

June 21, 2013

DAL: DAL 13-16

Dear Administrator:

The Justice Center for the Protection of People with Special Needs (Justice Center) will become operational June 30, 2013. It is the NYS Department of Health's intent to keep you apprised of new communication and updates from the Justice Center and provide clarification as necessary to ensure your facility's compliance with all requirements. The information below should be reviewed with all appropriate staff and acted upon accordingly.

**I. Code of Conduct/Mandated Reporter**

On June 11, 2013 all affected entities were provided with information and guidance on Mandated Reporters as well as a copy of the Code of Conduct for custodians of people with special needs. The Code of Conduct is required to be read and signed at least annually by all custodians. Existing custodians must read and sign the attestation by **June 30, 2013** and all other custodians must read and sign at the time of employment or affiliation. The affected entity must maintain a copy of the signed attestation on file at the facility.

**II. Facility Staff Coverage**

The Justice Center call center will receive and act on calls 24-hours a day, seven days a week. The toll free number is 1-855-373-2122. For calls alleging abuse, the Justice Center will immediately contact the facility in question to assure resident safety. Please be reminded that under 18 NYCRR 487.9(19)(v) that: **"in the absence of the administrator, a responsible person shall be designated to be in charge of the facility and shall be identified on the facility staffing schedule. The person designated shall...(v) be empowered to act on behalf of the operator during the administrator's absence concerning the health, safety, comfort and well-being of the residents;..."**

**III. Upcoming Webinar – Notice to Mandated Reporters**

The Justice Center will host a webinar entitled Notice to Mandated Reporters on Tuesday, June 25, 2013 from 1:00 pm to 2:30 pm. Providers must register for the webinar no later than June 24, 2013 and it is open to the first 500 registrants. The Notice to Mandated Reporters guidance document provided an overview of mandated reporters' legal duties under the *NYS Protection of People with Special Needs Act* and was recently issued by the Justice Center and forwarded to ACF providers under the conjoined jurisdiction on June 11<sup>th</sup>. If you have questions related to registration prior to the webinar you may contact the Justice Center at [infojusticecenter@cqc.ny](mailto:infojusticecenter@cqc.ny) and include "Notice webinar" in the subject line.

#### IV. Vulnerable Persons Central Register Hotline Posters


On June 21, 2013 posters regarding the VPCR Hotline were mailed to all providers under the conjoined jurisdiction of the Justice Center and the New York State Department of Health. Posters must be displayed at facilities and provider agencies that have been identified as being under the conjoined jurisdiction.

Effective, June 30<sup>th</sup>, 2013 electronic copies of posters and wallet cards will be made available for download on the Justice Center's website at [www.justicecenter.ny.gov](http://www.justicecenter.ny.gov) under the "Resources" tab. We encourage Justice Center Adult Care Facilities to use electronic versions of the poster for display on websites, in newsletters and on social media outlets.

Again, this serves as a reminder that the VPCR Hotline becomes operational on June 30, 2013. **VPCR Hotline posters MUST be displayed no later than July 1, 2013.** Posters should be hung or prominently displayed in high traffic areas (ex. lobbies, waiting rooms, and registration sites) where they will be most visible to the public. All CQC Helpline posters **MUST be removed** to avoid any confusion about the correct telephone numbers to report an allegation of abuse and neglect.

Thank you in advance for your assistance in bringing this important legislation into practice. If you have any questions, please feel free to contact my office at (518) 408-1133, or contact your Regional Office Program Manager.

Sincerely,

A handwritten signature in dark ink, appearing to read "Valerie A. Deetz", with a stylized flourish at the end.

Valerie A. Deetz, Director  
Division of ACF & Assisted Living Surveillance