



December 2, 2013

Ms. Sheryl Minter-Brooks
Brooklyn DDSOO
888 Fountain Avenue
Brooklyn, NY 11208

Dear Ms. Minter-Brooks:

In order to ensure that New York State (NYS) citizens with developmental disabilities receive appropriate services and protections, the Office for People With Developmental Disabilities (OPWDD) has established an internal Early Alert Committee. The committee is made up of OPWDD senior leadership and senior managers. The purpose of the Early Alert process is to monitor the performance of a provider that has been unable to sustain compliance with applicable laws and regulations.

The purpose of this letter is to notify you that the Brooklyn Developmental Disabilities State Operations Office (DDSOO) is being placed on Early Alert. The reason for the placement on Early Alert is due to the results of the Department of Health (DOH) Medicaid survey conducted from August 19, 2013 to August 23, 2013 at the Developmental Center located at 888 Fountain Ave, Brooklyn, NY, and a NYS Justice Center visit conducted from October 29, 2013 to October 30, 2013. During the DOH Medicaid survey, significant issues in areas related to health and safety were noted. As a result of the survey, a sixty (60) day letter was issued with the Condition of Participations (CoPs) for governing body and physical environment found to not be in compliance. On October 25, 2013 a follow up DOH Medicaid survey was conducted which found continued areas of non-compliance. These findings resulted in the DDSOO being placed on Intermediate Sanctions by DOH on November 16, 2013. Results from the Justice Center visit included concerns in the areas of physical environment, active treatment, client protections, and dietary services.

While Brooklyn DDSOO is on Early Alert, appropriate staff of the Division of Quality Improvement (DQI) and the Department of Health will work with you to address the issues so that you may arrive at a solution that will be in the best interests of the individuals you serve and their families. During this time, DQI and DOH will make a determination regarding whether the DDSOO has the ability to remedy the deficient practices and sustain compliance.

If the DDSOO can demonstrate the ability to sustain compliance, we will remove it from Early Alert and you will be notified accordingly. While the DDSOO is on Early Alert, OPWDD will not consider any requests for expansion of services and may suspend any expansion that is in process.

We will be contacting the DDSOO shortly to come to a mutually agreed upon date where representatives from the Division of Quality Improvement, Brooklyn DDSOO and the Board of Visitors can meet in the next few weeks. At that time we will also identify what, if any, additional information we will need from you. If you have any questions, please contact Brian O'Donnell, Acting DQI Regional Director at (212) 229-3350.

Sincerely,

Megan O'Connor-Hebert
Deputy Commissioner
Division of Quality Improvement

cc: Laurie Kelley, Acting Commissioner
Kerry Delaney, Executive Deputy Commissioner
Helene DeSanto, Deputy Commissioner – Service Delivery
John Gleason, Deputy Associate Commissioner – State Operations
James Nellegar, Director-Audit Services
Tamika Black, Deputy Director - DQI
Brian O'Donnell, Acting Regional Director, DQI
Cheryl A. Mugno, Counsel's Office
Board of Visitors