



Department of Health

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Executive Deputy Commissioner

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DAL: 19-22
Reporting Requirements

Dear Adult Care Facility Operator:

Adult care facilities are required to report various occurrences to the Department within specific timeframes. The purpose of this correspondence is to remind you of various reporting requirements applicable to situations you may encounter. **Operators who fail to adhere to prescribed timeframes are subject to civil penalties.**

Resident Deaths

Upon the death of a resident, the operator must immediately report the death to the appropriate regional office of the Department via telephone and submit a copy of the applicable Incident Report (DOH-5175) within twenty-four hours of the death.

Additionally, per DAL 18-19, Social Services Law §461-m requires that a resident death involving any resident who, at any time, received mental hygiene services, must be referred to the Justice Center for the Protection of People with Special Needs.

Resident Attempted Suicide

If a resident attempts suicide, the operator must immediately report the attempt to the appropriate regional office of the Department via telephone and submit a copy of the applicable Incident Report (DOH-5175) within twenty-four hours of the attempt.

Additionally, per DAL 18-19, Social Services Law §461-m requires that attempted suicide by any resident who, at any time, received mental hygiene services, must be referred to the Justice Center for the Protection of People with Special Needs.

Felony Crime Against a Resident

If it is believed a felony crime may have been committed by or against a resident, the operator must immediately report the occurrence to the appropriate regional office of the Department via telephone and submit a copy of the applicable Incident Report (DOH-5175) within twenty-four hours of the occurrence.

Additionally, per DAL 18-19, Social Services Law §461-m requires that, if it is believed a felony crime may have been committed by or against a resident who, at any time, received mental hygiene services, such information must be referred to the Justice Center for the Protection of People with Special Needs.

Reportable Incidents

In addition to the situations described above, the following are considered reportable incidents, wherein an Incident Report (DOH-5175) must be submitted to the appropriate regional office of the Department:

- Resident's whereabouts were unknown for more than 24 hours;
- Complaint or evidence of resident abuse;
- Resident assaults or injures, or is assaulted or injured by another resident, staff, or others;
- Resident behaved in a manner that directly impaired the well-being, care, or safety of the resident or any other resident, or which substantially interferes with the orderly operation of the facility; or
- Resident was involved in an accident on or off the facility grounds which resulted in such resident requiring medical care, medical attention, or services.

After-Hours Reporting

It is unnecessary to report a resident's natural death to the after-hours Administrator on Duty (AOD). It is appropriate for a natural death to be reported via voicemail message to the appropriate regional office. However, in cases of after-hours total facility evacuation, resident endangerment, and/or suspicious death of a resident, the facility representative **must** contact the after-hours AOD at (866) 881-2809.

If you have any questions regarding this correspondence, please contact the Division of Adult Care Facilities and Assisted Living Surveillance at (518) 408-1133 or via email to acinfo@health.ny.gov.

Sincerely,

Heidi L. Hayes, Acting Director
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