

Community Habilitation: Billing Limit Amendments

Amendment of 14 NYCRR Subpart 635-10

Effective October 1, 2014
Comments due: Monday, December 1,

- **Subparagraph 635-10.5(c)(7)(iii) is amended as follows:**
 - (iii) For individuals who live in an IRA, CR, or FCH and receive community habilitation on a given day, additional billing limits are described in paragraph[s] (11) [and (12)] of subdivision (ab) of this section.

- **Subparagraph 635-10.5(c)(7)(v) is amended as follows:**
 - (v) Exceptions. The following applies only to requests made prior to [the effective date of these amendments] October 1, 2014.

 - (Note: clauses (a) – (c) are unchanged.)

- **Subparagraph 635-10.5(c)(9)(iii) is amended as follows:**
 - (iii) For individuals who live in an IRA, CR, or FCH and receive community habilitation on a given day, additional billing limits are described in paragraph[s] (11) [and (12)] of subdivision (ab) of this section.

- **Subparagraph 635-10.5(c)(9)(vi) is amended as follows:**
 - (vi) Exceptions. The following applies only to requests made prior to [the effective date of these amendments] October 1, 2014.

 - (Note: clauses (a) – (c) are unchanged)

- **Subparagraph 635-10.5(ab)(1)(ii) is amended as follows:**
 - (ii) Prior to [the effective date of these amendments] October 1, 2014, no individual who lived in a residence certified or operated by OPWDD (including a family care home) was eligible to receive CH services.

- **Paragraph 635-10.5(ab)(11) is amended as follows:**

Note: New material is underlined and deleted material is in [brackets].

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- (11) Billing limits for individuals who live in [a supervised] an IRA₂ [or supervised] CR₁[.] or FCH.
- (i) Community habilitation services may only be reimbursed if the services are delivered on weekdays and have a service start time prior to 3:00 p.m.
 - (ii) CH services may not be reimbursed on a given day that the individual receives:
 - (a) one full unit of group day habilitation services; or
 - (b) one full unit of prevocational services; or
 - (c) one full unit of a blended service (which is a combination of day habilitation and prevocational services); or
 - (d) any combination of two half units of: group day habilitation, prevocational services or blended services.
 - (iii) On a given day, a maximum of the following may be reimbursed:
 - (a) six hours of CH services; or
 - (b) the combination of:
 - (1) one half unit of: group day habilitation, prevocational services or blended services; and
 - (2) four hours of CH services.

● **Paragraph 635-10.5(ab)(12) is deleted as follows and paragraphs (13) - (18) are renumbered to be (12) - (17):**

- [(12) Billing limits for individuals who live in a supportive IRA, supportive CR or FCH: On a given day, a maximum of the following may be reimbursed:
- (i) eight hours of CH services; or
 - (ii) the combination of:

Note: New material is underlined and deleted material is in [brackets].

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- (a) one half unit of: group day habilitation services, supplemental group day habilitation services, prevocational services or blended services; and
- (b) six hours of CH services; or
- (iii) the combination of:
 - (a) one full unit or two half units of: group day habilitation services, supplemental group day habilitation services, prevocational services or blended services; and
 - (b) four hours of CH services; or
- (iv) the combination of:
 - (a) one full unit and one half unit or three half units of: group day habilitation services, supplemental group day habilitation services, prevocational services or blended services (one half or one full unit of these must be supplemental group day habilitation services); and
 - (b) two hours of CH services.]

- **Renumbered paragraph 635-10.5(ab)(12) is amended as follows:**

- (12) Where more than one agency delivers services on a given day to the same individual who lives in an IRA, CR, or family care home the total number of units and/or hours of CH services billed for that day by all agencies may not exceed the maximum allowed daily units and/or hours described in paragraph[s] (11) [and (12)] of this subdivision.

- **Renumbered clause 635-10.5(ab)(14)(iii)(d) is amended as follows:**

- (d) Effective [on the effective date of these amendments] October 1, 2014, the fees for CH delivered to an individual who lives in a CR, IRA or FCH are as follows:

(Note: the remainder of clause (d) is unchanged)

Note: New material is underlined and deleted material is in [brackets].