

+-----+
| LOCAL COMMISSIONERS MEMORANDUM |
+-----+

DSS-4037EL (Rev. 9/89)

Transmittal No: 95 LCM-120

Date: October 19, 1995

Division: Office of Housing
and Adult Services

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 enf

orcement 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:

- o a proposed revocation, denial or suspension of the operator's operating certificate;
- o the limitation of the operating certificate with respect to new admissions;
- o the issuance of a Department order or commissioner's order or the seeking of equitable relief;
- o 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 95 LCM-33 on April 3, 1995. 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.

Stuart Feuerstein
Associate Commissioner
Office of Housing and Adult Services

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:

MARTIN RESIDENCE	RIVERFRONT CENTRE
(NEW) SOUTH SHORE MANOR	TOWERCREST
OAKLAND MANOR	VALLEY VIEW
PARK REST	
PINE 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

BUCZEK HOME FOR ADULTS	LAUREL MANOR
OPERATOR: Kathy Buczek	OPERATOR: Agatha Augat
5703 Middle Road	190 West Clarkstown Road, Box 397
Horseheads NY 14845	New City NY 10956
DSS REGION: WRO COUNTY: Chemung	DSS REGION: MRO COUNTY: Rockland

FERN MANOR	NEW SEVILLE HOME
OPERATOR: Phylliss Canizzo	OPERATOR: Emanuel Guttman
Box 59	128-03 Rockaway Beach Boulevard
Kenoza Lake NY 12750	Belle Harbor NY 11694
DSS REGION: ERO COUNTY: Sullivan	DSS REGION: MRO COUNTY: Queens

PENDING REVOCATION OF THE OPERATING CERTIFICATE

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)]

AMOS & SARAH HOLDEN HFA	PARK LAKE REST HOME
73-85 Grand Street	45 Lake Drive
Newburgh, NY 12250	Lake Ronkonkoma, NY 11779
DSS REGION: MRO COUNTY: Orange	DSS REGION: LIRO COUNTY: Suffolk

BETHANY HOME	PARK MANOR ADULT HOME
OPERATOR: Christian Ministries for the Physically Disabled, Inc.	OPERATOR: SARAH HALPERT
5528 Broadway	570 Coney Island Avenue
Lancaster NY 14086	Brooklyn NY 11218
DSS REGION: WRO COUNTY: Erie	DSS REGION: MRO COUNTY: Kings

KALET'S ADULT HOME	SHADY REST HOME
OPERATOR: David Kalet	OPERATOR: Carrie Brantley
504 Delaware St.	1102 Main Street
Syracuse NY 13204	Niagara Falls, NY 14301
DSS REGION: WRO COUNTY: Onondaga	DSS REGION: WRO COUNTY: Niagara

LAKE SHORE ADULT HOME
OPERATOR: Max Mensch
211 Lake Shore Road
Lake Ronkonkoma NY 11779
DSS REGION: LIRO COUNTY: Suffolk

NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES
OFFICE OF HOUSING AND ADULT SERVICES

CENTRAL OFFICE:

Stuart Feuerstein
Associate Commissioner
Office of Housing & Adult Services
NYS Department of Social Services
40 North Pearl Street
Albany, NY 12243
Phone: (518) 432-2974
Fax: (518) 432-2410

Daniel T. Howells, Acting Director
Bureau of Inspection & Enforcement
Office of Housing & Adult Services
NYS Department of Social Services
40 North Pearl Street
Albany, NY 12243
Phone: (518) 432-2993
Fax: (518) 432-2410

REGIONAL OFFICES:

Mr. Martin McMahon
Eastern Regional Office
488 Broadway - Third Floor
Albany, New York 12207
Phone: (518) 432-2873
Fax: (518) 432-2874

Mr. Jay Dorney
Western Regional Office
259 Monroe Avenue
Rochester, NY 14607
Phone: (716) 238-8185
Toll Free: 1-800-462-6443
Extension 238-8185
Fax: (716) 238-8169

Mr. Carleton Reo
Long Island Regional Office
1 Old Country Road
Drawer #61 - Suite 480
Carle Place, NY 11514
Phone: (516) 294-2877
Toll Free: 1-800-635-7920
Fax: (516) 294-2955

Ms. Mary E. Hart
Metropolitan Regional Office
80 Maiden Lane - 6th Floor
New York, NY 10038
Phone: (212) 383-1745
Toll Free: 1-800-554-5391
Extension 383-1745
Fax: (212) 383-1888