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**CITY COUNCIL PASSES LANDMARK LEGISLATION BY
COUNCIL MEMBER CHIN TO REGULATE SOCIAL
ADULT DAY CARE CENTERS**

Legislation Brings Desperately Needed Oversight and Enforcement for All Social Adult Day Care Centers, Protecting Vulnerable Seniors and Public Funds

Today, the New York City Council passed legislation by Council Member Margaret Chin, chair of the Council's Aging Committee, to create oversight for all of the city's social adult day care centers.

In contrast to typical senior centers, social adult day care centers are supposed to specifically serve seniors suffering from dementia, Alzheimer's or other chronic conditions that require close supervision and care. For too long, privately run social adult day care centers have been able to open and operate in New York City with basically no oversight or enforcement of State regulations for proper program services, participant eligibility, administration, staffing and facilities. This severe lack of oversight has put some of the city's most vulnerable seniors at risk, while also allowing some bad actors who own privately run centers to unfairly rake in profits through Medicaid, by recruiting and exploiting healthy seniors and offering services that do not comply with State regulations for social adult day care centers.

The legislation passed today ([Int. 358-A](#)) will fix that problem by providing the oversight and enforcement to protect vulnerable seniors and prevent the misuse or waste of Medicaid funds at these centers. Alongside Council Member Chin, the co-prime sponsors of the legislation include Council Members Paul Vallone, Corey Johnson, James Vacca and Maria del Carmen Arroyo.

The legislation requires all social adult day care centers operating in New York City to register with the city's Department for the Aging (DFTA), and also requires those centers to adhere to the aforementioned State regulations. The legislation also creates a DFTA ombudsman who will take complaints — through a phone hotline and website — regarding lack of compliance with these requirements.

To enforce the new requirements, the legislation also states that DFTA — aided by either the Department of Consumer Affairs or a different city agency designated by the Mayor — will now be able to issue fines against centers that either fail to register or do not operate in compliance with regulations. Penalties for failure to register will range from \$250 per day to \$1,000 per day, and penalties for violating regulations will range from \$250 per day to \$500 per day.

"I have spent years working on this issue because it is unacceptable for our seniors to receive anything less than the best possible care in facilities that are held to strict standards," **said Council Member Margaret Chin, Chair of the Council's Committee on Aging.** "I am proud that our legislation creates the oversight and enforcement necessary to protect the vulnerable seniors who attend social adult day care, while also preventing the misuse or waste of Medicaid funds at these centers. I am also grateful that so many of my Council colleagues have joined me in stepping up to address this fundamental problem, which has gone unchecked for far too long and which affects the welfare of seniors and their families in communities all across our city."

“I am proud to stand with Council Member Chin as we address the lack of regulation under which social adult day care centers operate in New York City,” **said Council Member Paul Vallone, Chair of the Council’s Subcommittee on Senior Centers.** “We need to ensure that anyone who seeks to provide services to our seniors adheres to the regulations and requirements set by the Department for the Aging and New York State. If this industry continues on unregulated, it is our taxpayers and vulnerable seniors who will pay the price.”

“This legislation will protect our most vulnerable from predatory pop-up programs by mandating registration requirements and imposing fines upon those who fail to provide basic health and safety measures,” **said Council Member Corey Johnson, Chair of the Council’s Committee on Health.** “It will ensure that all eligible seniors receive high-quality care while preventing abuse of the frail and Medicaid dollars, and it is the culmination of years of advocacy by the Council.”

“In passing this bill, New Yorkers in need of adult day care services will no longer fall prey to unscrupulous organizations that are not required to adhere to any basic standard to provide quality care,” **said Council Member James Vacca.** “When this law is enacted it will provide protection to our vulnerable residents by requiring all social adult day care programs to register and comply with city standards.”

“It is unacceptable that thousands of our city’s vulnerable senior citizens are currently being cared for by social adult day care programs that are not required to follow the most basic health and safety rules,” **said Council Member Maria del Carmen Arroyo.** “This legislation sets a minimum standard for social adult day care programs and will provide peace of mind to those of us who must rely on these programs to care for our frail loved ones.”

“On behalf of thousands of frail older New Yorkers and their family caregivers, the Council of Senior Centers and Services applauds the vigilant leadership of Aging Chair Council Member Margaret Chin and the City Council in passing this legislation to prevent fraudulent adult day care programs from abusing public dollars,” **said Bobbie Sackman, Director of Public Policy for the Council of Senior Centers and Services.** “Adult day care is a specialized program for older adults with Alzheimer’s/dementia or physical disabilities. It provides a supportive environment for these vulnerable seniors and much needed respite for family members — often spouses or working daughters. We look forward to this legislation ensuring that precious public dollars serve the growing number of vulnerable seniors and their caregivers.”

“We are pleased to see the Council act on legislation that provides basic protections for seniors in social day programs,” **said Matthew Lesieur, Director of Public Policy for VillageCare.** “Our seniors will be better served, and we are pleased to see this important reform take place.”

“We in the aging community are grateful to the City Council, especially Council Members Margaret Chin, Paul Vallone, Corey Johnson, Carmen Del Arroyo and James Vacca for their tireless efforts in passing this legislation to begin the monitoring and registration process of the ‘pop up’ social adult day care centers in New York City” **said Joan Pastore, director of the AMICO Senior Center in Brooklyn.** “Going forward, we hope that New York State will join with the Council’s efforts, to ensure that New York’s older population receives the proper services and precious Medicaid dollars are not wasted.”

“I’m pleased to see the City Council pass this legislation to ensure that our frail seniors are provided with the highest quality of service and protected from problematic ‘pop up’ social adult day programs,” **said Isabel Ching, Assistant Executive Director for Senior Services for Hamilton-Madison House.** “We should also commend those social adult day programs that already follow the rules and policies through the New York City Department for the Aging and the New York State Office for the Aging.”

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