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| LOCAL COMMISSIONERS MEMORANDUM |
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DSS-4037EL (Rev. 9/89)

Transmittal No: 96 LCM-53

Date: June 4, 1996

Division: Services and
Community
Development

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)

A 1994 amendment to Section 460-d of the Social Services Law prohibits local social services districts from making referrals for admissions to Adult Care Facilities (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 periodically issues LCMs which include a list of ACFs to which districts are 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.

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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:

HIGHLAND HOME FOR ADULTS NEW SEVILLE HOME

The following facility has been CLOSED:

GEORGE'S REST HOME

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.

DENIAL OF RENEWAL OF THE OPERATING CERTIFICATE
AFFIRMED BY FAIR HEARING DECISION DATED MARCH 7, 1996

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

PENDING REVOCATION OF THE OPERATING CERTIFICATE

FERN MANOR LAUREL HAVEN REST
OPERATOR: Phyliss Canizzo OPERATOR: Jean Ann Adkins
Box 59 238 Fire Island Avenue
Kenoza Lake Babylon, N.Y. 11702
DSS REGION: ERO COUNTY: Sullivan DSS REGION: LIRO COUNTY: Suffolk

LAUREL MANOR SOUTHSHORE VILLA
OPERATOR: Agatha Augat OPERATORS: Matthew Patkowski
190 West Clarkstown Road, Box 397 Margaret Patkowski
New City 19 North Clinton Avenue
DSS REGION: MRO COUNTY: Rockland Bay Shore NY 11706
DSS REGION: LIRO COUNTY: Suffolk

RENA'S RESIDENCE
OPERATOR: Rena Chinzvva
109 W. 129th Street
N.Y., N.Y. 10029
DSS REGION: MRO COUNTY: New York

ENDANGERMENT REFERRAL [SSL 460-d(7)(b)(2)]

EVERGREEN MANOR
OPERATOR: Joseph & Mary Jane Shaben
4181 Barker Hill Road
Jamesville, N.Y. 13078
DSS REGION: WRO COUNTY: Onondaga