

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

NEW YORK
state department of
HEALTH

Sue Kelly
Executive Deputy Commissioner

August 31, 2011

Dear Operator/Administrator:

DAL DAL # 11-08
Re: DOH-3122 Medical Evaluation

On July 20, 2011, Governor Cuomo signed into law Chapter 168 of the Laws of 2011, allowing nurse practitioners and physician assistants the authority to complete and sign the required medical examination report (DOH 3122) as follows:

- At the time of admission to an assisted living residence, a resident shall submit to the facility a written report from a physician, physician assistant or nurse practitioner which shall state that the physician, physician assistant or nurse practitioner has physically examined the resident within one month and the date of such examination.

The Law states that a medical examination report is no longer required upon a resident's re-admission back to the facility from a hospital stay. Specific information required is as follows:

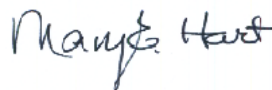
- Following a resident's stay in a hospital or residential health care facility, upon return to the assisted living residence, the assisted living residence shall not be required to obtain the medical examination report (DOH 3122), and instead shall obtain a statement from the discharging facility which states that the resident is appropriate to return to the residence and includes the reason for the stay, the treatment plan to be followed, and any new or changed orders, including medications. The statement shall be completed by a physician, physician's assistant or nurse practitioner.

The complete text of the Law, which is effective immediately, can be obtained at:

http://assembly.state.ny.us/leg/?default_fld=&bn=A07439&term=2011&Summary=Y&Text=Y.

If you should require further clarification, please contact the Division of Assisted Living at (518) 408-1133.

Sincerely,



Mary E. Hart
Director
Division of Assisted Living