

The Watermark at Brooklyn Heights

Residency Agreement Addendum

Enhanced Assisted Living Residency (EALR)

This is an addendum to a residency agreement made between Brooklyn Operating Company, LLC (the Operator), _____, (the Resident or You), _____, (the resident's representative) and _____ (the Resident's legal representative). Such residency agreement is dated _____.

This addendum adds new sections and amends, if any, only the sections specified in this addendum. All other provisions of the residency agreement shall remain in effect unless otherwise amended in accordance with this agreement. This addendum must be attached to the residency agreement between the parties.

I. Enhanced Assisted Living Certification

The Operator is currently certified by the New York State Department of Health to provide Enhanced Assisted Living services at The Watermark at Brooklyn Heights at 21 Clark Street, Brooklyn, NY 11201.

II. Physician Report

You have submitted to the operator a written report from Your physician which states:

- a. Your physician has physically examined You within the last month prior to Your admission into an Enhanced Assisted Living Residence and;
- b. You are not in need of 24-hour skilled nursing care or medical care which would require placement in a hospital or nursing home.

III. Request for and Acceptance of Admission

You have requested that You become a Resident in the Enhanced Assisted Living residence and the operator has accepted such request.

IV. Specialized Programs, Staff Qualifications and Environmental Modifications

Attached as EALR Exhibit I and made part of this agreement is a written description of:

- a. Specialized services to be provided in the EALR program
- b. Staffing levels

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- c. Staff education, training and work experience, and professional affiliations or special characteristics relevant to serving persons with specific special needs
- d. Any environmental modifications that have been made to protect the health, safety and welfare of Residents

V. Aging in Place

The operator has notified You that while the operator will make reasonable efforts to facilitate Your ability to age in place according to Your Individualized Service Plan, there be a point in which Your needs cannot be safely or appropriately met at the Residence. If this occurs, the operator will communicate with You regarding the need to relocate to a more appropriate setting, in accordance with law.

VI. If 24-Hour Skilled Nursing or Medical Care is Needed

If You reach a point in which You are in need of a higher level of care than that which the Residence can offer, the operator will initiate proceedings for the termination of this agreement and discharge You from the residency unless each of the following conditions are met:

- a. You hire appropriate nursing, medical or hospice staff to care for Your increased needs and;
- b. Your physician and a home care service agency both determine and document that with the provision of such additional nursing, medical or hospice care You can be safely cared for in the residence and would not require placement in a hospital, nursing home or other facility licensed under Public Health Law Article 28 or Mental Hygiene Law Articles 19, 31 or 32; and
- c. The operator agrees to retain You as a Resident and to coordinate the care provided by the operator and the additional nursing, medical or hospice staff and;
- d. You are otherwise eligible to reside at the residence.

VII. Addendum Agreement Authorization

We, the undersigned, have read this agreement addendum, have received a duplicate copy thereof, and agree to abide by the terms and conditions therein.

Resident Signature

Date

Resident Representative Signature

Date

Legal Representative Signature

Date

Operator or the Operator's Representative

Date

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EALR EXHIBIT I

Enhanced Assisted Living Residence (EALR)

The Residence's unique program offers a comfortable home-like setting accompanied by secure and individually-tailored assistance with care. The Residence provides dignified support and offers an affordable alternative to nursing home care. The Enhanced Assisted Living Residence at The Residence has 100 beds.

Enhanced Assisted Living Services include:

- Care and services needs in accordance with the residents' medical evaluation, residents' assessment and individualized service plan (ISP) to include assistance with bathing, oral care, hair care, nail care, shaving, toileting, incontinent care, physical assistance with mobility, such as, transfer, ambulation, assistance with wheelchair use and climbing and descending stairs as well as assistance with feeding residents who are self-directing.
- Diabetic Care management to include blood sugar monitoring and insulin administration
- Medication Management to include eye drops, injections, PRN administration
- Assistance with orally inhaled medications such as nebulizers and inhalers)
- Medical equipment management:
 - Care of residents on oxygen therapy
 - Assistance with respiratory care and services for residents with sleep apnea (Oxygen/APA/BiPAP/CPAP)
 - Care of residents with an indwelling catheter
 - Care of residents with external urine collection device
 - Ostomy care (ileostomy/colostomy)
- Measuring and recording vital signs as ordered by physician
- Weights monitoring
- Wound dressing changes
- Case Management
- Any other nursing services consistent with Nurse Practice Act.

EALR Staffing

The Residence will provide or arrange for sufficient numbers of qualified staff to provide for Resident's needs in accordance with the Resident's medical evaluation and Individualized Service Plan, applicable professional standards of practice and the requirements of the law. Staffing levels will be maintained and will be adjusted to meet the acuity needs of Residents enrolled in the enhanced program. The EALR will be staffed to provide a ratio of at least one staff person to every 12 residents during the day, one staff person to every 15 residents during the evening, and one staff person to every 20 residents overnight. Staffing is staggered to provide the most coverage during the busiest portion of the day, as well as supervisory staff such as the Executive Director, Case Manager, Wellness Director(RN), Licensed Practical Nurses, Home Health Aides and other administrative staff. Of the 100 EALR beds, 52 are reserved to serve those persons in our

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secured SNALR neighborhood.

Staff Training

Employees of the ALR/EALR will have experience or training in Health & Safety, Assisting Residents with Managing the Activities of Daily Living, Delivery of Services, Resident Rights, Preventing Abuse, and Risk Management. New hire orientation and an established monthly training schedule is performed and recorded.

Environmental Modifications

Enhanced Assisted Living Residents reside throughout the facility. The entire facility is equipped with a sprinkler system throughout, emergency call system in all resident rooms and bathrooms, smoke corridors, and supervised smoke detection systems for resident safety.

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