



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

February 13, 2020

Re: DAL # 20-07
Transitional Adult Home Emergency
Regulations

Dear Transitional Adult Home Administrator:

On January 29, 2020, the Department of Health (“Department”) promulgated emergency regulations which amend 18 NYCRR §487.13. These amendments are intended to improve compliance by Transitional Adult Home (“TAH”) operators with 18 NYCRR §487.13(h), which requires TAH operators to make space available, without charge, for residents to meet privately with specific providers. The emergency regulations establish criteria for suitable meeting space and require the submission of a space plan to the Department.

The amendments updated 18 NYCRR §487.13(h), which requires TAH operators to cooperate with the providers listed in that section and make space available, without charge, for residents to meet privately with such providers. The amendments also revised 18 NYCRR §487.13(b)(5), which defines providers set forth in 18 NYCRR §487.13(h).

Provider Meeting Space Requirements

The amendments added a new 18 NYCRR §487.13(i) to establish criteria for meeting space made available by TAHs for resident meetings with providers as set forth in 18 NYCRR §487.13(h). Any space identified for such purposes must be a minimum of 160 square feet, above grade level, adequately lighted and ventilated, and meet the temperature requirements of 18 NYCRR §487.11(m). The space must have a door that closes to ensure that conversations are private. The space must be separate from an occupied or reserved resident room or space used primarily for storage and must not be under surveillance by adult home staff.

In addition, amendments at 18 NYCRR §487.13(j) require that TAHs submit a plan, at the request of the Department, regarding how they will meet space requirements. The plan must be submitted in a Department-prescribed template. Once approved by the Department, the operator shall implement the plan.

Webinar

The Department will host a webinar on **February 18, 2020 at 11:00 am** to review these updated regulations with interested parties. Upon posting of this correspondence, an invitation will be sent to TAH administrators. Please note, the slide deck associated with the webinar and the Provider Meeting Space Plan Template will be made available on the Department’s website and Health Commerce System upon completion of the webinar.

Questions

If you have any questions, please write to transitionalah@health.ny.gov. Thank you for your cooperation.

Sincerely,



Heidi L. Hayes, Acting Director
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and Assisted Living Surveillance

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