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MEMORANDUM

TO: ACF, Assisted Living and CCRC Members

FROM: Diane Darbyshire, Senior Policy Analyst

DATE: August 16, 2010

SUBJECT: **EALR Admissions Bill Passed into Law**

ROUTE TO: Administrators

ABSTRACT: Governor passes important law enabling direct admissions to EALR.

Yesterday, Governor Paterson acted on 137 bills; including passing [A9550A/S7723](#), relating to the admission of “enhanced level” residents into the Enhanced Assisted Living Residence (EALR). We are very pleased as this was a priority on our legislative agenda, and this success is a direct result of the strong advocacy by NYAHS and our members.

The new provision will amend public health law to allow direct admission to an EALR from the community. The Assisted Living Reform Act of 2004 created a new category of assisted living licensure, and a notable aspect of this model was the ability to age in place through the “Enhanced” certification. The ability to “age in place”, however, was restricted to those individuals who decided to move into an ALR when their needs were limited, meeting the criteria for the “basic” ALR. If an individual residing in the community waited to seek assisted living later in their aging process, already having “enhanced needs”, the EALR was not an option for them *even though the EALR could meet their needs*. This law rectifies this situation by allowing those individuals with enhanced level needs direct admission to the EALR from outside of the residence.

This change reflects an understanding of the needs and desires of our seniors, and will save consumers and the state money by diverting unnecessary nursing home placement. We applaud the Governor for signing this important bill.

If you have any questions about the contents of this memo, contact Diane Darbyshire at 518-449-2707, ext. 162, or ddarbyshire@nyahsa.org.