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# Department of Health

**KATHY HOCHUL**  
Governor

**JAMES V. McDONALD, M.D., M.P.H.**  
Commissioner

**JOHANNE E. MORNE, M.S.**  
Executive Deputy Commissioner

March 22, 2024

**CERTIFIED MAIL/RETURN RECEIPT**

[REDACTED]  
c/o Archcare at Mary Manning Walsh Home  
1339 York Avenue  
New York, New York 10021

Nerissa Lawrence  
Archcare at Mary Manning Walsh Home  
1339 York Avenue  
New York, New York 10021

[REDACTED]

**RE: In the Matter of [REDACTED] – Discharge Appeal**

Dear Parties:

Enclosed please find the Decision on Agreement in the above referenced matter. This Decision is final and binding.

The party who did not prevail in this hearing may appeal to the courts pursuant to the provisions of Article 78 of the Civil Practice Law and Rules. If the party wishes to appeal this decision it may seek advice from the legal resources available (e.g. their attorney, the County Bar Association, Legal Aid, etc.). Such an appeal must be commenced within four (4) months from the date of this Decision.

Sincerely,

Natalie J. Bordeaux  
Chief Administrative Law Judge  
Bureau of Adjudication

NJB: cmg  
Enclosure

**STATE OF NEW YORK: DEPARTMENT OF HEALTH**

**In the Matter of an Appeal, pursuant to  
10 NYCRR § 415.3, by**

**[REDACTED]**

**Appellant,**

**from a determination by**

**Archcare at Mary Manning Walsh Home**

**Respondent,**

**to discharge her from a residential health care facility.**

**COPY**

**DECISION on  
AGREEMENT**

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Hearing Before: Jean T. Carney  
Administrative Law Judge

Held via: Cisco WebEx videoconference

Hearing Date: March 21, 2024

Parties: Archcare at Mary Manning Walsh Home, Respondent  
By: Nerissa Lawrence, Regional Director Special Projects  
nlawrence@archcare.org

**[REDACTED], Appellant  
By: [REDACTED] Complainant**

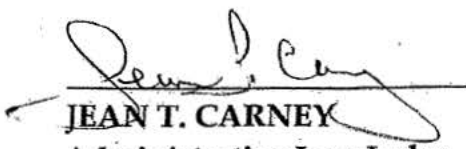
**[REDACTED]**

By notice dated [REDACTED] 2023, Mary Manning Walsh Home (Facility), a residential care facility subject to Article 28 of the New York Public Health Law, determined to discharge [REDACTED] (Appellant) from the Facility and place him in another residential care facility. The Appellant's [REDACTED] appealed the discharge determination to the New York State Department of Health (Department) pursuant to 10 New York Codes Rules, and Regulations (NYCRR) § 415.3(i).

The parties reached an agreement resolving all outstanding issues prior to the start of the hearing. Present were: [REDACTED], on behalf of the Appellant, [REDACTED], who was also present; Nerissa Lawrence, Regional Director of Special Projects at Archcare, and Nadira Ajvazoska, Social Worker at Archcare. The parties placed the agreement on the record.

[REDACTED] agrees to pay [REDACTED] Net Available Monthly Income (NAMI) to the Facility, plus an additional amount to be agreed upon by [REDACTED] and Ms. Lawrence toward [REDACTED] past due amount. In exchange, the Facility withdraws the discharge notice, allowing [REDACTED] to remain at the facility.

**DATED: Albany, New York**  
**March 22, 2024**

  
**JEAN T. CARNEY**  
**Administrative Law Judge**

**TO:** Nerissa Lawrence, Regional Director Special Projects  
Archcare at Mary Manning Walsh Home  
1339 York Avenue  
New York, New York 10021



c/o Archcare at Mary Manning Walsh Home  
1339 York Avenue  
New York, New York 10021