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Department of Health

KATHY HOCHUL
Governor

JAMES V. McDONALD, MD, MPH
Commissioner

JOHANNE E. MORNE, MS
Executive Deputy Commissioner

September 15, 2025

CERTIFIED MAIL/RETURN RECEIPT

[REDACTED]
c/o [REDACTED] Hospital
[REDACTED]
New York [REDACTED]

Ernest Chigama
Steuben Center for Rehabilitation
7009 Rumsey Street Extension
Bath, New York 14810

[REDACTED]
[REDACTED]
Co-Guardian/Appellant
BY EMAIL ONLY

RE: In the Matter of [REDACTED] [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

[REDACTED]

ORDER

Appellant,

from a determination by

Steuben Center for Rehabilitation and Healthcare.

to discharge him from a residential health care facility.

Before: Kimberly A. O'Brien
Administrative Law Judge (ALJ)

Held at: Videoconference via WebEx

Date: September 15, 2025

Parties: [REDACTED] Resident
Steuben Center for Rehabilitation and Healthcare
7009 Rumsey Street Extension
Bath New York 14810

By: [REDACTED] Co-Guardian/ Appellant

[REDACTED]

[REDACTED] Co-Guardian/Appellant

[REDACTED]

Ernest Chigama, Acting Administrator
Steuben Center for Rehabilitation and Healthcare
7009 Rumsey Street Extension
Bath New York 14810
echigama@steubencenter.net

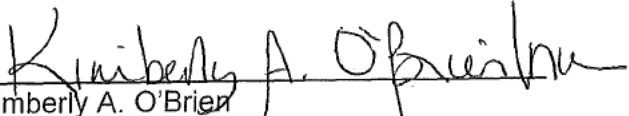
Steuben Center for Rehabilitation and Healthcare (Facility) is a residential health care facility, also referred to in the New York State Department of Health Rules and Regulations as a nursing home, which provides regular nursing, medical, rehabilitative, and professional services to residents who do not require hospitalization. (New York Public Health Law (PHL) § 2801[2][3]; 10 New York Codes Rules, and Regulations (NYCRR) 415.2[k]).

On [REDACTED] 2025 the Facility sent [REDACTED] [REDACTED] (resident) to [REDACTED] Hospital, [REDACTED] New York (hospital). On [REDACTED], 2025 the Facility issued a discharge notice. [REDACTED] the resident's [REDACTED] and [REDACTED] the resident's [REDACTED] who are the resident's co-guardians (Appellants) appealed the discharge.

A notice of hearing was issued scheduling the hearing for September 15, 2025, at 10:00 am, via WebEx. The resident was in the hospital at the time of the hearing. Under the hearing procedures at 10 NYCRR 415.3(i)(2)(iii), the facility bears the burden to prove a discharge is necessary and appropriate.

Prior to going on the record the Facility withdrew the discharge notice. The Facility and the Appellants agree that the resident will return to the Facility on [REDACTED], 2025. A record of this agreement was made and it is *SO ORDERED*.

DATED: Menands, New York
September 15, 2025


Kimberly A. O'Brien
Administrative Law Judge