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

Transmittal No: 96 LCM-4

Date: January 17, 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)

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:

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

The following facilities have been CLOSED:

MAPLEWOOD MANOR	MAPLEWOOD MANOR WEST
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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: Phylliss Canizzo
 Box 59
 Kenoza Lake NY 12750
 DSS REGION: ERO COUNTY: Sullivan

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

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

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	SHADY	REST
HOME		OPERATOR: Christian Ministries for	OPERATOR:
Carrie Brantley		the Physically Disabled, Inc.	1102
Main Street		5528 Broadway	
Niagara Falls,	NY	14301 Lancaster	NY
14086	DSS REGION: WRO	COUNTY: Niagara	DSS REGION: WRO
COUNTY: Erie			

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