



## Office for People With Developmental Disabilities

**ANDREW M. CUOMO**  
Governor

**KERRY A. DELANEY**  
Acting Commissioner

March 18, 2016

William Green, Executive Director  
Paul J. Cooper Center for Human Services  
510 Gates Avenue  
Brooklyn, NY 11216

Mary R Joyner, President  
[REDACTED]

Re: Notification of Fine

Dear Mr. Green and Ms. Joyner:

This letter constitutes formal notification of our intent to impose a \$2500.00 fine on your agency.

Pursuant to Mental Hygiene Law section 16.17(g), the Commissioner may impose a fine upon a finding that the holder of an operating certificate has failed to comply with the terms of the certificate or with the provisions of any applicable statute, rule or regulation. This process was explained in the OPWDD Accountability Initiative Memorandum dated June 1, 2011, copy enclosed.

This fine has been imposed on your agency due to serious issues which arose during a recent monitoring visit conducted by staff from the Division of Quality Improvement (DQI) on March 1, 2016 at 235 Jerome St., Brooklyn, NY. , which culminated in the issuance of a 45 day letter. During the course of the survey, DQI survey staff identified issues of non-compliance in the areas of personal allowance and staffing. A review of the personal allowance ledgers revealed a lack of accounting documentation of \$1915. Furthermore, observations during the survey revealed that the facility had many overnight shifts where no staff were present although the minimum number of staff per shift is one for the overnight. Similar deficiencies have been cited during recent surveys at other facilities throughout the agency, yet the agency failed to self-identify and correct these issues systemically.

You have the right to an administrative hearing to appeal the imposition of this fine. You also have the right to be represented by an attorney at such hearing. If you want a hearing, you have 30 days from service of notice of this proposed action.

Your request must include a declaration of the issues alleged to be involved, and documentation of the agency's position as to each identified issue. Send your request to:

Kerry Delaney  
Acting Commissioner  
NYS OPWDD  
44 Holland Avenue  
Albany, NY 12229

Your written request for a hearing must include a copy of this letter. You should also submit a copy of your request to me.

If you decide not to request a hearing, please remit payment of your fine immediately. The money should be sent in a lump sum payment. A check is the only acceptable form of payment. The check should be payable to OPWDD and forwarded to the following address:

OPWDD  
Attn: Roger Bearden, General Counsel  
Counsel's Office – 3<sup>rd</sup> floor  
44 Holland Ave.  
Albany NY 12229-0001

Finally, please be aware that the imposition of this fine does not preclude OPWDD from taking further adverse action if your agency fails to maintain compliance with OPWDD regulations.

Sincerely,



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

Enclosure

cc:

Board of Directors  
Kerry Delaney, Acting Commissioner  
Helene DeSanto, Deputy Commissioner  
Roger Bearden, General Counsel  
Tamika Black, Deputy Director, DQI  
Abiba Kindo, Associate Deputy Commissioner  
Donna Limiti, DDRO Region 4 Director  
Cheryl Mugno, Deputy Counsel  
Brian O'Donnell, Regional Director, DQI