

New York City Department for the Aging
Social Adult Day Care Ombuds City Council Report
January 2017

In compliance with LL9, Section 2.4, following is the second annual report of the legislated Office of the SADC Ombuds.

(i) Total number of registered social adult day care programs, with name and street address:

Total Registered:	298
Total Active:	283
(15 sites have closed)	
Bronx	27
Brooklyn	122
Manhattan	29
Queens	93
Staten Island	12
See attached for program names and addresses. Fifty-one programs required follow up for missing or incorrect registration information.	

(ii) Total number of complaints received:

Fifty complaints were received between 12.31.15 – 12.31.16, complaining of issues at thirty-nine sites.

Eleven sites were the subject of multiple complaints. In some instances, one complainant made repeated complaints; in other cases, multiple complainants made similar complaints. Nine of the eleven received two or three complaints; one of these programs has since closed. Of the remaining two programs, both complaints centered on payments to participants. One program received five complaints, while the other program received sixteen complaints. Complainants were anonymous individuals, provided a name, or were former employees.

(iii) A general description of complaint types are as follows:

Nature of Complaint
Activities: Lack of activities
Facilities: Overcrowded/broken elevator/no hot water/uncleanliness/vermin
Food: Quality/no license
Medicaid fraud: Falsified participant eligibility/staff information and qualifications, incentives
Participant behavior: Participants terminated unfairly/participants fighting, loitering, smoking, drinking
Staff: Lack of training/disrespectful
Transportation: Availability/scheduling

(iv) The total number of investigations conducted by ombudsperson, a general description of the reason for each such investigation, any findings that a social adult day care has violated subdivision a of this section, and the outcome of each such investigation;

Of the fifty complaints received, inquiries were made, with reviews to determine appropriate next steps. In all cases, the complaints were referred to the SADC in question, its contracted MLTCs, and

the NYS oversight agencies: Office of the Medicaid Inspector General, Dept of Health, and Office on Aging.

Thirteen of these complaints were also referred to other City agencies as specific complaints fell within their respective jurisdictions: Dept of Health Bureau of Community Sanitation, FDNY, Dept of Buildings, and the Commission on Human Rights.

The SADC Ombuds Office made nine visits to programs in response to complaints where issues of program safety or accessibility had been raised. Following these visits, the concerns were either found to be unsubstantiated, or for those where issues remained, referrals were made to appropriate City agencies for follow-up.

- (v) The total number of notices of violation issued pursuant to subdivisions a and c of this section, disaggregated by the specific violation for which such notice was issued;

No violations issued to date. DFTA and the Law Dept have been collaborating over this year to finalize the Rules, which will authorize DFTA's ability to issue violations.

- (vi) Total number of social adult day care programs that failed to register pursuant to subdivision b as of this date:

Investigation of two complaints received revealed that two programs were not registered. Once notified about the requirement to register with the SADC Ombuds Office, one program completed their registration, while the SADC Ombuds Office is working with the second program to complete their registration.

In April of this year, the SADC Ombuds Office provided reminder notifications to all registered programs regarding the posting of the SADC Ombuds complaint/inquiry contact information. All programs received electronic and hardcopy sample signage in English,

Spanish, Russian, Chinese, Korean, Haitian Creole, and Italian. In addition, these programs were provided a link to the NYS Office on Aging Social Adult Day Care Standards.

(vii) Any recommendations regarding the operation of social adult day cares:

The NYSOFA SADS Standards were written in 1994 and could be improved by having added specificity. We have raised this issue with NYSOFA.