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Department of Health

KATHY HOCHUL
Governor

JAMES V. McDONALD, MD, MPH
Commissioner

JOHANNE E. MORNE, MS
Executive Deputy Commissioner

May 23, 2025

CERTIFIED MAIL/RETURN RECEIPT

[REDACTED]
c/o Fieldston Lodge Care Center
666 Kappock Street
Riverdale, New York 10463

Jessica Baynor, MD
Montefiore Hospital
111 East 210 Street
Bronx, New York 10467

Joanne Valenti
Regional Director of Clinical Services
Fieldston Lodge Care Center
666 Kappock Street
Riverdale, New York 10463

Douglas Stern, Esq.
Counsel Montefiore Hospital
(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

COPY

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

ORDER

██████████
Appellant,

from a determination by

FIELDSTON LODGE CARE CENTER

to discharge them from a residential health care facility.

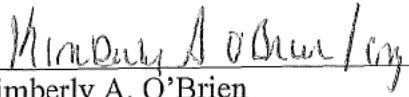
On ██████████ 2025 Fieldston Lodge Care Center (Facility), a residential care facility subject to Article 28 of the New York Public Health Law (PHL), transferred ██████████ (Resident) from the Facility to Montefiore Hospital (Hospital) and issued a discharge notice stating that it determined to discharge the Resident to the Hospital. The Resident appealed the discharge determination to the New York State Department of Health (Department) pursuant to 10 New York Codes, Rules, and Regulations (NYCRR) 415.3(i). On May 22, 2025, a hearing by videoconference was held before Kimberly A. O'Brien, Administrative Law Judge (ALJ). The Resident remained in the Hospital until the time of the hearing. Hospital physician, Jessica Baynor, MD, affirmed that she has been caring for the Resident during her stay and the Resident is stable and ready for discharge to the Facility. Joanne Valenti, Regional Director of Clinical Services, affirmed that she was authorized by the Facility to act on its behalf and agreed to withdraw the discharge notice and readmit the Resident to the Facility. It was agreed that the Hospital is authorized to discharge the Resident and the Facility will readmit the Resident on ██████████, 2025. A digital recording was made and is part of the hearing record.

ORDER

NOW; After considering the terms of the agreement the ALJ issues the following Order:

The discharge notice dated [REDACTED] 2025, is withdrawn; the Hospital is authorized to discharge the Resident; and the Facility will readmit the Resident on [REDACTED] 2025.

DATED: Albany, New York
May 23, 2025


Kimberly A. O'Brien
Administrative Law Judge

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