



Department of Health

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Executive Deputy Commissioner

July 9, 2021

DAL: DAL #21-09
Transitional Adult Home Space Requirements

Dear Adult Care Facility Administrator:

This Dear Administrator Letter (DAL) is being issued pursuant to the New York State Administrative Procedures Act to provide notification to small businesses and local governments of proposed regulatory changes.

The New York State Department of Health (“Department”) plans to amend Title 18 of the New York Codes, Rules, and Regulations (NYCRR) section 487.13 to reflect necessary space for specific provider types to perform services to Transitional Adult Home residents. The proposed rule will bring Transitional Adult Homes, i.e., adult homes with a certified capacity of 80 or more beds in which 25 percent or more of the resident population are persons with serious mental illness, into full compliance with 18 NYCRR §487.13(h). That regulatory section requires Transitional Adult Homes to cooperate with providers seeking to meet with residents to discuss community services and prohibits them from attempting to influence or otherwise discourage residents from meeting with those providers. The regulations will establish criteria for suitable meeting space to ensure privacy in such conversations and will require Transitional Adult Home operators to submit a plan to the Department, upon the request of and subject to the approval of the Department, to explain how such requirements will be met.

A 60-day public comment period will be provided upon publication of these regulatory amendments in the State Register. The full version of the regulatory notice will also be made available online at <https://regs.health.ny.gov/regulations/proposed-rule-making>. The public comment period will open and public comments will be accepted by the Department beginning on the date of State Register publication.

If you have any questions regarding the contents of this DAL, please write to transitionalah@health.ny.gov.

Sincerely,

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

cc: J. Treacy
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