Announcement: NYS HCBS Statewide Transition Plan Available for Public Comment Until January 6, 2023

In compliance with 42 CFR §441.301(6)(B)(iii), the New York State Department of Health (DOH), on behalf of New York State, is pleased to seek submission of comments on its Home and Community-Based Services (HCBS) Final Rule Statewide Transition Plan (STP) to the federal Centers for Medicare and Medicaid Services (CMS). This transition plan describes New York’s assessment and remediation of its HCBS related regulations, policies and procedures, and its site level or HCBS provider level assessment and remediation activities, completed/or being completed to achieve compliance with the HCBS Final Rule across its HCBS system.

This notice serves to open the 30-day public comment period that will close on January 6, 2023, during which the public may submit written comments as follows:

- By Email: hcbsrule@health.ny.gov
- By Mail:
  Attn: E. Palmiero
  DOH OALTC
  One Commerce Plaza
  Suite 1624
  Albany, NY 12260

A draft of the proposed HCBS Final Rule Statewide Transition Plan is available for review on the HCBS Final Rule webpage at: https://health.ny.gov/health_care/medicaid/redesign/hcbs/docs/2022-12-06_hcbs_final_rule.pdf.

For individuals with limited online access who require special accommodation, paper copies are available for review at the following locations, or by calling E. Palmiero at 518-474-9844.

DOH Capital District Regional Office
875 Central Avenue
Albany, NY 12206

OPWDD Western NY DDRO
1200 East and West Rd., Bldg. 16
West Seneca, NY 14224

DOH Central New York Regional Office
217 South Salina Street
3rd Floor
Syracuse, NY 13202

OPWDD Broome DDRO
249 Glenwood Rd.
Binghamton, NY 13905
Further Information to Submit Public Comment

Prior to finalizing the proposed HCBS Final Rule STP, DOH and, where applicable, its State partners that administer HCBS, will consider all written and verbal comments received, amending its review of HCBS Final Rule compliance and conducting further remediation activities where needed. Upon completion of this review and response to public comment, the HCBS Final Rule STP will be appropriately revised and submitted to CMS for review.

CMS response will be used to conduct further review and remediation of the HCBS system as needed, with publication of the final HCBS STP at: https://www.health.ny.gov/health_care/medicaid/redesign/home_community_based_settings.htm

Please direct all questions to DOH at hcbsrule@health.ny.gov

Written comments will be accepted by email at: hcbsrule@health.ny.gov

or by mail:
OALTC
New York State Department of Health, Attn: E. Palmiero
One Commerce Plaza, Suite 1624
Albany, NY 12260

All comments must be postmarked or emailed by January 6, 2023.