



**Department
of Health**

Overview of Application Process for Construction or Renovation Beyond Routine Maintenance

Dev. 11/2021

Title 18 NYCRR Section 485.5(f)

“No operator shall change or modify a facility, or the services originally approved and stipulated by the operating certificate without the prior written approval of the [Department of Health]...”

Title 18 NYCRR Section 487.11(b)

Requires plans and specification for construction, renovation, or addition be submitted to the Department and only upon receipt of written approval from the Department shall any portion of the plans be implemented

DAL #21-22

Resident Safety Plan submissions to perform construction, repair, renovation or addition to an adult care facility must be uploaded through the New York State Electronic Certificate of Need (NYSECON) system in the Health Commerce System (HCS)

Emergency Situations

Disaster plan must be implemented immediately to remove life safety threats when applicable.

Work with your regional office to determine if a Resident Safety Plan should be uploaded to a NYSECON application after the completion of immediate and necessary repairs.

Routine Maintenance

- Maintenance or testing of fire alarm system
- Power washing shutters
- Replacing a smoke detector
- Replacing a part to a mechanical system
- Cosmetic maintenance (minor painting)
- Ceiling tile replacement
- Carpet cleaning
- Cleaning out a septic tank

CON Submitter

- The facility must make sure the designee is assigned the role of **CON Submitter** in the Health Commerce System (HCS).
- The facility's HPN Coordinator can add an individual to the submitter role if needed.
- This role is facility specific, if you have more than one facility assigned to you in the HCS, ensure you have the appropriate roles to submit for a particular facility.

ACF Common Application Schedules

- Schedule 1A and 1B
- Schedule 4A
- Schedule 5A
- Schedule 5B is required when structural changes are proposed
- Resident Safety Plan Checklist (DOH 5265)

NYSECON Demo

Approval to Begin Renovations

Upon review and approval of all applicable application components, a document issuing approval to begin renovations will be uploaded to the Correspondence tab of the NYSECON application.

Facility may not begin renovations until approval is provided.

Resources

Your regional office will assist in determining whether an application is required for submission in the NYSECON system.

Please write to acfcon@health.ny.gov with any questions regarding the submission process.