

# 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 Town of Bristol

The Town of Bristol, NY is soliciting proposals from administrative service agencies relating to trust service, administration and/or funding of a Deferred Compensation Plan for the employees of Bristol, NY. They must meet the requirements of section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto.

*A copy of the proposal questionnaire may be obtained from:* Town of Bristol, Attn.: Sharon Miller Town Clerk or Robert Green Town Supervisor, 6740 County Rd. 32, Canandaigua, NY, (585) 229-2400. All proposals must be received no later than 30 days from the date of publication in the New York State Register.

## PUBLIC NOTICE Department of Civil Service

PURSUANT to the Open Meetings Law, the New York State Civil Service Commission hereby gives public notice of the following:

Please take notice that the regular monthly meeting of the State Civil Service Commission for March 2010 will be conducted on March 17 commencing at 10:00 a.m. This meeting will be conducted at New York Network, Suite 146, South Concourse, Empire State Plaza, Albany, NY. Directions and parking information available at ([www.nyn.suny.edu](http://www.nyn.suny.edu)).

*For further information, contact:* Office of Commission Operations, Department of Civil Service, Alfred E. Smith State Office Building, Albany, NY 12239, (518) 473-6598

## PUBLIC NOTICE Department of Health

The New York State Department of Health (DOH) is required by the provisions of the federal Beaches Environmental Assessment and Coastal Health (BEACH) Act to provide for public review and com-

ment on the Department's beach monitoring and notification plan. The BEACH Act (Section 406(b) of the Clean Water Act) enacted a federal Environmental Protection Agency grant program available to states, such as New York, with coastal recreational waters. Coastal recreational waters include the Great Lakes and marine coastal waters that are designated for swimming, bathing, surfing, or similar water contact activities. The Act is not applicable to inland waters or waters upstream of the mouth of a river or stream having an unimpaired natural connection with the open sea.

The beach monitoring and public notification also includes information on the beach evaluation and classification process, including a list of waters to be monitored and beach ranking. Also included in this plan, is the sampling design and monitoring plan, including sampling location and sampling frequency. Lastly the plan contains information on procedures for public notification and risk communication, including methods to notify the public of a swimming advisory or beach closure.

*Any interested parties and/or agencies desiring to review and/or comment on the beach monitoring and notification plan for coastal recreational waters may do so by writing to:* Douglas C. Sackett, Assistant Director, Bureau of Community Environmental Health and Food Protection, Flanigan Square, 547 River St., Rm. 515, Troy, NY 12180-2216, Fax (518) 402-7609

## 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 institutional services to comply with enacted statutory provisions. The following significant changes are proposed:

### Institutional Services

- For days of services associated with admissions occurring on or after April 1, 2010, and thereafter, per diem rates for Article 28 exempt psychiatric hospitals and hospital exempt units will reflect certain 2005 operating costs as reported by each facility to the Department prior to December 1, 2009. The rates will be computed based on the case mix neutral statewide per diem base price applicable to each rate period, excluding adjustments for direct graduate medical education, electroconvulsive therapy (ECT), and capital. Such statewide base prices will be periodically adjusted to reflect changes in provider coding patterns, case mix, and such other factors determined by the Commissioner. Rates of payment and case mix factors will reflect 2005 costs relating to services provided to Medicaid psychiatric inpatients as determined by the applicable ratio of costs to charge methodology. Rates will reflect the application of hospital specific wage equalization factors reflecting differences in wage rates, and will be based on the All Patient Refined (APR) case mix methodology, utilizing diagnostic related groups with assigned per diem weights that incorporate differing levels of severity of patient condition and associated risk of mortality, periodically updated by the Commissioner. The rates of payment will reflect an aggregate net statewide increase in reimbursement for services of up to \$25 million dollars for the period April 1, 2010 through March 31, 2011 and for annual periods thereafter.

- Regulations will be proposed by the Commissioner of Health,

establishing the methodology for the computation of Article 28 psychiatric hospital and hospital exempt unit inpatient per diem psychiatric rates. Such regulations may incorporate quality related measures pertaining to potentially preventable readmissions. Such regulations will also contain criteria for adjustment based on length of stay and for readmissions to the same facility within 30 days of discharge.

- Regulations will provide for administrative rate appeals, only with regard to the correction of computational errors or omissions of data, including hospital specific computations relating to direct graduate medical education, wage equalization factor adjustments and capital cost reimbursement.

- Inpatient psychiatric rates of payment will continue to reflect trend factor adjustments based on the consumer price index adjustment factor as provided in and otherwise modified by any applicable statute.

- Per diem psychiatric rates of payment for teaching general hospitals will include reimbursement for direct graduate medical education as defined and calculated in accordance with the regulations.

- Effective April 1, 2010, and thereafter, such psychiatric per diem rates for a general hospital or distinct unit of a general hospital will exclude physician's costs. Claims for Medicaid fee-for-service payments for such physician's services may be submitted separately.

- Effective April 1, 2010 and thereafter, such psychiatric per diem rates for a general hospital or distinct unit of a general hospital will exclude the costs related to electroconvulsive therapy. Claims for Medicaid fee-for-service payments for such electroconvulsive therapy treatments may be submitted separately.

- For general hospital or distinct unit of a general hospital without adequate cost experience, the operating cost component of the applicable psychiatric per diem will be based on the statewide base price plus budgeted direct graduate medical education costs, adjusted to actual.

- Effective April 1, 2010, the psychiatric operating per diem rates will be adjusted by payment factors for the service intensity weight, rural designation, age (17 and under), the presence of mental retardation and one co-morbidity. If more than one co-morbidity is present during the patient stay, the co-morbidity with the highest payment factor will be used.

- There is no change to the capital cost reimbursement methodology used to determine such psychiatric per diem rates.

- For payment of alternate level of care (ALC) days of care, the operating component for inpatient psychiatric services with regard to ALC, will be computed based on the 1987 regional average operating cost component of rates of payment for hospital-based residential health care facilities and trended to the rate period, in accordance with existing methodology.

- The base period costs and statistics used for inpatient psychiatric per diem rate setting operating cost components, including the weights assigned to diagnostic related groups, will be updated no less frequently than every four years and the new base period will be no more than four years prior to the first applicable rate period that utilized such new base period. The payment factors for rural designation, age, certain defined comorbidities, and the presence of mental retardation may also be updated to reflect more current data.

- In accordance with the regulations, funds will be set aside to provide facilities with financial support to transition to the new inpatient psychiatric reimbursement methodology.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this proposed initiative for state fiscal year 2010/2011 is \$25 million.

Copies of the proposed state plan amendment 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 Wiloughby 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:* 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), e-mail: PNM01@health.state.ny.us

## PUBLIC NOTICE

### Department of Motor Vehicles

#### Invitation for Public Comment

Pursuant to Executive Order No. 25, NYS Department of Motor Vehicles invites comments from regulated entities and interested parties to identify existing regulations that impose unnecessary, burdensome or excessive costs, paperwork, reporting or other requirements.

Comments are sought that describe and quantify the burden and suggest appropriate remedies that the agency may undertake to eliminate or amend regulations that are unnecessary, unbalanced, unwise, duplicative or unduly burdensome.

Any comments must be received on or before May 2, 2010 and may be submitted in writing to Monica Staats, DMV, Legal Bureau, Rm. 526, Six Empire State Plaza, Albany, NY 12228 or electronically at [monica.staats@dmv.state.ny.us](mailto:monica.staats@dmv.state.ny.us) and to the Governor's Office of Regulatory Reform at [EO25@gorr.state.ny.us](mailto:EO25@gorr.state.ny.us)

## PUBLIC NOTICE

### Department of State

A meeting of the New York State Board of Real Estate Appraisal will be held on Friday, March 12, 2010 at 10:30 a.m. at the Department of State, Alfred E. Smith State Office Bldg., 80 South Swan Street, 10th Floor Conference Room, Albany, NY, and 123 William Street, 19th Floor Conference Room, NYC, NY.

Should you wish to attend or require further information, please contact Debra Campana, Board Coordinator, at [debra.ryan-campana@dos.state.ny.us](mailto:debra.ryan-campana@dos.state.ny.us) or 518-473-6155. Please always consult the Department of State website ([www.dos.state.ny.us/about/calendar.htm](http://www.dos.state.ny.us/about/calendar.htm)) on the day before the meeting to make sure the meeting has not been rescheduled.

## PUBLIC NOTICE

### Department of Taxation and Finance

#### Interest Rates

The Commissioner of Taxation and Finance hereby sets the interest rates for the months of April, May, and June, 2010 pursuant to sections 697(j) and 1096(e) of the Tax Law, as follows:

For purposes of section 697(j) the overpayment rate of interest is set at 3 percent per annum, and the underpayment rate of interest is set

at 7-1/2 percent per annum. For purposes of section 1096(e), the overpayment rate of interest is set at 3 percent per annum, and the underpayment rate of interest is set at 8 percent per annum. (The underpayment rates set pursuant to sections 697(j) and 1096(e) may not be less than 7-1/2 percent per annum.) Pursuant to section 1145(a)(1) of the Tax Law, the underpayment rate for State and local sales and use taxes administered by the Commissioner of Taxation and Finance is 14-1/2 percent per annum. The underpayment rate for the special assessments on hazardous waste imposed by section 27-0923 of the Environmental Conservation Law is 15 percent.

For the interest rates applicable to overpayments (refunds) and underpayments (late payments and assessments) of the following taxes administered by the Commissioner of Taxation and Finance for the period April 1, 2010 through June 30, 2010, see the table below:

Commonly viewed tax types	4/1/10 - 6/30/10 Interest Rate Per Annum Compounded Daily	
	Refunds	Late Payments & Assessments
Income**	3%	7.5%
Sales and use	3%	14.5%*
Withholding	3%	8%
Corporation**	3%	8%
All other tax types	Refunds	Late Payments & Assessments
Alcoholic Beverage	3%	8%
Beverage Container Deposits	3%	8%
Boxing & Wrestling	3%	8%
Cigarette	NA	8%
Diesel Motor Fuel	3%	8%
Estate	3%	7.5%
Fuel Use Tax	12%	12%
Generation-Skipping Transfer	3%	7.5%
Hazardous Waste	3%	15%
Highway Use	3%	8%
Metropolitan Commuter Transportation Medalion Taxicab Ride	3%	8%
Metropolitan Commuter Transportation Mobility Tax	3%	7.5%
Mortgage Recording	3%	8%
Motor Fuel	3%	8%
Petroleum Business	3%	8%
Real Estate Transfer	3%	8%
Tobacco Products	NA	8%
Waste Tire Fee	3%	8%

\* The interest rate on sales tax assessments or late payments is required to be set at 14-1/2% for this quarter. However, where the Commissioner determines that the failure to pay or delay in payment is due to reasonable cause and not willful neglect, the Commissioner may impose interest at the corporation tax late payment and assessment rate. That rate is 8% for this quarter.

\*\* There are a number of state and local governmental bodies that have interest rates tied to the overpayment and underpayment rates contained in either section 697(j) (Income Tax) or section 1096(e) (Corporation Tax) of the Tax Law. For purposes of section 697(j) and section 1096(e) of the Tax Law, the overpayment rate for this period is 3%. For purposes of section 697(j) of the Tax Law, the underpayment rate for this period is 7.5%. For purposes of section 1096(e) of the Tax Law the underpayment rate for this period is 8%.

For further information contact: John W. Bartlett, Taxpayer Guidance Division, Department of Taxation and Finance, W.A. Harriman Campus, Albany, NY 12227, (518) 457-2254

For rates for previous periods, visit the Department of Taxation and Finance website: [www.state.tax.ny.us/taxnews/int\\_curr.htm](http://www.state.tax.ny.us/taxnews/int_curr.htm)

**SALE OF FOREST PRODUCTS**

Chenango Reforestation Area No. 30  
Contract No. X007766

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 3,138 tons more or less of red pine, 47.0 MBF more or less of larch, 0.8 MBF more or less of white ash, 0.7 MBF more or less of red maple, 0.5 MBF more or less of black cherry, 0.4 MBF more or less of hemlock, 0.2 MBF more or less of red oak, 0.1 MBF more or less of hard maple, 0.1 MBF more or less of hickory, 97 cords more or less of misc hardwoods, located on Chenango Reforestation Area No. 30, Stands A-2, 7, 10, 13, 15, 16, 17, and 25, 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, March 18, 2010.

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**

Oswego Reforestation Area No. 11  
Contract No. X007770

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

Sealed bids for 630.8 MBF more or less of mixed hardwood/softwood sawtimber, 226.0 cords more or less of hardwood pulpwood, and 322.0 tons of softwood pulpwood located on Oswego Reforestation Area No. 11, Stands A-1, 2, 5, 7 and 9 will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, March 18, 2010.

For further information, contact: Daniel Sawchuck, Forester 1, Department of Environmental Conservation, Division Lands and Forests, Region 7, 1285 Fisher Ave., Cortland, NY 13045-1090, (607) 753-3095

**SALE OF FOREST PRODUCTS**

Otsego Reforestation Area No. 3  
Contract No. X007769

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 6 cords, more or less, of red pine pulpwood; 251.6 MBF, more or less, of red pine sawtimber; 18.7 MBF, more or less, of white pine sawtimber; 6.9 MBF, more or less, of misc. hardwood sawtimber; 7 cords, more or less, of aspen pulp; 10 cords, more or less, of misc. hardwood firewood, located on Otsego Reforestation Area No. 3, Stand A-17, will be accepted at the Department of Environmental Conservation, Bureau of Procurement & Expenditure Services, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, March 18, 2010.

For further information, contact: Paul Wenner, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 4, 65561 State Hwy. 10, Suite 1, Stamford, NY 12167-9503, (607) 652-7365

