- PARK MANOR ADULT HOME
- PARK REST
- PINE VIEW
- RIVERFRONT CENTRE
- TOWERCREST
- VALLEY VIEW

The following facilities have been closed:

- MAPLEWOOD MANOR
- MAPLEWOOD MANOR WEST

REFERRAL SUSPENSION LIST
Under Section 2803-m of the Public Health Law, Section 29.15(i) of the Mental Hygiene Law and Section 460-d(12) of the Social Services Law, which were enacted by Chapters 733 and 734 of the Laws of 1994, facilities and agencies subject to these laws may not refer patients or clients to the following facilities until notified by the New York State Department of Social Services that the enforcement action has been resolved.

PENDING DENIAL OF RENEWAL OF THE OPERATING CERTIFICATE

- BROOKLYN MANOR
  OPERATOR: Benito Fernandez
  2830 Pitkin Avenue
  Brooklyn NY 11208
  DSS REGION: MRO COUNTY: Kings

PENDING REVOCATION OF THE OPERATING CERTIFICATE

- FERN MANOR
  OPERATOR: Phyllis Canizzo
  Box 59
  Kenoza Lake NY 12750
  DSS REGION: ERO COUNTY: Sullivan

- LAUREL MANOR
  OPERATOR: Agatha Augat
  190 West Clarkstown Road, Box 397
  New City NY 10956
  DSS REGION: MRO COUNTY: Rockland

- NEW SEVILLE HOME
  OPERATOR: Emanuel Guttman
  128-03 Rockaway Beach Boulevard
  Belle Harbor NY 11694
  DSS REGION: MRO COUNTY: Queens

- SOUTHSHORE VILLA
  OPERATORS: Matthew Patkowski Margaret Patkowski
  19 North Clinton Avenue
  Bay Shore NY 11706
  DSS REGION: LIRO COUNTY: Suffolk
ENDANGERMENT REFERRAL [SSL 460-d(7)(b)(2)]

BETHANY HOME
Carrie Brantley
Main Street
Niagara Falls, NY 14301
14086 DSS REGION: WRO COUNTY: Niagara
COUNTY: Erie

SHADY REST HOME
OPERATOR: Christian Ministries for the Physically Disabled, Inc.
1102 Main Street
Lancaster, NY 14086 DSS REGION: WRO COUNTY: Niagara
COUNTY: Erie

PARK LAKE REST HOME
45 Lake Drive
Lake Ronkonkoma, NY 11779
DSS REGION: LIRO COUNTY: Suffolk