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| LOCAL COMMISSIONERS MEMORANDUM |
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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 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 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

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

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