



## Department of Health

**ANDREW M. CUOMO**  
Governor

**HOWARD A. ZUCKER, M.D., J.D.**  
Commissioner

**SALLY DRESLIN, M.S., R.N.**  
Executive Deputy Commissioner

September 12, 2017

Mr. Kenneth Shulman  
Assistant Comptroller  
Division of State Government Accountability  
NYS Office of the State Comptroller  
110 State Street, 10th Floor  
Albany, New York 12236

Dear Mr. Shulman:

Pursuant to the provisions of Section 170 of New York State Executive Law, I hereby transmit to you a copy of the New York State Department of Health's comments related to the Office of the State Comptroller's final audit report 2016-S-49 entitled, "Oversight of Hotels and Motels Used for Homeless and Mixed-Use Temporary Residences."

Please feel free to contact Estibaliz Alonso, Acting Assistant Commissioner, Office of Governmental and External Affairs, at 518-473-1124, with any questions.

Sincerely,

A handwritten signature in black ink that reads "Howard Zucker, M.D." in a cursive script.

Howard A. Zucker, M.D., J.D.  
Commissioner of Health

Enclosure

cc: Ms. Alonso

**Department of Health  
Comments on the  
Office of the State Comptroller's  
Final Audit Report 2016-S-49 entitled,  
Oversight of Hotels and Motels Used for Homeless and Mixed-Use  
Temporary Residences**

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The following are the Department of Health's (DOH) comments in response to the Office of the State Comptroller's (OSC) Final Audit Report 2016-S-49 entitled, "Oversight of Hotels and Motels Used for Homeless and Mixed-Use Temporary Residences."

**General**

- It is not clear in the report that the portions of the 24 unsatisfactory hotels and motels that were used to house the homeless are, in fact, regulated by DOH. The report acknowledges that Temporary Residences regulated by DOH are facilities that house individuals for less than 180 consecutive days; however, the report does not identify the length of stay for the residents at the facilities in question. Portions of a Temporary Residence that are occupied by the same persons in excess of 180 days are excluded from DOH oversight.
- The report acknowledges differences between the Office of Temporary and Disability Assistance (OTDA) and DOH inspection protocol, but does not identify which agency's standards were violated causing a facility to be considered in an unsatisfactory condition.

**OSC Recommendation to OTDA and DOH**

Improve communication and collaboration among pertinent State and local government agencies to: prevent duplication of efforts; strengthen the current inspection system; and ensure the most efficient use of public resources to inspect temporary residences used to house the homeless.

**DOH Response**

The DOH will meet with OTDA to discuss each agency's program requirements, and to determine if there are ways to assist each other in meeting these goals. The DOH will incorporate any improvements identified into policies that will be implemented by the state and local departments of health.