

# 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  
NYS DNA Subcommittee

Pursuant to Public Officers Law section 104, the Division of Criminal Justice Services gives notice of a meeting of the DNA Subcommittee to be held on:

Date: Friday, September 23, 2011  
Time: 9:00 a.m.  
Place: Empire State Development Corporation  
(ESDC)  
633 3rd Avenue  
37th Floor  
New York, NY

Identification and sign-in are required at this location. For further information, or if you need a reasonable accommodation to attend this meeting, contact Louis Stellato, Division of Criminal Justice Services, Office of Forensic Services, 4 Tower Place, Albany, NY 12203 (518-457-1901).

## PUBLIC NOTICE

Office of Fire Prevention and Control

Pursuant to Section 176-b of the Town Law, the Office of Fire Prevention and Control hereby gives notice of the following:

Application for Waiver of the Limitation on Non-resident Members of Volunteer Fire Companies

An application for a waiver of the requirements of paragraph a of subdivision 7 of section 176-b of the Town Law, which limits the membership of volunteer fire companies to forty-five per centum of the actual membership of the fire company, has been submitted by the First Fire District, County of Oswego.

Pursuant to section 176-b of the Town Law, the non-resident

membership limit shall be waived provided that no adjacent fire department objects within sixty days of the publication of this notice.

Objections shall be made in writing, setting forth the reasons such waiver should not be granted, and shall be submitted to:

State Fire Administrator  
State of New York  
Office of Fire Prevention and Control  
99 Washington Ave., Suite 500  
Albany, NY 12210-2833

Objections must be received by the State Fire Administrator within sixty days of the date of publication of this notice.

In cases where an objection is properly filed, the State Fire Administrator shall have the authority to grant a waiver upon consideration of (1) the difficulty of the fire company or district in retaining and recruiting adequate personnel; (2) any alternative means available to the fire company or district to address such difficulties; and (3) the impact of the waiver on adjacent fire departments.

*For further information, please contact:* Deputy Chief Donald Fischer, State of New York, Office of Fire Prevention and Control, 99 Washington Ave., Suite 500, Albany, NY 12210-2833, (518) 474-6746, [Donald.Fischer@dhses.ny.gov](mailto:Donald.Fischer@dhses.ny.gov)

## 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 to reflect the inclusion of reimbursement to pharmacies that are accredited by a CMS approved national accreditation organization (NAO), for Diabetes Self-Management Training (DSMT) when provided by a licensed pharmacist. Currently, CMS recognizes the American Diabetes Association (ADA), the American Association of Diabetes Educators (AADE) and Indian Health Services (HIS) as approved NAOs.

Effective July 1, 2011, reimbursement to pharmacies for DSMT services provided by licensed pharmacists shall be set at: \$20 for individual Diabetes self-management training services and \$11 for group Diabetes self-management training services.

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

For the New York City district, copies are 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 or to review and comment on this proposed state plan amendment, please contact or write:* Patricia A. Keller, RPh., Department of Health, Office of Health Insurance Programs, Division of Policy and Program Guidance, Empire State Plaza, Rm. 720, Corning Tower, Albany, NY 12237, (518) 474-9219, (518) 473-5508 (FAX), PAK04@health.state.ny.us

## 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 hospital services to clarify recently enacted statutory provisions. The following provides clarification to previously noticed provisions:

#### Inpatient Hospital Services

- To clarify the previously noticed provision on March 30, 2011, regarding the denial of Medicaid payments for costs incurred for hospital acquired conditions (HACs), the following is list of conditions that, effective July 1, 2011, Medicaid will not pay the incremental cost associated with such condition when it is acquired within the hospital setting:
  - A foreign object retained within a patient's body after surgery.
  - The development of an air embolism within a patient's body.
  - A patient blood transfusion with incompatible blood.
  - A patient's development of stage III or stage IV pressure ulcers.
  - Patient injuries resulting from accidental falls and other trauma, including, but not limited to fractures; dislocations; intracranial injuries; crushing injuries; burns; and electronic shock.
  - A patient's manifestations of poor glycemic control, including, but not limited to diabetic ketoacidosis; nonketotic hyperosmolar coma; hypoglycemic coma; secondary diabetes with ketoacidosis; and secondary diabetes with hyperosmolarity.
  - A patient's development of a catheter-associated urinary tract infection.
  - A patient's development of a vascular catheter-associated infection.
  - A patient's development of a surgical site infection following a coronary artery bypass graft - mediastinitis; bariatric surgery, including, but not limited to, laparoscopic gastric bypass, gastroenterostomy and laparoscopic gastric restrictive surgery; or orthopedic procedures, including, but not limited to, such procedures performed on the spine, neck, shoulder and elbow.
  - Development of deep vein thrombosis or a pulmonary embolism in connection with a total knee replacement or a hip replacement excluding pediatric and obstetric patients.

A pediatric patient is defined as age 17 and under. An obstetric patient is defined when at least one primary or secondary diagnosis code include an indication of pregnancy. A list of such codes will be made available on the Department of Health website. There is no additional gross Medicaid savings attributed to this clarification.

- The potentially preventable readmission (PPR) methodology will be updated effective July 1, 2011. Rate adjustments will be based on a comparison of the actual and the expected number of PPRs, adjusted for benchmarks as determined by the Commissioner, in

a given hospital using 2009 Medicaid paid claims data; version 28.0 of the 3M Health Information System APR Software; excluding cases that grouped to the MDC 19 (Mental Diseases and Disorders) and MDC 20 (Alcohol/Drug Use and Alcohol/Drug Induced Organic Mental Disorders) categories; and excluding readmissions to facilities that are exempt from the case based payment system. There is no additional gross Medicaid savings attributed to the update of this methodology.

- The following is a clarification to current inpatient reimbursement methodologies in the State Plan that are currently in practice:
  - Regarding the statewide base price, discharges for non-comparable adjustments will no longer include patients who are transferred to a facility or unit that is exempt from the case-based system. However, newborns transferred to an exempt hospital for neonatal care will remain included as discharges for non-comparable adjustments.
  - The allowable costs of fixed capital associated with capital expense reimbursement no longer include hospitals financed according to Article 28-B of the Public Health Law (i.e., amortization instead of depreciation; approved expenses, such as interest, that are associated with both fixed capital and major movable equipment).
  - In order for interest to be considered an allowable cost for all medical facilities, it must exclude any costs or fees that were accumulated due to an interest rate swap agreement.
  - Each hospital is subject to a two-percent reduction in their rate if they fail to submit their fee to support the statewide planning and research cooperative system in accordance with the stated schedule. This rate reduction is an increase from the one-percent rate that was previously stated.
  - High cost outlier rates of payment for inpatient hospital services provided by out-of-state providers will be calculated in accordance with the outlier rates of payment methodology used for in-state hospitals. However, the single exception to this is the wage equalization factor which will be based on the weighted average of the upstate or downstate region. The downstate region of New York State shall apply with regard to services provided by out-of-state providers located in the New Jersey counties of Sussex, Passaic, Bergen, Hudson, Essex, Union, Middlesex and Monmouth, in the Pennsylvania county of Pike, and in the Connecticut counties of Fairfield and Litchfield.
  - Capital rates of payment for services provided by out-of-state providers will be the weighted average of the capital component of the inpatient rates for similar services in New York State hospitals.

There is no additional gross Medicaid savings or cost attributed to the clarification of these methodologies.

For all of these initiatives, there is no change in gross Medicaid expenditures for state fiscal year 2011/2012.

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 these proposed state plan amendments.

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

**PUBLIC NOTICE**  
Office of Mental Health

As a result of the enacted 2011-2012 State Budget, the New York State Office of Mental Health hereby gives notice that it is proposing to amend its Medicaid State Plan to reflect the continuation of the 2010-2011 rates for the 2011-2012 rate year for Residential Treatment Facilities for Children and Youth, effective July 1, 2011.

**PUBLIC NOTICE**  
New York State Association of Counties  
(NYSAC)

NYSAC is soliciting proposals from administrative service agencies relating to trust service, managed accounts, administration and/or funding of a Deferred Compensation Plan for the employees of NYSAC. 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:* NYSAC, Attn: Karen Catalfamo, Fiscal/Office Manager, 540 Broadway, Albany, NY 12207

All proposals must be received no later than 30 days from the date of publication in the New York State Register.

**PUBLIC NOTICE**  
Oneida-Herkimer Solid Waste Authority  
FINAL REQUEST FOR PROPOSALS (RFP)

**TRANSPORTATION OF SOLID WASTE TO THE ONEIDA-HERKIMER LANDFILL FOR ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY**

Pursuant to New York State General Municipal Law, Section 120-w, the Oneida-Herkimer Solid Waste Authority hereby gives notice of the following:

The Oneida-Herkimer Solid Waste Authority (OHSWA) desires to procure an agreement for 5 years beginning 10/24/11 for transportation of non-recyclable waste from 2 transfer stations to the Oneida-Herkimer Landfill, Ava, NY. Responses to the Final RFP must be received by 1:00 p.m. 7/13/2011.

*Copies of the Final RFP may be obtained at [www.ohswa.org](http://www.ohswa.org) or through the contact below:* James V. Biamonte, Contracting Officer, 1600 Genesee St., Utica, NY 13502

**SALE OF  
FOREST PRODUCTS**  
Cortland Reforestation Area No. 6  
Contract No. X007946

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 68.4 MBF more or less of sawtimber and 45 cords more or less of hardwood/pulpwood/firewood, located on Cortland Reforestation Area No. 6, Cuyler Hill State Forest, Stand E-13.1, 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, July 7, 2011.

*For further information, contact:* Mark Zubal, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 1285 Fisher Ave., Cortland, NY 13045-1090, (607) 753-3095 x217

**SALE OF  
FOREST PRODUCTS**  
Delaware Reforestation Area No. 7  
Contract No. X008228

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 425.7 MBF more or less of softwood sawtimber and 1.5 MBF more or less of misc. hardwood sawtimber, located on Delaware Reforestation Area No. 7, Stand A-20, 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, July 7, 2011.

*For further information, contact:* Ben Peters, 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

