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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

October 1, 2024

CERTIFIED MAIL/RETURN RECEIPT

██████████
c/o Brunswick Hospital Center
81 Louden Avenue
Amityville, New York 11701

Nicole Wittman, Esq.
Brunswick Hospital Center
81 Louden Avenue
Amityville, New York 11701

Christine Abrigo, DON
Grand Manor Nursing & Rehab
700 White Plains Road
Bronx, New York 10473

Israel Flamenbaum, Esq.
Mental Hygiene Legal Service
320 Carleton Avenue, Suite 3200
Central Islip, New York 11722

RE: In the Matter of ██████████ ██████████ – 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 /nj

Natalie J. Bordeaux
Chief Administrative Law Judge
Bureau of Adjudication

NJB: cmg
Enclosure

STATE OF NEW YORK
DEPARTMENT OF HEALTH

COPY

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

██████████

Appellant,

from a determination by

**Grand Manor Nursing &
Rehabilitation Center,**

Respondent,

to discharge him from a residential
health care facility.

ORDER

#DA24-6454

Hearing before: John Harris Terepka
Administrative Law Judge
September 30, 2024
By videoconference

Parties: Grand Manor Nursing & Rehabilitation Center
700 White Plains Road
Bronx, New York 10473
By: Christine Abrigo, director of nursing
cabrigo@grandmanor.org

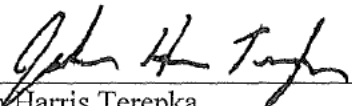
██████████
By: Israel Flamenbaum, Esq.
Mental Hygiene Legal Service
320 Carleton Avenue, Suite 3200
Central Islip, New York 11722
iflamenb@nycourts.gov

Also appearing: Brunswick Hospital Center
81 Loudon Avenue
Amityville, New York 11701
By: Nicole R. Wittman, Esq., general counsel
nwittman@brunswickhospitalcenter.org

Grand Manor Nursing & Rehabilitation Center (the Respondent), a residential health care facility (RHCF) subject to Article 28 of the Public Health Law, transferred [REDACTED] [REDACTED] (the Appellant) from its nursing home to an acute care hospital and refused to readmit him. The Appellant appealed the discharge to the New York State Department of Health pursuant to 10 NYCRR 415.3(i). A hearing was held and recorded by Webex videoconference on September 30, 2024. (0h21m.)

Brunswick Hospital Center has determined that the Appellant no longer requires continued hospitalization and is ready to return to the Respondent's care. At the hearing the Respondent agreed to readmit the Appellant immediately. In accordance with its agreement made on the record at the hearing the Respondent is directed, pursuant to 10 NYCRR 415.3(i)(2)(i)(d), to readmit the Appellant.

Dated: Rochester, New York
September 30, 2024



John Harris Terepka
Administrative Law Judge
Bureau of Adjudication