



STATE OF NEW YORK DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

June 30, 2008

Dear Potential Applicant:

As a result of recommendations contained in the study by the Commission on Health Care Facilities in the 21st Century (a/k/a The Berger Commission Report), the New York State Department of Health is soliciting applications for Assisted Living Program (ALP) beds. The bed distribution is limited to 140 ALP beds in Westchester County, 80 ALP beds in Orange County, 60 ALP beds in Jefferson County and 50 ALP beds in Schenectady County. Applicants from all New York State counties are eligible to apply.

An application package and the following explanatory materials are available at the Department of Health website at www.nyhealth.gov:

- An overview of the ALP application process;
- ALP Rates and Rate Codes; and
- Supplemental Security Income (SSI) Rate Chart.

Applicants are encouraged to review these materials as well as the statutes, rules and regulations that govern the ALP before they develop their applications. The regulations are available on the Department's web site at the following website link:

<http://www.health.state.ny.us/nysdoh/phforum/index.htm>

The relevant sections include:

- Title 18 Part 485 - General Provisions
- Title 18 Part 486 - Inspection and Enforcement
- Title 18 Part 487 - Standards for Adult Homes
- Title 18 Part 488 - Standards for Enriched Housing
- Title 18 Part 494 - Assisted Living Program
- Title 10 Part 86-7 – Assisted Living Program (Reimbursement Standards)
- Title 10 Part 765 and 766 – Home Care Licensure Standards
- Public Health Law – <http://public.leginfo.state.ny.us/menugetf.cgi>
- Social Services Law Article 7 §461-1

In an effort to streamline the ALP application process, we included an addendum which will allow an applicant who is not a licensed home care services agency (LHCSA), certified home health agency (CHHA) or long term home health care program (LTHHCP) to apply for LHCSA licensure.

Please be advised applicants who have previously submitted an ALP application in response to ALP RFA #1584 released on September 27, 2007 are not required to submit another application. **In lieu of an application, please send the Department a letter indicating your intent to use the previously filed application for this RFA.** In addition, you may send new or additional information to supplement the application previously filed.

Note: A marketing study is not necessary as the need for these beds has been determined by the Berger Commission.

An applicant conference will **not** be held for this application. In lieu of a conference, the Department will post responses to written questions received on the Department website. All questions should be submitted in writing to one of the following addresses:

ALPapplication@health.state.ny.us

OR

**Guy Warner, Director
Bureau of Licensure and Certification
NYS Department of Health
161 Delaware Avenue
Delmar, New York 12054
BERGER ALP 2008
Attention: RFA # 330**

Written questions will be accepted until **3 PM on July 21, 2008**. Responses to these questions will be posted on the Health Provider Network (HPN) and the Department website on or about the date indicated on the cover of the RFA.

In the event that any updates or clarification of information are warranted with regard to this RFA, they will be posted on the HPN and the Department website. Applications received by the due date and time will be competitively reviewed and scored. For the purposes of this RFA, the highest consideration will be given to:

- Projects targeted toward services to people who otherwise may be inappropriately placed in a nursing home and whose residential and healthcare needs can be met by the ALP, such as the frail elderly or physically disabled;
- Applicants who demonstrate commitment to admit and retain individuals in receipt of SSI, Safety Net benefits or Medical Assistance (MA);

- Proposals that increase the supply of new ALP beds rather than convert existing adult home and/or enriched housing program beds to ALP beds; and
- Applicants who are able to commence services most quickly by demonstrating completion or near completion of financial arrangements, site control and those who meet architectural compliance without any new construction or renovations, ideally operational within 22 months of contingent approval.

Applications must be received by **3:00 PM on September 29, 2008**. No material will be accepted after the due date and time. The Department is not responsible for failures in delivery. Please deliver to:

**Guy Warner, Director
Bureau of Licensure and Certification
NYS Department of Health
161 Delaware Avenue
Delmar, New York 12054
BERGER ALP 2008
Attention: RFA # 330**

The Department will send notification of award decisions in writing directly to the applicant with a copy sent to the consultant or representative acting on behalf of the applicant.

Sincerely,

Mark Kissinger
Deputy Commissioner
Office of Long Term Care