



Office for People With Developmental Disabilities

ANDREW M. CUOMO
Governor

THEODORE KASTNER, M.D., M.S.
Commissioner

ROGER BEARDEN, J.D.
Executive Deputy Commissioner

VIA USPS CERTIFIED MAIL & EMAIL

June 25, 2020

Skip Pryce, Executive Director
Greystone Programs, Inc.
700 South Drive
Suite 203
Hopewell Junction, NY 12533

Brian Marcinkowski, President
[REDACTED]
[REDACTED]

Re: Notification of Intent to Impose a Fine

Dear Mr. Pryce and Mr. Marcinkowski:

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 operating certificate or with the provisions of any applicable statute, rule or regulation.

This letter constitutes formal notification that the New York State Office for People With Developmental Disabilities (OPWDD) is imposing a fine in the amount of \$5,000 on your agency, Greystone Programs, Inc.

This action is based on your agency's failure to return an individual receiving services (M.R.) to his certified residence following a hospitalization during the pendency of MR's objection to Greystone Program Inc.'s proposed discharge of MR. The hospital advised Greystone Programs, Inc. that the individual was clinically ready for discharge on November 15, 2019. Despite the hospital's representation that MR was clinically ready for discharge, Greystone Programs, Inc. refused to allow the individual to return to his certified residence. In doing so, Greystone Programs failed to comply with OPWDD regulations, including, but not limited to, the process set forth at 14 NYCRR 633.12 pertaining to discharge.

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 are requesting a hearing, you have 30 days from service of notice of this proposed action to submit your request. 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:

Executive Office

44 Holland Avenue, Albany, New York 12229-0001 | 866-946-9733 | www.opwdd.ny.gov

Theodore Kastner, MD, Commissioner
NYS Office for People With Developmental Disabilities
44 Holland Avenue
Albany, NY 12229

In accordance with 14 NYCRR 602.5, your written request for the hearing must include a copy of this letter and a declaration of the issues alleged to be involved and documentation of your position of each issue. If you decide not to request a hearing, please remit payment of your fine immediately. Payment should be sent in a lump sum. A check is the only acceptable form of payment. The check should be payable to OPWDD and forwarded to the following address:

Willow Baer, General Counsel
NYS Office for People With Developmental Disabilities
Counsel's Office-3rd Floor
44 Holland Avenue
Albany, NY 12229

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,



Leslie M. Fuld
Deputy Commissioner
Division of Quality Improvement

cc: Board of Directors
Theodore Kastner, Commissioner
Roger Bearden, Executive Deputy Commissioner
Tammy Devine, Deputy Director, Division of Quality Improvement
Brian O'Donnell, Statewide Director, DQI, Bureau of Program Certification
Barbara Van Vechten, Director, Quality Improvement and Incident Management
Karisa Capone, Director, Incident Management Unit
Ellie Smith, Director, Continuous Quality Improvement
Richard Cicero, Director of Internal Controls
Abiba Kindo, Deputy Commissioner, Service Delivery - Regional Offices
Jacquelyn Leigh Best, Regional Offices – Statewide Operations Director
Willow Baer, Acting General Counsel
Joanne Howard, Director, Fiscal Reporting and Data Analysis
Martha Dalton, Associate Commissioner, Division of Enterprise Solutions
Earl Jefferson, Director, Central Operations
Joan Volpe, Director, Region 3
Josh Olsen, Deputy Counsel, Counsel's Office