



Dear Children's Waiver Participant/Caregiver,

You are getting this letter because you have or want Children's Waiver Day Habilitation service. Day Habilitation will no longer be a service in the Children's Waiver starting January 1, 2026. Children/youth who have Day Habilitation will have until March 1, 2026 to move to Community Habilitation - a different HCBS service that is the same and can be provided in the home or community and not at an agency.

If your child/youth still need services to assist them with daily living skills and supports, they can move to Community Habilitation. If child/youth does not need this service, your child's care manager will work to close your child from the service.

Your care manager will talk and work with you to discuss this change and the services you can get. If you're want to continue to get services to support your Activities of Daily Living/Instrumental Activities of Daily Living (ADL/IADL) skill development, you can have these needs met by Community Habilitation, a separate Children's Waiver service. Your care manager can submit a referral for you to receive Community Habilitation. This referral can be sent to your existing Day Habilitation provider. You are not required to go to Community Habilitation services, if you are no longer want the service to support your ADL/IADL skill development. However, beginning March 1, 2026, you can no longer receive Children's Waiver Day Habilitation.

Additional information about this change can be found in the the question-and-answer form.

If you do not agree with this decision, you can ask for a conference, a fair hearing, or both.

Please talk with your case manager to help you.

Sincerely,

New York State Department of Health

Children's Waiver Team

RIGHT TO A CONFERENCE

You may have a conference to review these actions. If you want a conference, you should ask for one as soon as possible. At the conference, if we discover that we made the wrong decision or if, because of information you provide, we determine to change our decision, we will take corrective action and give you a new notice. You may ask for a conference by calling us at _____(Health Home Contact Number) or by sending a written request to us at

(Health Home Address). This number or address is used only for asking for a conference. It is not the way you request a fair hearing. If you ask for a conference you are still entitled to a fair hearing. If you want to have your benefits continue unchanged (aid continuing) until you get a fair hearing decision, you must request a fair hearing in the way described below. Read below for fair hearing information.

RIGHT TO A FAIR HEARING

If you believe that the above action is wrong, you may request a State Fair Hearing by:

1. Telephone: You may call the state-wide toll-free number: 800-342-3334 (Please have this notice with you when you call); OR
2. Fax: Send a copy of this notice to fax no. (518) 473-6735; OR
3. On-Line: Complete and send the online request form at:
<http://www.otda.ny.gov/oah/forms.asp>; OR
4. Write: Send a copy of this notice completed, to the Fair Hearing Section, New York State Office of Temporary and Disability Assistance, P.O. Box 1930, Albany, New York 12201. Please keep a copy for yourself.
5. Walk In (New York City): Office of Temporary and Disability Assistance Office of Administrative Hearing 5 Beaver Street, New York, New York 10004

Walk In (Albany): Office of Temporary and Disability Assistance Office of Administrative Hearing 40 N. Pearl Street Albany, New York 12201
6. Speech and Hearing Impaired: Contact the New York Relay Service at 711 or 1-800-622-1220. Request that the operator call 877-502-6155. Service at this number will only be provided to callers using TDD equipment.

YOU HAVE 60 DAYS FROM THE DATE OF THIS NOTICE TO REQUEST A FAIR HEARING

If you request a fair hearing, the State will send you a notice informing you of the time and place of the hearing. You have the right to be represented by legal counsel, a relative, a friend or other person, or to represent yourself. At the hearing you, your attorney or other representative will have the opportunity to present written and oral evidence to demonstrate why the action should not be taken, as well as an opportunity to question any persons who appear at the hearing. Also, you have a right to bring witnesses to speak in your favor. You should bring to the hearing any documents such as this notice, paystubs, receipts, health care bills, heating bills, medical verification, doctor's letters, etc. that may be helpful in presenting your case.

Any questions on this letter or its contents can be directed to your Health Home care manager.