



# 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 19, 2009

Dear Potential Applicant:

As a result of recommendations contained in the study by the Commission on Health Care Facilities in the 21<sup>st</sup> 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 100 ALP beds in Niagara 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](http://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 submitted an ALP application for previous rounds of ALP beds in Niagara County **must reapply**.

**Note: A marketing study is not necessary as the need for these beds has been determined by the Berger Commission. However, it is necessary to demonstrate how your application will meet program goals as bulleted below.**

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](mailto: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  
Attn: Niagara ALP**

Written questions will be accepted until **3 PM on July 3, 2009**. Responses to these questions will be posted on the Health Provider Network (HPN) and the Department website on or about July 24, 2009.

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);
- Applicants who demonstrate how individuals who are at or near the poverty level will be targeted;

- 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 11, 2009**. 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  
Attn: Niagara ALP**

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