

**NEW YORK**  
state department of  
**HEALTH**

Nirav R. Shah, M.D., M.P.H.  
Commissioner

Sue Kelly  
Executive Deputy Commissioner

February 5, 2013

DAL: DAL 13-07  
SUBJECT: Case Management Services

Dear Administrator:

This letter is to serve as a reminder to facilities of the obligations to residents prescribed in 18 NYCRR 487.7(g), *Resident Services, Case Management*. It has been brought to the Department of Health's (DOH) attention that some facilities have had a lapse in performing these vital and necessary services to residents. Adhering to these regulations will not only result in best practice service to residents, but will reduce complaints, investigations, violations and associated civil monetary penalties to facilities.

Becoming a resident of an adult care facility can be a difficult transition for many individuals. As part of the coordination of care for individuals entering the facility, it is the case manager's responsibility to assist all residents to adjust to life in the facility. Assisting in adjustment to life in the facility includes, among other things, establishing and enforcing a policy for residents who desire to change roommates, particularly in an emergency or crisis situation. The facility must also strive to mediate and assist with solving problems between individual residents; as well as having policies in effect to deter incidents of theft or usurious loans, and to take action should these incidents occur. Residents should be provided case management services in their primary language either through staff, interpreters or other appropriate services.

A primary goal of effective case management services is to enhance a resident's independence. Barriers to resident independence often include lack of access to documents and services. Case managers should ensure that residents have, first and foremost, proper identification and knowledge of, and assistance with access to services such as outside banking, education and vocational training.

Many residents are entitled to public benefits of which they may not be aware, or do not have the capability of accessing on their own, without case manager assistance. Case management services should include assisting residents in completing applications for public assistance if other benefits, such as SSI, are denied, delayed, garnished or interrupted. These applications should be made in a reasonable time frame, e.g., within several days of admission to the facility, after interruption of benefits, and prior to initiating eviction proceedings based on non-payment of rent. This also includes applications, where available, to cover rental arrears if the resident requires such a grant to avoid eviction, and provide follow-up if needed. If there are barriers to receipt of full benefits and entitlements, case management responsibility is to assist residents in resolving such barriers.

Other examples of income and financial resolution that are within the scope of case management services include: assisting a resident in the event of an SSI overpayment, i.e., applying for a waiver and/or arranging a reasonable payment plan with the local social security office; assisting the resident in the event of garnishment due to an outstanding student loan debt by applying for discharge of the loan based on disability, or not applicable, by arranging for a reasonable payment plan; assisting the resident in the event of garnishment due to ongoing child or spousal support or arrears by applying for a downward modification based on income; and assisting the resident in resolving disputes and financial issues related to pensions or other financial/income matters. Facilities should also assist residents in applying for and maintaining any local, countywide, statewide or federal entitlements and benefits available to them, such as federal stimulus payments.

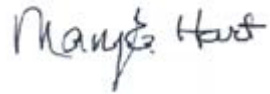
Scheduling, following up on appointments, and transportation to and from medical appointments are an integral part of case management. Acceptable case management provides for prompt follow-up in scheduling medical appointments, e.g., arranging for an appointment in a reasonable time after a resident requests such assistance and/or arranging for a new provider if the previous provider of services becomes unavailable or unable to provide such services. Transportation assistance should also be provided to residents for appointments not related to matters of health or mental health, but related to social, legal, financial or other services. Examples of appointments requiring transportation assistance are: court dates, appointments related to benefit retention, vocational programs, and other appointments related to residents health, mental health and social needs.

In addition to those services mentioned above, most counties in the State have unique resources available which can be utilized for the benefit of residents. For example, the New York City region has specific benefits not available in other regions, which should be accessed by residents through assistance by case managers. Specific examples of services unique to the metropolitan New York City region includes: para-transit services and discount transportation programs such as the Access-a-Ride and Half-Fare Metro Card programs in New York City. Assistance should be given in obtaining applications and supporting documentation, completing paperwork and making follow-up phone calls to ensure access to the service. Case management services should also include assisting residents in completing housing applications upon request, including, but not limited to, the NYC HRA 2010E application. Residents should be assisted with filling out the application if necessary, assembling the required documentation, monitoring the progress of the application and providing follow-up as needed. Also, in the New York City area, residents should be assisted and applying for NYC school tax credits as a benefit to those who reside in facilities within the catchment areas.

Case management services are critical to residents' quality of life in an adult care facility. The Department appreciates your efforts in ensuring that each resident has access to and assistance with securing all benefits which are available.

Accessing all benefits and entitlements available to residents will help to ensure their health, social functioning and financial stability. If you have any questions, please contact the regional office in your area.

Sincerely,

A handwritten signature in black ink that reads "Mary E. Hart". The signature is written in a cursive style with a loop at the end of the last name.

Mary E. Hart, Director  
Division of Health Care Facilities/  
Assisted Living Surveillance