

Amendments to 14 NYCRR Part 681

Intermediate Care Facilities for Individuals With Intellectual Disabilities
EMERGENCY PROPOSED RULE-MAKING

Effective Date: Upon Filing

• **Addition of new subdivision 681.1(k) to read as follows:**

- (k) Intermediate care facilities for individuals with intellectual disabilities may include Extended Treatment Units (ETUs), operated by OPWDD. ETUs, while remaining institutional placements for census-counting purposes, shall be required to meet all standards mandated by this Part and shall hold a site-specific operating certificate in accordance therewith.
- (1) ETUs are limited capacity (see glossary, section 681.99 of this Part) residential programs that may include discrete living units.
- (2) ETUs shall have the following characteristics:
- (a) Provide specialized residential services to individuals who:
- (i) Meet criteria for admission to intermediate care facilities for individuals with intellectual disabilities;
- (ii) Have co-occurring psychiatric or behavioral health disorders;
- (iii) Are age twenty-one (21) or older;
- (b) Promote behavioral and psychiatric stabilization;
- (c) Serve as a transitional living arrangement; and
- (d) Facilitate community reintegration.
- (3) All admissions to an ETU shall require the prior approval of the commissioner, or designee, and necessitate that all criteria for admission to an ETU, as specified by OPWDD, have been met.

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

- (4) The length of stay at an ETU shall be in increments of thirty (30) days up to a maximum of six (6) months, absent approval by the commissioner for an extension of stay. Such extensions shall only be granted upon a finding by the commissioner, or designee, that there exist compelling circumstances which warrant an extension. Extensions shall only be approved in increments of thirty (30) days.