



June 15, 2026

DAL: DACF #26-03
DNH #26-10

Subject: Updated Telehealth Guidance for
Adult Care Facilities and Adult Day
Health Care Programs

Dear Adult Care Facility and Adult Day Health Care Provider:

This guidance supersedes DAL DACF 23-27 and DNH 23-19 [October 2, 2023, “Telehealth in Adult Day Health Care, Home Health Care, Hospice, and Adult Care Facilities”]. **This guidance pertains only to Adult Care Facilities (including Assisted Living Programs) and Adult Day Health Care Programs.** *Note: DAL DHCBS 24-03: Updated Telehealth in Home Health Care and Hospice continues to serve as guidance for telehealth use in Licensed Home Care Services Agencies, Certified Home Health Agencies, and hospice agencies. This includes Article 36 Licensed Home Care Services Agencies associated with Adult Care Facilities, Assisted Living Programs, and Assisted Living Residences.*

The purpose of this guidance is to clarify the circumstances under which providers may use telehealth as defined in Article 29-G of Public Health Law, provided that such use is consistent with all applicable federal and state requirements. It is the responsibility of the Adult Care Facility and Adult Day Health Care Program to be knowledgeable of, and compliant with applicable federal and state requirements, as well as Medicare and Medicaid regulatory flexibilities and timelines.

Telehealth use is **not** permitted in the following circumstances:

- In-person initial medical, clinical, mental health, or dental assessments.
- Initial assessments to determine program eligibility and level of care, including the Community Health Assessment and the Functional Supplement component of the Uniform Assessment System- New York (UAS-NY).
- When there is a significant change in condition that warrants diagnosis, treatment, and reassessment.
- If the patient cannot access a secure location.
- As a substitute to in-person care for any service covered under the program rate. This includes home health, nursing, personal care, supervision and monitoring, case management, meals, recreation, community integration, rehabilitation, socialization, and all other covered services and/or supports.

Telehealth **may be used** in accordance with state and federal guidelines in the following circumstances:

- Reassessment of individuals with no significant change in health condition. This includes the Functional Supplement component of the Uniform Assess System-New York (UAS-NY) Community Health Assessment;
- Follow-up clinical appointments and mental health evaluations that do not require hands-on or in-person evaluation or treatment as determined by the medical, clinical or mental health provider;
- Under extenuating circumstances in which the individual is physically unable to be present in person, if determined appropriate by the provider and/or practitioner; and,
- Education and/or ongoing management of chronic health conditions beyond those resources provided by the facility or program, if the medical professional determines that telehealth is an appropriate platform.

After using telehealth, if in-person follow-up appointments are requested by the resident/participant/representative or provider, the Adult Care Facility must accommodate these requests, including facilitating transportation to the appointment, as needed, in accordance with regulatory requirements in Title 18 of New York Codes, Rules, and Regulations Section NYCRR 487.7(g)(5)(v).

The Department expects that Adult Care Facilities and Adult Day Health Care Programs will develop and implement policies and procedures to comply with the requirements of Article 29-G of Public Health Law and all other applicable federal and state requirements. These policies/procedures and records will be subject to the Department's review during surveillance activities.

Additional guidance can be found at [NYS Medicaid Coverage of Telehealth](#), [Medicaid Telehealth Manual](#), and [Telehealth policy updates | Telehealth.HHS.gov](#), which provide comprehensive guidance about the use of telehealth. Questions may be referred to the applicable program mailbox: acinfo@health.ny.gov or nhinfo@health.ny.gov.

Sincerely,

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