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**Department  
of Health**

**KATHY HOCHUL**  
Governor

**JAMES V. McDONALD, MD, MPH**  
Commissioner

**JOHANNE E. MORNE, MS**  
Executive Deputy Commissioner

January 8, 2025

**CERTIFIED MAIL/RETURN RECEIPT**

[REDACTED]  
c/o Hudson Hill Center for Rehab  
and Nursing  
65 Ashburton Avenue  
Yonkers, New York 10701

Sharmin Anderson-Foster, DSS  
Hudson Hill Center for Rehab  
and Nursing  
65 Ashburton Avenue  
Yonkers, New York 10701

[REDACTED]  
(BY EMAIL ONLY)

**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: 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

**Hudson Hill Center for  
Rehabilitation & Nursing,**

Respondent,

to discharge her from a residential  
health care facility.

COPY

#DA24-6504

Hearing before:

John Harris Terepka  
Administrative Law Judge

Held at:

New York State Department of Health  
by videoconference  
January 8, 2025

Parties:

Hudson Hill Center for Rehabilitation & Nursing  
65 Ashburton Avenue  
Yonkers, New York 10701

By: Sharmin Anderson-Foster, dir. of social services  
[hadmin@hudsonhillrehab.com](mailto:hadmin@hudsonhillrehab.com)

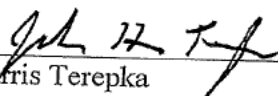
[REDACTED]  
Hudson Hill Center for Rehabilitation & Nursing  
[REDACTED]

Hudson Hill Center for Rehabilitation & Nursing (the Respondent), a residential health care facility (RHCF) subject to Article 28 of the Public Health Law, determined to discharge [REDACTED] (the Appellant) from care and treatment in its nursing home on the grounds that her health has improved sufficiently that she no longer needs the services provided by the facility. The Appellant appealed the discharge determination to the New York State Department of Health pursuant to 10 NYCRR 415.3(i).

A hearing was scheduled and held on [REDACTED], 2025. The Respondent was represented by Sharmin Anderson-Foster, director of social services. The Appellant and her [REDACTED] appeared. The notice of hearing and [REDACTED] 2024 discharge notice are in evidence as ALJ Exhibit I. Facility exhibits 1-4 were entered into evidence, and facility director of rehabilitation Victor Felipe testified. A digital recording of the hearing was made. (1h41m.)

At the hearing, the Respondent agreed to amend its [REDACTED] 2024 notice of discharge to extend the discharge date from [REDACTED] to [REDACTED], 2025. The Appellant agreed to withdraw her request for a hearing. It is understood by both parties that if some other resolution of this matter is not agreed to by the parties, the Respondent is entitled to proceed on [REDACTED] 2025 with the discharge to the Appellant's home in accordance with the amended [REDACTED] 2024 discharge notice. Referrals for home care services, ongoing medical care, any needed medical equipment and transportation are to be provided as part of the discharge plan.

Dated: Rochester, New York  
January 8, 2025

  
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John Harris Terepka  
Administrative Law Judge  
Bureau of Adjudication