



How to File a Department of Health Complaint About Problems in Your Nursing Home

How can I address problems in my nursing home?

1. One way to address problems is to make a complaint to the New York State Department of Health (DOH).
2. The DOH is responsible for making sure that nursing homes are providing the services you need and respecting your rights.
3. You have a right to file complaints without fear of reprisal.

How do I make a complaint to the New York State Department of Health?

- To file a complaint with the Department of Health, you can call 1-888-201-4563
- You can also file a complaint online, using this form:
<https://apps.health.ny.gov/surveyd8/nursing-home-complaint-form>
- You can mail the complaint form to the following address:

NYSDOH DRS/SNHCP
MAILSTOP: CA/LTC
EMPIRE STATE PLAZA
ALBANY, NEW YORK 12237

- You can fax the Complaint form to: 518-408-1157
- You can scan the Complaint form and e-mail it to: nhintake@health.ny.gov

What should I include in my complaint?

Strong complaints include detailed information. Include as much of this information as you can:

- Who, what, when the incident happened
- Supporting evidence such as photos, recordings, or other records
- Description of how you were or are being harmed
- Your contact information and best times to reach you
- Contact information for any witnesses

When will the New York State Department of Health investigate my complaint?

- The required time for starting the investigation depends on how severe and how urgent the complaint is.
- For the most serious complaints, involving a risk of serious injury, harm or death, the DOH must start its investigations within 2 business days of receiving the complaint.
- For the least serious complaints, the DOH must investigate during the next onsite survey. Onsite surveys are required every 12-15 months.

What happens after the investigation?

After the investigation is completed, the DOH must:

- Provide the person who made the complaint with a written report of its findings
- Give the nursing home a written report of anything it did wrong (this is called a “Statement of Deficiencies”)
- Review and approve the nursing home’s Plan of Correction, if one is required.
- A nursing home that receives citations may be required to submit a plan of correction. The nursing home also may be subject to fines or denial of Medicare or Medicaid payments.

How can I obtain more information?

You can call Mobilization for Justice’s, Inc.’s Nursing Home Residents Project. We provide advice, information, advocacy and legal representation for nursing home residents in three areas: involuntary discharges, particularly to shelters; reasonable accommodation requests; and day pass disputes.

For other nursing home issues, such as quality of care and decision-making rights, MFJ provides advice, and referrals, and assistance filing complaints.

Our intake line is open on Tuesdays from 10 a.m. to 5 p.m. Call 855-444-6477.

DISCLAIMER: This fact sheet gives general information for New York City residents. This is NOT legal advice.