



# Putting People First

## Memorandum

**To:** Provider Associations  
 Executive Directors of Agencies Operating IRAs, CRs and/or Day Habilitation  
 DDSOO Directors  
 DDRO Directors  
 IBR Director  
 Commissioner's Advisory Council  
 OPWDD Required Regulations Mailing List

**From:** Regulatory Affairs Unit

**Date:** September 24, 2014

**Re:** Final Regulations – Amendments to Rate Setting for Non-State Providers: Rates for Residential Habilitation Delivered in IRAs & CRs and for Day Habilitation Services

**Originally effective: July 2, 2014**

**Permanently adopted effective:  
September 24, 2014**

**Suggested distribution: Agencies operating IRAs, CRs, and/or day habilitation services**

Agency Administrators  
 Agency Financial Officers  
 Agency Program Administrators

**Purpose:**

OPWDD has finalized the proposed regulations that amend the rate setting methodology for non-state providers of residential habilitation in IRAs/CRs and for day habilitation services. OPWDD originally filed these regulations as emergency/proposed regulations that were effective on July 2, 2014.

The full text of the final regulations is available on the OPWDD website at [www.opwdd.ny.gov](http://www.opwdd.ny.gov). Look under “Regulations & Guidance.”

Please note that the Department of Health (DOH) has also adopted its similar regulations on this topic.

**Assessment of public comments on emergency/proposed regulations:**

OPWDD extends its thanks to the provider association that sent public comments on the proposed regulations. The assessment of public comment (including OPWDD’s responses) has been posted on the website along with the final regulations.

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For questions about the rate-setting methodology, please contact Donna Cater, Director, DOH Bureau of Mental Hygiene Services Rate Setting, at [Donna.Cater@Health.State.NY.US](mailto:Donna.Cater@Health.State.NY.US) or (518) 486-7164.

Thank you.

cc: Ms. Doran  
Ms. Howard  
Ms. Cater  
Mr. Leonardo  
Ms. Felker  
Ms. Coons