

Executive Office

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June 30, 2011

Mr. James Casion, Executive Director
Baker Victory Services
780 Ridge Road
Lackawanna, NY 14218

Rev. Msgr. Paul J.E. Burkard, President
Baker Victory Services.
Basilica of Our Lady of Victory
767 Ridge Road
Lackawanna, NY 14218

Dear Executive Director and Board President:

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 NYS laws and regulations and/or has been unable to demonstrate sound governance practices, including management of fiscal resources, so that OPWDD can take appropriate action as necessary.

The purpose of this letter is to notify you that Baker Victory Services has been placed on Early Alert status for the following reasons:

Agency has been unable to maintain compliance with OPWDD regulatory requirements as demonstrated by OPWDD's repeated need to issue 45-day letters and/or immediate danger statements of deficiencies in the agency's certified community residences.

Agency has been unable to develop and implement an effective plan of correction to ensure adequate administrative oversight to identify and respond to deficient practices as they occur.

While Baker Victory Services is on Early Alert status, appropriate staff of OPWDD 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, OPWDD will make a determination regarding whether Baker Victory Services has the ability to remedy the deficient practices and sustain compliance. If your agency can demonstrate the ability to sustain compliance, Baker Victory Services will be removed from Early Alert status and you will be notified accordingly.

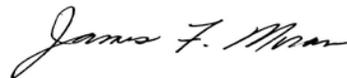
While an agency is on Early Alert status, OPWDD will not consider any requests for expansion of services and may suspend any expansion that is in process.

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Please note that being placed on Early Alert status does not affect the current certification or funding of an agency or its programs. In accordance with state laws, all contracts and the certification of all programs will remain in effect unless OPWDD takes action to terminate them.

For further information, please contact Ms. Deborah Burkhardt by phone at (585) 393-6647, or by e-mail at Deborah.burkhardt@opwdd.ny.gov.

Sincerely,



James F. Moran
Acting Deputy Commissioner
Division of Quality Management

cc: Board of Directors
Courtney Burke, Commissioner
Helene DeSanto, Deputy Commissioner for Service Delivery
Jay Kiyonaga, Acting Deputy of Fiscal and Administrative Solutions
Kirk Maurer, Western NY DDSO Director
Deborah Burkhardt, DQM Regional Director