



Department of Health

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Commissioner

LISA J. PINO, M.A., J.D.
Executive Deputy Commissioner

March 8, 2021

DAL: DAL #20-20
Subject: 2019 ACF Annual Financial Report

Dear Administrator:

The New York State Department of Health (Department) has activated the 2019 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 of Rules and Regulations (NYCRR) §487.10(e) and §488.10(e), for Adult Homes (AH) and Enriched Housing Programs (EHP), respectively. Please complete and submit the report via the HCS. The Certification of Operation statement must be completed by all ACFs, and the ACF CPA Certification must be completed by all AHs with 10 beds or more and is currently optional for EHPs. Completed and signed certification statements must be emailed to acffinrpt@health.ny.gov.

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.

The deadline for submission of the 2019 ACF Annual Financial Report and the relevant certifications, for ACFs using a calendar year (January 1- December 31) as their fiscal year, is May 31, 2021. 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 the due date is before the due date stated in this letter, then the due date will be the date stated in this letter. For example, the report for an ACF using a fiscal year of July 1, 2019 to June 30, 2020 would be due December 15, 2020. However, since December 15, 2020 is before May 31, 2021, then the due date will be May 31, 2021. This ACF would report the information for their fiscal year to meet the requirement for submitting the 2019 ACF Annual Financial Report.

Please note, failure to file an acceptable report may result in enforcement action and assessment of civil penalties as outlined in Social Services Law 461-e(4)(a), and 18 NYCRR 487.10(e).

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.

Only the following titles in the Communications Directory have access to enter financial data: *Financial Data Reporter* and *Financial Submitter*. Only the *Financial Submitter* is permitted to submit the data to the Department. If you would like to change or add staff to these designations, please have your HCS Coordinator add this contact information and HCS account ID to the Communications Directory.

Please note that beginning in fiscal year 2020, all ACFs (including EHPs) with 10 beds or more must submit the ACF CPA certification. In addition, the ACF Financial Report must be submitted for all new ACFs and for ACFs having undergone a change of operator status within the preceding six (6) months.

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: B. Barrington
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