



Department of Health

KATHY HOCHUL
Governor

MARY T. BASSETT, M.D., M.P.H.
Acting Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

December 16, 2021

DAL: DAL #21-21
Subject: 2020 ACF Annual Financial Report

Dear Administrator:

The New York State Department of Health (“Department”) has activated the 2020 Adult Care Facility (ACF) Annual Financial Report on the Health Commerce System (HCS). The regulations governing the ACF Annual Financial Report are included in Title 18 of the New York Code, Rules and Regulations (“18 NYCRR”) §487.10(e) and §488.10(e), for Adult Homes and Enriched Housing Programs, respectively. Please complete and submit the report via the HCS. The Certification of Operation statement must be completed by all ACFs.

The ACF Annual Financial report must be submitted for all new ACFs and for all ACFs with a change of operator if the current operator has been in operation for six (6) months or more. For ACFs with a change of operator between related ACFs, the ACF Annual Financial Report must be submitted for the entire year. For the 2020 annual financial report, the ACF CPA Certification must be completed by **all ACFs with 26 beds or more** and submitted via email to acffinrpt@health.ny.gov.

The deadline for submission of the 2020 ACF Annual Financial Report and the relevant certifications follows:

- For ACFs using a calendar year (January 1- December 31) as their fiscal year, the due date is **May 15, 2022**, or 150 days from the date this Dear Administrator Letter is posted.
- Per 18 NYCRR §487.10(e), ACFs using a fiscal year period that differs from a calendar year are required to file their report by the 15th day of the sixth calendar month following the close of their fiscal year. If this falls before **May 15, 2022**, then the due date is **May 15, 2022**.

Please understand that failure to file an acceptable report may result in enforcement action including assessment of civil penalties as outlined in New York State Social Services Law §461-e(4)(a).

The HCS can be accessed online at <https://commerce.health.state.ny.us>. Instructions for accessing the ACF Annual Financial Report and entering data are enclosed. If you are affiliated with more than one ACF, select the appropriate ACF from the Agency drop-down list.

All new and existing ACFs are encouraged to read the instructions and the ACF Annual Financial Report Companion Guide before entering data.

The following titles in the HCS Communications Directory have appropriate access to enter financial data: *Financial Data Reporter* and *Financial Submitter*, and only the *Financial Submitter* may submit data to the Department. To change or add staff to these role designations, please have the facility's HCS Coordinator add the appropriate contact information and HCS account to the Communications Directory.

If you have any questions, please email to acffinrpt@health.ny.gov. Thank you in advance for your prompt attention to this request.

Sincerely,

Heidi L. Hayes, Acting Director
Division of Adult Care Facilities
and Assisted Living Surveillance

Enclosures

cc: T. Hesse
J. Pinto
D. Pulver
J. Van Dyke
J. Donovan
L. Ravichandran