



**To:** Executive Directors, Provider Agencies  
Directors, State Operations and Regional Offices

**From:** Leslie Fuld, Director   
Incident Management Unit, Division of Quality Improvement

**Date:** December 2, 2013

**Subject:** Mental Hygiene Law 16.34 Process

As you know on June 30, 2013, the NYS Justice Center for the Protection of People with Special Needs became operational. The implementation of the Protection of People with Special Needs Act (PPSNA), while imperative for the protection of individuals served by the Office for People With Developmental Disabilities (OPWDD) and other state oversight agencies, has presented some challenges. OPWDD continues to work to improve the process for Mental Hygiene Law 16.34 (MHL 16.34).

To expedite this process, OPWDD is implementing a change to the procedure for submitting MHL 16.34 abuse history check requests. As of December 11, 2013, all provider agencies will be required to submit requests using a web form instead of the current process, which has relied on a paper-based approach and emailing electronically scanned forms. Only web forms will be accepted as of December 11, 2013. The steps are outlined below for completion of the submission process.

1. On the OPWDD website [www.opwdd.ny.gov](http://www.opwdd.ny.gov), there will be a link to the OPWDD Form 151 Request for MHL 16.34 Abuse/Neglect History Check. Complete the form entirely. The date of submission will default to the date the form is completed. Do not enter dashes for Social Security numbers. When entering a date of birth you must use the two digit month, the two digit day and the four digit year. Boxes 8-12 must be completed or you will not be able to proceed.
2. When all information is completed and you have verified that it is entered correctly, you will then select the submit button. This will bring you to the OPWDD Form 152 Applicant Information. The applicant's name, social security number, date of birth and the hiring

agency's name will automatically be populated from the information that was entered on the OPWDD Form 151.

3. Complete the work history portion of the form. It is imperative that you enter the **complete** agency name (not acronyms or abbreviations), including the mailing address, if known. If the full address is not known, please enter the city and the state. There are a limited number of characters on this area of the form. If you need additional space, click on "add a line." When the form is complete, click submit.
4. If the applicant has no OPWDD work history, check the agency certification box at the bottom of the form.
5. Upon submission of the OPWDD Form 151 and 152, an email will automatically be sent to the email address of the contact for your agency confirming that it has been received. OPWDD strongly suggests that each agency create a dedicated mailbox (which could be shared by more than one authorized agency representative) instead of individual staff names for this purpose and supply the email address to OPWDD (ex. mhl@agency.org).
6. Agencies that are required to search work history for a prospective employee will receive an email with a link to the OPWDD Form 153 Directive to Search Abuse/Neglect Records. The agency must complete this form and click submit. The information submitted will automatically be entered into the MHL database.

Agencies who receive an OPWDD Form 153 Directive to Search Abuse/Neglect Records must comply with OPWDD regulations and respond to this directive within 10 working days so no delays are encountered by agencies awaiting the results of the searches.

Further questions on Mental Hygiene Law 16.34 should be directed to the Incident Management Unit at (518)473-7032.