

# 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 County of Cattaraugus

The County of Cattaraugus 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 County of Cattaraugus 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:* David R. Moshier, e-mail: [drmoshier@cattco.org](mailto:drmoshier@cattco.org), Cattaraugus Co. Human Resources, 303 Court St., Little Valley, NY 14755

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

## PUBLIC NOTICE Division of Criminal Justice Services Commission On Forensic Science

Pursuant to Public Officers Law section 104, the Division of Criminal Justice Services gives notice of a meeting of the New York State Commission on Forensic Science to be held on:

Date:	Wednesday, April 10, 2013
Time:	1:00 PM
Place:	Division of Criminal Justice Services 80 S. Swan St. 1st Fl. Albany, NY
Video Conference Site:	Empire State Development Corporation (ESDC) 633 3rd Ave.

37th Fl.  
New York, NY

Identification and sign-in are required at Empire State Development Corporation site. 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, Four Tower Place, Albany, NY 12203 (518-457-1901).

## PUBLIC NOTICE Division of Criminal Justice Services 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, March 15, 2013
Time:	9:30 a.m.
Place:	Empire State Development Corporation (ESDC) 633 3rd Ave. 37th Fl. 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, Four Tower Place, Albany, NY 12203 (518-457-1901).

## PUBLIC NOTICE New York City Deferred Compensation Plan/NYCE IRA

The New York City Deferred Compensation Plan/NYCE IRA (the "Plan") is seeking qualified vendors to provide daily or as necessary liquidity through the use of a low duration wrapped bond portfolio, an insurance company separate account portfolio and/or a commingled stable value fund for the Stable Income Fund investment option of the Plan. To be considered, vendors must submit their product information to Mercer Investment Consulting. Vendors should input or update their product information, as applicable, on Mercer's Global Investment Management Database (GIMD). The address for the website is: [www.mercergimd.com](http://www.mercergimd.com). Vendors not already registered, please call (866) 657-6487 for a user I.D. and password to access the database. There is no fee for entering product information on the database. Please complete the submission of product information in the Mercer database no later than 4:30 P.M. Eastern Time on Thursday, April 19, 2013. Also, please visit the Plan's website at [www.nyc.gov/olr](http://www.nyc.gov/olr) and review the participant communications regarding the Stable Income Fund. The Plan also recommends that vendors interested in this procurement download and review the applicable documents from the Plan's website.

If you have any questions regarding the materials on the Plan's website, please fax your questions to (212) 306-7376. Please contact

Beth Ripston of Mercer Investment Consulting at (212) 345-4992, if you have any investment-related questions.

## 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 propose to amend the Title XIX (Medicaid) State Plan for Intermediate Care Facilities for the Developmentally Disabled (ICF/DDs) and to amend the comprehensive home and community based services waiver operated by OPWDD. The following provides clarification to provisions previously noticed on June 27, 2012, and notification of new significant changes.

The State proposes to change the methods and standards for setting Medicaid payment rates for ICF/DDs that are operated by OPWDD. These facilities include developmental centers and community-based State-operated Intermediate Care Facilities for the Developmentally Disabled (SOICF/DD's).

This change will be effective April 1, 2013.

#### Base Periods and Subsequent Periods

There will be a base rate and a subsequent rate, and there will be a base period and a subsequent period.

A base period will begin April 1 and end the following March 31. A subsequent period will begin April 1 and end the following March 31. Each base period will be immediately followed by a subsequent period and each subsequent period will be immediately followed by a base period.

The first base period will be April 1, 2010 to March 31, 2011. This base period will be used in calculating the base rate for the rate period April 1, 2013 through March 31, 2014.

#### General

There will be one statewide rate for all developmental centers, and one statewide rate for all SOICF/DDs.

The rate will be total reimbursable costs divided by the units of service. Total reimbursable costs will be reimbursable operating costs, day services costs, education costs and reimbursable capital costs. OPWDD will update capital costs on an annual basis, using the latest available CFR.

OPWDD will update the census (for developmental centers) and certified capacity (for SOICF/DDs) annually based on the number of individuals in the facility as of March 31 of the immediately preceding rate period.

For new facilities, the initial base rate will be the statewide rate, until the beginning of the next rate cycle, when the census (for developmental centers) or certified capacity (for SOICF/DDs) will be updated.

There will be no supplemental payment as described in the June 27, 2012 notice.

#### Trend Factors

Trend factors will be based on the percentage increase as reported from the U.S. Bureau of Labor and Statistics website; it will be based on the annual April to April movement of the CPI-U Medical Services Index.

#### Units of Service

The units of service will be based on the census for developmental centers, and on certified capacity for SOICF/DDs.

The projected units of service for developmental centers will be based on the census on the last day of the previous rate period, adjusted for the number of anticipated individuals moving to the community.

The projected units of service for SOICF/DDs will be the certified capacity on March 31 of the immediately preceding rate period, multiplied by 365 and by a historic utilization factor.

#### Base Rate – General

The base rate will be computed on the basis of a full 12-month cost report for 4/1/2010 – 3/31/2011, adjusted for errors which occurred in

the rate computation, changes in capital costs and changes based on audit findings. Thereafter, the base period used to calculate the rates will be updated every two years, using the latest available Consolidated Fiscal Report (CFR). The reimbursable operating costs will be re-based every two years.

#### Subsequent Rate

Total reimbursable costs in the subsequent rate will be the sum of trended reimbursable operating costs, trended day service costs, trended education costs and reimbursable capital costs.

OPWDD will determine the total operating costs in the rate in effect on March 31 of the immediately preceding rate period. OPWDD will update day service costs and education costs. The operating costs, plus any updated day service costs and education costs will be increased by the trend factor and adjusted for appropriate appeals.

#### Initial Base Rate (4/1/13 – 3/31/14)

For existing facilities, the April 1, 2013 to March 31, 2014 base rate will be computed as follows.

OPWDD will determine total reimbursable salary per person per diem amounts for the categories of program administration, direct care, support and clinical as follows. OPWDD will calculate a per person average staffing ratio using full time equivalent (FTE) staffing numbers and the census (for developmental centers) or capacity (for SOICF/DDs) from the 2010 - 2011 cost report. OPWDD will calculate an average salary using the same cost report. OPWDD will multiply the staffing ratio by the census (for developmental centers) or certified capacity (for SOICF/DDs) on March 31, 2013 to arrive at the total number of FTEs for the category. OPWDD will multiply the total number of FTEs by the average salary to arrive at the total salary cost for the category. The result will be trended and divided by the total projected units of service to arrive at the salary per person per diem for the category.

OPWDD will apply fringe benefits to the trended allowable personal service dollars at a rate allowed by the State Division of Budget and Office of the State Controller (OSC) in the Annual Accounting Bulletin regarding fringe benefits paid to New York State employees. The result will be divided by the total projected units of service to arrive at the fringe per person per diem. Fringe benefit related accruals will also be included.

OPWDD will calculate a non personal service cost per person per diem using the non-personal service expenditures from the 2010 - 2011 cost report. These expenditures will be trended and divided by the total projected units of service to arrive at the non-personal service cost per person per diem.

OPWDD will calculate per person per diem allocated program costs using the allocated program costs that are considered integral to, or an extension of, the service from the 2010 - 2011 cost report. These costs will be trended and divided by the total projected units of service to arrive at the allocated program costs per person per diem.

There will be a day services add-on so that facilities with day services in their rates will be reimbursed for these costs. The costs will be trended. The day services add-on will be based on actual day service costs from the CFR.

There will be an add on for education to reimburse facilities for education costs. These costs will be based on the costs provided by the State Education Department and will be trended.

OPWDD will sum the per person per diem salary amounts for each category, the fringe benefit per person per diem, the non personal service per person per diem, the allocated program costs per person per diem, and the day services and education add-ons for to arrive at the total trended reimbursable per diem.

#### Home and Community Based Services Waiver

The methodologies for residential and day habilitation provided by OPWDD will change effective April 1, 2013.

There will be a base price and a subsequent price, and there will be a base period and a subsequent period.

A base period will begin April 1 and end the following March 31. A subsequent period will begin April 1 and end the following March 31. Each base period will be immediately followed by a subsequent pe-

riod and each subsequent period will be immediately followed by a base period.

The first base period will be April 1, 2010 to March 31, 2011. This base period will be used in calculating the base price for the price period April 1, 2013 through March 31, 2014.

The price will be total reimbursable costs divided by the units of service.

The base price will be computed on the basis of a full twelve month cost report for the base period. Thereafter, the base period prices will be computed on the basis of a cost report for the twelve month period beginning 36 months prior to the price period.

For the base price OPWDD will determine total reimbursable operating costs. OPWDD will determine total reimbursable per unit of service amounts for the categories of administration, direct care, support and clinical. Using capacity, there will be an average salary and staffing ratio calculated using the base period cost report. Using capacity OPWDD will also calculate a per person non personal service amount based on the base period cost report. OPWDD will apply fringe benefits to the personal service dollars at a rate stated in the Office of the State Controller annual accounting bulletin regarding fringe benefits paid to New York State employees.

Trend factors will be based on the percentage increase as reported from the U.S. Bureau of Labor and Statistics website; it will be based on the annual April to April movement of the CPI-U Medical Services Index.

There will be no supplemental payment as described in the June 27, 2012 notice.

The reason for all of these proposed changes is to more closely align rates and prices with the costs of providing these services.

The State estimates that there will be a decrease in annual aggregate expenditures of approximately \$1 billion as a result of this change.

Outside New York City, a detailed description of the changes is available for public review at the following addresses:

Albany  
Albany County Department of Mental Health  
175 Green St.  
Albany NY 12202

Allegany  
Allegany County Mental Health Department  
45 North Broad St.  
Wellsville NY 14895

Broome  
Broome County Mental Health Department  
229-231 State St., Fl. 4  
Binghamton NY 13901-6635

Cattaraugus  
Cattaraugus County Community Services  
1 Leo Moss Dr., Suite 4308  
Olean NY 14760

Cayuga  
Cayuga County Mental Health Department  
146 North St.  
Auburn NY 13021

Chautauqua  
Chautauqua County Mental Health Services  
HRC Bldg., 7 N. Erie St., 1st Floor  
Mayville NY 14757

Chemung  
Chemung County Mental Health Hygiene Department  
425 Pennsylvania Ave.  
Elmira NY 14902

Chenango  
Chenango County Mental Hygiene Services  
County Office Bldg., 5 Court St., Ste. 42  
Norwich NY 13815

Clinton  
Clinton County Mental Health/Addictions Services  
16 Ampersand Dr.  
Plattsburgh NY 12901

Columbia  
Columbia County Department of Human Services  
325 Columbia St.  
Hudson NY 12534

Cortland  
Cortland County Community Services  
7 Clayton Ave.  
Cortland NY 13045

Delaware  
Delaware County Mental Health Clinic  
1 Hospital Rd.  
Walton NY 13856

Dutchess  
Dutchess County Department of Mental Hygiene  
82 Washington St.  
Poughkeepsie NY 12601

Erie  
Erie County Department of Mental Health  
95 Franklin St., Rm. 1237  
Buffalo NY 14202

Essex  
Essex County Mental Health Services  
7513 Court St.  
Elizabethtown NY 12932

Franklin  
Franklin County Community Services  
70 Edgewood Rd., PO Box 1270  
No. Saranac Lake NY 12983

Fulton  
Fulton County Mental Health Clinic  
57 E. Fulton St., Rm. 106  
Gloversville NY 12078

Genesee  
Genesee County Mental Health Services  
5130 E. Main Rd., Suite 2  
Batavia NY 14020

Greene  
Greene County Department of Mental Health  
905 Greene County Office Bldg.  
Cairo NY 12413

Hamilton  
Hamilton County Community Services  
83 White Birch Lane  
Indian Lake NY 12842

Herkimer  
Herkimer County Mental Health Services

301 North Washington St., Ste. 2470  
Herkimer NY 13350

Jefferson  
Jefferson County Community Services  
175 Arsenal St.  
Watertown NY 13601

Lewis  
Lewis County Mental Hygiene Department  
7714 Number Three Rd.  
Lowville NY 13367

Livingston  
Livingston County Community Services  
4600 Millennium Dr.  
Geneseo NY 14454

Madison  
Madison County Mental Health Department  
Veterans' Memorial Bldg.  
Wampsville NY 13163

Monroe  
Monroe County Office of Mental Health  
1099 Jay St., Bldg. J, Ste. 201A  
Rochester NY 14611

Montgomery  
Montgomery County Department of Community Services  
St. Mary's Hospital  
427 Guy Park Ave.  
Amsterdam NY 12010

Nassau  
Nassau County Department of Mental Health  
Chemical Dependency and Developmental Disabilities Services  
60 Charles Lindberg Blvd., Ste. 200  
Uniondale NY 11553

Niagara  
Niagara County Department of Mental Health  
5467 Upper Mountain Rd., Ste. 200  
Lockport NY 14094

Oneida  
Oneida County Department of Mental Health  
235 Elizabeth St.  
Utica NY 13501

Onondaga  
Onondaga County Department of Mental Health  
421 Montgomery St., 10th Fl.  
Syracuse NY 13202

Ontario  
Ontario County Mental Health Department  
3019 County Complex Dr.  
Canandaigua NY 14424

Orange  
Orange County Department of Mental Health  
30 Harriman Dr.  
Goshen NY 10924-2410

Orleans  
Orleans County Mental Health/Community Services

14014 Route 31 West  
Albion NY 14411

Oswego  
Oswego County DSS, Division Mental Hygiene  
100 Spring St.  
Mexico NY 13114

Otsego  
Otsego County Mental Health Clinic  
242 Main St.  
Oneonta NY 13820

Putnam  
Putnam County Department of Social Services/Mental Health  
110 Old Route 6  
Carmel NY 10512

Rensselaer  
Rensselaer County Department of Mental Health  
1600 7th Ave.  
Rensselaer Co. Off. Bldg., 3rd Fl.  
Troy NY 12180

Rockland  
Rockland County Department of Mental Health  
50 Sanatorium Rd., Bldg. F  
Pomona NY 10970

Saratoga  
Saratoga County Mental Health Center  
211 Church St., Cramer House  
Saratoga Springs NY 12866

Schenectady  
Schenectady County Mental Health Dept.  
797 Broadway, Ste. 304  
Schenectady NY 12305

Schoharie  
Schoharie County Community Service and MH  
113 Park Pl., Ste. 1, Co. Annex Bldg.  
Schoharie NY 12157-0160

Schuyler  
Schuyler County Community Services  
Mill Creek Ctr., 106 S. Perry St., Ste. 4  
Watkins Glen NY 14891

Seneca  
Seneca County Mental Health Department  
31 Thurber Dr.  
Waterloo NY 13165

St. Lawrence  
St. Lawrence County Mental Health Clinic  
80 State Hwy. 310, Ste. 1  
Canton NY 13617-1493

Steuben  
Steuben County Community Mental Health Center  
115 Liberty St.  
Bath NY 14810

Suffolk  
Suffolk County Community Mental Hygiene  
No. County Complex, Bldg. C-928  
Hauppauge NY 11788

Sullivan  
Sullivan County Department of Community Services  
P.O. Box 716  
Liberty NY 12754

Tioga  
Tioga County Department of Mental Hygiene  
1062 State Rt. 38  
Owego NY 13827

Tompkins  
Tompkins County Mental Health Department  
201 E. Green St.  
Ithaca NY 14850

Ulster  
Ulster County Mental Health Department  
239 Golden Hill La.  
Kingston NY 12401

Warren  
Warren County Community Services  
230 Maple St., Suite 1  
Glens Falls NY 12801

Washington  
Washington County Community Services  
230 Maple St., Suite 1  
Glens Falls NY 12801

Wayne  
Wayne County DMH/Behavior Health Network  
1519 Nye Rd.  
Lyons NY 14489

Westchester  
Westchester County Community Mental Health Department  
112 E. Post Rd., 2nd Fl.  
White Plains NY 10601

Wyoming  
Wyoming County Mental Health Department  
338 North Main St.  
Warsaw NY 14569

Yates  
Yates County Community Services  
417 Liberty St., Ste. 2033  
Penn Yan NY 14527

In New York City, a detailed description of the changes is available for public review at the following OPWDD Office locations:

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

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

Brooklyn  
888 Fountain Avenue  
Brooklyn, New York 11208  
Metro New York

2400 Halsey Street  
Bronx, New York 10461

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

*For further information and to review and comment, please contact: Donna Cater, Office for People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12229, (518) 474-1745, e-mail: donna.cater@opwdd.ny.gov*

**PUBLIC NOTICE**

**Susquehanna River Basin Commission  
Projects Approved for Consumptive Uses of Water**

**SUMMARY:** This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

**DATES:** January 1 through January 31, 2013

**ADDRESSES:** Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

**FOR FURTHER INFORMATION CONTACT:** Richard A. Cairo, General Counsel, telephone: (717) 238-0423, ext. 306; fax: (717) 238-2436; e-mail: rcairo@srbc.net. Regular mail inquiries may be sent to the above address.

**SUPPLEMENTARY INFORMATION:** This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR § 806.22(e) and § 806.22(f) for the time period specified above:

**Approvals By Rule Issued Under 18 CFR 806.22(e):**

1. Moxie Energy, LLC, Moxie Patriot, LLC Facility, ABR-201301006, Clinton Township, Lycoming County, Pa.; Consumptive Use of Up to 0.060 mgd; Approval Date: January 18, 2013.
2. Moxie Energy, LLC, Moxie Liberty, LLC Facility, ABR-201301007, Asylum Township, Bradford County, Pa.; Consumptive Use of Up to 0.060 mgd; Approval Date: January 18, 2013.

**Approvals By Rule Issued Under 18 CFR 806.22(f):**

1. EOG Resources, Inc., Pad ID: HARKNESS C Pad, ABR-201301001, Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 5.000 mgd; Approval Date: January 7, 2013.
2. EOG Resources, Inc., Pad ID: HOPPAUGH C Pad, ABR-201301002, Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 5.000 mgd; Approval Date: January 7, 2013.
3. Chief Oil & Gas LLC, Pad ID: Cochran Drilling Pad, ABR-201301003, West Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 11, 2013.
4. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 322 Pad A, ABR-201301004, Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.500 mgd; Approval Date: January 11, 2013.
5. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 322 Pad B, ABR-201301005, Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.500 mgd; Approval Date: January 11, 2013.
6. Range Resources – Appalachia, LLC, Pad ID: Grays Run 6H-10H, ABR-201301008, McIntyre Township, Lycoming County, Pa.; Consumptive Use of Up to 5.000 mgd; Approval Date: January 25, 2013.
7. Chesapeake Appalachia, LLC, Pad ID: Three D Acres, ABR-201301009, Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 25, 2013.
8. Southwestern Energy Production Company, Pad ID: WALKER WEST PAD 14, ABR-201301010, Jackson Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: January 25, 2013.

9. WPX Energy Appalachia, LLC, Pad ID: Buxbaum Well Pad, ABR-201301011, Franklin Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: January 25, 2013.

10. Chesapeake Appalachia, LLC, Pad ID: Alvarez, ABR-201301012, Wilmot and Windham Townships, Bradford and Windham Counties, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 25, 2013.

11. Seneca Resources, Pad ID: DCNR 100 Pad T, ABR-201301013, Lewis Township, Lycoming County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: January 30, 2013.

12. Chesapeake Appalachia, LLC, Pad ID: Finan, ABR-201301014, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 30, 2013.

13. Chesapeake Appalachia, LLC, Pad ID: Outback, ABR-201301015, Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 30, 2013.

14. Chesapeake Appalachia, LLC, Pad ID: Rosiemar, ABR-201301016, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 30, 2013.

15. Cabot Oil & Gas Corporation, Pad ID: KropaT P1, ABR-201301017, Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: January 30, 2013.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: February 25, 2013.

Stephanie L. Richardson

Secretary to the Commission.