



February 18, 2016

Mr. Richard Murray, Executive Director  
Program Development Services, Inc.  
6916 New Utrecht Avenue  
Brooklyn, NY 11228

Martin J Brennan, PRESIDENT

Re: Notification of Fine

Dear Mr. Murray and Mr. Brennan:

This letter constitutes formal notification of our intent to impose a \$500.00 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 action is based on your agency's continued failure to properly enter and update information into the OPWDD Incident Management Reporting Application (IRMA), failure to thoroughly investigate reportable incidents and continued non-compliance with regulatory requirements for incident reporting under 14 NYCRR Part 624.

The following outstanding incidents have not been thoroughly investigated and submitted as required.

<u>Incident Number</u>	<u>Date of Incident (Reported)</u>	<u>Type</u>
2015-019445	7/2/15	Allegation of Abuse

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 would like 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 your 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  
Leslie Fuld, Director, DQI/IMU