



Department of Health

KATHY HOCHUL
Governor

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Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

December 15, 2022

DAL: DACF #22-41
Subject: Transitional Adult Home Regulations

Dear Adult Care Facility Administrator:

CSRA State and Local Solutions LLC, a subsidiary of General Dynamics Information Technology and its subcontractor, Keystone Peer Review Organization Inc. ("Kepro"), has recently observed a marked decrease in the number of Pre-admission Screening requests submitted for prospective admissions to Transitional Adult Homes ("TAHs"). The Department of Health ("Department") is concerned that facilities may be violating regulatory requirements.

As you should be aware, the third judicial department of the New York Supreme Court, Appellate Division, on November 21, 2022 stayed the injunction in *Oceanview Home for Adults et al. v. the New York State Department of Health et al.* Index No. 906012-16 pending determination of the appeal of that decision, except as it applies to individuals whose admissions were scheduled on or before November 2, 2022. **This DAL is a reminder that the regulations at 18 NYCRR §§ 487.2(c), 487.4(c),(h), 487.10(e)(3) and 487.13 are enforceable.**

Accordingly, it is the Department's expectation that all adult care facilities shall comply with applicable regulatory requirements; moreover, TAH's shall continue to use Kepro to conduct mental health evaluations of prospective admissions and Kepro will continue conducting Pre-admission Screening and mental health assessments for TAH's pursuant to Dear Administrator Letter (DAL) # 22-21.

If you have any questions regarding the contents of this DAL, please email transitionalah@health.ny.gov

Sincerely,

Valerie A. Deetz
Deputy Director
Office of Aging and Long-Term Care

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