

2025

Adult Care Facilities Annual Legislative Report

Annual Legislative Report: Adult Homes & Residences for Adults

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Background

Section 460-d(10) of Social Services Law requires the Department of Health (“Department”) to submit a report on the regulation of adult homes and residences for adults, including a narrative and statistical summary detailing the results of inspections and enforcement actions against such facilities, the audit results of financial conditions and practices of a selected sample of such facilities, and recommended legislative action for statutory changes.

Statutory Requirement

Section 460-d(10) of Social Services Law states that:

“By March 1, 1995, and annually thereafter, the Department shall submit a report to the Governor and the legislature on the regulation of adult homes and residences for adults. Such report shall include both a narrative and statistical summary detailing the results of inspections and enforcement actions of adult homes and residences for adults. The report shall also include results of audits of financial conditions and practices of a selected sample of adult homes and residences of adults and recommendations for legislative action relating to the need for changes in statute.”

It is under this authority that the Department respectfully submits this report.

Adult Care Facilities

Adult Care Facilities provide long-term, non-medical residential services to adults who are substantially unable to live independently due to physical, mental, or other limitations associated with age or other factors. Eligible residents must not require the continual medical or nursing services provided in acute care hospitals, in-patient psychiatric facilities, skilled nursing homes, or other health related facilities, as Adult Care Facilities are not licensed to provide for such nursing or medical care.

There are three (3) types of Adult Care Facilities under Surveillance by the Division of Adult Care Facility and Assisted Living Surveillance, i.e., Adult Homes, Enriched Housing Programs, and Residences for Adults. Adult Homes and Enriched Housing Programs may apply to add additional licenses and certifications to permit aging in place.

As of December 31, 2025, there were 533 licensed Adult Care Facilities in New York State.

Adult Homes

An Adult Home provides long-term residential care, room, board, housekeeping, personal care, and supervision to five or more adults unrelated to the operator. [Title 18 of New York Codes, Rules, and Regulations § 487.2(a)]

As of December 31, 2025, there were 386 licensed Adult Homes in New York State.

Residences for Adults

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A residence for adults is an adult care facility established and operated for the purpose of providing long-term residential care, room, board, housekeeping, case management, activities, and supervision to five or more adults unrelated to the operator, who are unable or substantially unable to live independently. [Title 18 of New York Codes, Rules and Regulations § 490.2]

As of December 31, 2025, there were zero (0) licensed Residences for Adults in New York State.

Surveillance

Surveillance activities are developed consistent with Social Services Law requirements at Section 461-a and regulated at Title 18 of New York Codes, Rules, and Regulations Sections 486.1, 486.2, and 486.3.

Surveillance is performed by the Department of Health, Office of Aging and Long-Term Care, Division of Adult Care Facility and Assisted Living Surveillance, hereinafter referred to as the "Division." With its Central Office in Albany, this Division consists of four (4) regional offices and three (3) field offices that serve as the multidisciplinary surveyors' home bases, and central office executive and policy, licensure, and quality assurance teams. Contacts are referenced below:

Office	Email Address	Telephone	Counties Covered
Capital District	acfdro@health.ny.gov	(518) 408-5287	Albany, Clinton, Columbia, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, Washington
Central New York	syradulthomes@health.ny.gov	(315) 477-8472	Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga, Tompkins
Western New York Main Office: Rochester Field Office: Buffalo	acfwro@health.ny.gov	(585) 423-8188	Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, Yates

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Office	Email Address	Telephone	Counties Covered
Metropolitan Area Main Office: NYC Field Offices: Long Island, New Rochelle	acfmro@health.ny.gov	(212) 417-4440	Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Westchester
Central Office Team (policy & executive)	acfinfo@health.ny.gov	(518) 408-1133	Statewide
Bureau of Adult Care Facility Licensure and Certification	acfcon@health.ny.gov	(518) 408-1624	Statewide

The surveillance process consists of multiple components that vary in scope depending on the survey type.

Complaint Surveys

Complaint surveys are focused on a specific area of regulation and consist of intake, triage, assignment, review, acknowledgement, investigation, record review, summary, inspection report, appeal, corrective action, and referral for enforcement if applicable. In 2025, the Division received 12,880 complaints regarding adult care facilities.

The complaint triage scale is consistent with existing federal expectations for skilled nursing facilities. Each complaint is triaged by intake staff as:

- “Immediate Jeopardy (IJ)” requires an onsite visit within 3 working days of complaint receipt;
- “Non-Immediate Jeopardy High” requires a site visit within 15 days;
- “Non-Immediate Jeopardy Medium” requires onsite presence within 45 calendar days;
- “Non-Immediate Jeopardy Low” requires onsite investigation within 120 days;
- “Offsite Investigation” are of no impact to residents;
- “Referral” reflects those allegations that fall under the auspices of another agency; and
- “No Action Necessary” reflects allegations that do not apply to regulatory requirements.

The following table details the total number of Adult Care Facility complaints, identified by triage level categories, received in 2025.

IJ	Non-IJ High	Non-IJ Medium	Non-IJ Low	Offsite Investigation	Referral	No Action Necessary
146	297	1002	208	239	0	10,988

Recertification Surveys

Also called “full” surveys, recertification surveys review all components of a facility’s operations and may include complaint surveys. Recertification surveys are always multidisciplinary and

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consist of offsite preparation, onsite interviews and record review, summary, inspection report, appeal, corrective action, and referral for enforcement if applicable.

Each Adult Care Facility must receive a recertification survey on a twelve- or eighteen-month schedule. Per Social Services Law § 461-a(2)(a)(1), facilities who have achieved the Department's highest rating qualify for the eighteen-month interval. There are 103 Adult Homes on the eighteen-month schedule.

Enforcement

The enforcement process has its foundation in Social Services Law at Section 460-d and is regulated at Title 18 of New York Codes, Rules, and Regulations Sections 486.4, 486.5, and 486.7. A fundamental aspect of the Adult Care Facility enforcement process is the "right of rectification," which indicates no penalty shall be imposed if a facility satisfactorily demonstrates it rectified a violation within thirty (30) days of receiving its inspection report or that it was taking Department-approved steps to address the cited violation. Further, the "right of rectification" requires that, when assessing penalties, the Department consider mitigating factors including the promptness of rectification, Department delays, and any specific circumstances of the violation.

In calendar year 2025, there were 85 referrals for enforcement against 66 Adult Homes made to the Department's Division of Legal Affairs. Of these:

- 78 referrals were for repeat violations of regulatory requirements.
- 7 referrals were specific to an immediate risk to resident and/or staff health and safety or a broad operational breakdown.

Financial Audit Results - Adult Homes

Following are the audit results of eight (8) Adult Homes based on the facilities' Annual Financial Reports reported in 2024 for year 2023:

Cirrus Manor Residential Center	
Western Region – Monroe County	
For Profit	
370-F-260	
	2023 annual financial report
Revenue	\$ 5,778,136
Expenses	\$ 5,807,097
Net Surplus/Deficit	\$ (28,961)
Depreciation	\$ 50,456
Net Surplus/ Deficit before depreciation	\$ 21,495

New Windsor Country Inn	
Metropolitan Region – Orange County	
For Profit	
540-F-026	

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		2023 annual financial report
Revenue	\$	1,591,120
Expenses	\$	1,515,285
Net Profit/Loss	\$	75,835
Depreciation	\$	8,912
Net Profit or loss before depreciation	\$	84,747

Bayview Rest Home		
Metropolitan Region – Suffolk County		
For Profit		
700-F-908		
		2023 annual financial report
Revenue	\$	1,735,685
Expenses	\$	1,749,286
Net Profit/Loss	\$	(13,601)
Depreciation	\$	--
Net Profit or loss before depreciation	\$	(13,601)

The Eliot at Erie Station Assisted Living Program		
Metropolitan Region – Orange County		
For-Profit		
540-F-028		
		2023 annual financial report
Revenue	\$	5,656,679
Expenses	\$	5,089,360
Net Profit/Loss	\$	567,319
Depreciation	\$	73,188
Net Profit or loss before depreciation	\$	640,507

Westminster Manor		
Central New York Region – Cayuga County		
Not For Profit		
050-E-002		
		2023 annual financial report
Revenue	\$	1,441,320
Expenses	\$	1,451,178
Net Profit/Loss	\$	(9,858)

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Depreciation	\$	47,968
Net Profit or loss before depreciation	\$	38,110

Albany Center for Independent Living		
Capital District – Albany County		
For Profit		
000-F-319		
		2023 annual financial report
Revenue	\$	1,434,602
Expenses	\$	1,429,685
Net Profit/Loss	\$	4,917
Depreciation	\$	--
Net Profit or loss before depreciation	\$	4,917

The Terrace at Newark		
Western Region – Wayne County		
For-Profit		
770-F-037		
		2023 annual financial report
Revenue	\$	2,911,515
Expenses	\$	3,450,722
Net Profit/Loss	\$	(539,207)
Depreciation	\$	713
Net Profit or loss before depreciation	\$	(538,494)

Artis Senior Living of Briarcliff		
Metropolitan Region – Westchester County		
For-Profit		
800-F-002		
		2023 annual financial report
Revenue	\$	4,950,668
Expenses	\$	6,348,567
Net Profit/Loss	\$	(1,397,899)
Depreciation	\$	869,808
Net Profit or loss before depreciation	\$	(528,091)

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Recommended Legislation

The Department will recommend the following legislative action through the applicable Executive Budget processes:

- Update Social Services Law at Section 460-d to remove the right of rectification for Adult Care Facilities, establishing consistent enforcement processes across the long-term care continuum that are more readily understood by stakeholders.
- Update Social Services Law at Section 460-d(10) to expand this report to include Enriched Housing Programs.