

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

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 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 June 2011 will be conducted on June 16 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).

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

PUBLIC NOTICE Homes and Community Renewal Neighborhood Stabilization Program 3 (NSP3) Public Comment Period Announcement

The U.S. Department of Housing and Urban Development (HUD) has been authorized to administer the federal Neighborhood Stabilization Program 3 (NSP3). NSP3 will provide grants to States and local governments to continue to redevelop vacant, foreclosed, and abandoned properties into affordable housing, land bank foreclosed homes, and/or demolish blighted structures. The funding is provided under Section 1497 of the Wall Street Reform and Consumer Protection Act of 2010. On September 8, 2010, HUD released the NSP3 allocation amounts for states and other jurisdictions. In accordance with HUD guidelines, New York State submitted to HUD a first NSP3 Substantial Amendment on March 1, 2011, and must submit a second NSP3 Substantial Amendment by June 30, 2011. The NSP3 Substantial Amendments are amendments to the jurisdictions' approved 2010 Action Plan. The allocation under NSP3 for the New York State Program is \$5 million and funds will be administered by the Office of Community Renewal. In accordance with HUD guidelines, the NSP3

Substantial Amendment to the 2010 Action Plan for the New York State Program must be published for no less than 15 calendar days for public comment before it is submitted to HUD by the June 30, 2011 deadline. The public comment period will begin on Friday, June 10, 2011 and end on Friday, June 24, 2011. The New York State NSP3 Substantial Amendment to the 2010 Action Plan will be available during the public comment period on the New York State Homes and Community Renewal (HCR) website www.nyshcr.org. Copies can be requested by e-mail at nsp@nyshcr.org or by telephoning 1-866-275-3427. *Written comments must be postmarked no later than June 24, 2011 and addressed to:* Jason Pearson, Homes and Community Renewal, 641 Lexington Ave., Fourth Fl., New York, NY 10022. E-mail comments must be sent by that date and e-mailed to: nsp@nyshcr.org

PUBLIC NOTICE Orange County, New York Department of Public Works Division of Environmental Facilities & Services Request for Proposals

For the Sustainable Disposal of up to 500 Tons per Day of the
County of Orange Solid Waste Stream

PLEASE TAKE NOTICE that the Orange County Department of Public Works is seeking proposals for the sustainable recycling and disposal of the Orange County waste stream. The County is seeking an innovative alternative for solid waste disposal with a preference for the generation of renewable energy.

The County will be issuing a Request For Proposals (RFP) for this project. The RFP, as well as comments and responses to the Draft RFP, will be on file in the Office of the Orange County Executive, 255 Main Street, Goshen, NY 10924; Montgomery Free Library, 133 Clinton Street, Montgomery, NY 12549; and Newburgh Free Library, 124 Grand Street, Newburgh, NY 12550 as of May 24, 2011 as provided by Section 120-w of the GML.

Starting Tuesday May 24, 2011 copies of the RFP may be obtained from: Orange County Department of Public Works, Division of Environmental Facilities and Services, c/o Peter S. Hammond, Deputy Commissioner, P.O. Box 637, 2455-2459 Rte. 17M, Goshen, NY 10924, (845) 291-2640

PLEASE TAKE FURTHER NOTICE that all persons wishing to submit a proposal must do so in writing by regular mail to the Orange County Department of Public Works, Division of Environmental Facilities and Services, c/o Peter S. Hammond, Deputy Commissioner at the above address and must be received by the County by 3 pm on June 22, 2011.

PUBLIC NOTICE Office for People with Developmental Disabilities and Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People With Developmental Disabilities (OPWDD) and the New York State Department of Health hereby give notice of the following:

New York State proposes to change the reimbursement methodology for Intermediate Care Facilities for individuals who are Developmentally Disabled (ICF/DDs). The State is seeking to achieve efficient

cies in its Medicaid program including Medicaid funded services overseen by OPWDD. Updating the rate methodology for under 31-bed ICF/DDs serves as one avenue of realizing efficiency. By changing the methodology for the operating component of the rate to utilize more current cost information, it yields rates that more accurately reflect costs. By limiting the criteria to submit appeal requests, providers are incentivized to exercise fiscal prudence in matters which fall under their control. The State estimates the decrease in annual aggregate expenditures to be \$38.2 million. Other measures described below are intended to increase administrative efficiencies for providers and the State.

The methodology for under 31-bed sites will hold rates to the lower of 2008/ 2008-2009 costs (depending on whether the provider reports on a calendar or fiscal year basis) or screen values. For sites that opened after the beginning of the cost reporting period, budgeted costs will be compared to the screens. For the purposes of the rate calculations, OPWDD will assume that providers allocated all expenses matched to their HCE I-III revenues to the fringe benefit costs category in the 2008/2008-2009 cost reports. Administrative, clinical and fringe benefit screens will be modified to make them compatible with the new methodology. Once the site-specific rates are recalculated, the site-specific rates for each provider shall be consolidated resulting in a single weighted average ICF/DD rate for each provider applicable to all its sites. The methodology ensures that the operating funding level reflected in the consolidated rate for each provider will range between an amount equal to the June 30, 2011 operating funding level and an amount equal to the June 30, 2011 operating funding level reduced by 10 percent.

Another proposed change will add the option for OPWDD to set new site rates for under 31-bed facilities opening on or after July 1, 2011 using either the current agency rate, agency submitted budgeted costs, or historical data for similar facilities. New site specific rates shall be incorporated into the single weighted average rate for the provider.

OPWDD also proposes changes with respect to appeals for all ICF/DDs regardless of capacity (both under 31-bed and over 30-bed ICF/DDs). Effective for the period beginning July 1, 2011, appeals will be limited to bed vacancies. The loss threshold criterion for providers that submit applications due to bed vacancies shall increase from \$1000 to \$5000. Once OPWDD notifies a provider of an appeal outcome, a provider which resubmits its annual cost report corresponding to that rate appeal year will not be entitled to an increase in that award based on that resubmission. In addition to the vacancy appeals, OPWDD will continue to make corrections to rates in the event of material errors in computations and cost data upon which the rate is predicated as well as adjustments for capacity changes, capital cost changes and audit findings. This threshold for corrections will also increase from \$1000 to \$5000.

The proposed changes will become effective July 1, 2011. The new methodology will apply to services delivered on or after that date. Changes to the appeals methodology will apply to rates calculated for rate periods beginning July 1, 2011 and thereafter.

Texts of regulations describing the proposed changes have been distributed to the offices of the local (county) Mental Hygiene Directors and are available for public review. To determine the location of your local Mental Hygiene Director including the office within Manhattan (New York County), you may access a list online at <http://clmhd.org/about/countydirectory.aspx>.

In New York City, the text of the proposed regulations will be available at the following Developmental Disabilities Services Office locations:

Metro New York DDSO
75 Morton Street
New York, New York 10014

Bernard M. Fineson DDSO
80-45 Winchester Blvd.
Administration Building 80-00
Queens Village, New York 11427

Brooklyn DDSO
888 Fountain Avenue
Brooklyn, New York 11208

Metro New York DDSO
2400 Halsey Street
Bronx, New York 10461

Staten Island DDSO
1150 Forest Hill Road
Staten Island, New York 10314

The text of the proposed regulations may also be found on the OPWDD internet website at <http://www.opwdd.ny.gov/regs/index.jsp> or at the NYS Department of State website.

The public is invited to review and comment on these proposed changes.

For further information and to review and comment, please contact: Barbara Brundage, Regulatory Affairs Unit, Office of Counsel, Office for People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1830, e-mail: Barbara.brundage@opwdd.ny.gov

PUBLIC NOTICE

Office for People with Developmental Disabilities and Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People With Developmental Disabilities (OPWDD) and the New York State Department of Health hereby give notice of the following:

New York State proposes changes to the methods and standards for setting Medicaid payment rates (fees) for Community Habilitation services funded by OPWDD. This is consistent with New York State's efforts to achieve efficiencies in its Medicaid program including Medicaid funded services overseen by OPWDD. The proposed change will effect a 2 percent reduction to the fees for Community Habilitation services. The State expects the decrease in annual aggregate Medicaid expenditures to be \$2.9 million.

The proposed change will become effective July 1, 2011. The new fees will apply to services delivered on or after that date.

Texts of regulations describing the proposed change have been distributed to the offices of the local (county) Mental Hygiene Directors and are available for public review. To determine the location of your local Mental Hygiene Director including the office within Manhattan (New York County), you may access a list online at <http://clmhd.org/about/countydirectory.aspx>.

In New York City, the text of the proposed regulations will be available at the following Developmental Disabilities Services Office locations:

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Staten Island, New York 10314

The text of the proposed regulations may also be found on the OPWDD internet website at <http://www.opwdd.ny.gov/regs/index.jsp> or at the NYS Department of State website.

The public is invited to review and comment.

For further information and to review and comment, please contact: Barbara Brundage, Regulatory Affairs Unit, Office of Counsel, Office for People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1830, e-mail: Barbara.brundage@opwdd.ny.gov

PUBLIC NOTICE

Office for People with Developmental Disabilities and Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People With Developmental Disabilities (OPWDD) and the New York State Department of Health hereby give notice of the following:

New York State proposes to change its methods and standards for setting Medicaid payment rates (prices) for Group Day Habilitation and Supplemental Group Day Habilitation services certified or operated by OPWDD. This is consistent with New York State's efforts to achieve efficiencies in its Medicaid program including Medicaid funded services overseen by OPWDD. Price reductions in these services will focus on two components of the funding. The first action will address surpluses in the funding for direct care, clinical care and support (collectively referred to as direct support) and the associated fringe benefits. The second action will hold providers to a level of efficiency in administrative costs.

Both measures will examine costs as reported by providers in their annual cost reports for 2008/2008-2009 (depending on whether they report on a calendar year or fiscal year basis) and compare those costs to available reimbursement for the time period and/or analyze the relationship between costs within the corresponding prices. To give providers the benefit of a review of aggregate program information (averaging), OPWDD will look at the combination of a provider's group and supplemental group day habilitation services and their supervised residential habilitation services. Both measures will identify criteria that recognize providers which are operating at levels of efficiency that exempt them from one or both actions. Providers which did not submit cost reports for the period reviewed will not be exempt and will be subject to the maximum reductions.

Providers will be exempt if they both utilized more direct support FTEs than the maximum number of direct support FTEs allowed through the price and if the actual fringe benefit percentage was higher than the fringe benefit reimbursed in the price. For providers not exempted, OPWDD will compare actual expenses for direct support and the associated fringe benefits combined to allowable reimbursement for those costs combined as reflected in the corresponding prices. Providers identified as having direct support and fringe benefits combined deficits will also be exempt.

Providers which demonstrate surpluses will then be examined in terms of their to-from transportation costs. Surpluses attributable to direct support and fringe benefits will be increased to the extent that there was a to-from transportation surplus and decreased to the extent that there was a to-from transportation deficit. Prices will then be adjusted to tentatively eliminate any net surplus funding.

The administrative action will use compensation data reported by providers to calculate a ratio of administrative expense to direct support expense including fringe benefits for both for each provider. Providers' ratios will be ordinally ranked and then segregated into five levels representing graduated ratio ranges. OPWDD will establish a reduction percentage to correspond to each level which will then be applied to reduce administrative reimbursement in the price. Thresholds will be set to exempt providers with very low total agency gross revenue, low administrative compensation as compared to total agency revenue, and low reimbursable administrative costs as compared to total reimbursable operating costs reflected in the prices.

Because of the numerous changes in methods and standards for setting Medicaid rates being simultaneously proposed and with an aim toward fiscal sustainability for OPWDD's providers, a limit will be

imposed to hold the maximum aggregate July 1, 2011 price reductions for a provider to an amount no greater than 6.5 percent of the total operating reimbursement in all of the provider's affected HCBS waiver programs. The State estimates the decrease in annual aggregate expenditures to be \$38.2 million.

The proposed changes will become effective July 1, 2011. The new prices will apply to services delivered on or after that date.

Texts of the regulations describing the proposed changes have been distributed to the offices of the local (county) Mental Hygiene Directors and are available for public review. To determine the location of your local Mental Hygiene Director including the office within Manhattan (New York County), you may access a list online at <http://clmhd.org/about/countydirectory.aspx>.

In New York City, the text of the proposed regulations will be available at the following Developmental Disabilities Services Office locations:

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Brooklyn, New York 11208

Metro New York DDSO
2400 Halsey Street
Bronx, New York 10461

Staten Island DDSO
1150 Forest Hill Road
Staten Island, New York 10314

The text of the proposed regulations may also be found on the OPWDD internet website at <http://www.opwdd.ny.gov/regs/index.jsp> or at the NYS Department of State website.

The public is invited to review and comment.

For further information and to review and comment, please contact: Barbara Brundage, Regulatory Affairs Unit, Office of Counsel, Office for People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1830, e-mail: Barbara.brundage@opwdd.ny.gov

PUBLIC NOTICE

Office for People with Developmental Disabilities and Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People With Developmental Disabilities (OPWDD) and the New York State Department of Health hereby give notice of the following:

New York State proposes changes in the methods and standards for setting Medicaid payment rates (prices) for Home and Community Based Services Waiver Respite services funded by OPWDD. This is consistent with New York State's efforts to achieve efficiencies in its Medicaid program including Medicaid funded services overseen by OPWDD. The proposed changes will effect a 2 percent reduction to the operating component of the price for Waiver respite services. In reviewing subsequent budget projections for potential new sites, OPWDD will factor in the effects of this efficiency adjustment. The State estimates the decrease in annual aggregate expenditures will be \$1.2 million.

The proposed changes will become effective July 1, 2011. The new prices will apply to services delivered on or after that date.

Texts of regulations describing the proposed changes have been

distributed to the offices of the local (county) Mental Hygiene Directors and are available for public review. To determine the location of your local Mental Hygiene Director including the office within Manhattan (New York County), you may access a list online at <http://clmhd.org/about/countydirectory.aspx>.

In New York City, the text of the proposed regulations will be available at the following Developmental Disabilities Services Office locations:

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New York, New York 10014

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2400 Halsey Street
Bronx, New York 10461

Staten Island DDSO
1150 Forest Hill Road
Staten Island, New York 10314

The text of the proposed regulations may also be found on the OPWDD internet website at <http://www.opwdd.ny.gov/regs/index.jsp> or at the NYS Department of State website.

The public is invited to review and comment. Public hearings will be held on the proposed changes as follows:

Tuesday, May 31, 2011 - 11:00am
Capital District DDSO
Building 3, Room 1
500 Balltown Road
Schenectady, NY

Thursday, June 2, 2011 - 11:00am
Metro DDSO
75 Morton Street
New York, NY

Persons who wish to present testimony at the public hearings must pre-register no later than Friday, May 20, 2011. Individuals who do not pre-register will not be able to present testimony. Individuals who want to attend the hearing but are not planning to present testimony do not need to pre-register. Attendees or presenters who need any special accommodations must make a request by the same date. In order to pre-register, to request special accommodations or to ask any questions about hearing logistics contact Darlene Mihill by email at Darlene.Mihill@opwdd.ny.gov or telephone at (518) 474-7403.

For further information and to review and comment, please contact: Barbara Brundage, Regulatory Affairs Unit, Office of Counsel, Office for People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1830, e-mail: Barbara.brundage@opwdd.ny.gov

PUBLIC NOTICE

Office for People with Developmental Disabilities
and Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People With Developmental Disabilities (OPWDD) and the New York State Department of Health hereby give notice of the following:

New York State proposes to change its methods and standards for setting Medicaid payment rates (prices) for Prevocational services funded by OPWDD. This is consistent with New York State's efforts to achieve efficiencies in its Medicaid program including Medicaid funded services overseen by OPWDD. Price reductions in these services will address surpluses in the funding for direct care, clinical care and support (collectively referred to as direct support) and the associated fringe benefits. The State estimates that the decrease in annual aggregate expenditures will be \$3.3 million.

OPWDD will examine costs as reported by providers in their annual cost reports for 2008/2008-2009 (depending on whether they report on a calendar year or fiscal year basis) and compare those costs to available reimbursement for the time period. Providers which did not submit cost reports for the period reviewed will not be exempt and will be subject to the maximum reductions.

Providers which demonstrate that they utilized more direct support FTEs than the maximum number of direct support FTEs allowed through the price will be exempted. For providers which do not qualify for the FTE exemption, OPWDD will compare actual expenses for direct support and the associated fringe benefits combined to allowable reimbursement for those costs combined as reflected in the corresponding prices. Providers which demonstrate losses will be exempted. For providers not exempted, prices will then be adjusted to tentatively eliminate 40 percent of the surplus funding.

Because of the numerous changes in methods and standards for setting Medicaid payment rates being simultaneously proposed and with an aim toward fiscal sustainability for OPWDD's providers, a limit will be imposed to hold the maximum aggregate July 1, 2011 price reductions for a provider to an amount no greater than 6.5 percent of the total operating reimbursement in all of the provider's affected HCBS waiver programs.

An additional change will make prices appealable according to the procedures outlined in regulation.

The proposed changes will become effective July 1, 2011. The new prices will apply to services delivered on or after that date.

Texts of regulations describing the proposed changes have been distributed to the offices of the local (county) Mental Hygiene Directors and are available for public review. To determine the location of your local Mental Hygiene Director including the office within Manhattan (New York County), you may access a list online at <http://clmhd.org/about/countydirectory.aspx>.

In New York City, the text of the proposed regulations will be available at the following Developmental Disabilities Services Office locations:

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Staten Island, New York 10314

The text of the proposed regulations may also be found on the OPWDD internet website at <http://www.opwdd.us.gov/regs/index.jsp> or at the NYS Department of State website.

The public is invited to review and comment.

For further information and to review and comment, please contact: Barbara Brundage, Regulatory Affairs Unit, Office of Counsel, Office for People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1830, e-mail: Barbara.brundage@opwdd.ny.gov

PUBLIC NOTICE

Office for People with Developmental Disabilities and Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People With Developmental Disabilities (OPWDD) and the New York State Department of Health hereby give notice of the following:

New York State proposes to change the process for appealing Medicaid payment rates (prices) for Supervised and Supportive Individual Residential Alternatives, Supervised and Supportive Community Residences, Day Habilitation Services and Prevocational Services certified, operated, or funded by OPWDD. This is consistent with New York State's efforts to achieve efficiencies in its Medicaid program including Medicaid funded services overseen by OPWDD. The State estimates that the expected decrease in annual aggregate expenditures will range from \$0 to \$2 million.

Appeals which have been previously allowed for cost overruns occurring due to a variety of circumstances will be limited to bed vacancies and rent and board losses. Losses attributable to these causes, in most cases, are beyond the provider's control. The loss threshold criterion for providers who submit applications shall increase from \$1000 to \$5000. In addition to the appeals, OPWDD will continue to make corrections to prices in the event of material errors in computations and cost data upon which the price is predicated. This threshold for corrections will also increase from \$1000 to \$5000.

The changes will become effective July 1, 2011. For possible appeals (not corrections) for periods ending December 31, 2010 or June 30, 2011, providers will be able to submit their requests by December 31, 2011 or by June 30, 2012 and the old standards will apply. For possible appeals for the period ending December 31, 2011, the first six months will be governed by the old standards and the second six months will be governed by the new standards.

Texts of regulations describing the proposed changes have been distributed to the offices of the local (county) Mental Hygiene Directors and are available for public review. To determine the location of your local Mental Hygiene Director including the office within Manhattan (New York County), you may access a list online at <http://clmhd.org/about/countydirectory.aspx>.

In New York City, the text of the proposed regulations will be available at the following Developmental Disabilities Services Office locations:

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Staten Island, New York 10314

The text of the proposed regulations may also be found on the

OPWDD internet website at <http://www.opwdd.ny.gov/regs/index.jsp> or at the NYS Department of State website.

The public is invited to review and comment. Public hearings will be held on the proposed changes as follows:

Tuesday, May 31, 2011 - 11:00am
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Thursday, June 2, 2011 - 11:00am
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Persons who wish to present testimony at the public hearings must pre-register no later than Friday, May 20, 2011. Individuals who do not pre-register will not be able to present testimony. Individuals who want to attend the hearing but are not planning to present testimony do not need to pre-register. Attendees or presenters who need any special accommodations must make a request by the same date. In order to pre-register, to request special accommodations or to ask any questions about hearing logistics contact Darlene Mihill by email at Darlene.Mihill@opwdd.ny.gov or telephone at (518) 474-7403.

For further information and to review and comment, please contact: Barbara Brundage, Regulatory Affairs Unit, Office of Counsel, Office for People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1830, e-mail: Barbara.brundage@opwdd.ny.gov

PUBLIC NOTICE

Office for People with Developmental Disabilities and Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People With Developmental Disabilities (OPWDD) and the New York State Department of Health hereby give notice of the following:

New York State proposes to change its methods and standards for setting Medicaid payment rates (prices) for Supervised Individual Residential Alternatives and Supervised Community Residences certified or operated by OPWDD. This is consistent with New York State's efforts to achieve efficiencies in its Medicaid program including Medicaid funded services overseen by OPWDD. Price reductions in these services will focus on two components of the funding. The first action will address surpluses in the funding for direct care, clinical care and support (collectively referred to as direct support) and the associated fringe benefits. The second action will hold providers to a level of efficiency in administrative costs.

Both measures will examine costs as reported by providers in their annual cost reports for 2008/2008-2009 (depending on whether they report on a calendar year or fiscal year basis) and compare those costs to available reimbursement for the time period and/or analyze the relationship between costs within the corresponding prices. To give providers the benefit of a review of aggregate program information (averaging), OPWDD will look at the combination of a provider's supervised residential habilitation services and group and supplemental group day habilitation programs. Both measures will identify criteria that recognize providers which are operating at levels of efficiency and exempt them from one or both actions. Providers which did not submit cost reports for the period reviewed will not be exempt and will be subject to the maximum reductions.

Providers will be exempt if they both utilized more direct support FTEs than the maximum direct support FTEs allowed through the price and if the actual fringe benefit percentage was higher than the fringe benefit percentage reimbursed in the price. For providers not exempted, OPWDD will compare actual expenses for direct support and the associated fringe benefits combined to allowable reimbursement for those costs combined as reflected in the corresponding prices. Providers identified as having direct support and fringe benefits combined deficits will also be exempt.

Providers which demonstrated surpluses will then be examined in terms of their to-from transportation costs. Surpluses attributable to direct support and fringe benefits will be increased to the extent that there was a to-from transportation surplus and decreased to the extent that there was a to-from transportation deficit. Prices will then be adjusted to tentatively eliminate any net surplus funding.

The administrative action will use compensation data reported by providers to calculate a ratio of administrative expense to direct support expense including fringe benefits for both for each provider. Providers' ratios will be ordinarily ranked and then segregated into five levels representing graduated ratio ranges. OPWDD will establish a reduction percentage to correspond to each level which will then be applied to reduce administrative reimbursement in the price. Thresholds will be set to exempt providers with very low total agency gross revenue, low administrative compensation as compared to total agency revenue, and low reimbursable administrative costs as compared to total reimbursable operating costs reflected in the prices.

Because of the numerous changes in methods and standards for setting payment rates being simultaneously proposed and with an aim toward fiscal sustainability for OPWDD's providers, a limit will be imposed to hold the maximum aggregate July 1, 2011 price reductions for a provider to an amount no greater than 6.5 percent of the total operating reimbursement in all of the provider's affected HCBS waiver programs.

The proposed changes will become effective July 1, 2011. The new prices will apply to services delivered on or after that date.

The State estimates that the decrease in annual aggregate expenditures will be \$48.8 million.

Texts of regulations describing the proposed changes have been distributed to the offices of the local (county) Mental Hygiene Directors and are available for public review. To determine the location of your local Mental Hygiene Director including the office within Manhattan (New York County), you may access a list online at <http://clmhd.org/about/countydirectory.aspx>.

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The public is invited to review and comment. Public hearings will be held on the proposed changes as follows:

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PUBLIC NOTICE

Office for People with Developmental Disabilities and Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People With Developmental Disabilities (OPWDD) and the New York State Department of Health hereby give notice of the following:

New York State proposes to change its methods and standards for setting Medicaid payment rates (fees) for Supported Employment services funded by OPWDD. This is consistent with New York State's efforts to achieve efficiencies in its Medicaid program including Medicaid funded services overseen by OPWDD. The proposed change will effect a 2 percent reduction to the fees for Supported Employment services. The State estimates that the decrease in annual aggregate expenditures will be \$850,000.

The proposed changes will become effective July 1, 2011. The new fees will apply to services delivered on or after that date.

Texts of regulations describing the proposed changes have been distributed to the offices of the local (county) Mental Hygiene Directors and are available for public review. To determine the location of your local Mental Hygiene Director including the office within Manhattan (New York County), you may access a list online at <http://clmhd.org/about/countydirectory.aspx>.

In New York City, the text of the proposed regulations will be available at the following Developmental Disabilities Services Office locations:

Metro New York DDSO
75 Morton Street
New York, New York 10014

Bernard M. Fineson DDSO
80-45 Winchester Blvd.
Administration Building 80-00
Queens Village, New York 11427

Brooklyn DDSO
888 Fountain Avenue
Brooklyn, New York 11208

Metro New York DDSO
2400 Halsey Street
Bronx, New York 10461

Staten Island DDSO
1150 Forest Hill Road
Staten Island, New York 10314

The text of the proposed regulations may also be found on the OPWDD internet website at <http://www.opwdd.ny.gov/regs/index.jsp> or at the NYS Department of State website.

The public is invited to review and comment.

For further information and to review and comment, please contact: Barbara Brundage, Regulatory Affairs Unit, Office of Counsel, Office for People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1830, e-mail: Barbara.brundage@opwdd.ny.gov

PUBLIC NOTICE

Office for People with Developmental Disabilities and Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People With Developmental Disabilities (OPWDD) and the New York State Department of Health hereby give notice of the following:

New York State proposes to change its methods and standards for setting Medicaid payment rates (prices) for Supportive Individual Residential Alternatives and Supportive Community Residences certified or operated by OPWDD. This is consistent with New York State's efforts to achieve efficiencies in its Medicaid program including Medicaid funded services overseen by OPWDD. The proposed changes will effect a 2 percent reduction to the operating component of the price for supportive residential habilitation services. In reviewing subsequent budget projections for potential new sites, OPWDD will factor in the effects of this efficiency adjustment. The State estimates that the decrease in annual aggregate expenditures will be \$2.1 million.

The proposed changes will become effective July 1, 2011. The new prices will apply to services delivered on or after that date.

Texts of regulations describing the proposed changes have been distributed to the offices of the local (county) Mental Hygiene Directors and are available for public review. To determine the location of your local Mental Hygiene Director including the office within Manhattan (New York County), you may access a list online at <http://clmhd.org/about/countydirectory.aspx>.

In New York City, the text of the proposed regulations will be available at the following Developmental Disabilities Services Office locations:

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New York, New York 10014

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Administration Building 80-00
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Brooklyn, New York 11208

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2400 Halsey Street
Bronx, New York 10461

Staten Island DDSO
1150 Forest Hill Road
Staten Island, New York 10314

The text of the proposed regulations may also be found on the OPWDD internet website at <http://www.opwdd.ny.gov/regs/index.jsp> or at the NYS Department of State website.

The public is invited to review and comment. Public hearings will be held on the proposed changes as follows:

Tuesday, May 31, 2011 - 11:00am

Capital District DDSO
Building 3, Room 1
500 Balltown Road
Schenectady, NY

Thursday, June 2, 2011 - 11:00am
Metro DDSO
75 Morton Street
New York, NY

Persons who wish to present testimony at the public hearings must pre-register no later than Friday, May 20, 2011. Individuals who do not pre-register will not be able to present testimony. Individuals who want to attend the hearing but are not planning to present testimony do not need to pre-register. Attendees or presenters who need any special accommodations must make a request by the same date. In order to pre-register, to request special accommodations or to ask any questions about hearing logistics contact Darlene Mihill by email at Darlene.Mihill@opwdd.ny.gov or telephone at (518) 474-7403.

For further information and to review and comment, please contact: Barbara Brundage, Regulatory Affairs Unit, Office of Counsel, Office for People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1830, e-mail: Barbara.brundage@opwdd.ny.gov

PUBLIC NOTICE

Office for People with Developmental Disabilities and Department of Health

Pursuant to 42 CFR Section 447.205, the New York State Office for People With Developmental Disabilities (OPWDD) and the New York State Department of Health hereby give notice of the following:

The State proposes to change the reimbursement methodology for its Specialty Hospital certified by OPWDD. New York State is seeking to achieve efficiencies in its Medicaid program including Medicaid funded services overseen by OPWDD.

The Specialty Hospital rate will be changed by using more current cost information. The new methodology for the Specialty Hospital will base rates on actual 2008 costs for both the operating components and the capital components of the rate. This is expected to correct any misalignments between costs and reimbursements. Since the methodology change is structured to eliminate operating surpluses, OPWDD believes that the provider will be able to absorb this reduction while not reducing supports or services or service quality.

Additional changes will establish an appeal/corrections threshold of \$5,000 and will limit grounds for appeals to vacancies. In addition, if the provider resubmits its cost report for a rate appeal period after OPWDD notified the provider of an appeal outcome, the provider will not be entitled to an increase in the appeal award based on the resubmitted cost data. The commissioner will continue to correct rates in instances where there are material errors in the information submitted by the provider which OPWDD used to establish the rate or where there are material errors in the rate computation.

The proposed changes will become effective July 1, 2011. The new methodology will apply to services delivered on or after that date. Changes to the appeals methodology will apply to rates calculated for rate periods beginning July 1, 2011 and thereafter.

The State estimates that the decrease in annual aggregate expenditures will be \$1.1 million.

Texts of regulations describing the proposed changes have been distributed to the offices of the local (county) Mental Hygiene Directors and are available for public review. To determine the location of your local Mental Hygiene Director including the office within Manhattan (New York County), you may access a list online at <http://clmhd.org/about/countydirectory.aspx>.

In New York City, the text of the proposed regulations will be available at the following Developmental Disabilities Services Office locations:

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New York, New York 10014

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Administration Building 80-00
Queens Village, New York 11427

Brooklyn DDSO
888 Fountain Avenue
Brooklyn, New York 11208

Metro New York DDSO
2400 Halsey Street
Bronx, New York 10461

Staten Island DDSO
1150 Forest Hill Road
Staten Island, New York 10314

The text of the proposed regulations may also be found on the OPWDD internet website at <http://www.opwdd.ny.gov/regs/index.jsp> or at the NYS Department of State website.

The public is invited to review and comment on these proposed changes.

For further information and to review and comment, please contact: Barbara Brundage, Regulatory Affairs Unit, Office of Counsel, Office for People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1830, e-mail: Barbara.brundage@opwdd.ny.gov

PUBLIC NOTICE

City of Rochester
Request for Proposal
Investment Advisory Services for
Deferred Compensation Plan

The City of Rochester's Deferred Compensation Plan Committee is seeking written proposals from qualified investment advisors to provide investment advisory services for the Deferred Compensation Plan for City employees established pursuant to Section 457 of the Internal Revenue Code.

The City's Plan has two accounts, deferred compensation and deferred FICA (OBRA) with approximately 2,249 participants, of which 1,250 are active employees, and a total plan value of \$133.7 million as of March 31, 2011.

Interested firms may request a copy of the complete Request for Proposal from Brian L. Roulin, CPA, Director of Finance, 30 Church Street, Room 109-A, Rochester, NY 14614, 585-428-7151, brian.roulin@cityofrochester.gov.

Proposals must be received by no later than 5:00 p.m. on June 17, 2011

PUBLIC NOTICE

Department of State
F-2011-0392 (DA)
Date of Issuance - June 01, 2011

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The United States Fish and Wildlife Service has determined that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the New York State Coastal Management Program. The applicant's consistency determination and accompanying supporting information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue in Albany, New York.

In F-2011-0392, the Fish and Wildlife Service proposes to conduct

a stream restoration project on North Sandy Creek in the Town of Ellisburg, Jefferson County, immediately upstream of the Route 3 Bridge. The proposed project includes the realignment of a series of braided stream channel into a single stream channel, the installation of various re-directive structures including J-hooks, log vanes and channel blocks, the re-grading of various areas and the installation of various vegetative stabilization controls.

The stated purpose of the proposed project is "The stream has extensive braiding just upstream of the NYS Rte 3 Bridge which has led to excessive soil loss due to erosion and has allowed ice sheeting action to build up and pose a safety hazard to NYS Rte 3 during the winter months. This project addresses these issues."

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or June 16, 2011

Comments should be addressed to: Department of State, Division of Coastal Resources, One Commerce Plaza, 99 Washington Ave., Suite, 1010, Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Uniform Code Regional Boards of Review

Pursuant to 19 NYCRR 1205, the petitions below have been received by the Department of State for action by the Uniform Code Regional Boards of Review. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Steven Rocklin, Codes Division, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2011-0147 Matter of SUNY Cortland, attn: Jeffrey Lallas, Director of Facilities Planning, Pasley Dr, Cortland, NY for a variance concerning fire safety and building code requirements including the required minimum number of plumbing fixtures based on occupancy calculations.

Involved is the construction of a student recreational and fitness center known as the "Student Life Center" located at Pashley Drive, City of Cortland, Cortland County, State of New York.

2011-0153 Matter of Tanrackin Farm, LLC, PO Box 901 Bedford Village, NY 10506 for a variance concerning building area, fire sprinklering, exiting, plumbing.

Involved is a new building, A3 occupancy classification located at 145 Broad Brook Road, Bedford Village, Town/Village of Bedford, County of Westchester, State of New York.

2011-0164 Matter of Chris Tucker, 151 Martling Ave., Tarrytown, New York, 10591, for a variance concerning handicapped accessibility and exiting, including 19 NYCRR 1101.2 and 19 NYCRR 1009.1. The petition pertains to the installation of a stairlift in a public hallway of an existing 2-story garden apartment building, R2 occupancy, located at 141 E Hartsdale Avenue, Hartsdale, Town of Greenburgh, County of Westchester, State of New York.

2011-0172 Matter of Kathryn Teal, 36 Willet Street, Albany NY 12210 for a variance concerning fire safety issues including the code requirement for the location of a boiler power exhauster to be located 10 feet from a lot line.

Involved is the replacement of a conventional gas fired boiler and hot water heater with new high efficiency units. The code requires a 10 foot distance from the discharge port of the equipment to a lot line. The building contains an R-2 (multiple dwelling) occupancy, is 4 stories in height, of Type IIIB (ordinary) construction having a cumulative gross floor area of 5,500 square feet. The building is located at 36 Willet St., City of Albany, Albany County, State of New York.

PUBLIC NOTICE

Village of Wilson

The Village of Wilson is requesting proposals from qualified administrative services agencies, and/or financial organizations relating to administration, trustee services and/or funding of a deferred compensation plan for employees of The Village of Wilson meeting 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: Ellen M. Hibbard, e-mail: EllenVilWil@verizon.net

All proposals must be submitted no later 30 days from the date of publication in the New York State Register no later than 4:30 p.m.

