

State Register Notice of Availability of Assisted Living Program Beds

New York State Department of Health
Division of Home and Community Based Services

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 100 Assisted Living Program (ALP) beds in Niagara County. In order to be included in the selection process, completed applications must be received by the Department on or before **September 11, 2009 by 3:00 p.m.**

An application package and explanatory materials will be made available at the Department of Health website at www.nyhealth.gov on **June 19, 2009**.

Eligible Applicants

An approved ALP is an entity comprised of:

1. A certified Adult Care Facility
 - a. Adult Home (AH) **OR**
 - b. Enriched Housing Program (EHP)

AND

2. A Home Care Services Agency
 - a. Licensed Home Care Services Agency (LHCSA), **OR**
 - b. Certified Home Health Agency (CHHA), **OR**
 - c. Long Term Home Health Care Program (LTHHCP).

Applicants who operate an ALP must be either a not-for-profit corporation, a non-publicly traded business corporation or limited liability company, a public agency, or an individual or group of individuals acting as partners.

These entities must either already hold the required certificates, or have an appropriate application in process, or request such certification as part of the application for approval as an ALP.

The ALP application allows an entity to apply simultaneously for certification as an AH or EHP and a LHCSA.

The entity authorized to operate an ALP must be certifiable as an adult care facility and as a home care provider. Applicants to operate an ALP must be one of the following: a not-for-profit corporation, a business corporation (that is not publicly traded, and whose shares are owned by natural persons), a limited liability company (if members are corporations or limited liability companies, the shareholders or members of same must be natural persons), a public agency, or an individual or general partnership comprised solely of natural persons.

These entities must either already hold the required certificates, or have an appropriate application in process, or request such certification as part of the application for approval as an ALP.

The requirement for an "eligible applicant" can be met in one of two ways. Either by (1) a single legal entity which possesses or is eligible to apply for an AH or EHP operating certificate and for approval of home care services; or (2) by one or more legal entities with identical ownership that in combination, possess or are eligible to apply for, an AH or EHP operating certificate and for approval of home care services.

This is a competitive application review process. Applications will be scored on completeness and other factors with the highest consideration 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 Supplemental Security Income (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 AH and/or EHP 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.

The order in which the above bulleted review items are listed is NOT an indicator of the level of scoring weight applied to these items.

The deadline for completed applications to be received by the Department is **September 11, 2009 at 3:00 p.m.**

This notice was prepared and submitted by:

Guy Warner
Director, Bureau of Licensure and Certification
Division of Home and Community Based Services
NYS Department of Health
161 Delaware Avenue
Delmar, New York 12054
Attn: Niagara ALP