



To: Provider Associations
Voluntary Provider Agency Executive Directors
DDSOO Directors
DDRO Directors
IBR Director
Commissioner's Advisory Council
DDPC Consumer Caucus
OPWDD Required Regulations Mailing List

From: OPWDD Office of Counsel, Bureau of Policy and Regulatory Affairs

Date: June 10, 2016

Re: Final Regulations – Certification of Site Based Prevocational Services

Effective Date: September 1, 2016

Suggested distribution:

Agency Administrators and Managers
Agency Financial Officers
Service Coordinators and Supervisors

Purpose:

OPWDD has adopted regulations in 14 NYCRR section 635-7.5 concerning physical plant, environmental, and certification requirements for site based prevocational services.

The final regulations explicitly require that: 1) site based prevocational services must be certified pursuant to the requirements of section 16.05 of the Mental Hygiene Law; 2) the Certification of Need (CON) process specified in Part 620 of existing OPWDD regulations must be followed for site based prevocational services; 3) the operating certificate for settings used for site based prevocational services must be issued to the entity that is the authorized provider of the service; and 4) site based prevocational services settings must be in compliance with specified physical plant requirements.

The effective date of the final regulations is September 1, 2016.

There were no changes to the final regulations in comparison with the proposed regulations. The full text of the regulations is posted on the OPWDD website at www.opwdd.ny.gov. Look under “Regulations & Guidance.”

For questions regarding specific application of the regulations, contact Ceylane Meyers Ruff by telephone at 518-473-9697 or email at ceylane.meyersruff@opwdd.ny.gov.

Thank you.