
NEW YORK STATE
REGISTER

INSIDE THIS ISSUE:

- Special Snow Goose Harvest Program
- Statewide Pricing Methodology for Nursing Homes
- Address Confidentiality Program

Notice of Availability of State and Federal Funds

State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 45 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which full text was included in the Notice or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); or for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and for 30 days after publication of a Notice of Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 45 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

For notices published in this issue:

- the 60-day period expires on April 14, 2013
- the 45-day period expires on March 30, 2013
- the 30-day period expires on March 15, 2013

**ANDREW M. CUOMO
GOVERNOR**

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SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* (www.dos.ny.gov) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

To be considered, comments must reach the agency before the proposed rule is adopted. The law provides for a minimum 45-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making for which full text was included or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); a minimum 60-day public comment period after publication in the *Register* of a Notice of Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and a 30-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

When a time frame calculation ends on a Saturday or Sunday, the agency accepts public comment through the following Monday; when calculation ends on a holiday, public comment will be accepted through the following workday. Agencies cannot take action to adopt until the day after public comments are due.

The Administrative Regulations Review Commission (ARRC) is charged with the task of reviewing newly proposed regulations to examine the issues of compliance with legislative intent, impact on the economy, and impact on affected parties. In addition to sending comments or recommendations to the agency, please do not hesitate to transmit your views to ARRC:

Administrative Regulations Review Commission
State Capitol
Albany, NY 12247
Telephone: (518) 455-5091 or 455-2731

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KEY: (P) Proposal; (RP) Revised Proposal; (RC) Revised Proposal/Continuation; (E) Emergency; (EP) Emergency and Proposal; (A) Adoption; (AA) Amended Adoption; (W) Withdrawal

Individuals may send public comment via electronic mail to those recipients who provided an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings. Choose pertinent issue of the *Register* and follow the procedures on the website (www.dos.state.ny.us)

Rule Making Activities

Agriculture and Markets, Department of

1 / Farm Brewery and Farm Distillery Exemption (A)

Education Department

1 / Institutional Accreditation for Title IV Purposes (P)

5 / The Dignity for All Students Act (L. 2010, ch. 482; L. 2012, ch. 102) (P)

7 / Code of Conduct (P)

11 / Reporting Requirements Under the Dignity for All Students Act (P)

15 / Local High School Equivalency Diplomas Based Upon Experimental Programs (P)

Environmental Conservation, Department of

17 / Special Snow Goose Harvest Program (EP)

19 / Air Pollution Control Permits and Registrations (A)

Financial Services, Department of

22 / Assessment of Entities Regulated by the Banking Division of the Department of Financial Services (E)

25 / Public Retirement Systems (E)

28 / Provider Requirements for Insurance Reimbursement of Applied Behavior Analysis (E)

Health, Department of

32 / Reduction to Statewide Base Price (E)

33 / Statewide Pricing Methodology for Nursing Homes (E)

35 / Episodic Pricing for Certified Home Health Agencies (CHHAs) (E)

36 / Authority to Collect Pharmacy Acquisition Cost (A)

36 / Orthodontic Screening (A)

36 / Audits of Institutional Cost Reports (ICR) (A)

36 / Prevention of Influenza Transmission by Healthcare and Residential Facility and Agency Personnel (P)

40 / Hospital Pediatric Care (P)

43 / Hospital Sepsis Protocols (P)

Higher Education Services Corporation

46 / Tuition Assistance Program Award Determinations (P)

Long Island Power Authority

47 / Recharge New York Power Program Provisions of the Authority's Tariff (A)

48 / Authority's Tariff for Electric Service (A)

Lottery, Division of the

48 / To Make a Technical Correction to Remove an Incorrect Provision Related to Licensing Agents (A)

Motor Vehicles, Department of

48 / A2 Restriction (A)

49 / Dangerous Repeat DWI Offenders (A)

Public Service Commission

50 / Adopting a Standard Annual Report Format (A)

50 / Budgets and Targets for EEPS Programs (A)

- 50 / Amendments to PSC No. 1 — Electricity Effective February 1, 2013, to Increase Its Annual Revenues by \$141,430 or 4.7% (A)
- 51 / Approval to Eliminate the 350kW Cap (A)
- 51 / Adopting Emergency Rule As a Permanent Rule (A)
- 52 / Authorizing the Changes to the Renewable Portfolio Standard As it Relates to the Anaerobic Digester Generation Development (A)
- 52 / Adopting Emergency Rule As a Permanent Rule (A)
- 52 / Approval of the Transfer, from Kodak to RED, of a Utility System at the Eastman Business Park, and Other Related Relief (P)
- 53 / The Modification of a Prior Order Concerning the Treatment of Funds Received from a Third Party (P)
- 53 / Whether to Permit the Use of the Rosemount 8800 Series Vortex Flowmeter (P)
- 53 / Monthly Charge for Cellular Communications (P)

Racing and Wagering Board

- 53 / Notice of expiration

State, Department of

- 54 / Address Confidentiality Program (EP)

Hearings Schedule for Proposed Rule Makings / 56

Action Pending Index / 57

Advertisements for Bidders/Contractors

- 93 / Sealed Bids

Notice of Availability of State and Federal Funds

- 103 / Homeland Security and Emergency Services, Office of

Miscellaneous Notices/Hearings

- 105 / Notice of Abandoned Property Received by the State Comptroller
- 105 / Public Notice