

**Investigations Notice to Suspect or Subject of Abuse or Neglect  
That an Investigation Has Been Initiated**

Date

Name of Suspect or Subject of Abuse/Neglect Investigation  
Address

Re: Case Serial Number

Dear <Name of Suspect>:

This is to inform you that you have been named as the subject of a report of abuse or neglect received by the New York State Justice Center for the Protection of People with Special Needs (Justice Center). The report alleges that you are responsible for an incident of abuse or neglect on or about [insert date] at the following setting:

(Name of facility or provider)

Within 60 days of the date of the report, and barring extenuating circumstances, the Justice Center will enter its findings in the Vulnerable Persons Central Register [VPCR]. The Justice Center will notify you in writing of its determination of the investigation.

If the report is determined to be "unsubstantiated" it will be sealed. A sealed report may only be made available to you, to a State agency for investigative, monitoring or licensing purposes and to the persons or entities under the circumstances noted in Social Services Law §496(1). Access to unsubstantiated reports includes limits on re-disclosure of the information contained in the report.

If the report is determined to be "substantiated," it will be assigned a category of seriousness, from Category 1 to Category 4. One Category 1 substantiated case of abuse or neglect, or two Category 2 substantiated cases of abuse or neglect within three years of each other, will result in your name being placed permanently on the VPCR Staff Exclusion List. Such a listing will bar you from obtaining employment in New York caring for vulnerable persons, and subject you to termination from current employment in accordance with any applicable collective bargaining agreement.

A substantiated report is confidential and can only be released to certain authorized persons as indicated in Section 496(2) of the Social Services Law. As the subject of a report, you have a right to request a copy of the information in the VPCR that concerns you. However, the Justice Center may withhold information identifying the person making the report or cooperating in the subsequent investigation.

After the investigation is completed, and if the report is determined to be "substantiated," you have the right to request the amendment of the finding and a review by an administrative law judge of the finding contained in the record of the report, if you believe that it is inaccurate or incorrect. You are entitled to legal representation in the appeals process, at your own expense. The request to amend and appeal must be in writing and made by you within 30 days of mailing of the notice that the report is "substantiated." Ten days leeway is given to allow for mailing by both you and the Justice Center.

Sincerely,

<Name of Investigator/Investigating Agency>

cc: File