



GREATER NEW YORK HEALTH CARE FACILITIES ASSOCIATION

519 Eighth Avenue, 16th Floor, New York, NY, 10018

Phone: 212-643-2828 Fax: 212-643-2956 www.gnyhcfa.org

Memo 26-45

To: Administrator, DNS, Medical Director, QA Committee

From: Mary Gracey-White BSN, RN, QCP, RACT-CT, RACT-CTA, Director of Regulatory Compliance and Arlette A Drigpaul, MSN RN Infection Preventionist/Education Coordinator

Date: August 14, 2026

Re: NYSDOH Biweekly Association Call

The Association participated in a call with the NYS Department of Health on Thursday, August 13, 2026. Highlights of the call include:

1. New CMS [Nursing Home Risk-Based Survey National Implementation](#) (QSO 26-14-NH)

- The Nursing Home Risk-Based Survey National Implementation, issued July 16, 2026, is not a new set of Conditions of Participation and not a new final rule under 42 CFR Part 483. Rather, CMS is using its existing survey authority under 42 CFR Part 488 to create a streamlined Risk-Based Survey (RBS) for a subset of high-performing SNFs and NFs. National implementation begins September 8, 2026. Every quarter CMS will send list of eligible NHs to NYSDOH.
- First list was released and includes 58 nursing homes.
- DOH staff training for streamlined reviews will begin next week.

2. Immediate Jeopardy (IJ) Citations) over the past 2 weeks

- 2 resident elopements (not reported to DOH)
 - Ensure staff are educated on the facility's elopement policy/procedure
- 3 accidents (no supervision during mealtimes)
- 1 resident abuse (not reported to DOH)
 - Review timeline for reporting incidents **when there is a reasonable suspicion of a crime**

	42 CFR 483.12(b)(5) and Section 1150B of the Act	42 CFR 483.12(c)
What is to be reported	Any reasonable suspicion of a crime against a resident or an individual receiving care from the facility	1. All alleged violations of abuse, neglect, exploitation or mistreatment, including injuries of unknown source and misappropriation of resident property 2. The results of all investigations
Who is required to report	Any covered individual, which means the owner, operator, employee, manager, agent or contractor of the facility	The facility

	42 CFR 483.12(b)(5) and Section 1150B of the Act	42 CFR 483.12(c)
To whom	State Survey Agency (SA) and one or more law enforcement entities for the political subdivision in which the facility is located (i.e., the full range of potential responders to elder abuse, neglect, and exploitation including police, sheriffs, detectives, public safety officers; corrections personnel; prosecutors; medical examiners; investigators; and coroners)	The facility administrator and to other officials in accordance with State law, including, to the SA and the adult protective services where state law provides for jurisdiction in long-term care facilities
When	Serious bodily injury- Immediately but not later than 2 hours* after forming the suspicion No serious bodily injury- not later than 24 hours*	All alleged violations - 1. Immediately but not later than 2 hours*- if the alleged violation involves abuse or results in serious bodily injury 2. Not later than 24 hours*- if the alleged violation involves neglect, exploitation, mistreatment, or misappropriation of resident property; and does not result in serious bodily injury Results of all investigations of alleged violations- within 5 working days of the incident

*CMS (7/23/2025). [SOM – Appendix PP](#). F609 Reporting of Alleged Violations, pp 162-183.

3. We recommend facilities consider enrolling nurse leaders in the **AAPACN Nurse Leadership Training**. There is a DNS-CT Certification In-Person Workshop, taught by Nelia Adaci and hosted by The CHARTS Group, scheduled for August 25 – August 27, 2026. Registration and additional information can be found [HERE](#).

4. Upcoming Lunch-and-Learn Sessions ([Learning Management System](#))

- August – Sepsis
- September - Bedrail Safety

If you have any questions, please do not hesitate to contact the Association. For additional resources, visit our website at [Greater New York Health Care Facilities](#).