

HEALTH LAW WIRE

PUBLISHED BY THE
Health Care and LTC Attorneys of



July 21, 2022

NYS Department of Health Opens Application Process for Financially Distressed Nursing Homes

The New York State Department of Health (DOH) has announced an [application](#) process for the Nursing Home Vital Access Provider Assurance Program (VAPAP). This program grows from a \$100 million pool in the FY 2023 budget dedicated to nursing homes coping with severe financial distress that puts their operations at risk.

In the application, available [here](#), DOH requires organizations to demonstrate their financial distress through a number of modalities, and to describe paths to sustainability. The health department will prioritize funds for those organizations that clearly express not only their needs in the short term, but their willingness to explore changes in their operations, their envisioned paths forward and the steps they have taken to explore and implement such goals.

Per the announcement's terms, the funds will be available no later than the end of the fiscal year, March 31, 2023, unless expended sooner. The health department is evaluating programs in three application rounds – with deadlines of August 1, 2022, November 1, 2022, and February 1, 2023. Consequently, applicants are encouraged to fast-track submissions, as feasible, to meet the earliest possible evaluation deadline.

The health department makes clear that applications may be reviewed both under the VAPAP program criteria and under the previously established Vital Access Provider [program](#). The latter typically supports longer-term healthcare delivery reinvention strategies and is funded by the federal government with matching support for those applications ultimately approved.

Through its health care and long term care practice, Bond Schoeneck King PLLC, has deep experience supporting organizations applying for funding through DOH, and it can help eligible New York State nursing homes apply for VAPAP funding. Should you have questions or are seeking assistance, please contact [Mark A. Mainello](#), [Gabriel S. Oberfield](#), [Raul A. Tabora Jr.](#), or any of the attorneys with whom you regularly work.

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