

MEMORANDUM

TO: Adult Care Facility and Assisted Living Members

FROM: Diane Darbyshire, Senior Policy Analyst

DATE: February 4, 2008

SUBJECT: **DALs Rescinds Prior Management Contract DAL and Reminds Providers Census is Due**

ROUTE TO: Administrators, Program Directors

ABSTRACT: New DALs on management contracts, ACF census.

The Department of Health (DOH) has posted two new *Dear Administrator* letters (DALs) for Adult Care Facilities (ACFs). The first rescinds a prior DAL regarding management contracts, due to a recent Supreme Court decision. To view the DAL that DOH is rescinding, see [NYAHSA Doc ID #n00000669](#).

The second DAL reminds providers that the ACF Annual Census Report was due on January 31, 2008.

The DALs, which are attached for your reference, are also posted on the ACFs page of the Health Provider Network (HPN).

If you have any questions regarding the contents of this memo, please contact Diane Darbyshire at ddarbyshire@nyahsa.org or 518-449-2707, ext. 162.

Attachments

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STATE OF NEW YORK DEPARTMENT OF HEALTH

161 Delaware Avenue

Delmar, NY 12054-1393

Richard F. Daines, M.D.
Commissioner

Wendy E. Saunders
Chief of Staff

January 31, 2008

DAL: HCBS 08 03

Subject: Rescinding of DAL: HCBC 07-06
(Management Contracts)

Dear Administrator:

The purpose of this letter is to inform operators of adult care facilities (ACFs) that the Department is rescinding DAL: HCBC 07-06, which described requirements for the approval of management contracts. This action is being taken as a result of a December 17, 2007 State Supreme Court decision, and is effective immediately.

Although DAL: HCBC 07-06 is now rescinded, please be advised that the Department may be introducing a regulation in the very near future to formalize the rules and procedures conveyed within that DAL.

If you have any questions regarding this action please contact Keith McCarthy of my staff at (518) 408-1600.

Sincerely,

Judith R. Mooney

Co-Director

Division of Home and Community Based Services



STATE OF NEW YORK DEPARTMENT OF HEALTH

161 Delaware Avenue Delmar, NY 12054-1393

Richard F. Daines, M.D.
Commissioner

Wendy E. Saunders
Chief of Staff

January 28, 2008

Dear Operator:

This is a follow-up to the Dear Administrator Letter (DAL) regarding the Annual Census Report. DAL: HCBC 07-20 is dated December 26, 2007 and was posted on the Health Provider Network (HPN). The requirement is that you complete and submit the Annual Census Report by January 31, 2008.

This is a reminder that the Department requires your timely submission of the 2007 Census Report. Please be advised that the distribution of QUIP monies is dependent upon your submission of the 2007 Census Report

Thank you for your cooperation in this matter. If you have further questions you may contact Popia Barinee of my staff at (518) 408-1133.

Sincerely,

Judith R. Mooney
Co-Director

Division of Home and Community Based Services