

Via electronic submission

Office for People With Developmental Disabilities

[REDACTED], Deputy Counsel

Albany, NY 12229

[REDACTED]@opwdd.ny.gov

RE: Article 16 Clinic Services Eligibility -- I.D. No. PDD-52-25-00001-P

Dear [REDACTED]:

The New York City (NYC) Department of Health and Mental Hygiene (Health Department) appreciates the opportunity to provide comments in response to the Office for People With Developmental Disabilities' (OPWDD) proposed rule regarding Article 16 Clinic Services Eligibility.

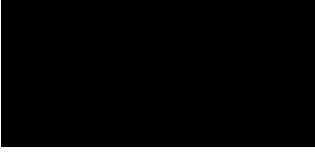
The proposed amendment to 14 NYCRR Part 679 would require, among other things, that individuals be determined eligible (or, in the case of children under eight, provisionally eligible) through OPWDD's eligibility process in order to receive treatment services. Under the proposed rule, individuals who have not yet been determined eligible by OPWDD may only receive diagnostic and evaluation services at Article 16 clinics for the purpose of determining eligibility.

Currently, five Article 16 clinics receive supplementary funding from the NYC Health Department. The purpose of this funding is to ensure that clinics can address the needs of New York City residents who are uninsured or underinsured and have a documented or suspected intellectual and/or developmental disability (I/DD).

Our concern is whether, in light of these proposed changes, New York City may continue to directly fund the provision of Article 16 services, including evaluation, habilitation, psychotropic medication management, and treatment coordination. Specifically, the proposed amendments are unclear with respect to whether the NYC Health Department can continue to use local funds to support the provision of services for: a) people who are awaiting an OPWDD eligibility determination to receive services via Medicaid, b) individuals who are uninsured and ineligible for Medicaid, or c) individuals who cannot receive services because they do not meet the eligibility threshold.

We request that the proposed amendments explicitly allow for the NYC Health Department to continue to fill this gap in services for New Yorkers in need.

Sincerely,



Dr. H. Jean Wright II

Deputy Commissioner