



# Justice Center for the Protection of People With Special Needs

FOR IMMEDIATE RELEASE: June 28, 2016  
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## **Justice Center Administrative Hearing Decisions Now Online and Searchable**

NYS Justice Center for the Protection of People with Special Needs' Administrative Hearing Decisions can now be found on the agency's [website](#).

All Administrative Hearing Decisions issued in 2014 and 2015 have been posted. New decisions will be posted on this page as they become available. Decisions contain findings of fact, conclusions of law and an order affirming, reversing or modifying the original decision. In accordance with Social Services Law § 496, decisions are redacted to remove the name of the subject and other confidential information.

The decisions are listed and indexed by both the offense and category and have been given a reference number for publication purposes. Decisions can be accessed by key word searching.

### Justice Center Administrative Appeals Process

After a review by the Justice Center's Administrative Appeals Unit, a subject of a substantiated report of abuse or neglect has the right to a hearing before an Administrative Law Judge (ALJ), in which the individual or provider can seek to have the substantiated finding overturned. The ALJ is an attorney employed by the Justice Center who hears the appeal and is responsible for making a final decision.

The burden of proof is on the Justice Center to show by a preponderance of evidence that the subject committed the act or acts of abuse or neglect alleged in the substantiated report and that the conduct constitutes the category level of abuse or neglect in the substantiated report.

At the conclusion of a hearing, the ALJ issues a report, any recommendations, and the hearing record to the Justice Center's Executive Director or his/her designee, who makes the final determination.

Additional information about the [Administrative Appeals Process](#) can be found on the Justice Center's website.

## **About the Justice Center**

Established by Governor Andrew M. Cuomo and the Legislature, the NYS Justice Center for the Protection of People with Special Needs is dedicated to supporting and protecting people with special needs and disabilities. The Justice Center serves as a law enforcement agency which seeks to ensure that individuals who receive services from a facility or provider that is operated, licensed or certified by six state agencies, are protected from abuse, neglect and mistreatment. Assessing risks to the health and safety of individuals receiving services, and supporting commensurate action to prevent potential abuse and neglect are critical components of the agency's independent oversight role. Through its advocacy-related services, the Justice Center also provides information, technical assistance and training to support and empower individuals with disabilities of all ages, in all settings.

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