

January 16, 2013  
DAL: DAL 13-01

Dear Adult Home Administrator:

Effective January 16, 2013, and pursuant to the authority vested in the Commissioner of Health, regulations found at Sections 460-d, 461, and 461-e of the Social Services Law, Section 486.7 of Part 486 and Part 487 of Title 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York, were amended and adopted. The regulations directly affect New York State's adult homes.

Specifically, the amended regulations provide definitions for the following:

- Persons with serious mental illness;
- Transitional adult homes;
- Alternative community settings;
- Community services;
- Mental health census;
- Housing contractors; and
- Community transition coordinator.

In addition the amended regulations, among other things:

- Modify admission and retention requirements for all adult homes regarding individuals with serious mental illness;
- Define adult homes with a certified capacity of 80 beds or more, in which 25% or more of the resident population are persons with serious mental illness, as "transitional adult homes;"
- Require every operator of a transitional adult home to submit a compliance plan designed to bring the facility's mental health census to a level that is under 25 percent of the resident population over a reasonable period of time, through the lawful discharge of residents with appropriate community services to alternative community settings;
- Expand the requirements for the completion of mental health evaluations, and make authority to complete a mental health evaluation subject to DOH approval;
- Set forth requirements for quarterly statistical reporting by transitional adult homes;
- Provide for additional record keeping requirements for all adult homes; and
- Set forth penalties for provider non-compliance.

The Department has attached and posted to its public website at [www.health.state.ny.us](http://www.health.state.ny.us) guidance documents to assist with provider compliance. Those documents include a listing of "Transitional Adult

Homes” and a guidance document for applying the definition of Persons with Serious Mental Illness to Adult Care Facility residents.

Adult home operators must familiarize staff with the regulatory amendments and requirements for compliance. Please feel free to contact the Department at 518-408-1133 with any questions regarding the amended regulations.

Sincerely,

Keith W. Servis, Director  
Center for Health Care Quality & Surveillance

Attachments (2)