

# RULE REVIEW

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## OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

Pursuant to Section 207 of the State Administrative Procedure Act (SAPA), most State agencies, including OASAS, must review after five years, and thereafter at five year intervals, all regulations that were adopted on or after January 1, 1997. The purpose of the SAPA Section 207 review is to determine whether such regulations should be continued as written, modified or repealed. OASAS invites public comment on the continuation, modification or repeal of the following regulations.

### **14 NYCRR Part 810**

#### **Establishment, Incorporation and Certification of Providers of Chemical Dependence Services**

*Statutory Authority: Mental Hygiene Law Sections 19.07, 19.09, & 19.40; Business Corporation Law Section 406; Not-for-Profit Corporation Law Section 404(u)*

This regulation is required for certifying chemical dependence services under the Part 800 series and accordingly will be continued. OASAS intends to amend this regulation.

### **14 NYCRR Part 816**

#### **Chemical Dependence Crisis Services**

*Statutory Authority: Mental Hygiene Law Sections 19.09, 19.15, & 19.40*

This regulation sets out required minimum standards for the provision of detoxification chemical dependence services and therefore will be continued. OASAS intends to amend this regulation.

### **14 NYCRR Part 840**

#### **Rates of Reimbursement-Alcoholism Facilities**

**[Only Part 840.11(L) was changed since 1997]**

*Statutory Authority: Mental Hygiene Law Sections 19.07, 19.09 & 43.02*

Part 840 will be repealed as obsolete once the proposed Part 841 Medical Assistance for Chemical Dependence Services regulation is adopted and the impacted modalities are converted to chemical dependence services.

### **14 NYCRR Part 853**

#### **Credentialing of Alcoholism and Substance Abuse Counselors**

*Statutory Authority: Mental Hygiene Law Sections 19.07(d) & 19.09(b)*

This regulation sets out minimum standards for CASACs in terms of eligibility standards in obtaining the credential as well as the rules applicable to such professionals once credentialed. Accordingly, this regulation will be continued and OASAS intends to amend this regulation.

### **14 NYCRR Part 855**

#### **Credentialing of Alcoholism and Substance Abuse Prevention Professionals and Prevention Specialists**

*Statutory Authority: Mental Hygiene Law Sections 19.07(a), 19.07(d) & 19.09(b)*

This regulation sets forth minimum standards for CPPs and CPSs in terms of eligibility standards for each credential as well as the rules applicable to such professionals once credentialed. Accordingly, this regulation will be continued and OASAS intends to amend this regulation.

The following regulations, while technically not within the ambit of SAPA 207 due to their dates of adoption, are also under review by OASAS. These regulations will be amended and comments are welcome.

### **14 NYCRR Part 820**

#### **Residential Chemical Dependency Programs for Youth**

### **14 NYCRR Part 823**

#### **Outpatient Chemical Dependency Treatment Services for Youth Programs and Services**

### **14 NYCRR Part 828**

#### **Methadone**

### **14 NYCRR Part 831**

#### **Appeals and Hearings**

Comments concerning the foregoing regulations must be in writing and must be received by March 15, 2004. Send all comments to:

David Ross

Associate Counsel and Director of Regulatory Affairs

Office of the Counsel

NYS Office of Alcoholism and Substance Abuse Services

1450 Western Avenue

Albany, NY 12203

(518) 485-2335 (fax)

DavidRoss@OASAS.state.ny.us (E-mail)

You may access the complete text of Parts 810, 816, 820, 823, 853 and 855 on the OASAS website at <http://www.oasas.state.ny.us>.