



Department of Health

KATHY HOCHUL
Governor

MARY T. BASSETT, M.D., M.P.H.
Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

December 1, 2022

DAL: DAL# 22-08
Subject: 2021 ACF Annual Financial Report

Dear Administrator:

The New York State Department of Health (“Department”) has activated the 2021 Adult Care Facility (ACF) Annual Financial Report on the Health Commerce System (HCS). The regulations governing the ACF Annual Financial Report are included in Title 18 of the New York Codes, Rules, and Regulations (“18 NYCRR”) §§487.10(e), 488.10(e), and 490.10(e).

The ACF Annual Financial report must be submitted via the HCS for all ACFs whose current operator has been in operation for six (6) months or more during calendar year 2021 as well as ACFs that underwent a change of operator between related ACFs during calendar year 2021. Further:

- The ACF Certified Public Accountant (CPA) Certification must be completed by **all ACFs** with **26 beds or more** and submitted via email to acffinrpt@health.ny.gov. Please see Enclosures II and III and use that which is appropriate for the facility.
- The Certification of Operation statement must be completed by **all ACFs** using the DOH-5780 available online at https://health.ny.gov/facilities/adult_care/forms.htm.

The deadline for submission of the 2021 ACF Annual Financial Report and the relevant certifications follows:

- For ACFs using a calendar year (January 1 – December 31) as their fiscal year, the due date is **May 31, 2023**.
- Per 18 NYCRR §487.10(e), ACFs using a fiscal year period that differs from a calendar year are required to file their report by the 15th day of the sixth calendar month following the close of their fiscal year. If this falls before May 31, 2023 then the due date is **May 31, 2023**.

Please understand that failure to file an acceptable report by the due dates outlined above may result in enforcement action including assessment of civil penalties as outlined in New York State Social Services Law §461-e(4)(a).

The 2021 Annual Financial Report 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 → 2021 Annual Financial Report. Only individuals assigned the facility’s roles as *Financial Data Reporter* and *Financial Submitter* may

enter financial data for this report; however, only the *Financial Submitter* can submit the data. Please be reminded that, those affiliated with more than one ACF must select the appropriate ACF from the Agency drop-down list. All ACFs are encouraged to review the ACF Annual Financial Report Companion Guide before entering data.

If you have any questions, please email acffinrpt@health.ny.gov. Thank you in advance for your prompt attention to this request.

Sincerely,

Kristen , Director
Bureau of Adult Care Facility & Assisted Living Licensure
Office for Aging and Long Term Care

Enclosures

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