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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

June 12, 2024

**CERTIFIED MAIL/RETURN RECEIPT**



Kareem Hendrix, DSW and Asst Administrator  
East Haven Nursing & Rehabilitation  
2323 Eastchester Road  
Bronx, New York 10469

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

Dear Parties:

Enclosed please find the Decision After Hearing 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: nm  
Enclosure

STATE OF NEW YORK  
DEPARTMENT OF HEALTH

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

[REDACTED]

Appellant,

from a determination by

EAST HAVEN NURSING & REHABILITATION,

Respondent,

to discharge him from a residential health care facility.

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DECISION

Before: Tina M. Champion  
Administrative Law Judge

Held at: Videoconference via WebEx

Date: June 11, 2024

Parties:

[REDACTED]

East Haven Nursing & Rehabilitation  
2323 Eastchester Road  
Bronx, New York 10469

By: Kareem Hendrix, Director of Social Work and  
Assistant Administrator

**SUMMARY**

By notice dated [REDACTED] 2024, East Haven Nursing & Rehabilitation (Facility), a residential care facility subject to Article 28 of the New York Public Health Law (PHL), determined to discharge [REDACTED] (the Appellant) from the Facility to an address in the community. The Appellant, along with a Co-Complainant identified as [REDACTED] appealed the discharge determination to the New York State Department of Health (the Department) pursuant to 10 New York Codes, Rules, and Regulations (NYCRR) 415.3(i).

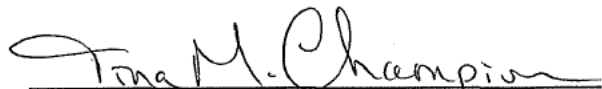
The Appellant, Co-Complainant, and Facility were duly served with a written Notice of Hearing by certified mail. (ALJ Ex. I.) The Co-Complainant and Facility were also served with the notice via email.<sup>1</sup> The hearing was scheduled for June 11, 2024, at 9:30 a.m. Notice and electronic invitations to attend the hearing by videoconference via WebEx were sent to the Facility and the Co-Complainant.

The Facility appeared for the hearing at the scheduled time. The videoconference remained open for thirty minutes. Neither the Appellant, who was discharged from the Facility on [REDACTED] 2024, nor the Co-Complainant, appeared and no request for an adjournment was received. The Notice of Hearing with attached Notice of Transfer/Discharge was marked into evidence as ALJ Ex. I.

**ORDER**

The Appellant has abandoned his request for an appeal. NY SAPA § 301(5). There is no issue to be decided.

DATED: Albany, New York  
June 11, 2024

  
Tina M. Champion  
Administrative Law Judge

<sup>1</sup> The Appellant's email address, if any, is unknown.