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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

April 3, 2024

CERTIFIED MAIL/RETURN RECEIPT

██████████
c/o Highland Care Center
91-31 175th Street
Jamaica, New York 11432

Sheeneza Elgin, SW
Highland Care Center
91-31 175th Street
Jamaica, New York 11432

RE: In the Matter of ██████████ – 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

██████████,

Appellant,

from a determination by

Highland Care Center,

Respondent,

to discharge her from a residential
health care facility.

COPY

SETTLEMENT

DA24-6328

Hearing Before: Jeanne T. Arnold
Administrative Law Judge

Held via: WebEx Videoconference

Hearing Date: April 3, 2024

Parties: Highland Care Center
91-31 175th Street
Jamaica, New York 11432
Sheeneza Elgin, Social Worker

██████████
Highland Care Center
Pro Se

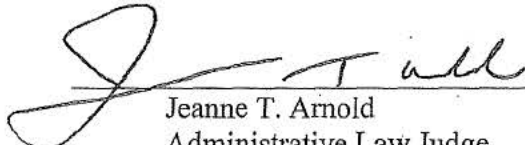
Highland Care Center (Facility), a residential health care facility subject to Article 28 of the New York Public Health Law (PHL), determined to discharge resident ██████████ (Appellant) from care and treatment in the Facility, by notices dated ██████████, 2024 and ██████████ 2024. The Appellant appealed the discharge determination to the New York State Department of Health (Department) pursuant to 10 NYCRR 415.3(i).

A hearing was scheduled on April 3, 2024. The Facility appeared by Sheeneza Elgin, Social Worker; and by Joanna Rose Bunnell, Rehabilitation Director; Nurunahar Khanam, Nursing Supervisor; and Chante Lennon, Wound Nurse. The Appellant appeared with [REDACTED], her [REDACTED]

Prior to the hearing, the parties conferenced and reached a settlement. A digital recording of the settlement was made. (0h:14m.)

The Facility agreed to amend its notices of discharge to further extend the discharge date to [REDACTED] 2024. The Appellant agreed to withdraw her request for a hearing and to voluntarily leave the Facility on or before [REDACTED], 2024 and to return home. The Facility has arranged for visiting nurse services, prescriptions, durable medical equipment and case management services.

Dated: April 3, 2024
Rochester, New York


Jeanne T. Arnold
Administrative Law Judge