

If You are being admitted to a duly certified Enhanced Assisted Living Residence, the additional terms of the “Enhanced Assisted Living Residence Addendum” will apply.

If You are being admitted to a Special Needs Assisted Living Residence, the “Special Needs Assisted Living Residence Addendum” will apply.

If You are residing in a “Basic” Assisted Living Residence and Your care needs subsequently change in the future to the point that You require either Enhanced Assisted Living Care or 24-hour skilled nursing care, You will no longer be appropriate for residency in this Basic Residence. If this occurs, the Operator will take the appropriate action to terminate this Agreement, pursuant to Section XIII of

the Agreement. However, if the Operator also has an approved Enhanced Assisted Living Certificate, has a unit available, and is able and willing to meet Your needs in such unit, You may be eligible for residency in such Enhanced Assisted Living unit.

Enhanced Assisted Living Care is provided to persons who desire to continue to age in place in an Assisted Living Residence and who:

(a) are dependent on medical equipment and require more than intermittent or occasional assistance from medical personnel; or (b) have chronic unmanaged urinary or bowel incontinence.

Enhanced Assisted Living Care may also be provided to certain persons who desire to continue to age in place in an Assisted Living Residence and who are assessed as requiring 24 hour skilled nursing care or medical care and who meet the conditions stated in the Enhanced Assisted Living Residence Addendum.

EXHIBIT II
DISCLOSURE STATEMENT

The Palm Beach Home for Adults, LLC (“The Operator”) as operator of The Waterford on the Bay (“The Residence”), hereby discloses the following, as required by Public Health Law Section 4658 (3).

1. The Consumer Information Guide developed by the Commissioner of Health is hereby attached as Exhibit D-1 of this Agreement.
2. The Operator is licensed by the New York State Department of Health to operate at 2900 Bragg Street, Brooklyn, New York 11235 an Assisted Living Residence as well as an Adult Home. The Operator is also certified to operate at this location an Enhanced Assisted Living Residence and Special Needs Assisted Living Residence. These additional certifications may permit individuals who may develop conditions or needs that would otherwise make them no longer appropriate for continued residence in a basic Assisted Living Residence to be able to continue to reside in the Residence and to receive either Enhanced Assisted Living services or Special Needs Assisted Living services, as long as the other conditions of residency set forth in this Agreement continue to be met.

The Operator is currently approved to provide:

- a. Enhanced Assisted Living services for up to a maximum of 144 persons.
- b. Special Needs Assisted Living services for up to a maximum of 80 persons.
- c. Assisted Living Program (ALP) services for up to 53 persons.



ATTACHMENT EALR # 1

Specialized Services to be Provided in the Enhanced Assisted Living Residence

You will receive all of the services outlined in the Residency Agreement. In addition, below is a list of the needs/conditions that we are able to serve and accommodate under the EALR certification. The Waterford on the Bay can admit and retain residents who exceed certain retention standards of adult homes, enriched housing programs or assisted living residences. If a residence has an EALR certification, individuals can continue to live in the ALR even if they need another person to help them, operate medical equipment. Essentially, an EALR allows residents to age in place.

EALR Admission and Retention Policies

A resident who has intermittent nursing needs (less than 24 hours/day) and whose needs can be met by an EALR nurse may be retained. Examples of resident nursing needs may include:

- Eye drops;
- Injections;
- Catheter care;
- Colostomy care;
- PRN medication administration;
- Skilled observations that need to be reported to a physician;
- Dressing changes; and
- Any other nursing services consistent with the Nurse Practice Act.

The Waterford on the Bay May accept any person in the EALR who:

- Is dependent on medical equipment and requires more than intermittent or occasional assistance from medical personnel; and/or
- Has chronic unmanaged urinary or bowel incontinence.
- Needs to be fed
- Have a medical diagnosis of Alzheimer's disease or related disorder;
- Have a manageable medical and psychiatric condition not exhibiting behavior that presents a danger to self or others;
- Are mobile (including use of wheelchair), able to participate in activities of daily living, and able to communicate basic needs and follow simple directions; and
- Are assessed as being able to participate in and benefit from The Waterford on the Bay daily life and programs.

If a resident reaches a point where he/she requires 24-hour skilled nursing care, the resident may remain at The Waterford on the Bay if each of the following conditions are met:

- Resident hires appropriate nursing, medical, or hospice staff to care for increased needs;
- Resident's physician and home care agency both determine and document that, with the provision of such additional nursing, medical, or hospice care, the resident can be safely cared for in the residence, and would not require placement in a hospital or nursing home;
- The Waterford on the Bay agrees to retain the resident and to coordinate the care and the additional nursing, medical, or hospice staff; and
- Resident is otherwise eligible to reside at the residence.

The Waterford on the Bay will neither accept nor retain any person in the EALR who:

- Except as noted in detail above, is in need of continual 24-hour medical or nursing care or supervision;
- Suffers from a serious and persistent mental disability sufficient to warrant placement in a mental health facility;
- Requires health or mental health services, which are not available or cannot be provided;
- Causes, or is likely to cause, danger to himself or others;
- Repeatedly behaves in a manner that directly impairs the well-being, care or safety of the resident or other residents, or which substantially interferes with the orderly operation of the facility;
- Has a medical condition that is unstable and requires continual skilled observation of symptoms and reactions or accurate recording of such skilled observations for the purposes of reporting to the resident's physician;
- Refuses or is unable to comply with a prescribed treatment program, including but not limited to, a prescribed medication regimen when such failure causes, or is likely to cause, in the judgment of a physician, life-threatening danger to the resident or others;
- Is chronically bedfast;
- Suffers from a communicable disease or health condition that constitutes a danger to other residents and staff; and/or
- Engages in alcohol or drug use, which results in aggressive or destructive behavior

Staffing Levels

We will provide sufficient numbers of qualified staff to meet your needs in accordance with your medical evaluation and Individualized Service Plan, and to safely evacuate residents in the case of an emergency. There will be 62 individual staff members of the facility who will be working on-site at the facility, including department heads, as well as staff associated with the following functions: front desk, medication room, recreation, nursing, housekeeping and dietary. Fully trained staff will be available around the clock to assist residents when needed and to respond to emergency situations and investigate unusual incidents, in accordance with applicable New York State laws and regulations.

Staff Education and Training, Work Experience, Professional Affiliations or Special Characteristics

To ensure that quality care is delivered to all residents through competent, well-educated staff and that all regulatory requirements are met, The Waterford on the Bay conducts comprehensive training and orientation for every employee prior to going on duty. This training is in compliance with New York State and Federal requirements and provides a solid foundation and emphasizes high quality standards. Said training and orientation covers the following topics:

The Characteristics and Needs of the Population;

Rules and Regulations for Residents, Resident Rights, and Abuse Reporting;

Emergency Procedures and Disaster Preparedness, Fire Safety, MSDS, Work Injury Reporting;

Position Specific Orientation and General Overview of Duties and Responsibilities of all Staff;

Employee Handbook (Employment Classification, Pay Day, Over Time, Work Schedule, Meal Breaks, Time Clock, Attendance and Tardy Policy, Disciplinary Procedure, Performance Reviews, Termination of Employment);

Harassment;

Body Mechanics, Transferring, etc.

The Stages of Dementia;

Infection Control, First Aid, Medication Management, Blood Borne Pathogens, Prevention of Pressure Wounds, Contagious/Communicable Disease, Use of Restraints and Annual TB; and

Hospitality Standards.

On-going training for staff will be conducted in order to comply with the New York State regulations, and additional training materials are available through the Director of Resident Care for professional development of staff.

Environmental Modifications for the Protection of the Health, Safety and Welfare of Residents

In order to protect the health, safety and welfare of residents, The Waterford on the Bay was designed and built in full compliance with ADA requirements, in addition to the accessibility requirements of the State of New York.



Specialized Services to be Provided in the Special Needs Assisted Living Residence

- You will receive all of the services outlined in the Residency Agreement. In addition, below is a list of the needs/conditions that we are able to serve and accommodate under the Special Needs Assisted Living Certification.
- Individuals have a medical diagnosis of Alzheimer's disease or related disorder;
- Individuals have a manageable medical and psychiatric condition not exhibiting behavior that presents a danger to self or others;
- Individuals must be able to participate in activities of daily living, and able to communicate basic needs and follow simple directions; and
- Individuals must be assessed as being able to participate in and benefit from The Waterford on the Bay daily life and programs.
- Residents will be recommended for discharge based upon the following SNALR discharge criteria:
- Chronically exhibit unmanageable assaultive or aggressive behavior.
- Are chronically intrusive, disruptive or exhibit other behavior characteristics, to the extent that they cannot be managed with appropriate staff interventions, and they then interfere with the orderly operation of the SNALR.
- Exhibiting chronically uncooperative behavior or resistance to the provision of personal care services, including any necessary toileting program and assistance with medications, as well as other services, to the extent that such care cannot be maintained or managed with appropriate staff interventions, and/or
- Elopement that cannot be prevented via staff interventions, security measures (e.g., key coded elevators and/or wander guard security systems), and when the elopement risk presents a danger to the resident and/or others.
- Residents exhibiting these characteristics will be transferred to a residential health care facility or another acceptable and appropriate alternative.

Staffing Levels

We will provide sufficient numbers of qualified staff to meet your needs in accordance with your medical evaluation and Individualized Service Plan, and to safely evacuate residents in the case of an emergency. There will be 62 individual staff members of the facility who will be working on-site at the facility, including department heads, as well as staff associated with the following functions: front desk, medication room, recreation, nursing, housekeeping and dietary. Fully trained staff will be available around the clock to assist residents when needed and to respond to emergency situations and investigate unusual incidents, in accordance with applicable New York State laws and regulations.

Staff Education and Training, Work Experience, Professional Affiliations or Special Characteristics

To ensure that quality care is delivered to all residents through competent, well-educated staff and that all regulatory requirements are met, The Waterford on the Bay conducts comprehensive training and orientation for every employee prior to going on duty. This training is in compliance with New York State and Federal requirements and provides a solid foundation and emphasizes high quality standards. Said training and orientation covers the following topics:

The Characteristics and Needs of the Population;

Rules and Regulations for Residents, Resident Rights, and Abuse Reporting;

Emergency Procedures and Disaster Preparedness, Fire Safety, MSDS, Work Injury Reporting;

Position Specific Orientation and General Overview of Duties and Responsibilities of all Staff;

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Hospitality Standards.

On-going training for staff will be conducted in order to comply with the New York State regulations, and additional training materials are available through the Director of Resident Care for professional development of staff.

Environmental Modifications for the Protection of the Health, Safety and Welfare of Residents

In order to protect the health, safety and welfare of residents, The Waterford on the Bay was designed and built in full compliance with ADA requirements, in addition to the accessibility requirements of the State of New York. Particular care has been taken to meet the needs of those affected by disabilities throughout all of the common spaces, providing accessible surfaces and amenities, and addressing concerns related to lighting levels, flooring transitions and way-finding. On those floors occupied by residents affected by dementia symptoms, additional care beyond those listed above will be taken and general issues related to security and supervision will be ensured, for example an on unit dining room and recreation room, so the Residents can easily locate the 2 areas, surveillance cameras and memory artwork on their door so they can easily identify their rooms. In addition, security measures (such as key coded elevators and/or wander guard security systems) will be utilized.