

**STATE OF NEW YORK  
DEPARTMENT OF HEALTH**

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In the Matter of an Appeal, pursuant to 10 NYCRR 415.3, by	:	
<b>[REDACTED]</b> ,	:	
Appellant,	:	
from a determination by	:	<b>SETTLEMENT</b>
<b>BronxCare Special Care Center</b>	:	<b>DA24-6257</b>
Respondent,	:	
to discharge her from a residential health care facility.	:	

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Hearing Before:           Jeanne T. Arnold  
                                  Administrative Law Judge

Held via:                    WebEx Videoconference

Hearing Date:             February 12, 2024

Parties:                    **[REDACTED]**  
                                  c/o BronxCare Special Care Center  
                                  1265 Fulton Avenue  
                                  Bronx, New York 10456

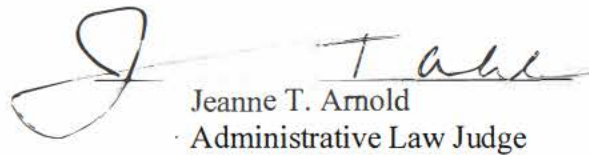
                                  BronxCare Special Care Center  
                                  1265 Fulton Avenue  
                                  Bronx, New York 10456  
                                  By:    Darrel Sokol, Administrator

BronxCare Special Care Center (Facility), a residential health care facility subject to Article 28 of the New York Public Health Law, determined to discharge resident **[REDACTED]** (Appellant) from care and treatment in the Facility to the **[REDACTED]** for shelter placement. The Appellant appealed the determination to the New York State Department of Health pursuant to 10 NYCRR 415.3(i).

A hearing was scheduled, and a pre-hearing conference was held on February 12, 2024. The Appellant appeared pro se. The Facility appeared by Administrator Darrel Sokol and Facility employees. Prior to commencement of the hearing, the parties reached a resolution. A recording of the resolution was made. (0h4m.)

The Facility agreed to withdraw its notice dated [REDACTED], 2024 to discharge the Appellant to [REDACTED] for shelter placement. The Facility and the Appellant will work towards an appropriate discharge for the Appellant to a congregate care or assisted living facility. As the Facility agreed to withdraw its notice dated [REDACTED] 2024, there is no issue ripe for a hearing. Should the Appellant not leave the Facility voluntarily and the Facility determines to implement its previously contemplated action, the Facility must issue a new notice.

Dated: February 12, 2024  
Rochester, New York

  
Jeanne T. Arnold  
Administrative Law Judge