



Office for People With Developmental Disabilities

ANDREW M. CUOMO
Governor

KERRY A. DELANEY
Acting Commissioner

March 16, 2015

Ms. Sheryl Minter-Brooks
Metro New York DDSO
25 Beaver St
New York, NY 10004

Dear Ms. Minter-Brooks,

The purpose of this letter is to notify you that Metro Developmental Disabilities State Operations Office (Metro DDSOO) is being placed on Early Alert due to its inability to achieve and sustain compliance with the Office for People With Developmental Disabilities (OPWDD) regulatory requirements.

In order to ensure that New York State (NYS) citizens with developmental disabilities receive appropriate services and protections, OPWDD has established an internal Early Alert Committee. The committee is made up of OPWDD senior leadership and 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.

Beginning in March 2014 through the present, Metro DDSO has received a total of eight 45 day letters resulting from surveys by OPWDD's Division of Quality Improvement at six of your agency's Individual Residential Alternatives. Accordingly, OPWDD has a number of concerns with your agency and the lack of compliance in the following areas:

- Medical Follow-up
- Medication Administration
- Protective Oversight
- Community Inclusion
- Habilitative Services
- Physical Plant
- Staff Training
- Incident Management

As part of the Early Alert process, staff from OPWDD will work with you to address the areas which have made it difficult for your agency to sustain compliance 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 your agency has the ability to remedy the deficient practices and sustain compliance. If the agency can demonstrate the ability to sustain compliance over a significant period of time, the Early Alert committee will consider potential removal from Early Alert and you will be notified accordingly.

While Metro DDSOO is on Early Alert, OPWDD will not consider any requests for expansion of services and may suspend any expansion that is in process. Representatives from OPWDD will meet with Executive Staff from Metro DDSOO and its Board of Visitors to discuss the Early Alert process further and OPWDD's expectations. All Board members are strongly encouraged to attend.

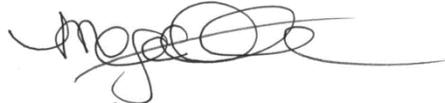
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Prior to that meeting, please provide us with the following:

1. Minutes of the Board of Visitors (BOV), meetings and Board Sub-Committees meeting minutes for the past year.
2. Agency organization chart.

Please contact Brian O'Donnell, Division of Quality Improvement, Regional Director at (646) 766-3467, within five business days of receipt of this letter, to come to a mutually agreed upon date where representatives from OPWDD Regional Office, DQI, Executive Staff from Metro DDSOO and its Board of Visitors can meet. If you have any questions, please contact Mr. O'Donnell.

Sincerely,



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

c: Board of Visitors
Kerry Delaney, Acting Commissioner
Tamika Black, Deputy Director, DQI
Helene DeSanto, Deputy Commissioner, Service Delivery
Cathy Varano, Associate Deputy Commissioner
Roger Bearden, General Counsel
Cheryl Mugno, Deputy Counsel
Brian O'Donnell, Regional Director, DQI
Leslie Fuld, Director, DQI/IMU