

## Regulatory Waiver Update

New York State Public Health Law (PHL) § 2807(20)(e) and (21)(e) authorize the waiver of regulatory requirements for DSRIP projects and capital projects that are associated with DSRIP projects. DOH, the Office of Mental Health (OMH), the Office of Alcoholism and Substance Abuse Services (OASAS), and the Office for People with Developmental Disabilities (OPWDD) are engaged in the regulatory waiver review process, with each agency's participation in the reviews based on the specific waivers requested.

The first round of requests for regulatory waivers were submitted in December 2014, with over 500 requests. PPS leads were invited to submit additional regulatory waiver requests by September 15, 2015. The State received 88 requests for waivers in the second round covering a wide range of topics, including:

- Shared Space/Co-location
- Offsite services
- Billing
- PAR/CON/Program Standards
- HIT Standards
- Integrated Services

Approximately 50 of which were approved and 20 denied, the remaining pending future determination. Overall, the Agencies have approved roughly 70% of the requests received. The deadline for the third round of waiver requests was on August 1, 2016, for which four PPS' have submitted 16 waiver requests. As with other rounds, a coordinated review of the requests by DOH, OMH, OASAS, and OPWDD will take place and responses will be provided by October 1, 2016 and posted on the DSRIP website.

To facilitate ongoing project implementation, requests for Regulatory Waivers will be open and processed on a quarterly basis throughout the DSRIP Demonstration Years. Additionally any time sensitive waivers may be submitted outside of the current quarterly review period. A listing of quarterly deadlines and response dates are as follows:

Deadline	Response
November 1, 2016	January 1, 2017
February 1, 2017	April 1, 2017
May 1, 2017	July 1, 2017
August 1, 2017	October 1, 2017

The PPS will begin to use these waivers to assign to individual provider sites by project within their network. A webinar outlining the Regulatory Waiver and Project Tracking Tool was held on August 3, 2016 and PPS' have a deadline of November 8, 2016 to submit the completed tool, which can be found on the Digital Library. This tool will ensure facilities are not cited for regulatory violations for which they have received a waiver and will allow State Agencies to fast track applications related to DSRIP.