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## 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, effective on or after April 1, 2012 through December 31, 2012 and for annual periods beginning January 1 thereafter, to authorize the Commissioner of Health to seek federal approval to make disproportionate share hospital (DSH) payments to voluntary non-profit general hospitals for services in mental health and alcoholism and substance abuse service programs. The general hospital(s) shall provide the documentation and supporting data as the Commissioner deems necessary. The federal matching funds received for approved DSH shall be remitted to the voluntary hospitals.

Effective April 1, 2012 and for all calendar year periods thereafter, payments shall be made based on data from the cost reports filed with the NYS Department of Health for the period two years prior to the fiscal period. The medical assistance payments are based on costs incurred in excess of revenues by general hospitals in providing services in eligible programs to uninsured patients and patients eligible for medical assistance. Such payments shall be determined based on the percentage of visits provided to Medicaid and uninsured individuals to total visits in eligible programs multiplied by the amount of cost in excess of revenues for such programs, except that such payments shall not exceed current payments to said programs.

There is no estimated annual net aggregate increase or decrease in gross Medicaid expenditures attributable to this proposed initiative for State fiscal year 2011/2012.

Copies of the proposed state plan amendment will be available for public review on the Department's website at: [http://www.health.ny.gov/regulations/state\\_plans/status](http://www.health.ny.gov/regulations/state_plans/status)

In addition, copies will be on file in each local (county) social services district.

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 this proposed state plan amendment.

*For further information and to review and comment, please contact:* Bureau Director, 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](mailto:spa_inquiries@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 non-institutional services as follows:

Effective April 2, 2012, the Medicaid Medication Therapy Management (MTM) Pilot Program will cease and fee-for-service provider reimbursement for MTM services, pending federal approval, will end.

It is anticipated there will be no estimated increase or decrease to gross Medicaid expenditures as a result of the proposed amendment.

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 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

Copies of the proposed state plan amendments will be available for public review on the Department's website at: [http://www.health.ny.gov/regulations/state\\_plans/status](http://www.health.ny.gov/regulations/state_plans/status)

In addition, copies will be on file in each local (county) social services district.

*For further information and to review and comment, please contact:* 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](mailto:PAK04@health.state.ny.us)

## PUBLIC NOTICE

Department of State  
Routine Program Change

STATEWIDE - Pursuant to 15 CFR 923.84(b)(4), the New York State Department of State (DOS) hereby gives notice that the federal Office of Ocean and Coastal Resource Management (OCRM) concurred on December 6, 2011 on the incorporation of an amendment to the Village of Lewiston Local Waterfront Revitalization Program (LWRP) into the State's Coastal Management Program (CMP) as a Routine Program Change. DOS requested OCRM's concurrence on this action in a letter dated November 2, 2011, and in a previous notice in the New York State Register, which further described the content of the action.

The Village prepared its LWRP amendment in partnership with the New York State Department of State, and in accordance with the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the New York State Coastal Management Program. The Village of Lewiston LWRP amendment did not propose any changes to the State coastal area boundary, which incorporates the

entire Village. The LWRP serves as a long term comprehensive coastal management program for the Village's Niagara River waterfront resources, and is based on the policies of the New York State Coastal Management Program.

Pursuant to the New York State Coastal Management Program and Article 42 of the New York State Executive Law, the amendment to the Village of Lewiston LWRP was adopted by the Village Board of Trustees on March 21, 2011 and approved by the New York State Secretary of State on September 23, 2011. Federal consistency with the Village of Lewiston amended LWRP applies as of the date of this notice.

OCRM's concurrence includes the following approved changes to the Village of Lewiston LWRP:

Name/Description of State or Local Law/Regulation/Policy/Program Authority or Change	State/Local Legal Citation	Date Adopted by State	Date Effective in State
<b>MODIFIED:</b>			
*Modified to reflect zoning changes adopted by Village that established the W-D Waterfront Development District, revised the O-P Open and Public District, and rezoned parcels to extend the retail area and allow for townhouse development.	*Lewiston LWRP, Sections II, IV, and V	9/23/2011	9/23/2011
Modified to include a new final paragraph in Policy 2 that specifies allowable water-dependent and enhanced uses. Water-dependent uses include: boat liveries and marinas; boat and boating accessories service, repair, sales and rental; fishing and tackle equipment and supplies sales; and, flood and erosion protection structures. The following water-enhanced uses are allowable in the W-D Waterfront Development District: tourist facilities (i.e., restrooms, snack bars, information areas, cultural and recreation facilities; restaurants and eating establishments; hotels and motels; bed and breakfast residences, tourist homes; and retail and service facilities complementary to the aforementioned uses.	Lewiston LWRP, Section III, Policy 2	9/23/2011	9/23/2011
*Throughout the document, various portions of non-enforceable policy sections have been modified for stylistic and grammatical reasons, or to update the document with recent information.	*Lewiston LWRP, Sections I, IV, V	9/23/2011	9/23/2011

Changes marked with an asterisk (\*) are incorporated into the New York CMP, but do not contain enforceable policies that can be used for Federal Consistency.

The Village of Lewiston Local Waterfront Revitalization Program is available on the website of the New York State Department of State, at <http://nyswaterfronts.com/LWRP.asp>. If you have any questions, please contact Kevin Millington, Department of State, One Commerce Plaza, Suite 1010, Albany, NY 12231, (518) 473-2479.

**PUBLIC NOTICE**  
 Department of State  
 Routine Program Change

STATEWIDE - Pursuant to 15 CFR 923.84(b)(4), the New York State Department of State (DOS) hereby gives notice that the federal Office of Ocean and Coastal Resource Management (OCRM) concurred on February 1, 2012 on the incorporation of an amendment to the Village of Ossining Local Waterfront Revitalization Program

(LWRP) into the State's Coastal Management Program (CMP) as a Routine Program Change. DOS requested OCRM's concurrence on this action in a letter dated November 21, 2011, and in a previous notice in the New York State Register, which further described the content of the action.

The Village prepared its LWRP amendment in partnership with the New York State Department of State, and in accordance with the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the New York State Coastal Management Program. The Village of Ossining LWRP amendment did not propose any changes to the State coastal area boundary. The LWRP serves as a long term comprehensive coastal management program for the Village's Hudson River waterfront resources, and is based on the policies of the New York State Coastal Management Program.

Pursuant to the New York State Coastal Management Program and Article 42 of the New York State Executive Law, the amendment to the Village of Ossining LWRP was adopted by the Village Board of Trustees on March 16, 2011 and approved by the New York State Secretary of State on October 25, 2011. Federal consistency with the Village of Ossining amended LWRP applies as of the date of this notice.

OCRM's concurrence includes the following approved changes to the Village of Ossining LWRP:

Name/Description of State or Local Law/Regulation/Policy/Program Authority or Change	State/Local Legal Citation	Date Adopted by State	Date Effective in State
<b>ADDED:</b>			
New policy statement: "Protect and enhance views from the Crescent and waterfront area toward the Hudson River"	Section III, Policy 25 B	10/25/2011	10/25/2011
<b>MODIFIED:</b>			
Changes through the LWRP to reflect the rezoning, including creation of a Conservation District, Riverfront Development District (RDD), Planned Waterfront and Railway Development (PWRD), Planned Waterfront Subdistricts, Station Plaza districts, and Institutional Redevelopment district	Section I, II, IV, V, VI, VII, and VIII*	10/25/2011	10/25/2011
"Public access" added to policy statement.	Section III, Policy 1	10/25/2011	10/25/2011
Replaces "WD-1" with the new "RDD" district.	Section III, Policy 1, Explanation 1 and 6; and Policy 19E	10/25/2011	10/25/2011
Removal of swimming at Pal Beach	Section III, Policy 2A, Explanation 1	10/25/2011	10/25/2011
Minor changes of nature preserve name and description of preserve	Section III, Policy 7B; Policy 7B, Explanation; Policy 19A; and Policy 44, Explanation.	10/25/2011	10/25/2011
Minor grammatical changes	Section III, Policy 14, Explanation 5	10/25/2011	10/25/2011
Expands pedestrian access requirement to apply to all new development. Replaces "WD-1" with the new "RDD" district.	Section III, Policy 19 D	10/25/2011	10/25/2011
Established criteria for the PWRD special permit approval	Section III, Policy 19, Explanation 4, and Policy 20, Explanation 7	10/25/2011	10/25/2011