

**Skilled Nursing Facility Guidance Document – Disclosures Effective 10/21/21**

**Disclaimer:** The Department of Health has not promulgated any regulations or guidance to date concerning the following disclosure requirements. As such, NYSHFA is providing the following in the absence of any formal regulation or guidance by the NYSDOH. It is always advisable to consult with your counsel.

Nursing Homes must include on any public website for the facility the following information (see page 5 of Chapter 141 of the Laws of 2021: <https://enews.nyshfa-nyscal.org/wp-content/uploads/sites/46/2021/10/mm21-125a.pdf>)

<p><b>The rates charged by the facility for residency and services, detailed for each nongovernmental payer source (update this information annually by April 1 of each year)</b></p>	<p>Place private pay rates here for semiprivate and private rooms. This is already in place under the Provision of Residency Agreement section 2803-Y of the Public Health Law.</p>
<p><b>All owners maintained by the facility (notify DOH and update this information <i>within 30 days</i> of any change or transaction affecting ownership)</b></p>	<p>Owner is defined as person having equity interest/ownership in the facility.</p>
<p><b>The name and business address of any landlord of the facility (update regularly)</b></p>	<p>Place address and name here of the any landlord.</p>
<p><b>A summary of all contracts for goods and services for which the facility pays with any portion of Medicaid or Medicare funds, or any other agreement entered into by the facility, within 30 days of execution of the agreement or contract</b></p>	<p>Place name and general service provided by each contractor.</p>

**Please note:** Operators are required to notify DOH if they have any common or familial ownership. They must notify DOH at least 90 days prior to entering into any *new* common or familial ownership of any entity providing services to the operator or the facility and are required to provide at least 90 days’ notice to DOH prior to executing a contractual agreement with an entity to provide consulting services, operational services or staffing agency services at the facility.

Operators are also required to update their residency agreement to include any existing common or familial arrangements, and notify residents and the LTC Ombudsman of any new arrangements (see Chapter 102 of the Laws of 2021: <https://enews.nyshfa-nyscal.org/wp-content/uploads/sites/46/2021/10/mm21-125b.pdf>)