

REGULATORY AGENDA

Banking Department First Half 2010

The New York State Banking Department is considering proposing rules with respect to the following:

1. New rules to implement the provisions of legislation addressing the mortgage foreclosure crisis in the state, including:
 - a. Rules governing the registration of mortgage loan servicers (These rules were adopted on an emergency basis on December 22, 2009);
 - b. Rules governing the business conduct of mortgage loan servicers;
 - c. Rules determining the applicability of those mortgage loan servicer regulations to loans secured by interests in manufactured housing; and
 - d. Rules specifying disclosures to be made by mortgage brokers concerning payment of yield spread premiums.
2. New rules governing:
 - a. the information about potential mortgage foreclosures that must be reported to the Department by mortgage loan servicers, and
 - b. the dissemination and use of information provided by the Department or the courts to housing counseling agencies regarding borrowers at risk of foreclosure.
3. Amending various regulations to conform to changes in Article 12-D of the Banking Law and to changes in the application process for mortgage bankers and brokers resulting from the requirements of the National Mortgage Licensing System and Registry.
4. Revising its regulations to conform to changes in Article 12-E of the Banking Law regarding the regulation of mortgage loan originators (These regulations were adopted on an emergency basis on December 17, 2009.)
5. Amending its regulations regarding the Banking Development District (BDD) program to implement the provisions of recently enacted legislation and to address the recommendations of a forthcoming report on the Department's assessment of the effectiveness of the BDD program.
6. Amending its regulations to impose a fee for various applications/notifications for which no fee is currently charged.
7. Clarification of terms used in establishing legal lending limits, including the definition of "undivided profits" in Supervisory Procedure CB 120.

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Office of the Medicaid Inspector General

This is a continuing Regulatory Agenda. Updated Regulatory Agendas may be found at the website of the Office of the Medicaid Inspector General at <http://www.omig.state.ny.us>.

The following rules are under consideration by the OMIG for

submission as a Notice of Proposed Rulemaking during the calendar year 2010, but for which a rulemaking proceeding has not yet been commenced.

Below is a brief description of the regulations, by subject matter, that are under review by the OMIG.

Title 18 NYCRR (Social Services)

515.1 Scope and Definitions – Amend regulation in relation to new and existing definitions.

515.2 Unacceptable Practices – Revise regulation in relation to new and existing guidelines and procedures for unacceptable practices under the medical assistance program.

515.4 Guidelines for Sanctions – Amend regulations pertaining to sanction guidelines and procedures.

515.5 Sanctions; Effect – Amend regulation in relation to the effect of sanctions.

515.6 Notification – Amend regulation to clarify notification procedures.

515.7 Immediate Sanctions – Revise regulation in relation to new and existing guidelines for Immediate sanctions.

515.8 Mandatory Exclusions – Revise regulation in relation to new and existing guidelines for Mandatory sanctions.

515.10 Reinstatement – Revise regulation in relation to new and existing guidelines and procedures for Reinstatement.

518.7 Withholding of Payments – Amend regulation to clarify guidelines and procedures for withholding payments.

519.1 Scope – Amend regulation to clarify the scope of the hearing process for providers of medical assistance.

519.5 Notice – Amend regulation to clarify mailing address and procedures for department notices.

519.7 Request for a Hearing – Amend regulation to clarify mailing address and procedures for hearing requests.

519.11 Scheduling and Adjourning Hearings – Amend regulation to clarify hearing procedures.

519.13 Examination of File Before Hearing – Amend regulation in relation to procedures for examination of a file before hearing.

Part 520 – Tax Refund Offset for Overpayments of Medical Assistance – Revise regulations in relation to establishing and enforcing the tax refund offset program.

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