



## Department of Health

**KATHY HOCHUL**  
Governor

**JAMES V. McDONALD, M.D., M.P.H.**  
Acting Commissioner

**MEGAN E. BALDWIN**  
Acting Executive Deputy Commissioner

April 11, 2023

Subject: 2023 Nursing Home Supplemental Funding Request for 2020 Financial Information

[Hosp-based Nursing Home Name]  
[C/O]  
[Address]

Dear Nursing Home Operator:

The New York State Enacted Budget for the Fiscal Year 2022- 2023 designated supplemental funding to assist eligible nursing homes in increasing resident facing staffing services by registered nurses, licensed practical nurses and certified nursing assistants sufficient to attain the highest practicable physical, mental and psychological well-being of each resident.

Eligibility to receive these funds is based on meeting, to the satisfaction of the Department, the minimum direct resident care spending requirements set forth in Public Health Law § 2828. Nursing homes must spend a minimum of 70% of revenue on direct resident care and a minimum of 40% of revenue on resident-facing staffing. Compliance with these requirements is measured using the specified financial information in the residential health care facility's 2020 cost report submitted to the Department of Health.

Your facility's annual Institutional Cost Report (ICR) and Residential Health Facility Cost Report (RHCF-2), submitted to the Department pursuant to 10 NYCRR 86-1.2 and Public Health Law § 2805-e, do not provide the financial information necessary to determine whether your nursing home is eligible to receive supplemental funding.

The Department has developed a survey to collect the relevant information statutorily needed to make a determination on the eligibility of your nursing home. The information in your 2020 audited ICR report and 2020 certified RHCF-2 report shall be the basis for what you provide through this survey. The survey form can be accessed by logging onto HCS at: <https://commerce.health.state.ny.us>. On the HCS Home Page, click My Applications → click HERDS → click Data Entry and then select an Activity → *2020 Nursing Home Supplemental Funding Eligibility Financial Information Survey* (faxed or printed copies will not be accepted).

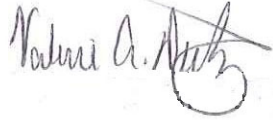
Regulations governing Medical Facilities are found under Title 10 of the New York Codes, Rules and Regulations and include standards for reporting by residential health care facilities subject to Article 28 of the Public Health Law, including hospital-based residential health care facilities. Specifically, 10 NYCRR §86-2.6 requires financial and statistical reports be certified by the operator of the facility. The facility's Administrator may enter data for this survey; however, the Operator of the nursing home, or an executive officer with the authority to certify on behalf of the

facility and Operator, must review the data, complete the certification statement, and submit the completed survey.

Please note that the *2020 Nursing Home Supplemental Funding Eligibility Financial Information Survey* must be submitted to the Department no later than 4:00 PM on May 26, 2023 in order to receive any funds under Public Health Law §2828 and 10 NYCRR § 415.13(g).

Questions pertaining to this DAL and survey requirements should be directed to [NHSafeStaffing@health.ny.gov](mailto:NHSafeStaffing@health.ny.gov). Thank you for your anticipated cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Valerie A. Deetz". The signature is fluid and cursive, with a large loop at the end.

Valerie Deetz, Deputy Director  
Office of Aging & Long-Term Care

cc: Adam Herbst  
A. Villani  
E. Johnson  
B. Smith  
M. Furnish  
K. Marks