The MSC E-Visory is an electronic advisory distributed to MSC Supervisors. Each issue provides pertinent and timely information about programs and services available to individuals receiving MSC. Announcements about MSC training, conferences and meetings appear regularly. **MSC Supervisors: Please forward this issue to all MSC Service Coordinators and others as appropriate.**

The MSC E-Visory is sent out from OPWDD via an e-mail distribution list. To update or add a name of an MSC Supervisor, contact msc.e.visory@omr.state.ny.us. Please type “MSC E-Visory LIST Change” in the SUBJECT line and include in the body of the email the following information: e-mail address, name, TITLE, agency name. Please indicate ADD or REMOVE from the MSC E-Visory distribution list.

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**In this Issue:**

**Training Opportunities:**

**Reminder:** An MSC Supervisors Video Conference is being held on September 15, 2010. MSC Supervisors can earn 3 hours of professional development credits. The video conference is being broadcast to multiple DDSO sites in the morning and repeated to multiple DDSO sites in the afternoon. This should provide the opportunity for all MSC Supervisors working for a voluntary agency or for a DDSO to participate in either a morning or afternoon session. OPWDD staff will present revisions to the MSC forms and the billing standards effective October 1, 2010.

- **AM Sessions:** 9:30am – 12:30 pm
- **PM Session:** 1:00 am – 4:00 pm

To register, go to: [http://www.omr.state.ny.us/wp/wp_catalogc1310.jsp](http://www.omr.state.ny.us/wp/wp_catalogc1310.jsp)

**Reminder:** Third Annual MSC Supervisors Conference: “Effective Leadership in Changing Times”

New York City – October 28, 2010
For more information please see separately attached flyer.
At Home Res Hab Converting to Community Habilitation effective November 1, 2010

Community Habilitation (CH) is a new waiver services approved in OPWDD’s HCBS Waiver Renewal dated October 1, 2009. The Community Habilitation service is intended as a more efficient mechanism for the delivery of habilitative services in the community (i.e. non-certified settings) to facilitate community inclusion, integration, and relationship building. The first implementation phase, which will take effect November 1, 2010, will convert the existing At Home Residential Habilitation (AHRH) service to the Community Habilitation platform. This means that AHRH will no longer exist after the implementation date and all AHRH participants authorized to receive the service as of 10/31/10 will automatically become CH participants on 11/1/10.

The transition from AHRH to CH should be largely transparent to the service recipients. The most noticeable benefit will be the removal of the requirement that the service start, stop, or be fully delivered in the home.

There will be a grace period until July 31, 2011 for agencies to make the necessary changes to the ISP and habilitation plans to reflect the new service of Community Habilitation.

Attached to this MSC E-Visory:

- Letter to Executive Directors of At Home Residential Habilitation Providers and Executive Directors of MSC Providers, dated August 3, 2010

In preparation for this transition, OPWDD has scheduled a number of Video Conference training sessions across the state in September and October 2010 to orient agencies on the changes in service provision and billing. It is recommended that the person or person’s with primary responsibility for administering the current AHRH program, as well as key fiscal staff familiar with current AHRH billing practices, attend the training. To register, go to:

http://www.omr.state.ny.us/wp/wp_catalogz2401.jsp
EFFECTIVE LEADERSHIP IN CHANGING TIMES

The MSC Supervisors Development Team Presents:
The Third Annual MSC Supervisors Conference

Thursday October 28, 2010
Metro DDSO
75 Morton Street
New York, NY 10014
9am-5pm

“EFFECTIVE LEADERSHIP IN CHANGING TIMES”
EFFECTIVE LEADERSHIP IN CHANGING TIMES
Thursday October 28, 2010
Metro DDSO
75 Morton Street
New York, NY 10014

Special Thanks To:

MSC Supervisors Development Team Members:

Ivy Butler, SIDDSSO
Laurie Corlin, Jewish Board
Joy Ellis, Goodwill Inc.
Monique Clarke, FEGS
Kathy Kelly, AHRC/NYC
Lucy Omezi, Metro DDSO
Duan Campbell, PSCH
Susan Greco, Heartshare
Kshama Sinha, BFDDSO
Katherine Smith, QSAC
Judy Morrison, Metro DDSO
Jenyse Tanksley, PSCH
Betsy Orlando, BFDDSO
Patricia Zimmerman, SUS
Julet Gray, Block Institute
Keeva Jackson-Breland, BDDSO
Kathleen Dunbar, ICL
Janette Smith, BDDSO
Deborah Moody, Life’sWORC
Allana John, FEGS
Nathalie Wiesel, HASC
Naimah Johnson, Block Institute
Dorothy Wohl, Shield Institute

Metro DDSO
Brooklyn DDSO, Bernard Fineson DDSO, Staten Island DDSO
Shield Institute

Catered By ~ “Getting Hungry”

The MSC Supervisors Development Team Presents:
The Third Annual MSC Supervisors Conference

REGISTRATION & FEE REQUIRED
Name/Title:_____________________________________
Agency: _______________________________________
Address:_______________________________________
Phone:  ________________________________________
E-mail: ________________________________________

If Kosher Lunch is required check here_______

Select one workshop for morning session _A _B _C _D

Select one workshop for afternoon session _E _F _G _H

Please return this page and $25.00 registration fee by
October 14, 2010.  No registration at the door!
Keeva Jackson-Breland
Brooklyn DDSO
888 Fountain Ave Bldg 1-2
Brooklyn, NY 11208

Please make checks payable to the BDDSO

If you have any questions please contact Keeva Jackson-Breland at (718) 642-3816. keeva.jackson@omr.state.ny.us
August 3, 2010

Attention: Executive Directors of At Home Residential Habilitation Providers
Executive Directors of MSC Providers

Subject: November 1, 2010 Implementation of Community Habilitation Services

Dear Executive Director:

This letter is to provide you with important information regarding the first phase of the two phase implementation of Community Habilitation (CH) services.

As you may know, CH is a new waiver service approved in OPWDD’s HCBS Waiver Renewal dated October 1, 2009. The Community Habilitation service is intended as a more efficient mechanism for the delivery of habilitative services in the community (i.e. non-certified settings) to facilitate community inclusion, integration, and relationship building.

This first implementation phase, which will take effect November 1, 2010, will convert the existing At Home Residential Habilitation (AHRH) service to the Community Habilitation platform. This means that AHRH will no longer exist after the implementation date and all AHRH participants authorized to receive the service as of 10/31/10 will automatically become CH participants on 11/1/10. **There will be a grace period until July 31, 2011 for agencies to make the necessary changes to the ISP and habilitation plans to reflect the new service of Community Habilitation.** Providers should review the section titled “Action Required by Providers” below to better understand what will be required of agencies during this transition.

**Upcoming Changes:**
The implementation of phase I will enable OPWDD to establish a framework to increase the menu of service options available to people in the HCBS waiver. By making limited changes to the AHRH service provision rules, CH will allow for increased flexibility in service design and greater community participation for the individuals receiving services than was possible under the AHRH framework. The first phase of CH will differ from the AHRH service in the following ways:

- CH will **not** require that the service start, stop, or be fully delivered in a person's home; and
- The group size for individuals receiving the service will be limited to four persons per CH worker.

We help people with developmental disabilities live richer lives.
The second phase, currently targeted for implementation in 2011, will build upon this foundation by offering the option of CH to any waiver enrolled individuals who reside in OPWDD Family Care or OPWDD certified settings. Details on the service parameters of this implementation phase will be provided as we move forward with phase II.

Aside from the increased flexibility, the transition of At Home Residential Habilitation services to the Community Habilitation platform should be transparent to the individuals receiving the service (i.e. there should be no noticeable difference to the individuals receiving the service).

**OPTS Contracts:**
All OPTS Contracts which contain AHRH services will be revised to include CH services in the first phase of the service conversion. Additional information will be forthcoming to agencies which are affected by this change.

**Billing and Payment:**
The billing methodology for the CH service will be an hourly unit of service, billed in quarter hour increments. Attachment A provides additional information regarding the unit of service rules and service documentation requirements for services delivered on or after November 1, 2010.

The same rate codes will be used for billing of CH services as are currently used for AHRH services; the descriptor will be modified after November 1, 2010 reflecting that the service is CH. Transitional payment levels existing under AHRH will expire on December 31, 2010 and will not be renewed.

**Provider Training Sessions:**
Attachment C provides a timeline for CH training sessions and other activities necessary to implement the service by November 1. All training sessions will be conducted in a Video Conference format; additional details regarding the training sessions will be distributed as they become available.

**Action Required by Providers:**
To ensure proper documentation and billing for CH services, agency staff should be aware of the following information:

1. Service Coordinators must revise Individualized Service Plans (ISPs) to reflect Community Habilitation as the correct Waiver service during the next ISP review that occurs after 11/1/10 and must attach the supporting CH Habilitation Plan. This must be done no later than July 31, 2011.

2. Community Habilitation providers must revise the Habilitation Plan to reflect Community Habilitation as the correct service and provide the revised Habilitation Plan to the MSC
provider by the individual’s next ISP review. This change must take place no later than July 31, 2011.

Note: There will be a grace period until July 31, 2011 for agencies to make the necessary changes to the ISP and habilitation plans to reflect the new service of Community Habilitation. The full unit of service description is included as Attachment A to this letter.

3. Community Habilitation Providers should have appropriate staff register for one of the applicable training sessions outlined in Attachment C. Additional information regarding how to register for the training sessions will be provided in August.

Questions regarding the upcoming changes may be directed to Patricia Downes of OPWDD’s Waiver Bureau at (518) 474-5647 or patricia.downes@omr.state.ny.us. We appreciate your cooperation and participation in carrying out this important initiative.

Sincerely,

[Signature]

Suzanne Zafonte Sennett
Acting Deputy Commissioner
Division of Policy and Enterprise Solutions

Attachments

cc: Mr. Chmura Ms. DeSanto
    Mr. Moran Ms. Downes
    Ms. McBain Ms. Kriss
    Mr. Kiyonaga DDSO Directors
    Mr. Whitehead DDSO Project Liaisons
    Ms. Gentile Provider Associations
Community Habilitation (CH) is a service that is described in a habilitation plan and focuses on the person's need for skill acquisition and direct service provision. These services are provided so that the person can live with the greatest degree of independence possible by providing habilitative supports to facilitate community inclusion, integration, and relationship building in community settings.

Within Community Habilitation, there will be a self-directed or family directed option, which will provide individuals and families the opportunity to co-direct the CH services.

• Any agency that provides CH may elect to offer individuals and families the self/family-directed option for their CH services.
• A template agreement is provided as Attachment B.

Agencies will be authorized to deliver Community Habilitation to a particular individual by the Developmental Disabilities Service Office (DDSO) or the Region Two Office in New York City and this authorization will be documented in OPWDD’s Tracking and Billing System (TABS).

Effective November 1, 2010, regional hourly fees will be established to reimburse Community Habilitation services with billing in quarter hour billing increments. There will be different fee levels based on the staff to individual ratio of the service being provided. In documenting the service, there is no “rounding-up” (i.e. a full 15 minutes of face-to-face service must be provided to bill one 15 minute increment).

There are two billing standards for Community Habilitation services, the duration of service and the provision of staff actions.

• The service time billed must reflect the “clock time” of the CH worker’s face-to-face service delivery to the individual on a given day.
• The CH worker must also deliver and contemporaneously document at least one habilitation service for each continuous period of service delivery or “session”.

Community Habilitation services can be provided in any non-certified community setting. The services can be delivered in an individual’s home, however, they are not required to be delivered there. The services cannot be delivered in a certified setting except if the services are part of a clinic visit as outlined below.

The time that “counts” toward billing requires face-to-face, staff-to-individual service delivery. Time at another Medicaid service cannot be counted toward the Community Habilitation “billable time,” with some exceptions. Exceptions will be made for certain key services, to allow for coordination of services, and to address health and safety issues as follows:

• The individual may receive Hospice at the same time as Community Habilitation services.
• The individual may receive Personal Care or Home Health Aide Services at the same time as Community Habilitation services. This is only in cases where the Community Habilitation Plan describes supports and services that are distinct and separate from the supports and services being provided by the Personal Care or Home Health Aide staff.

• Time the individual spends with his/her MSC Service Coordinator during a face-to-face service meeting and at ISP reviews may be included as Community Habilitation billable service time as long as Community Habilitation staff accompanies the person to the meetings.

• Time when the individual is at a medical appointment with a physician (including a psychiatrist), a nurse practitioner, or physician assistant; or at a dental appointment as long as Community Habilitation staff are with the individual at these appointments.

• Transportation to and from the medical appointment may also be counted as long as staff accompany the individual and Medicaid is not being charged separately for a transportation attendant for the trip.

• Time when the individual is at an appointment for a clinical service may be billed when Community Habilitation staff are present and when the following conditions are met:
  o The Community Habilitation staff accompanies the individual to facilitate the implementation of therapeutic methods.
  o The need for the Community Habilitation staff's participation in the specified clinical service is described in the Individual's Community Habilitation Plan.
  o The type of clinical service is occupational therapy, physical therapy, speech therapy, psychology, dietetics and nutrition, or social work. For each calendar year, reimbursement for Community Habilitation staff's participation in clinical appointments is only available for a maximum of 12 clinical appointments per clinical service type.

• Transportation to and from a clinical appointment for which a Community Habilitation staff's participation is reimbursable may also be counted as long as staff accompany the individual and Medicaid is not being charged separately for a transportation attendant for the trip.

The staff to individual ratio for service delivery cannot exceed 1:4. If five or six individuals are interested in participating in an activity being billed as CH, additional staff must accompany the group. However, to encourage community inclusion, it is expected that under most circumstances the group size will not exceed four individuals in total.

There will be a grace period for agencies to make the necessary changes to the ISP and Habilitation Plans to reflect the new service of Community Habilitation. Regulations will show that agencies have until July 31, 2011 to change the ISP and AHRH Habilitation plans to reflect Community Habilitation as the correct service being provided.
Memorandum of Understanding for the Administration and Co-Management of Community Habilitation Self/Family-Directed Option

This agreement is based on the understanding that ________________________________ (Name of Individual) is and remains eligible for Community Habilitation (CH) services. By choosing the self-directed/family directed option, the individual/individual's family and the Provider Agency agree to co-manage the Community Habilitation self/family-directed (CH/SD) services as partners. In self-directed and family-directed services, the Manager of Services is either the individual or his/her identified adult. For clarification, please refer to Regulation 635-10.5 (ab)(11). In both cases, the Agency will function as the Employer of Record.

☐ This plan is self-directed by__________________________________________________________ (Name of Individual/Identified Adult)

☐ This plan is family-directed by:_________________________________________ on behalf of_____________________________ (Name of Parent/Guardian/Identified Adult) (Individual's Name)

The Manager of Services agrees to the following responsibilities:

• I will work cooperatively with the Employer of Record to hire, train, and oversee staff selected to provide these services. I understand that I may recommend people that I know for consideration as possible staff, but that the Employer of Record will make the final decision to hire someone based on the Agency's employment requirements and the results of the person's background check.

• I understand that staff I select who are hired by the Employer of Record, are assigned specifically to assist _____________________________ with CH/SD. (Name of Individual)

• As the Manager of Services, I will oversee the staff's schedule and keep the Employer of Record informed of the schedule.

• I will choose which habilitation activities in the CH Plan that the staff will work on each day.

• I am responsible for maintaining my Medicaid eligibility or the Medicaid eligibility for ________________________________ (Name of Individual)

• I understand that CH/SD services will be paid for with public funds based on the service documentation that staff must complete. I also understand that staff must comply with all of the provider's requirements for Medicaid documentation and accountability. I will immediately inform the agency if I am aware of problems with the service documentation.

• I will let the Employer of Record know about any special training I think the staff need. If possible, I will also help to train the staff in these areas.
• If I am not happy with the staff’s work, I will discuss my concerns with the Employer of Record and try to resolve the issues. I understand that any decision to terminate a staff’s employment will be made by the Employer of Record in compliance with agency rules, but I may decide whether or not to work with a specific staff person.

• If I decide to discontinue this agreement, I will notify the Employer of Record at least 30 days in advance, as indicated in the "Discontinuation Process."

The Agency, as Employer of Record, agrees to the following responsibilities:

• We will consider people recommended by the Manager of Services as potential staff and assure that all staff will meet our requirements of employment, including background checks. We retain responsibility for making the final decision on whether or not a person meets the requirements to be hired as a staff. We will honor any decision on the part of the Manager to no longer work with an employee. We retain the right to make the final decision regarding termination or reassignment from employment.

• If we are not satisfied with a staff’s performance, we will discuss our concerns with the Manager of Services and try to resolve the issues. Any decision to terminate a staff’s employment will be made by the Employer of Record in compliance with Agency rules and procedures.

• We will provide and facilitate the training required by regulation and our agency’s personnel procedures, as well as any additional training we find necessary or appropriate to meet the individual’s needs. If the Manager of Services identifies additional training specific to the individual’s needs, we will make every effort to assist with providing the training if requested to do so.

• We have responsibility for all payroll and personnel activities.

• We will review the service documentation that is completed by staff to ensure that the services are consistent with the individual’s CH Plan. We will submit claims for payment based on this documentation.

• We will maintain a record of service hours and report the rate of usage to the Manager of Service at least quarterly.

• If we, as the Employer of Record, find it necessary to discontinue this MOU as indicated below in the "CH/SD Discontinuation Process", we will notify the individual/family at least 30 days in advance. We will also be responsible for notifying the individual’s MSC and the DDSO CH Liaisons at least 30 days in advance; and we will continue to be party to this agreement until the 30 day period is completed or until alternative arrangements begin, whichever is sooner.

The Provider Agency and/or the Individual/Individual’s Family, as Managers of the CH Self-Directed/Family-Directed service, have read and agreed to the responsibilities outlined in this MOU.

Signed:
Manager of Services_________________________ Date_____________________
(Individual/Identified Adult)
Employer of Record_________________________ Date_____________________
(Agency Representative)
COMMUNITY HABILITATION SELF/FAMILY DIRECTED DISCONTINUATION PROCESS

Either party may choose to discontinue this agreement as long as written notification of the intent to discontinue is provided to the other party in a manner that is consistent with this MOU. It is not necessary to complete this form if you are only changing or terminating a CH/SD staff person.

ANTICIPATED LAST DATE OF THIS AGREEMENT: __/__/__.

Please identify below:

☐ As Manager of Services, I wish to discontinue this CH/Self/Family Directed agreement. This discontinuation does not negate my eligibility to continue participation in the Community Habilitation /Direct Support service offered by the Employer of Record.

☐ As Employer of Record, we wish to discontinue this CH/Self/Family Directed agreement. We will continue to participate in this agreement for the management of __________'s CH services for 30 days or until an alternate arrangement is made, whichever is earlier.

Upon discontinuation of the CH/SD agreement, the OPWDD may conduct an exit interview with the person and/or his or her identified adult using a statewide protocol.

This document must be signed by the party who initiates the CH/SD discontinuation process as indicated above.

Signed:

Manager of Service ____________________________ Date ____________________________
(Individual or Parent/Guardian/Identified Adult)

Employer of Record ____________________________ Date ____________________________
(Agency Representative)
Time Line for Community Habilitation Activities

August:
- Publication in the State Register of the new regulations governing Community Habilitation.
- DDSOs distribute OPTS contract amendments to agencies to be signed and returned.
- Registration information will be sent to agencies for the state-wide training sessions to be provided in September and October.

September - October:
- Agencies expected to have returned OPTS contract amendments to DDSOs who will process amendments to Central Office for control agency (OSC and AG) approval.
- Training sessions for all Community Habilitation providers are tentatively scheduled for the dates identified below. These will be half-day Video Conference training sessions with programmatic and fiscal topics covered in the same sessions. Agency staff administering this program, or those in charge of billing for this program, should attend the training.

<table>
<thead>
<tr>
<th>CH Training-All Providers</th>
<th>Sept. 14 1-4 Host: 4B</th>
<th>Sept. 27 9-12 Host: 5B</th>
<th>Sept. 27 1-4 Host: 5B</th>
<th>October 4 1-4 Host: 5B</th>
<th>October 8 1-4 Host: 5B</th>
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Training sessions for Community Habilitation providers with OPTS contracts are tentatively scheduled for the dates identified below. These will also be half-day Video Conference training sessions. Agency staff administering this program, or those in charge of billing for this program, should attend the training.

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<tr>
<th>CH Training-All Providers (table continued from previous page)</th>
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November 1, 2010: New regulations take effect.
August 19, 2010

To: Executive Directors of At Home Residential Habilitation Providers

Re: AHRH Transition to Community Habilitation – Fall 2010 Training

Dear Executive Director:

In meeting its mission of **Helping People With Developmental Disabilities Live Richer Lives**, OPWDD is developing new building blocks for individuals, their families and the provider community. One of those important new building blocks will be Community Habilitation, a new service included in New York State’s recently approved HCBS waiver. On August 3, 2010, I wrote to you regarding the first phase of the implementation of the Community Habilitation (CH) service. For your reference, this informational letter, along with its attachments, is posted on OPWDD’s website at:

[http://www.omr.state.ny.us/images/hp_comm_hab_ltr_to_providers.pdf](http://www.omr.state.ny.us/images/hp_comm_hab_ltr_to_providers.pdf)

A key aspect of this first phase of implementation will be the integration of At Home Residential Habilitation (AHRH) service into the broader Community Habilitation platform. This transition will be effective on November 1, 2010.

In preparation for this transition, OPWDD has scheduled a number of Video Conference (VC) training sessions across the state in September and October to orient agencies on the changes in service provision and billing. The training will include programmatic topics, service documentation, and fiscal and billing topics. The schedule for the training sessions was included in the attachments to the 8/3/10 letter and can be found through the link above.

**Who Should Attend:**

It is recommended that the person or person’s with primary responsibility for administering the current AHRH program, as well as key fiscal staff familiar with current AHRH billing practices, attend the training. These sessions will focus on technical transition strategies and are not recommended for executive level staff. It is crucial, however, that the staff attending is fluent in your agency’s current AHRH program management. *Due to limited space, agencies may register only three participants.*

Please note that one of the sets of training dates is specifically targeted for agencies which also have an AHRH OPTS contract being amended for CH. If your agency has an AHRH OPTS contract being amended for CH, please have appropriate staff register for the OPTS training in addition to the standard training as material specific to OPTS contracts will be covered.
Registering for Sessions:

All registrations will be routed through OPWDD’s online Training Catalog. To register for a session, staff should go to the following web address:

http://www.omr.state.ny.us/wp/wp_catalogz2401.jsp

Registration will be conducted on a first-come, first-served basis; therefore staff should register for their preferred session as soon as possible. In addition, registration for a given session will close one week in advance of the session.

Materials for the training session will be made available on the OPWDD website no later than September 10 under “Information for Providers”. Each participant should print a copy of this information and bring it to the training session. Printed materials will not be provided at the training site.

If you have any immediate questions regarding this training, please contact Patricia Downes of my staff at patricia.downes@omr.state.ny.us or by phone at 518-474-5647. Thank you for your cooperation with this process.

Sincerely,

Suzanne Zafonte Sennett
Acting Deputy Commissioner
Division of Policy and Enterprise Solutions

cc: Provider Associations
    Mr. Chmura
    Mr. Moran
    Ms. McBain
    Mr. Kiyonaga
    Mr. Whitehead
    Ms. Gentile
    Ms. Moeser
    Ms. DeSanto
    Ms. Downes
    Ms. Kriss
    Mr. Triller
    DDSO Directors
    DDSO Project Liaisons