

# MISCELLANEOUS NOTICES/HEARINGS

## Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311  
or visit our web site at:  
[www.osc.state.ny.us](http://www.osc.state.ny.us)

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

## PUBLIC NOTICE

### Division of Criminal Justice Services Security Guard Advisory Council

Pursuant to Public Officers Law Section 104, the Division of Criminal Justice Services gives notice of a meeting of the Security Guard Advisory Council:

Date: Monday, December 14, 2009  
Time: 10:00 a.m.  
Place: 633 Third Avenue  
New York, New York

Identification and sign-in are required at this location. *For further information or if you need a reasonable accommodation to attend this meeting, contact:* Stephen Lynch, Office of Public Safety, Division of Criminal Justice Services, Four Tower Place, Albany, NY 12203-3702, (518) 485-2095

## PUBLIC NOTICE

### Department of Environmental Conservation Comment Period Extension

The New York State Department of Environmental Conservation is extending the public comment period for proposed revisions to 6 NYCRR Part 249, Best Available Retrofit Technology. The comment period will close at 5:00 P.M., December 24, 2009. A Notice of Proposed Rule Making and a Hearing Notice were previously published in the October 28, 2009 issues of the State Register and the ENB.

*For further information, contact:* Scott Griffin, DEC, Division of Air Resources, 625 Broadway, Albany, NY 12233, (518) 402-8396, e-mail: [249BART@gw.dec.state.ny.us](mailto:249BART@gw.dec.state.ny.us)

## PUBLIC NOTICE Office of General Services

Pursuant to Section 30-a of the Public Lands Law, the Office of General Services hereby gives notice to the following:

Notice is hereby given that the Office of Parks, Recreation and Historic Preservation has declared that Graniteville Quarry State Park and South Beach State Park, located in the Borough of Staten Island, Richmond County, City and State of New York, are no longer useful for State program purposes and have been declared abandoned to the Commissioner of General Services for sale or other disposition as unappropriated State land. These abandonments were approved on November 9, 2009.

*For further information, please contact:* Thomas Pohl, Esq., Office of General Services, Legal Services, 41st Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, (518) 474-8831, (518) 473-4973 fax

## PUBLIC NOTICE Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for inpatient, long term care and non-institutional services to comply with recently proposed statutory provisions. The following significant changes are proposed:

### Institutional Services

- Effective for services rendered on and after January 1, 2010, rates of payment for inpatient services provided by general hospitals will reflect zero trend factor projections or adjustments attributable to calendar year 2010.
- For hospital inpatient services, the assessment on each hospital's gross receipts received from all patient services and other operating income on a cash basis that is in excess of .35% will be reimbursable and subsequently reconciled to actual costs in rates of payment applicable within the assessment period.

### Long Term Care Services

- Effective for services rendered on and after January 1, 2010, rates of payment for nursing home inpatient services except for nursing home services providing extensive nursing, medical, psychological and counseling support services to children will reflect zero trend factor projections or adjustments attributable to calendar year 2010.
- The nursing home rebasing of base year costs provisions have been extended through February 28, 2011. The operating cost component of payment rates will reflect allowable operating costs as reported in each facility's 2002 cost reports, adjusted for inflation on an annual basis in accordance with current statutory provisions. For those facilities which did not receive a per diem add-on adjustment in 2008, rates will be further adjusted to include the proportionate benefit, as determined by the expiration of the opening paragraph and paragraph (a) of subdivision 16 and of paragraph (a) of subdivision 14 of section 3 of Part D of Chapter 58 of the Laws of 2009, and will not be less than the operating component such facilities received in the 2008 rate period, adjusted for applicable inflation on an annual basis. Rates for facilities whose operating cost component reflects based year costs subsequent to January 1, 2002 will have rates computed utilizing al-

lowable operating costs as reported in such subsequent base year period, trended forward to the rate year in accordance with applicable inflation factors.

- The implementation of a regional pricing methodology for reimbursement of nursing home services will be effective March 1, 2011. In addition, the operating component of payment rates for the following categories of facilities will reflect the rates in effect for such facility on February 28, 2011, as adjusted for inflation in accordance with current statutory provisions:

- AIDS facilities or discrete AIDS units;
- discrete units for residents receiving care in a long-term inpatient rehabilitation program for traumatic brain injury;
- discrete units providing specialized programs for residents requiring behavioral interventions;
- discrete units for long term ventilator dependent residents; and
- facilities or discrete units that provide extensive nursing, medical, psychological and counseling supports services for children.

Such rates will remain in effect until the Department, in consultation with representatives of the nursing home industry, develops a regional pricing or alternative methodology for determining such rates.

- Effective for the period December 1, 2009 through March 31, 2010, regarding inpatient rates of payment for RHCs which reflect the benefit of the rebase to 2002 costs, the Commissioner of Health and the Division of the Budget, will make proportional adjustments to rates of payments, as computed pursuant to section 2808(2-b)(b) of the Public Health Law and as modified by section 2 of part D of Chapter 58 of the Laws of 2009, such that the aggregate total increase in the rates for the period April 1, 2009 through March 31, 2010, will be reduced from \$210 million to an amount no greater than \$52.5 million.

- For the period April 1, 2010 through March 31, 2011, further proportional adjustments will be made to such rates as are necessary to ensure such rates for such period, do not, in aggregate, reflect any further net increase in excess of \$157.5 million from the rates in effect for the preceding state fiscal year. The operating component of such rates will not be subject to case mix adjustments as otherwise scheduled to be implemented January 1, 2010 in accordance with current statute.

#### Non-Institutional Services

- Effective for services rendered on and after January 1, 2010, rates of payment for hospital outpatient services; home health care services, including services provided to home care patients diagnosed with AIDS; personal care services, including those social services districts, including New York City, who rates of payment for such services are issued by such social services districts pursuant to a rate-setting exemption; adult day health care services; and assisted living services, will reflect zero trend factor projections or adjustments attributable to calendar year 2010.

The estimated aggregate decrease in gross Medicaid expenditures attributable to these proposed initiatives for the periods December 1, 2009 through March 31, 2010, and April 1, 2010 through March 31, 2011, is \$256.5 million and \$395.5 million respectively.

Copies of the proposed state plan amendments will be on file in each local (county) social services district and available for public review.

For the New York City district, copies will be available at the following places:

New York County  
250 Church Street  
New York, New York 10018

Queens County, Queens Center  
3220 Northern Boulevard  
Long Island City, New York 11101

Kings County, Fulton Center  
114 Willoughby Street

Brooklyn, New York 11201

Bronx County, Tremont Center  
1916 Monterey Avenue  
Bronx, New York 10457

Richmond County, Richmond Center  
95 Central Avenue, St. George  
Staten Island, New York 10301

The public is invited to review and comment on this proposed state plan amendment.

*For further information and to review and comment, please contact:* Mr. Philip N. Mossman, Department of Health, Bureau of HCRA Operations & Financial Analysis, Corning Tower Building, Rm. 984, Empire State Plaza, Albany, NY 12237, (518) 474-1673, (518) 473-8825 (FAX), PNM01@health.state.ny.us

## PUBLIC NOTICE

Department of State  
Notice of Review for the

### City of Beacon Draft Harbor Management Plan

In accordance with the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the New York State Coastal Management Program, the City of Beacon prepared a draft Harbor Management Plan (HMP) that addresses potential conflicts and space competition for major surface water uses in the Beacon Harbor, and proposes recommendations designed to minimize, mitigate, or eliminate identified issues. The HMP is an amendment to the City's Local Waterfront Revitalization Program (LWRP), which was adopted by the City and approved by the NYS Secretary of State in 1992. The LWRP is a comprehensive management program for the City's Hudson River waterfront resources, which has been incorporated into the State's Coastal Management Program.

To approve the City of Beacon HMP as an amendment to the LWRP, pursuant Article 42 of the NYS Executive Law it is required that potentially affected State, federal, and local agencies be consulted to assure that the program does not conflict with existing policies and programs. For this purpose, the Beacon LWRP and the draft HMP are available online at <http://nyswaterfronts.com/LWRP.asp>

The draft HMP was accepted by the New York State Department of State as complete and is now available for review by potentially affected State, federal, and local and the public. Comments on the draft HMP are due by February 2, 2010. At the close of this required review period, the Department of State will coordinate responses to comments received with the City of Beacon, and modifications to the HMP will be made, as needed. Following adoption of the HMP by the City, and its subsequent approval by the Secretary of State, pursuant to 15 CFR 923.84(b), the New York State Department of State (DOS) will request incorporation of the amended LWRP into the State Coastal Program to the federal Office of Ocean and Coastal Resource Management (OCRM) as a Routine Program Change.

*Comments on the Draft City of Beacon HMP should be submitted by February 2, 2010 to:* Kevin Millington, Department of State, Office of Coastal, Local Government and Community Sustainability, 99 Washington Ave., Suite 1010, Albany, NY 12231-0001, (518) 473-2479

## PUBLIC NOTICE

Department of Transportation

The New York State Department of Transportation hereby gives notice of the following:

The public comment period for the proposal to amend 17 NYCRR Part 8000, published in the *State Register* on August 26, 2009 with rule ID number TRN-34-09-00021-P is hereby extended through December 15, 2009. The public comment period had been previously extended to end on November 30, 2009 by a notice published in the *State Register* on October 14, 2009.

*For further information, contact:* Yomika Bennett, Director of State and Local Relations, Department of Transportation, 50 Wolf Rd., Albany, NY 12232, (518) 457-2345, truckregcomment@dot.state.ny.us

**SALE OF  
FOREST PRODUCTS**  
Chenango Reforestation Area No. 12  
Contract No. X007699

Pursuant to Section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice for the following:

Sealed bids for 1,626 tons more or less of red pine, 60.3 MBF more or less of Norway spruce, 0.5 MBF more or less of black cherry, 0.2 MBF more or less of red maple, and 5.9 cords more or less of firewood, located on Chenango Reforestation Area No. 12, Stand B-18, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m. on Thursday, Dec. 24, 2009.

*For further information, contact:* Robert Slavicek, Supervising Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 2715 State Hwy. 80, Sherburne, NY 13460-4507, (607) 674-4036

**SALE OF  
FOREST PRODUCTS**  
Tioughnioga Wildlife Management Area  
Contract No. X007702

Pursuant to Section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice for the following:

Sealed bids for 49.9 MBF more or less of black cherry, 40.6 MBF more or less of hard maple, 6.9 MBF more or less of white ash, 1.7 MBF more or less of red maple, 0.4 MBF more or less of yellow birch, 60 tons more or less of red pine and 71 cords more or less of hardwood firewood, located on Tioughnioga Wildlife Management Area, Stands F-12, 14, and 33, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m. on Thursday, Dec. 24, 2009.

*For further information, contact:* Robert Slavicek, Supervising Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 2715 State Hwy. 80, Sherburne, NY 13460-4507, (607) 674-4036

