REGISTER REGISTER

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- Execution by Registered Professional Nurses of Non-Patient Specific Orders to Administer COVID-19 and Influenza Tests
- Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure

Notice of Availability of State and Federal Funds Court Notices Financial Reports

State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making, or a Notice of Emergency Adoption and Proposed Rule Making; and for 45 days after publication of a Notice of Revised Rule Making, or a Notice of Emergency Adoption and Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 60 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

For notices published in this issue:

- the 60-day period expires on November 27, 2022
- the 45-day period expires on November 12, 2022
- the 30-day period expires on October 28, 2022

KATHY HOCHUL GOVERNOR

ROBERT J. RODRIGUEZ SECRETARY OF STATE

NEW YORK STATE DEPARTMENT OF STATE

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The **New York State Register** (ISSN 0197 2472) is published weekly. Subscriptions are \$80 per year for first class mailing and \$40 per year for periodical mailing. The **New York State Register** is published by the New York State Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001. Periodical postage is paid at Albany, New York and at additional mailing offices.

POSTMASTER: Send address changes to NY STATE REGISTER, the Department of State, Division of Administrative Rules, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001

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Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* (www.dos.ny.gov) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

To be considered, comments should reach the agency before expiration of the public comment period. The law provides for a minimum 60-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making, and a 45-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

When a time frame calculation ends on a Saturday or Sunday, the agency accepts public comment through the following Monday; when calculation ends on a holiday, public comment will be accepted through the following workday. Agencies cannot take action to adopt until the day after expiration of the public comment period.

The Administrative Regulations Review Commission (ARRC) reviews newly proposed regulations to examine issues of compliance with legislative intent, impact on the economy, and impact on affected parties. In addition to sending comments or recommendations to the agency, please do not hesitate to transmit your views to ARRC:

Administrative Regulations Review Commission State Capitol Albany, NY 12247 Telephone: (518) 455-5091 or 455-2731

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KEY: (P) Proposal; (RP) Revised Proposal; (E) Emergency; (EP) Emergency and Proposal; (A) Adoption; (AA) Amended Adoption; (W) Withdrawal

Individuals may send public comment via electronic mail to those recipients who provided an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings. Choose pertinent issue of the *Register* and follow the procedures on the website (www.dos.ny.gov)

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RULE MAKING ACTIVITIES

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- AAM -the abbreviation to identify the adopting agency
- 01 -the *State Register* issue number
- 96 -the year
- 00001 -the Department of State number, assigned upon receipt of notice.
- E -Emergency Rule Making—permanent action not intended (This character could also be: A for Adoption; P for Proposed Rule Making; RP for Revised Rule Making; EP for a combined Emergency and Proposed Rule Making; EA for an Emergency Rule Making that is permanent and does not expire 90 days after filing.)

Italics contained in text denote new material. Brackets indicate material to be deleted.

Department of Corrections and Community Supervision

ERRATUM

A Notice of Emergency Adoption, ID no. CCS-16-22-00003-E, pertaining to Definitions, Standards of Incarcerated Individual Behavior, Special Housing Units, and Institutional Programs which was published in the September 14, 2022 issue of the *State Register* included an error in the link to the full text of the emergency rule. The full text of the rule can be found at https://doccs.ny.gov/rules-regulations.

NOTICE OF ADOPTION

Incarcerated Individual Correspondence Program

I.D. No. CCS-14-22-00010-A Filing No. 704 Filing Date: 2022-09-08 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action: *Action taken:* Amendment of Part 720 of Title 7 NYCRR. *Statutory authority:* Corrections Law, section 70 *Subject:* Incarcerated Individual Correspondence Program.

Purpose: To further clarify facility mail processing procedures.

Text or summary was published in the April 6, 2022 issue of the Register, I.D. No. CCS-14-22-00010-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Cathy Sheehan, Deputy Commissioner and Counsel, Department of Corrections and Community Supervision, 1220 Washington Avenue, Harriman State Campus, Albany, NY 12226-2050, (518) 457-4951, email: Rules@DOCCS.ny.gov

Revised Job Impact Statement

A job impact statement is not submitted because this proposed rule will have no adverse impact on jobs or employment opportunities. This proposal will amend the current regulation to allow incarcerated individuals who cannot read or write to request assistance for correspondence, to clarify the responsibilities of correctional facilities with respect to processing media that is not written in English, and to clarify the responsibilities of a correctional facility in processing incoming cash, checks, or money orders addressed to incarcerated individuals.

Assessment of Public Comment

The agency received no public comment.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Closed Facilities

I.D. No. CCS-39-22-00001-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: This is a consensus rule making to repeal sections 100.68, 100.88, 100.92, 100.101, 100.104, 100.123, 100.127, 100.128 and 105.1 of Title 7 NYCRR.

Statutory authority: Correction Law, section 70

Subject: Closed Facilities.

Purpose: To repeal the rules establishing facilities that have closed.

Text of proposed rule: Title 7 of the New York Codes, Rules, and Regulations (NYCRR) is amended as follows:

Section 100.68 is repealed. Section 100.88 is repealed. Section 100.92 is repealed. Section 100.101 is repealed. Section 100.104 is repealed.

- Section 100.123 is repealed.
- Section 100.127 is repealed.

Section 100.128 is repealed.

Section 105.1 is repealed.

Text of proposed rule and any required statements and analyses may be obtained from: Cathy Sheehan, Deputy Commissioner and Counsel, NYS Department of Corrections and Community Supervision, 1220 Washington Avenue, Harriman State Campus, Albany, NY 12226-2050, (518) 457-4951, email: Rules@DOCCS.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

Consensus Rule Making Determination

This proposal will repeal regulations establishing the following facilities which permanently closed on March 10, 2022: Ogdensburg Correctional Facility, Moriah Correctional Facility, Willard Drug Treatment Center, Southport Correctional Facility, Downstate Correctional Facility, Rochester Correctional Facility. This proposal will also repeal regulations establishing Gowanda Correctional Facility, which permanently closed in 2021, Lincoln Correctional Facility which permanently closed in 2019, and Livingston Correctional Facility, which permanently closed in 2019. No person is likely to object to this proposal to repeal sections 7 NYCRR 100.68, 100.88, 100.92, 100.101, 100.104, 100.123, 100.127, 100.128, and 105.1 because it merely repeals regulatory provisions which are no longer applicable to any person. See SAPA Section 102(11)(a).

Rule Making Activities

Job Impact Statement

A job impact statement is not submitted because this proposed rule will have no adverse impact on jobs or employment opportunities. This proposal will repeal regulations establishing the following facilities which permanently closed on March 10, 2022: Ogdensburg Correctional Facility, Moriah Correctional Facility, Willard Drug Treatment Center, Southport Correctional Facility, Downstate Correctional Facility, Rochester Correctional Facility. This proposal will also repeal regulations establishing Gowanda Correctional Facility, which permanently closed in 2021, Lincoln Correctional Facility which permanently closed in 2019, and Livingston Correctional Facility, which permanently closed in 2019.

Department of Economic Development

NOTICE OF ADOPTION

New York City Musical and Theatrical Production Tax Credit Program

I.D. No. EDV-24-22-00011-A Filing No. 718 Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of Part 270 to Title 5 NYCRR.

Statutory authority: L. 2022, ch. 59, part F

Subject: New York City Musical and Theatrical Production Tax Credit program.

Purpose: To update the administrative process for the New York City Musical and Theatrical Production Tax Credit program.

Substance of final rule: The regulation contained in 5 NYCRR Part 270, which governs the New York City Musical and Theatrical Production Tax Credit Program, is summarized as follows:

The regulation begins by extending the end of the credit period of a production from March 31, 2023 to September 30, 2023 per statute. It also extends the program application deadline from December 31, 2022 until June 30, 2023 per statute.

Next, the regulation clarifies the criteria for evaluation of a final application to make clear that an applicant must provide evidence that they have implemented the specific requirements they have attested to in their initial application, including the profit-sharing requirement under the program.

The regulation concludes by clarifying that the trigger date for economic evaluation of the credit cap is now on or after January 1, 2023 and that the overall cap on credits is now expanded to \$200 million (from the existing \$100 million).

The text of the rulemaking is available at www.esd.ny.gov.

Final rule as compared with last published rule: Nonsubstantive changes were made in section 270.2(v)(2).

Text of rule and any required statements and analyses may be obtained from: Thomas Regan, Department of Economic Development, 625 Broadway, Albany, NY 12245, (518) 292-5123, email: thomas.regan@esd.ny.gov

Revised Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

As there have been no substantive changes to the last published rule, there are no changes to the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2024, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

COVID-19 Capital Costs Tax Credit Program

I.D. No. EDV-25-22-00003-A Filing No. 717 Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of Part 290 to Title 5 NYCRR.

Statutory authority: L. 2022, ch. 59, part E

Subject: COVID-19 Capital Costs Tax Credit program.

Purpose: To create the administrative process for the program.

Text or summary was published in the June 22, 2022 issue of the Register, I.D. No. EDV-25-22-00003-EP.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Thomas Regan, New York State Dept. of Economic Development, 625 Broadway, Albany, NY 12245, (518) 292-5123, email: thomas.regan@esd.ny.gov

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2024, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

Comment

Commenter believes that the capital cost tax credit should only pertain to costs that were incurred only due to the Covid 19 pandemic or the after effects of the ongoing pandemic. For example, a business that always had uber eats as a delivery provider, even before the pandemic, that business should not be able to claim a tax credit against those costs, even if they meet all the criteria to be eligible to obtain the credit, since it was part of the ordinary trade before the pandemic.

Meanwhile a restaurant that had to start using door dash in 2021, due to the hostile business environment caused by the pandemic, should get the credit, granted all other criteria is met.

Response

The application requires the business to attest that claimed expenses are "related to mitigation, remediation, or following of COVID-19 orders as it related to my place of business(es)".

Comment

Commenter questions why this tax credit was set up to cover only eligible expenses from 2021 forward and not as far back as 2019 when many businesses were spending to refit during the pandemic? Is it because of the funding source? or is the logic that other direct financial aid or tax credits covered the earlier time frame?

Response

Other Federal and State Programs covered the earlier timeframe, including the \$800M New York State COVID-19 Pandemic Small Business Recovery Grant Program.

Comment

Commenter has a client that is a TV producer and incurred a lot of costs for Covid testing (home kits and onsite) necessary in advance of every film shoot to ensure safety of the crew and paid for a remote access service to access shoot material as well as other key archival info necessary to assemble the shows that they filmed. Would the above costs be considered other costs that could be determined by the department in 290.2(i)(xv)?

Response

Yes. These types of costs are reasonable and can be claimed as eligible expenses.

Education Department

EMERGENCY RULE MAKING

Regents Examination in United States History and Government (Framework) for June 2022, August 2022, and January 2023

I.D. No. EDU-26-22-00011-E Filing No. 711 Filing Date: 2022-09-12 Effective Date: 2022-09-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 100.5 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 209, 305, 3204 and 3205

Finding of necessity for emergency rule: Preservation of general welfare. *Specific reasons underlying the finding of necessity:* On May 24, 2022, the Department canceled the June 2022 Regents Examination in United States History and Government (Framework) in the wake of the tragic shooting in Buffalo. In response, the Department has adopted regulatory amendments exempting students from the diploma, credential, and endorsement requirements related to the passing of this examination.

To ensure that the cancellation of this examination does not adversely impact students, the Department now proposes additional regulatory amendments to section 100.5(a) of the Commissioner's regulations to provide an exemption to the diploma, credential, and endorsement requirements related to the passing of Regents Examination in United States History and Government (Framework). This amendment will ensure that students may still meet such requirements.

The proposed amendment was presented to the P-12 Education Committee for recommendation to the Full Board for adoption as an emergency rule at the June 2022 meeting of the Board of Regents, effective June 14, 2022. Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the October 2022 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earlier effective date of the proposed rule, if adopted at the October 2022 meeting, would be October 19, 2022, the date the Notice of Adoption would be published in the State Register.

However, the emergency rule will expire on September 11, 2022. Therefore, a second emergency action is necessary at the July 2022 meeting for the preservation of the general welfare and public health in order to immediately provide regulatory flexibility so that students can meet the diploma requirements related to the passing of the Regents Examination in United States History and Government (Framework) administered in June 2022, August 2022, and January 2023, and to ensure the emergency action taken at the June 2022 meeting remains continuously in effect.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the October 2022 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rulemaking.

Subject: Regents Examination in United States History and Government (Framework) for June 2022, August 2022, and January 2023.

Purpose: Provide flexibility so that students can meet the diploma requirements of the Regents Examination in US History.

Text of emergency rule: Subclause (4) of clause (a) subparagraph (vi) of paragraph (5) of subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(4) For purposes of meeting the diploma requirements of this subdivision, students deemed to have demonstrated attainment of the applicable New York learning standards in English, mathematics, science, [United States history and government,] and global history and geography shall be exempt from the applicable Regents examination requirements for the January 2022 Regents examination administration and United States history and government for the January 2022, June 2022, August 2022, and January 2023 Regents examination administrations if such students:

(i) were enrolled in a course of study that would ordinarily culminate in the taking of a [January 2022] Regents examination *administered in one of the periods listed in subclause 4 of this clause* and earn credit for such course of study by the end of the first semester of the 2021-22 school year, or in the case of United States history and government, earn credit in the course of study by the end of the first semester of the 2022-23 school year;

(ii) were enrolled in a course of study in grade 7 or grade 8 that would ordinarily culminate in the taking of a [January 2022] Regents examination *administered in one of the periods listed in subclause 4 of this clause*, and have met the learning standards in such course of study;

(iii) successfully completed a make-up program for the purpose of earning course credit between September 1, 2021, and the end of the first semester of the 2021-22 school year, or in the case of United States history and government, earn credit in the course of study by the end of the first semester of the 2022-23 school year;

(iv) were preparing to take a required Regents examination in order to graduate at the end of the first semester of the 2021-22 school year, or in the case of the Regents examination in United States history and government, were preparing to graduate at the end of the first semester of the 2022-23 school year;

(v) transferred to a New York State high school from either a high school located outside of New York State or from another New York State high school in which Regents examinations were not administered, and earned credit in a course for which they intended to take a corresponding Regents examination in January 2022, or in the case of United States history and government, one of the periods listed in subclause (4) of this clause.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-26-22-00011-EP, Issue of June 29, 2022. The emergency rule will expire November 10, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Education Law § 101 continues the existence of the Education Department, with the Board of Regents at its head and the Commissioner of Education as the chief administrative officer, and charges the Department with the general management and supervision of public schools and the educational work of the State.

Education Law § 207 grants general rule-making authority to the Regents to carry into effect State educational laws and policies.

Education Law § 208 authorizes the Regents to establish examinations as to attainments in learning and to award and confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

Education Law § 209 authorizes the Regents to establish secondary school examinations in studies furnishing a suitable standard of graduation and of admission to colleges; to confer certificates or diplomas on students who satisfactorily pass such examinations; and requires the admission to these examinations of any person who shall conform to the rules and pay the fees prescribed by the Regents.

Education Law § 305(1) and (2) provide that the Commissioner shall have general supervision over all schools and institutions subject to the provisions of the Education Law, or of any statute relating to education, and shall execute all educational policies determined by the Board of Regents.

Education Law § 3204 provides that minors required to attend upon instruction pursuant to the Compulsory Education Law may attend at a public school or elsewhere and sets forth the requirements of such instruction.

Education Law § 3205 provides that each minor from six to sixteen years of age in each school district or on an Indian reservation shall attend upon full time instruction.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to implement Regents' policy to respond to the impact of the tragic shooting in Buffalo, New York by providing an exemption to the diploma, credential, and endorsement requirements related to the passing the June 2022, August 2022, and January 2023 administration of the Regents Examination in United States History and Government.

3. NEEDS AND BENEFITS:

Beginning in September 2019, New York State high schools began aligning instruction in United States History and Government courses to the New York State K-12 Social Studies Framework. The first administration of the new Regents Examination in United States History and Government (Framework) was originally scheduled to be administered in June 2020. Due to the impact of the ongoing COVID-19 pandemic, the first administration of the new Regents Examination in United States History and Government (Framework) had to be postponed initially until June 2021 and then to June 2022. More recently, the test was canceled in June 2022 and postponed until June 2023 in the wake of the tragic shooting in Buffalo. This postponement to June 2023 is necessary because the first Regents Examination in United States History and Government (Framework) must be administered during a June administration period with a full census of student participation to provide the opportunity for score collection and performance standard setting.

Since all United States History and Government coursework is now aligned to the Framework, there will be no appropriate Regents Examination in United States History and Government available in June 2022, August 2022, and January 2023 for students completing their courses in United States History and Government. As a result, the Department proposes to amend section 100.5(a)(5)(vi)(a)(4) of the Commissioner's regulations to provide an exemption to the diploma, credential, and endorsement requirements related to the passing of the June 2022, August 2022, and January 2023 Regents Examinations in United States History and Government so that students are still able to meet their diploma requirements since this Regents Examination will not be available for those administration periods.

4. COSTS:

a. Costs to State government: The amendment does not impose any costs on State government, including the State Education Department.b. Costs to local government: The amendment does not impose any

b. Costs to local government: The amendment does not impose any costs on local government.

c. Costs to private regulated parties: The amendment does not impose any costs on private regulated parties.

d. Costs to regulating agency for implementation and continued administration: See above.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment does not impose any additional program, service, duty or responsibility upon any local government.

6. PAPERWORK:

The proposed amendment does not impose any additional paperwork requirements.

7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

8. ALTERNATIVES:

The proposed rule is necessary to provide regulatory flexibility so that students can meet the diploma requirements related to the passing of the Regents Examination in United States History and Government (Framework) administered in June 2022, August 2022, and January 2023. There are no significant alternatives to the proposed amendment and none were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

The proposed amendment will become effective as an emergency rule on June 14, 2022. It is anticipated that the proposed amendment will be presented for permanent adoption at the October 2022 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the October 2022 meeting, the proposed amendment will become effective as a permanent rule on October 19, 2022. It is anticipated that regulated parties will be able to comply with the proposed rule on its effective date.

Regulatory Flexibility Analysis

The purpose of the proposed amendment is to implement Regents' policy to respond to the impact of the tragic shooting in Buffalo, New York by providing an exemption to the diploma, credential, and endorsement requirements related to the passing the June 2022, August 2022, and January 2023 administration of the Regents Examination in United States History and Government. Because it is evident from the nature of the proposed amendment that it does not impose any adverse economic impact, reporting, record keeping or any other compliance requirements or other costs on small businesses and local governments, no further measures were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required and one has not been prepared.

Rural Area Flexibility Analysis

The purpose of the proposed amendment is to implement Regents' policy to respond to the impact of the tragic shooting in Buffalo, New York by providing an exemption to the diploma, credential, and endorsement requirements related to the passing the June 2022, August 2022, and January 2023 administration of the Regents Examination in United States History and Government. Because it is evident from the nature of the proposed amendment that it does not impose any adverse economic impact, reporting, record keeping or any other compliance requirements or other costs on regulated parties located in rural areas, no further measures were needed to ascertain that fact and none were taken. Accordingly, a rural area flexibility analysis is not required and one has not been prepared.

Job Impact Statement

The purpose of the proposed amendment is to implement Regents' policy to respond to the impact of the tragic shooting in Buffalo, New York by providing an exemption to the diploma, credential, and endorsement requirements related to the passing the June 2022, August 2022, and January 2023 administration of the Regents Examination in United States History and Government. Because it is evident from the nature of the proposed rule that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Assessment of Public Comment

The agency received no public comment.

EMERGENCY RULE MAKING

Providing Flexibility Regarding the Administration of Regents Examinations in Mathematics and Science in Certain Grades

I.D. No. EDU-26-22-00012-E Filing No. 714 Filing Date: 2022-09-12 Effective Date: 2022-09-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 100.4 and 100.21 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 112, 207, 210, 215, 305, 309, 3713; Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, 20 U.S.C. sections 6301 et seq. (Public Law 114-95, 129 STAT. 1802)

Finding of necessity for emergency rule: Preservation of general welfare. *Specific reasons underlying the finding of necessity:* On March 9, 2022, the New York State Education Department (NYSED) submitted a waiver extension request to USDE on behalf of all local education agencies (LEAs) in New York State seeking flexibility that would allow New York middle school students to take a Regents Examination in mathematics or science when the student is enrolled in the corresponding course instead of taking the grade level examination. USDE granted NYSED a waiver extension of the following flexibilities of sections 1111(b)(1)(B) and 1111(b)(2)(B)(i) of the ESEA, as recently amended by ESSA:

• Students enrolled in grade 6 who take high school regents mathematics courses to take the corresponding high school level Regents Examination in mathematics in lieu of the grade 6 mathematics test.

• Students enrolled in grade 7 who take high school level regents mathematics courses to take the corresponding high school level Regents Examination in mathematics in lieu of the grade 7 mathematics test.

• Students enrolled in grade 7 or 8 who take high school level regents science courses to take the corresponding high school level Regents Examination in science in lieu of the Intermediate-Level Science test.

As a result, it is necessary for NYSED to adopt emergency regulations to conform to the waiver granted by USDE. The proposed amendment provides continued flexibility related to implementing these middle school mathematics and science testing flexibilities beginning with the 2021–2022 school year assessments.

The proposed amendment was presented to the P-12 Education Committee for recommendation to the Full Board for adoption as an emergency rule at the June 2022 meeting of the Board fo Regents, effective June 14, 2022. Because the Board of Regents meets at scheduled intervals, the earliest the proposed amendment could be presented for regular (nonemergency) adoption, after publication in the State Register and expiration of the 60-day public comment period required in the SAPA sections 201(1) and (5), is October 2022. Furthermore, pursuant to SAPA 203(1), the earlier effective date of the proposed rule, if adopted at the October meeting, would be October 19, 2022, the date the Notice of Adoption would be published in the State Register.

However, the emergency rule will expire September 11, 2022. Therefore, A second emergency action is necessary at the July 2022 meeting, effective July 12, 2022, for the preservation of the general welfare such that students are not required to undergo "double testing" In grade 6 mathematics and in grade 7 intermediate science, and to ensure the emergency action taken at the June 2022 meeting remains continuously in effect.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the October 2022 Board of Regents meeting, which is the first scheduled meeting after the 60-day public comment period prescribed in SAPA for State agency rulemakings. Subject: Providing flexibility regarding the administration of Regents

examinations in mathematics and science in certain grades.

Purpose: To secure a waiver extension from the United Stated Department of Education of certain ESSA requirements by providing flexibility to schools and districts regarding the administration of Regents examinations in mathematics to grade 6 students and in science to grade 7 students. Text of emergency rule: 1. Subdivision (b) of section 100.4 of the Regula-

tions of the Commissioner of Education is amended to read as follows: (b) Program requirements for students in grades 5 and 6.

(1) ...

(2) Required assessments.

(i) ... (ii) beginning with the 2005-06 school year, English language arts and mathematics assessments shall be administered in grades 5 and 6, provided that, beginning with the 2021-22 school year, students who attend grade 6 may take a Regents examination in mathematics in lieu of or in addition to the grade 6 mathematics assessment, in accordance with clause (b)(1)(xvi)(c) of section 100.21 of this Part.

(iii) ...

(iv) ...

(v) ...

(vi) ...

(vii) ...

(viii)

2. Subdivision (e) of section 100.4 of the Regulations of the Commissioner of Education is amended to read as follows:

(e) Required assessments in grades 7 and 8.

Except as otherwise provided in subdivisions (f) and (g) of this section, and except for students who have been admitted to a higher grade without completing the grade at which the assessment is administered, all students shall take the following assessments, provided that testing accommodations may be used as provided for in section 100.2(g) of this Part in accordance with department policy.

(1) ...

(2) ... (3) ...

(4) Beginning with the school year 2000-2001, the science intermediate assessment shall be administered in grade 8; provided that students who attend grade 7 or 8 may take a Regents examination in science in lieu of or in addition to the grade 8 science intermediate assessment, in accordance with this section and section [100.18(b)(14)] 100.21(b)(ii)(c)-(d) of this Part, and provided further that the science intermediate assessment shall not be administered in grade 8 to students who take such assessment in grade 7 and are being considered for placement in an accelerated high school-level science course when they are in grade 8 pursuant to subdivision (d) of this section or have taken a Regents examination in science in grade 7 in lieu of or in addition to the grade 8 science intermediate assessment.

3. Subdivision (b) of section 100.21 of the Regulations of the Commissioner of Education is amended to read as follows: (b) Definitions.

(i) (ii) (iii) ... (iv) ... (v) ... (vi) ... (vii) ... (viii) ... (ix) ... (x) ... (xi) ... (xii) ... (xiii) ... (xiv) ... (xv)...

(xvi) Performance levels shall mean for accountability determinations regarding comprehensive support and improvement schools, targeted support and improvement schools, and target districts made commencing with the 2017-2018 school year assessment results, as follows:

(a) for elementary and middle grades:

(1) Level 1 - basic:

(i) a score of Level 1 on State assessments in ELA, mathematics, and science;

(ii) a score of Level 1 on the New York State alternate assessment in ELA, mathematics, and science;

(iii) a score of accountability Level 1 on a Regents mathematics exam for advanced grade 6, 7, or 8 students; (iv) a score of Level 1 on a Regents science exam for

advanced grade 7 or 8 students; (2) Level 2 - basic proficient:

(i) a score of Level 2 on State assessments in ELA, mathematics, and science;

(ii) a score of Level 2 on the New York State alternate assessment in ELA, mathematics, and science;

(iii) a score of accountability Level 2 on a Regents mathemat-

(iii) a score of accountability Level 2 on a Regents mathematics exam for advanced grade 6, 7, or 8 students;
(iv) a score of Level 2 on a Regents science exam for advanced grade 7 or 8 students.
(3) Level 3 - proficient:
(i) a score of Level 3 on State screene with the state state screene with the state state science with the state science science in the state science science is state science science in the state science science is state science science in the science science science is state science science in the science science science is science science in the science science science is science as a science scienc

(i) a score of Level 3 on State assessments in ELA, mathematics, and science:

(ii) a score of Level 3 on the New York State alternate assessment in ELA, mathematics, and science;

(iii) a score of accountability Level 3 on a Regents mathematics exam for advanced grade 6, 7, or 8 students;

(iv) a score of Level 3 on a Regents science exam for advanced grade 7 or 8 students.

(4) Level 4 - advanced:

(i) a score of Level 4 on State assessments in ELA, mathematics, and science:

(ii) a score of Level 4 on the New York State alternate assessment in ELA, mathematics, and science;

(iii) a score of accountability Level 4 on a Regents mathematics examination for advanced grade 6, 7, or 8 students;

(iv) a score of Level 4 on a Regents science examination for advanced grade 7 or 8 students.

(b) ...

(c) advanced middle school mathematics students:

(1) for students enrolled in grades 6, 7, or 8 and who take a Regents examination in mathematics but do not take the grade 6, 7, or 8 New York State testing program assessment in mathematics, participation and accountability determinations for the school in which the student is enrolled in grade $\tilde{6}$, 7 or 8 shall be based upon such student's performance on the Regents examination in mathematics. Participation and accountability determinations for the high school in which such student later enrolls shall be based upon such student's performance on mathematics assessments taken after the student first enters grade 9;

(2) for students enrolled in grades 6, 7 or 8 who take both the grade 6, 7, or 8 New York State testing program assessment in mathematics and a Regents examination in mathematics, participation and accountability determinations for the school in which the student is enrolled in grade 6, 7 or 8 shall be based upon such student's performance on the New York State testing program assessment in mathematics. Participation and accountability determinations for the high school in which such student later enrolls shall be based upon such student's highest performance level/score earned on the Regents examination taken in grade 6, 7, or 8 or Regents examinations or approved alternatives of Regents examinations taken after the student first enters grade 9;

(d) advanced middle school science students:

(1) for students enrolled in grade 7 or 8 who take a Regents examination in science but do not take the grade 8 intermediate science test, accountability determinations for the school in which such student is enrolled in grade 7 or 8 shall be based upon such student's performance on the Regents examination in science. Participation and accountability determinations for the high school in which such student later enrolls shall be based upon such student's performance on science assessments after the student first enters grade 9;

(2) for students enrolled in grade 7 or 8 who take both the grade 8 science intermediate-level science test and a Regents examination in science, accountability determinations for the school in which such student is enrolled in grade 7 or 8 shall be based upon such student's performance on the grade 8 intermediate-level science test. Participation and accountability determinations for the high school in which such student later enrolls shall be based upon such student's highest performance level/score earned on the Regents examination taken in grade 7 or 8 or Regents examinations taken after the student first enters grade 9;

(3) for students who took the grade 8 intermediate-level science test when they were enrolled in grade 7 and who take a Regents examination in science when enrolled in grade 7 or 8, accountability determinations for the school in which such student is enrolled in grade 8 shall be based upon such student's performance on the Regents examination in science:

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-26-22-00012-EP, Issue of June 29, 2022. The emergency rule will expire November 10, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112 EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Section 101 of the Education Law continues the existence of the Education Department, with the Board of Regents as its head, and authorizes the Regents to appoint the Commissioner as chief administrative officer of the Department, which is charged with the general management and supervision of public schools and the educational work of the State.

Section 112 of the Education Law provides that the State Education Department shall establish and enforce standards of instruction, personnel qualifications and other requirements for education services or programs with respect to the individual requirements of children who are in fulltime residential care in facilities or homes operated or supervised by any state department or agency or political subdivision.

Section 207 of the Education Law grants general rule making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Section 210 of the Education Law empowers the Regents to register domestic and foreign institutions in terms of New York standards, and fix the value of degrees, diplomas and certificates issued by institutions of other states or countries and presented to entrance to schools, colleges and the professions in New York.

Section 215 of the Educaiton Law empowers the Regents and the Commissioner to visit, examine into and inspect, any institution in the University and any school or institution under the educational supervision of the State and may require reports therefrom giving information as the Regents or the Commissioner prescribe.

Section 305(1) and (2) of the Education Law provide the Commissioner, as chief executive officer of the State's education system, with general supervision over all schools and institutions subject to the Education Law, or any statute relating to education, and responsibility for executing all educational policies of the Regents.

Section 309 provides that the schools of every union free school district and of every city in all their departments are subject to the visitation of the commissioner and charges the commissioner with the general supervision of their board of education and their management and conduct of all departments of instruction.

Education Law section 3713(1) and (2) authorize State and school districts to accept federal law making appropriations for educational purposes and authorize Commissioner to cooperate with federal agencies to implement such law.

Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, 20 U.S.C. sections 6301 et seq. (Public Law 114-95, 129 STAT. 1802).

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to implement Regents policy relating to public school and district accountability.

3. NEEDS AND BENEFITS:

Many districts and schools within New York State were historically reluctant to devote resources to providing high school coursework to middle school students. These districts and schools knew that the only results for which the middle school would be accountable were the gradelevel assessments. Preparing students to take both the grade-level assessment and the Regents Examination was likely to result in their students attaining lower scores on the grade level assessment than would be the case if the students were being prepared only for the middle-level examination. Consequently, some districts and schools were limiting participation in advanced coursework to those students who would be able to perform at high levels on both assessments, rather than including students who were likely to be successful on the Regents Examination if their teacher could focus the instruction on the learning standards associated with the high school course.

The Department and Board have taken various actions to provide flexibility and encourage the provision of advanced high school coursework to middle school students. At its October 2013 meeting, the Board of Regents directed the New York State Education Department (NYSED) to submit a request to the United States Department of Education (USDE) to waive provisions of sections 1111(b)(1)(B) and 1111(b)(3)(C)(i) of the Elementary and Secondary Education Act of 1965 (ESEA) to eliminate the need for "double-testing," so that school districts and charter schools may administer only the Regents Examinations in mathematics to grade 7 and 8 students without also having to administer the grade-level mathematics assessment in the 2013-2014 school year. On December 20, 2013, USDE granted NYSED a one-year waiver for the 2013-2014 school year from ESEA [sections 1111(b)(1)(B) and 111(b)(3)(C)(i)]. At the April 2014 Regents meeting, the Board of Regents adopted as a permanent rule, subdivisions 100.4(e)(2) and 100.18(b)(14) of the Commissioner's Regulations.

On September 22, 2014, USDE granted NYSED a one-year waiver extension (for the 2014-2015 school year) from the provisions of sections 1111(b)(1)(B) and 111(b)(3)(C)(i) of the ESEA. The proposed amendment continued for the 2014-2015 school year the provisions that were implemented in the 2013-2014 school year to determine how student results were used for institutional accountability purposes:

• For students who attended grade 7 or 8 and took a Regents Examination in mathematics in the 2014-2015 school year but did not take the grade 7 or 8 mathematics assessment, participation and accountability determinations for the school in which the student attends grade 7 or 8 were based upon such student's performance on the Regents Examination in mathematics. Participation and accountability determinations for the high school in which student later enrolled were based upon such student's performance on mathematics assessments taken after the student first entered grade 9. For such students, a score of 65 or above, or a comparable score as approved by the Board of Regents, on a Regents Examination in mathematics taken in grade 9 or thereafter were credited as Level 3 ("full credit") for purposes of calculating the high school performance index.

• For students who attended grade 7 or 8 and who took both the grade 7 or 8 mathematics assessment and a Regents Examination in mathematics during the 2014-2015 school year, participation, and accountability determinations for the school such students attend in grade 7 or 8 were based upon the student's performance on the grade 7 or 8 mathematics assessment.

On December 10, 2015, the Every Student Succeeds Act (ESSA) was signed into law. After an extensive public engagement process, USDE approved the State's ESSA plan in January 2018.

Additionally, on January 16, 2018, USDE approved NYSED's request to grant a waiver extension of section 1111(b)(2)(B)(i)(I) of the ESEA, as well as the corresponding federal regulation, to allow middle school students who take a high school level Regents Examination in mathematics or science to use the results of that examination in lieu of the State's grade-level assessments. This approval was in effect for four years, from the 2017-2018 school year through the 2020-2021 school year.

On May 16, 2022, USDE granted NYSED a waiver extension that will be in effect from the 2021-2022 school year through the 2024-2025 school year and will permit the following:

• Students enrolled in grade 6 who take high school Regents mathematics courses may take the corresponding high school level Regents Examination in mathematics in lieu of the grade 6 mathematics test.

• Students enrolled in grade 7 who take high school level Regents mathematics courses may take the corresponding high school level Regents Examination in mathematics in lieu of the grade 7 mathematics test.

• Students enrolled in grade 7 or 8 who take high school level Regents science courses may take the corresponding high school level Regents Examination in science in lieu of the Intermediate-Level Science test.

To secure the waiver extension of ESSA requirements, USDE required New York State to assure that if a student takes a Regents Examination in mathematics in Grade 6 or Grade 7 in lieu of the grade-level mathematics assessment or takes a Regents Examination in science in Grade 7 or Grade 8 in lieu of the Grade 8 science examination:

• The student's performance and participation on the assessment will be used in the year in which the student takes the assessment for purposes of measuring academic achievement and participation as it pertains to the school-based accountability system required under ESSA.

• In high school, the student will take a more advanced, Stateadministered end-of-course assessment or a nationally recognized high school academic assessment and the student's performance on and participation in that assessment will be used for purposes of measuring academic achievement and participation as it pertains to the school-based accountability system required under ESSA.

NYSED believes that the expansion of this waiver to include students who take Regents Examinations in mathematics in Grade 6 and Regents Examinations in science in Grade 7 will provide exceptionally advanced

middle school students with additional opportunities to participate in high school level coursework. In the 2018-2019 years, 959 students in Grade 7, school level coursework. In the 2018-2019 years, 959 students in Grade 7, and 51,964 students in Grade 8 took a Regents Examination in mathemat-ics in lieu of the Grade 7 and 8 mathematics tests.² Similarly, in 2018-2019, 55,959 students in Grade 8 took a Regents Examination in science in lieu of the Grade 8 science tests.³ Without a continuation of this waiver, many students will lose the opportunity to participate in advanced coursework during middle school. The Department, therefore, proposes these regulatory changes concomitant with the waiver extension. 4. COSTS:

(a) Costs to State government: There are no additional costs to State government.

(b) Costs to local government: The proposed amendment does not impose any additional costs on local governments.

(c) Cost to private regulated parties: The proposed amendment does not impose any additional costs on regulated parties.
(d) Cost to the regulatory agency: The proposed amendment will not impose any additional costs on the Department.

The proposed amendment provides expanded flexibility to LEAs in the administration of Regents Examination in Mathematics to students in grade 6 and Regents Examination in Science to students in grades 7 and will not impose any additional costs on the State, local governments, private regulated parties or the State Education Department. The proposed amendment will reduce costs by permitting LEAs to administer only the Regents Examination in Mathematics and Science to these students during the 2021-2022 through the 2024-2025 school years, thus eliminating the need for "double-testing" in grades 6 and 7, and relieving students, teachers, and schools from having to prepare such students for multiple end-ofyear assessments.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment provides expanded flexibility to LEAs in the administration of Regents Mathematics examinations to students in grade 6 and Regents Science examinations to students in grades 7 and will not impose any additional program, service, duty, or responsibility upon local governments. The proposed amendment will reduce compliance requirements and costs by permitting LEAs to administer only the Regents Examinations in Mathematics and Science to these students during the 2021-2022 through the 2024-2025 school years, thus eliminating the need for "double-testing" in grades 6 and 7, and relieving students, teachers, and schools from having to prepare such students for multiple end-of-year assessments.

6. PAPERWORK:

The proposed amendment does not impose any specific recordkeeping, reporting or other paperwork requirements on regulated parties. 7. DUPLICATION:

The proposed amendment does not duplicate any other existing State or Federal requirements.

8. ALTERNATIVES:

The proposed rule is necessary to conform the Commissioner's regulations and otherwise implement an additional waiver (for the 2021-22-2024-35 school years) granted by the United States Department of Education (USED) from Elementary and Secondary Education Act (ESEA) §§ 1111(b)(1)(B) and 1111(b)(3)(C)(i). There were no significant alternatives and none were considered.

9. FEDERAL STANDARDS

The proposed rule is necessary to conform the Commissioner's regulations and otherwise implement an additional waiver (for the 2021-22-2024-35 school years) granted by the United States Department of Education (USED) from Elementary and Secondary Education Act (ESEA) §§ 1111(b)(1)(B) and 1111(b)(3)(C)(i) so that SED may use, with respect to a student who is not yet enrolled in high school but who takes mathematics or science coursework and the corresponding Regents Examination in mathematics in grade 6 or the Regents Examination in Science in grade 7, the student's score on that assessment for federal accountability purposes for the grade in which the student is enrolled. If a student takes a Regents Examination in mathematics in Grade 6 or Grade 7 in lieu of the grade level mathematics assessment or takes a Regents Examination in science in Grade 7 or Grade 8 in lieu of the Grade 8 science the result on the Regents Examination will not count towards the participation rate or the Performance Index in mathematics or science for the high school in which they later enroll.

10. COMPLIANCE SCHEDULE:

The proposed amendment will take effect as an emergency rule on June 14, 2022. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the October 2022 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the October 2022 meeting, the proposed amendment will become effective as a permanent rule on October 19, 2022. It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

¹At its January 2019 meeting, as an emergency measure, the Board of Regents adopted new section 100.21 of the Commissioner's regulations, which reflects provisions provided by the waiver extension to New York's approved ESSA plan. This emergency measure was effective February 12, 2019.

²The number of students in Grade 6 who took a Regents Examination in lieu of the Grade 6 mathematics assessment was not reported in 2018-2019.

³The number of students in Grade 7 who took a Regents Examination in lieu of the Grade 7 science assessment was not reported in 2018-2019.

Regulatory Flexibility Analysis 1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS: The proposed amendment applies to public schools, school districts and

charter schools that receive funding as LEAs pursuant to the Elementary and Secondary Education Act (ESEA) of 1965, as amended, including those located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed amendment provides flexibility to LEAs in the administration of Regents examinations in mathematics to students in grade 6 and Regents examinations in science to students in grades 7 and will not impose any additional program, service, duty, or responsibility upon LEAs. The proposed amendment will reduce compliance requirements and costs by permitting LEAs to administer only the Regents Examinations in mathematics and science to these students during the 2021-2022 through the 2024-2025 school years, thus eliminating the need for "double-testing" in grades 6 and 7, and relieving students, teachers, and schools from having to prepare such students for multiple end-of-year assessments.

The proposed amendment imposes no additional professional service requirements.

3. COMPLIANCE COSTS:

The proposed amendment provides flexibility to LEAs in the administration of Regents examinations in mathematics to students in grade 6 and Regents examinations in science to students in grades 7 and will not impose any additional costs on regulated parties, including those located in rural areas. The proposed amendment will reduce costs by permitting LEAs to administer only the Regents Examination in Mathematics and Science to these students during the 2021-2022 through the 2024-2025 school years, thus eliminating the need for "double-testing" in grades 6 and 7, and relieving students, teachers, and schools from having to prepare such students for multiple end-of-year assessments.

4. MINIMIZING ADVERSE IMPACT:

The proposed amendment relates to public school and school district accountability and is necessary is necessary to conform the Commissioner's regulations and otherwise implement an additional waiver (for the 2021-22-2024-35 school years0)granted by the United States Department of Education (USED) from Elementary and Secondary Education Act (ESEA) §§ 1111(b)(1)(B) and 1111(b)(3)(C)(i) so that SED may use, with respect to a student who is not yet enrolled in high school but who takes mathematics or science coursework and the corresponding Regents Examination in mathematics in grade 6 of the Regents Examination in science in grade 7, the student's score on that assessment for federal accountability purposes for the grade in which the student is enrolled. If a student takes a Regents Examination in mathematics in Grade 6 or Grade 7 in lieu of the grade level mathematics assessment or takes a Regents Examination in science in Grade 7 or Grade 8 in lieu of the Grade 8 science the result on the Regents Examination will not count towards the participation rate or the Performance Index in mathematics or science for the high school in which they later enroll.

The proposed amendment will reduce compliance requirements and costs by permitting LEAs to administer only the Regents Examinations in Mathematics and Science to these students during the 2021-2022 through the 2024-2025 school years, thus eliminating the need for "double-testing" in grades 6 and 7, and relieving students, teachers, and schools from having to prepare such students for multiple end-of-year assessments.

The rule has been carefully drafted to meet specific federal and State requirements. Since these requirements apply to all LEAs in the State that receive ESEA funds, it is not possible to adopt different standards for school districts and charter schools in rural areas.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts, and from charter schools, including those in rural areas.

6. INITIAL REVIEW OF RULE (SAPA § 207)

Pursuant to State Administrative Procedure Act section 207(1)(b), the

State Education Department proposes that the initial review of this rule shall occur in the fifth calendar year after the year in which the rule is adopted, instead of in the third calendar year. The justification for a five year review period is that the proposed amendment is necessary to implement long-range Regents policy relating to public school and school district accountability. Accordingly, there is no need for a shorter review period. Specifically, the proposed amendment conforms the Commissioner's Regulations to, and otherwise implements, an additional waiver (for the 2021-22-2024-35 school years) granted by the United States Department of Education (USED) from Elementary and Secondary Educa-tion Act (ESEA) §§ 1111(b)(1)(B) and 1111(b)(3)(C)(i) so that SED may use, with respect to a student who is not yet enrolled in high school but who takes mathematics or science coursework and the corresponding Regents Examination in mathematics in grade 6 of the Regents Examination in science in grade 7, the student's score on that assessment for federal accountability purposes for the grade in which the student is enrolled. If a student takes a Regents Examination in mathematics in Grade 6 or Grade 7 in lieu of the grade level mathematics assessment or takes a Regents Examination in science in Grade 7 or Grade 8 in lieu of the Grade 8 science the result on the Regents Examination will not count towards the participation rate or the Performance Index in mathematics or science for the high school in which they later enroll. The Department invites public comment on the proposed five year

review period for this rule. Comments should be sent to the agency contact listed in item 16 of the Notice of Emergency Adoption and Proposed Rule Making published herewith, and must be received within 60 days of the State Register publication date of the Notice.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed amendment applies to public schools, school districts and charter schools that receive funding as LEAs pursuant to the Elementary and Secondary Education Act (ESEA) of 1965, as amended, including those located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed amendment provides flexibility to LEAs in the administration of Regents examinations in mathematics to students in grade 6 and Regents examinations in science to students in grades 7 and will not impose any additional program, service, duty, or responsibility upon LEAs. The proposed amendment will reduce compliance requirements and costs by permitting LEAs to administer only the Regents Examinations in mathematics and science to these students during the 2021-2022 through the 2024-2025 school years, thus eliminating the need for "double-testing" in grades 6 and 7, and relieving students, teachers, and schools from having to prepare such students for multiple end-of-year assessments.

The proposed amendment imposes no additional professional service requirements.

3. COSTS:

The proposed amendment provides flexibility to LEAs in the administration of Regents examinations in mathematics to students in grade 6 and Regents examinations in science to students in grades 7 and will not impose any additional costs on regulated parties, including those located in rural areas. The proposed amendment will reduce costs by permitting LEAs to administer only the Regents Examination in Mathematics and Science to these students during the 2021-2022 through the 2024-2025 school years, thus eliminating the need for "double-testing" in grades 6 and 7, and relieving students, teachers, and schools from having to prepare such students for multiple end-of-year assessments.

4. MINIMIZING ADVERSE IMPACT:

The proposed amendment relates to public school and school district accountability and is necessary is necessary to conform the Commissioner's regulations and otherwise implement an additional waiver (for the 2021-22-2024-35 school years0)granted by the United States Department of Education (USED) from Elementary and Secondary Education Act (ESEA) \$\$ 1111(b)(1)(B) and 1111(b)(3)(C)(i) so that SED may use, with respect to a student who is not yet enrolled in high school but who takes mathematics or science coursework and the corresponding Regents Examination in mathematics in grade 6 of the Regents Examination in science in grade 7, the student's score on that assessment for federal accountability purposes for the grade in which the student is enrolled. If a student takes a Regents Examination in mathematics in Grade 6 or Grade 7 in lieu of the grade level mathematics assessment or takes a Regents Examination in science in Grade 7 or Grade 8 in lieu of the Grade 8 science the result on the Regents Examination will not count towards the participation rate or the Performance Index in mathematics or science for the high school in which they later enroll.

The proposed amendment will reduce compliance requirements and

costs by permitting LEAs to administer only the Regents Examinations in Mathematics and Science to these students during the 2021-2022 through the 2024-2025 school years, thus eliminating the need for "double-testing" in grades 6 and 7, and relieving students, teachers, and schools from having to prepare such students for multiple end-of-year assessments.

The rule has been carefully drafted to meet specific federal and State requirements. Since these requirements apply to all LEAs in the State that receive ESEA funds, it is not possible to adopt different standards for school districts and charter schools in rural areas.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts, and from charter schools, including those in rural areas. 6. INITIAL REVIEW OF RULE (SAPA § 207)

Pursuant to State Administrative Procedure Act section 207(1)(b), the State Education Department proposes that the initial review of this rule shall occur in the fifth calendar year after the year in which the rule is adopted, instead of in the third calendar year. The justification for a five year review period is that the proposed amendment is necessary to imple-ment long-range Regents policy relating to public school and school district review bergents by the proposed for a chorter review. district accountability. Accordingly, there is no need for a shorter review period. Specifically, the proposed amendment conforms the Commissioner's Regulations to, and otherwise implements, an additional waiver (for the 2021-22-2024-35 school years) granted by the United States Department of Education (USED) from Elementary and Secondary Education Act (ESEA) §§ 1111(b)(1)(B) and 1111(b)(3)(C)(i) so that SED may use, with respect to a student who is not yet enrolled in high school but who takes mathematics or science coursework and the corresponding Regents Examination in mathematics in grade 6 of the Regents Examina-tion in science in grade 7, the student's score on that assessment for federal accountability purposes for the grade in which the student is enrolled. If a student takes a Regents Examination in mathematics in Grade 6 or Grade 7 in lieu of the grade level mathematics assessment or takes a Regents Examination in science in Grade 7 or Grade 8 in lieu of the Grade 8 science the result on the Regents Examination will not count towards the participation rate or the Performance Index in mathematics or science for the high school in which they later enroll.

The Department invites public comment on the proposed five year review period for this rule. Comments should be sent to the agency contact listed in item 16 of the Notice of Emergency Adoption and Proposed Rule Making published herewith, and must be received within 60 days of the State Register publication date of the Notice.

Job Impact Statement

The proposed amendment relates to public school and school district accountability and is necessary is necessary to conform the Commissioner's regulations and otherwise implement an additional waiver (for the 2021-22-2024-35 school years0)granted by the United States Department of Education (USED) from Elementary and Secondary Education Act (ESEA) §§ 1111(b)(1)(B) and 1111(b)(3)(C)(i) so that SED may use, with respect to a student who is not yet enrolled in high school but who takes mathematics or science coursework and the corresponding Regents Examination in mathematics in grade 6 or the Regents Examination in science in grade 7, the student's score on that assessment for federal accountability purposes for the grade in which the student is enrolled. The State and local educational agencies (LEAs) are required to comply with the ESEA as a condition to their receipt of federal funds under Title I of the ESEA Act of 1965, as amended.

The proposed amendment applies to public schools, school districts and charter schools that receive funding as LEAs pursuant to the ESEA, and will not have an adverse impact on jobs or employment opportunities. Because it is evident from the nature of the proposed rule that it will have no impact, on jobs or employment opportunities, no further steps were needed to ascertain those facts and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Assessment of Public Comment

The agency received no public comment.

EMERGENCY RULE MAKING

Requirements for the Issuing of a Special Determination to Graduate with a Local Diploma

I.D. No. EDU-26-22-00013-E Filing No. 713 Filing Date: 2022-09-12 Effective Date: 2022-09-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 100.5 of Title 8 NYCRR. Statutory authority: Education Law, sections 101, 207, 208, 209, 305, 309 and 3204

Finding of necessity for emergency rule: Preservation of general welfare. *Specific reasons underlying the finding of necessity:* All students must be held to high expectations and be provided equitable opportunities to participate and progress in the educational program to prepare them to graduate with a high school diploma. The State Education Department ("Department") recognizes there may be some students who, because of a disruption to their educational program due to COVID-19, or for other medical reasons, are unable to demonstrate their proficiency on one or more required Regents Examinations.

required Regents Examinations. In May 2022, the Board of Regents expanded the existing appeal provision related to Regents Examinations to provide one measure of flexibility for such students. This special appeal provision allows any student who scores between 50 and 64 on a required Regents Examination in the 2021-22 or 2022-23 school year to appeal that score and earn a Regents diploma.

For students who are scheduled to graduate in June 2022, but are unable to earn a diploma because they do not qualify for a special appeal or are unable to participate in a Regents Examination because of illness, including isolation or other restrictions attributable to COVID, the Department is now proposing additional flexibility in the form of a special determination to graduate with a local diploma.

Under this proposal, all students who are unable to graduate in June 2022 due to the above reasons could request a special determination to graduate with a local diploma ("special determination"). This option will ensure that all students who have demonstrated, through local measures, that they have met the State's learning standards for graduation can earn a local diploma allowing them to exit high school and pursue a post-secondary opportunity.

The proposed amendment was presented to the P-12 Education Committee for recommendation to the Full Board for adoption as an emergency rule at the June 2022 meeting of the Board of Regents. Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (non-emergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the October 2022 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earlier effective date of the proposed rule, if adopted at the October meeting, would be October 19, 2022, the date the Notice of Adoption would be published in the State Register.

However, the emergency rule will expire September 11, 2022. Therefore, a second emergency action is necessary at the July 2022 meeting, effective September 12, 2022, for the preservation of the general welfare to immediately provide regulatory flexibility for students who are scheduled to graduate in June 2022 but are unable to earn a diploma because they do not qualify for a special appeal or are unable to participate in a Regents examination because of illness, including isolation or other restrictions attributable to COVID-19, and to ensure that the emergency action taken at the June 2022 meeting remains continuously in effect until the rule can be permanently adopted.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the October 2022 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rulemaking.

Subject: Requirements for the issuing of a special determination to graduate with a local diploma.

Purpose: To provide regulatory flexibility for students to graduate with a local diploma.

Text of emergency rule: Subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education is amended by adding a new paragraph (14) to read as follows:

(14) Special determination to meet local diploma requirements.

(i) For purposes of this paragraph only, superintendent shall mean the superintendent of a school district or the principal, head of school, or their equivalent, of a charter school or registered nonpublic school, as applicable.

(ii) For the 2021-2022 school year, a student who is scheduled to graduate in June 2022, but is unable to earn a diploma because he or she did not achieve a passing score on or qualify for a special appeal pursuant to paragraph (7) of this subdivision for a required June 2022 Regents examination may request a special determination to graduate with a local diploma, provided such student has otherwise met all graduation requirements and one of the following criteria:

(a) the student was enrolled in a course of study or makeup program during the 2021-2022 school year leading to a June 2022 Regents examination, earned credit in such course of study or makeup program by the scheduled date of such Regents examination, and participated in such Regents examination, but did not achieve a passing score on or qualify for a special appeal pursuant to paragraph (7) of this subdivision for such examination; or

(b) the student was enrolled in a course of study or makeup program during the 2021-2022 school year that was intended to culminate in the student's participation in a June 2022 Regents examination and the student earned credit in such course of study or make up program by the scheduled date of such Regents examination but was unable to participate in the examination due to illness, including isolation or other restrictions attributable to COVID-19. Such illness must be documented by the student's physician or, in the case of required isolation due to COVID-19, the student must follow Centers for Disease Control and Prevention (CDC) and/or local guidelines for quarantine.

(iii) In considering a special determination to graduate with a local diploma, the superintendent shall consider evidence demonstrating that the student:

(a) earned credit in all courses of study required for graduation in accordance with the grading policies of the school district, registered nonpublic high school, or charter school. In making this determination, the superintendent must consider the student's final course grade as well as student work completed throughout the school year and/or interim grades on homework, class work, quizzes, and tests, and other measures of proficiency demonstrating the student has met the learning standards for such courses of study; and

(b) participated in such June 2022 Regents examination or was unable to participate due to documented illness, including isolation or other restrictions attributable to COVID-19.

(iv) The superintendent shall document, on a form prescribed by the Commissioner, the evidence reviewed, and the special determination made and provide a copy of such to the student and the student's parent or person in parental relation. The superintendent shall sign an assurance on the form that certifies that the information is accurate and the superintendent attests that the student has or has not met the requirements of this paragraph for a special determination to graduate with a local diploma. A copy of such form must be placed in the student's record and another copy must be submitted to the Department by August 31, 2022.

(v) Where the superintendent determines that the student has not met the requirements for a special determination prescribed in this paragraph, the superintendent shall inform the student and parent or person in parental relation that the student has the right to attend school until receipt of a local or Regents diploma or until the end of the school year in which the student turns age 21, whichever shall occur first.

(vi) A student's parent or person in parental relation may refuse a special determination to graduate with a local diploma granted pursuant to this paragraph if the parent or person in parental relation wishes the student to remain in school and continue their educational program.

(vii) Notwithstanding the provisions of this paragraph, where a student with a disability has an individualized education plan (IEP) and/or other documentation from the Committee on Special Education indicating that the plan/recommendation for the student was to remain in school and continue his or her educational program, a school or district shall not confer a diploma for such student until a parent or person in parental relation confirms in writing that such student should receive a diploma.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-26-22-00013-EP, Issue of June 29, 2022. The emergency rule will expire November 10, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement

1. STAŤUTÔRY AUTHORITY:

Education Law § 101 continues the existence of the Education Department, with the Board of Regents at its head and the Commissioner of Education as the chief administrative officer, and charges the Department with the general management and supervision of public schools and the educational work of the State.

Education Law § 207 grants general rule-making authority to the Regents to carry into effect State educational laws and policies.

Education Law § 208 authorizes the Regents to establish examinations as to attainments in learning and to award and confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

Education Law § 209 authorizes the Regents to establish secondary school examinations in studies furnishing a suitable standard of graduation and of admission to colleges; to confer certificates or diplomas on students who satisfactorily pass such examinations; and requires the admission to these examinations of any person who shall conform to the rules and pay the fees prescribed by the Regents. Education Law § 305(1) and (2) provide that the Commissioner shall

have general supervision over all schools and institutions subject to the provisions of the Education Law, or of any statute relating to education, and shall execute all educational policies determined by the Board of Regents.

Education Law § 309 charges the Commissioner with the general supervision of boards of education and their management and conduct of all departments of instruction.

Education Law § 3204 provides that minors required to attend upon instruction pursuant to the Compulsory Education Law may attend at a public school or elsewhere and sets forth the requirements of such instruction

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory author-ity and is necessary to implement Regents' policy to respond to the impact of the COVID-19 pandemic on students by providing additional flexibility by allowing students who are scheduled to graduate in June 2022 but are unable to earn a diploma because they do not qualify for a special appeal or are unable to participate in a Regents Examination because of illness, including isolation or other restrictions attributable to COVID, to request a special determination to graduate with a local diploma. 3. NEEDS AND BENEFITS:

All students must be held to high expectations and be provided equitable opportunities to participate and progress in the educational program to prepare them to graduate with a high school diploma. The Department recognizes there may be some students who, because of a disruption to their educational program due to COVID-19, or for other medical reasons, are unable to demonstrate their proficiency on one or more required Regents Examinations

In May 2022, the Board of Regents expanded the existing appeal provision related to Regents Examinations to provide one measure of flexibility for such students. This special appeal provision allows any student who scores between 50 and 64 on a required Regents Examination in the 2021-2022 or 2022-2023 school year to appeal that score and earn a Regents diploma.

For students who are scheduled to graduate in June 2022 but are unable to earn a diploma because they do not qualify for a special appeal or are unable to participate in a Regents Examination because of illness, including isolation or other restrictions attributable to COVID, the Department is now proposing additional flexibility in the form of a special determination to graduate with a local diploma.

Under this proposal, all students who are unable to graduate in June 2022 due to the above reasons could request a special determination to graduate with a local diploma ("special determination"). This option will ensure that all students who have demonstrated, through local measures, that they have met the State's learning standards for graduation can earn a local diploma allowing them to exit high school and pursue a postsecondary opportunity.

The proposed amendment to section 100.5(d) of the Commissioner's regulations provides that, for the 2021-2022 school year, a student who is scheduled to graduate in June 2022 but is unable to earn a diploma because he or she did not achieve a passing score or qualify for a special appeal for a required June 2022 Regents Examination may request a special determination to graduate with a local diploma, provided the student has otherwise met all graduation requirements and:

• the student was enrolled in a course of study or makeup program during the 2021-2022 school year leading to a June 2022 Regents Examination, earned credit in such course of study or makeup program, and participated in such Regents Examination, but did not achieve a passing score on or qualify for a special appeal for such examination; or

. the student was enrolled in a course of study or makeup program during the 2021-2022 school year that was intended to culminate in the student's participation in a June 2022 Regents Examination and the student earned credit in such course of study or make up the program by the scheduled date of such Regents Examination but was unable to participate in the examination due to illness, including isolation or other restrictions attributable to COVID-19.

The proposed amendment sets forth a process for local review. In considering such special determination, the superintendent of a school district or the principal, head of school, or their equivalent, of a charter school or registered nonpublic school, as applicable, must consider evidence demonstrating that the student:

· earned credit in all courses of study required for graduation in accordance with the grading policies of the school district, registered nonpublic high school, or charter school, considering the student's final course grade as well as student work completed throughout the school year and/or interim grades on homework, class work, quizzes, and tests and other measures of proficiency demonstrating the student has met the learning standards for such courses of study; and

• participated in such June 2022 Regents examination or was unable to participate due to documented illness, including isolation or other restrictions attributable to COVID-19.

The superintendent, charter school leader, or chief administrative officer of a registered nonpublic school must document, on a form prescribed by the Commissioner of Education, the evidence reviewed in making such special determination. The student and the parent or person in parental relation to the student must receive a copy of this documentation and written notification of the determination. Where the superintendent, charter school leader, or chief administrative officer of a registered nonpublic school determines that the student has not met the requirements for a special determination, the notice must inform the student and parent or person in parental relation that the student has the right to attend school until receipt of a local or Regents diploma or until the end of the school year in which the student turns age 21, whichever shall occur first. A student's parent or person in parental relation may refuse a special determination that is granted if the parent or person in parental relation wants their child to remain in school and continue their educational program.

Additionally, the superintendent, charter school leader, or chief administrative officer of a registered nonpublic school must sign an assurance on the form that certifies that the information is accurate and attest that the student has or has not met the requirements for a special determination for a local diploma. A copy of the form must be placed in the student's record and for public and charter schools another copy must be submitted to the Department by August 31, 2022

The special determination may only be used to grant a student a local diploma. If the student wishes to pursue a Regents diploma but was either unable to qualify for a special appeal (i.e. they score below a 50) or unable to take one or more Regents Examination required to graduate because of illness or quarantine, the student may retake the Regents Examination(s) at a later administration.

4. COSTS:

a. Costs to State government: The amendment does not impose any costs on State government, including the State Education Department.

b. Costs to local government: The amendment does not impose any costs on local government.

c. Costs to private regulated parties: The amendment does not impose any costs on private regulated parties.

d. Costs to regulating agency for implementation and continued administration: See above.

5. LOCAL GOVERNMENT MANDATES:

As outlined above in the NEEDS AND BENEFITS section, the proposed amendment requires the superintendent of local school districts to determine whether the students who request a special determination may graduate with a local diploma.

6. PAPERWORK:

The proposed amendment requires the superintendent, charter school leader, or chief administrative officer of a registered nonpublic school to document, on a form prescribed by the Commissioner, the evidence reviewed, and the special determination made and provide a copy of such to the student and the student's parent or person in parental relation. Where the superintendent, charter school leader, or chief administrative officer of a registered nonpublic school determines that the student has not met the requirements for a special determination, the notice must inform the student and parent or person in parental relation that the student has the right to attend school until receipt of a local or Regents diploma or until the end of the school year in which the student turns age 21, whichever shall occur first.

Additionally, the superintendent, charter school leader, or chief administrative officer must sign an assurance on the form that certifies that the information is accurate and attest that the student has or has not met the requirements for a special determination for a local diploma. A copy of the form must be placed in the student's record and for public and charter schools another copy must be submitted to the Department by August 31, 2022.

7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements

8. ALTERNATIVES:

The proposed rule is necessary to implement Regents' policy to respond to the impact of the COVID-19 pandemic on students by providing additional flexibility in the form of a special determination to graduate with a local diploma. Therefore, no significant alternatives were considered.

9. FEDERAL STANDARDS

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

The proposed amendment will become effective as an emergency rule on June 14, 2022. It is anticipated that the proposed amendment will be presented for permanent adoption at the October 2022 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the October 2022 meeting, the proposed amendment will become effective as a permanent rule on October 19, 2022. It is anticipated that regulated parties will be able to comply with the proposed rule on its effective date.

Regulatory Flexibility Analysis

(a) Small businesses

The proposed amendment is necessary to implement Regents' policy to respond to the impact of the COVID-19 pandemic on students by providing additional flexibility by allowing students who are scheduled to graduate in June 2022 but are unable to earn a diploma because they do not qualify for a special appeal or are unable to participate in a Regents Examination because of illness, including isolation or other restrictions attributable to COVID, to request a special determination to graduate with a local diploma.

The proposed rule does not impose any economic impact, or other compliance requirements on small businesses. Because it is evident from the nature of the proposed rule that it does not affect small businesses, no further measures were needed to ascertain that fact, and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

1. EFFECT OF RULE:

The proposed rule applies to all school districts, charter schools and registered non-public elementary and secondary schools in the State.

2. COMPLIÂNCE REQUIRÉMENTS

The proposed amendment to section 100.5(d) of the Commissioner's regulations provides that, for the 2021-2022 school year, a student who is scheduled to graduate in June 2022 but is unable to earn a diploma because he or she did not achieve a passing score or qualify for a special appeal for a required June 2022 Regents Examination may request a special determination to graduate with a local diploma, provided the student has otherwise met all graduation requirements and:

• the student was enrolled in a course of study or makeup program during the 2021-2022 school year leading to a June 2022 Regents Examination, earned credit in such course of study or makeup program, and participated in such Regents Examination, but did not achieve a passing score on or qualify for a special appeal for such examination; or

• the student was enrolled in a course of study or makeup program during the 2021-2022 school year that was intended to culminate in the student's participation in a June 2022 Regents Examination and the student earned credit in such course of study or make up the program by the scheduled date of such Regents Examination but was unable to participate in the examination due to illness, including isolation or other restrictions attributable to COVID-19.

The proposed amendment sets forth a process for local review. In considering such special determination, the superintendent of a school district or the principal, head of school, or their equivalent, of a charter school or registered nonpublic school, as applicable, must consider evidence demonstrating that the student:

· earned credit in all courses of study required for graduation in accordance with the grading policies of the school district, registered nonpublic high school, or charter school, considering the student's final course grade as well as student work completed throughout the school year and/or interim grades on homework, class work, quizzes, and tests and other measures of proficiency demonstrating the student has met the learning standards for such courses of study; and

participated in such June 2022 Regents examination or was unable to participate due to documented illness, including isolation or other restrictions attributable to COVID-19.

The superintendent, charter school leader, or chief administrative officer of a registered nonpublic school must document, on a form prescribed by the Commissioner of Education, the evidence reviewed in making such special determination. The student and the parent or person in parental relation to the student must receive a copy of this documentation and written notification of the determination. Where the superintendent, charter school leader, or chief administrative officer of a registered nonpublic school determines that the student has not met the requirements for a special determination, the notice must inform the student and parent or person in parental relation that the student has the right to attend school until receipt of a local or Regents diploma or until the end of the school year in which the student turns age 21, whichever shall occur first. A student's parent or person in parental relation may refuse a special determination that is granted if the parent or person in parental relation wants their child to remain in school and continue their educational program.

Additionally, the superintendent, charter school leader, or chief administrative officer of a registered nonpublic school must sign an assurance on the form that certifies that the information is accurate and attest that the student has or has not met the requirements for a special determination for a local diploma. A copy of the form must be placed in the

student's record and for public and charter schools another copy must be submitted to the Department by August 31, 202

The special determination may only be used to grant a student a local diploma. If the student wishes to pursue a Regents diploma but was either unable to qualify for a special appeal (i.e. they score below a 50) or unable to take one or more Regents Examination required to graduate because of illness or quarantine, the student may retake the Regents Examination(s) at a later administration.

3. PROFESSIONAL SERVICES:

The proposed amendment does not require any additional professional service requirement on local governments.

4. COMPLIANCE COSTŠ

The proposed amendment does not impose and additional costs on local governments.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional costs or technological requirements on local governments.

6. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to implement Regents' policy to respond to the impact of the COVID-19 pandemic on students by providing additional flexibility by allowing students who are scheduled to graduate in June 2022 but are unable to earn a diploma because they do not qualify for a special appeal or are unable to participate in a Regents Examination because of illness, including isolation or other restrictions attributable to COVID, to request a special determination to graduate with a local diploma. Therefore, no significant alternatives were considered.

7. LOCAL GOVERNMENT PARTICIPATION

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts, and charter schools.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule applies to all school districts, charter schools, and registered nonpublic schools in the State, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less. 2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE

REQUIREMENTS; AND PROFESSIONAL SERVICES

The proposed amendment to section 100.5(d) of the Commissioner's regulations provides that, for the 2021-2022 school year, a student who is scheduled to graduate in June 2022 but is unable to earn a diploma because he or she did not achieve a passing score or qualify for a special appeal for a required June 2022 Regents Examination may request a special determination to graduate with a local diploma, provided the student has otherwise met all graduation requirements and:

• the student was enrolled in a course of study or makeup program during the 2021-2022 school year leading to a June 2022 Regents Examination, earned credit in such course of study or makeup program, and participated in such Regents Examination, but did not achieve a passing score on or qualify for a special appeal for such examination; or

• the student was enrolled in a course of study or makeup program during the 2021-2022 school year that was intended to culminate in the student's participation in a June 2022 Regents Examination and the student earned credit in such course of study or make up the program by the scheduled date of such Regents Examination but was unable to participate in the examination due to illness, including isolation or other restrictions attributable to COVID-19

The proposed amendment sets forth a process for local review. In considering such special determination, the superintendent of a school district or the principal, head of school, or their equivalent, of a charter school or registered nonpublic school, as applicable, must consider evidence demonstrating that the student:

· earned credit in all courses of study required for graduation in accordance with the grading policies of the school district, registered nonpublic high school, or charter school, considering the student's final course grade as well as student work completed throughout the school year and/or interim grades on homework, class work, quizzes, and tests and other measures of proficiency demonstrating the student has met the learning standards for such courses of study; and

• participated in such June 2022 Regents examination or was unable to participate due to documented illness, including isolation or other restrictions attributable to COVID-19.

The superintendent, charter school leader, or chief administrative officer of a registered nonpublic school must document, on a form prescribed by the Commissioner of Education, the evidence reviewed in making such special determination. The student and the parent or person in parental relation to the student must receive a copy of this documentation and written notification of the determination. Where the superintendent, charter school leader, or chief administrative officer of a registered nonpublic school determines that the student has not met the requirements for a special determination, the notice must inform the student and parent or person in parental relation that the student has the right to attend school until receipt of a local or Regents diploma or until the end of the school year in which the student turns age 21, whichever shall occur first. A student's parent or person in parental relation may refuse a special determination that is granted if the parent or person in parental relation wants their child to remain in school and continue their educational program.

Additionally, the superintendent, charter school leader, or chief administrative officer of a registered nonpublic school must sign an assurance on the form that certifies that the information is accurate and attest that the student has or has not met the requirements for a special determination for a local diploma. A copy of the form must be placed in the student's record and for public and charter schools another copy must be submitted to the Department by August 31, 2022.

The special determination may only be used to grant a student a local diploma. If the student wishes to pursue a Regents diploma but was either unable to qualify for a special appeal (i.e. they score below a 50) or unable to take one or more Regents Examination required to graduate because of illness or quarantine, the student may retake the Regents Examination(s) at a later administration.

3. COSTS:

The proposed amendment does not impose and additional costs on regulated parties, including those located in rural areas.

4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement Regents' policy to respond to the impact of the COVID-19 pandemic on students by providing additional flexibility to students scheduled to graduate in June 2022 who are unable to earn a diploma because they do not qualify for a special appeal or are unable to participate in a Regents Examination because of illness, including isolation or other restrictions attributable to COVID.

Because the purpose of the proposed amendment is to ensure that all students have access to such appeal, no alternatives were considered for school districts located in rural areas.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts, and from charter schools, including those in rural areas.

Job Impact Statement

The purpose of the proposed is to allow students who are scheduled to graduate in June 2022 but are unable to earn a diploma because they do not qualify for a special appeal or are unable to participate in a Regents Examination because of illness, including isolation or other restrictions attributable to COVID, to request a special determination to graduate with a local diploma. The proposed rule will not have a substantial adverse impact on jobs and employment opportunities. Because it is evident from the nature of the proposed rule that it will not affect job and employment opportunities, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Assessment of Public Comment

The agency received no public comment.

EMERGENCY RULE MAKING

Use of Restricted Local Infiltration Anesthesia/Nitrus Oxide Analgesia by Dental Hygienists

I.D. No. EDU-26-22-00014-E Filing No. 708 Filing Date: 2022-09-12 Effective Date: 2022-09-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 61.17(b) of Title 8 NYCRR. Statutory authority: Education Law, sections 207, 6504, 6507, 6506-b,

6606, 6607; L. 2022, ch. 198 *Finding of necessity for emergency rule:* Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: The proposed rule is necessary to implement Chapter 198 of the Laws of 2022 (Chapter 198), which became effective May 9, 2022. This proposed rule conforms the Commissioner's regulations to Chapter 198, which amended the Educa-

tion Law, by removing the restriction that dental hygienists can only use local infiltration anesthesia and nitrous oxide for dental hygiene procedures to permit dental hygienists to use these modalities to assist a dentist in performing any dental service.

The proposed amendment was presented to the Professional Practice Committee for recommendation to the Full Board for adoption as an emergency rule at the June 2022 meeting of the Board of Regents, effective June 14, 2022. Since the Board of Regents meets at fixed intervals, the earliest the proposed rule can be presented for adoption, after expiration of the required 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5), would be the October 2022 Regents meeting. Furthermore, pursuant to SAPA section 203(1), the earliest effective date for the proposed rule, if adopted at the October meeting, would be October 19, 2022, the date the Notice of Adoption would be published in the State Register. However, Chapter 198 became effective May 9, 2022. This necessitated an emergency rule to be adopted at the June 2022 meeting of the Board of Regents.

However, the emergency rule will expire on September 11, 2022. Therefore, a second emergency action is necessary at the July meeting for the preservation of the public health and general welfare in order to enable the State Education Department to timely implement the requirements of Chapter 198, which allows dental hygienists to use local infiltration anesthesia and nitrous oxide to assist dentists in performing any dental service to help ensure the health, safety and welfare of the public by improving access to dental services to that require the use of these modalities and to ensure that the emergency action taken at the June 2022 meeting remains continuously in effect until the rule can be permanently adopted.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the October 2022 Regents meeting, which is the first scheduled meeting after the expiration of the 60-day public comment period prescribed in SAPA for State agency rule makings.

Subject: Use of restricted local infiltration anesthesia/nitrus oxide analgesia by dental hygienists.

Purpose: To align the Commissioner's regulations with chapter 198 of the Laws of 2022, permitting dental hygienists to use local infiltration and nitrus oxide anesthetic modalities.

Text of emergency rule: Paragraph (1) of subdivision (b) of section 61.17 of the Regulations of the Commissioner of Education is amended, to read, as follows:

(1) A licensed dental hygienist shall not administer or monitor nitrous oxide analgesia or local infiltration anesthesia in the practice of dental hygiene without being issued a dental hygiene restricted local infiltration anesthesia/nitrous oxide analgesia certificate in accordance with the requirements of this section, except that such administration or monitoring of nitrous oxide analgesia or local infiltration anesthesia by a licensed dental hygienist who is certified under this section must be under the personal supervision of a licensed dentist, as defined in subdivision (a) of this section[,and in conjunction with the performance of dental hygiene procedures authorized by section 6606 of the Education Law].

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-26-22-00014-EP, Issue of June 29, 2022. The emergency rule will expire November 10, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Section 207 of the Education Law grants general rule-making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Section 6504 of the Education Law authorizes the Board of Regents to supervise the admission to and regulation of the practice of the professions.

Paragraph (a) of subdivision (2) of section 6507 of the Education Law authorizes the Commissioner of Education to promulgate regulations in administering the admission to and the practice of the professions.

Paragraph (1) of subdivision (b) of section 6605-b of the Education Law, as amended by Chapter 198 of the Laws of 2022, allows dental hygienists, with anesthesia certification, to use local infiltration and nitrous oxide anesthetic modalities to assist dentists in performing any dental service.¹

Section 6606 of the Education Law defines the practice of dental hygiene.

Section 6607 of the Education Law defines the use of the title "dental hygienist."

2. LEGISLATIVE OBJECTIVES:

The proposed rule implements Chapter 198 of the Laws of 2022

(Chapter 198), which effective May 9, 2022, amended the Education Law to allow dental hygienists, with anesthesia certification, to use local infiltration and nitrous oxide anesthetic modalities to assist dentists in performing any dental service. By allowing dental hygienists, with anesthesia certification, to anesthetize patients for any dental service, access to care will be improved because this will enable dentists to work more efficiently, see more patients and reduce waiting times for patients.

The proposed rule amends section 61.17 of the Commissioner's regulations to implement the provisions of Chapter 198 as follows:

• Paragraph (1) of subdivision (b) of such section would be amended to remove the restriction that dental hygienists, with anesthesia certification, can only use local infiltration anesthesia and nitrous oxide for dental hygiene procedures.

3. NEEDS AND BENEFITS:

The purpose of the proposed rule is to improve access to dental care that requires anesthesia by allowing dental hygienists, with anesthesia certification, to anesthetize patients for any dental service, not just dental hygiene services, which will enable dentists to work more efficiently, see more patients and reduce waiting times for patients. The proposed rule is necessary to conform the Commissioner's regulations to Chapter 198.

4. COSTS:

(a) Costs to State government: There are no additional costs to state government.

(b) Costs to local government: There are no additional costs to local government.

(c) Cost to private regulated parties. There are no mandatory costs to private regulated parties.

(d) Cost to the regulatory agency: There are no additional costs to the Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed rule does not impose any program service, duty, responsibility, or other mandate on local governments.

6. PAPERWORK:

The proposed rule does not impose any paperwork mandates because it does not require dental hygienists to become certified to administer anesthesia. For dental hygienists, who choose to become certified to administer anesthesia, they would be responsible for complying with any of the reporting, recordkeeping or other requirements that certified dental hygienists must comply with when administering anesthesia to patients.

7. DUPLICATION:

There is no other state or federal requirements on the subject matter of the proposed rule. Therefore, the amendment does not duplicate other existing state or federal requirements.

8. ALTERNATIVES:

The proposed rule implements statutory requirements. There are no significant alternatives to the proposed rule and none were considered.

9. FEDERAL STANDARDS:

Since there are no applicable federal standards, the proposed rule does not exceed any minimum federal standards for the same or similar subject areas.

10. COMPLIANCE SCHEDULE:

The proposed rule will take effect as an emergency rule on June 14, 2022. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the October 2022 Regents meeting. If adopted at the October 2022 Regents meeting, the proposed amendment to section 61.17, of the Commissioner's regulations will become effective on October 19, 2022. It is anticipated that the regulated parties will be able to comply with the proposed rule by the effective date.

¹In order to administer anesthesia, dental hygienists must obtain an anesthesia certificate from the Department following successful completion of specified education and training.

Regulatory Flexibility Analysis

The purpose of the proposed rule is to implement Chapter 198 of the Laws of 2022 (Chapter 198), which effective May 9, 2022, amended the Education Law to allow dental hygienists, with anesthesia certification, to use local infiltration and nitrous oxide anesthetic modalities to assist dentists in performing any dental service. By allowing dental hygienists, with anesthesia certification,¹ to anesthetize patients for any dental service, access to care will be improved because this will enable dentists to work more efficiently, see more patients and reduce waiting times for patients.

The proposed rule amends section 61.17 of the Commissioner's regulations to implement the provisions of Chapter 198 as follows:

• Paragraph (1) of subdivision (b) of such section would be amended to remove the restriction that dental hygienists, with anesthesia certification, can only use local infiltration anesthesia and nitrous oxide for dental hygiene procedures.

The proposed rule does not impose any new reporting, recordkeeping, or other compliance requirements on local governments or have any adverse economic impact on small businesses or local governments. Because it is evident from the nature of the proposed amendment that it will not adversely affect small businesses or local governments, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required, and one has not been prepared.

¹In order to administer anesthesia, dental hygienists must obtain an anesthesia certificate from the Department following successful completion of specified education and training.

Rural Area Flexibility Analysis

The purpose of the proposed rule is to implement Chapter 198 of the Laws of 2022 (Chapter 198), which effective May 9, 2022, amended the Education Law to allow dental hygienists, with anesthesia certification, to use local infiltration and nitrous oxide anesthetic modalities to assist dentists in performing any dental service. By allowing dental hygienists, with anesthesia certification,¹ to anesthetize patients for any dental service, access to care will be improved because this will enable dentists to work more efficiently, see more patients and reduce waiting times for patients.

The proposed rule amends section 61.17 of the Commissioner's regulations to implement the provisions of Chapter 198 as follows:

• Paragraph (1) of subdivision (b) of such section would be amended to remove the restriction that dental hygienists, with anesthesia certification, can only use local infiltration anesthesia and nitrous oxide for dental hygiene procedures.

Chapter 198 does not provide any exceptions from the statutory anesthesia certification requirements for certified dental hygienists in rural areas. Thus, the proposed amendment does not adversely impact entities in rural areas of New York State because all New York State certified dental hygienists must comply with the same requirements. Accordingly, no further steps were needed to ascertain the impact of the proposed amendment on entities in rural areas and none were taken. Thus, a rural area flexibility analysis is not required, and one has not been prepared.

¹In order to administer anesthesia, dental hygienists must obtain an anesthesia certificate from the Department following successful completion of specified education and training.

Job Impact Statement

It is not anticipated that the propose rule will impact jobs or employment opportunities. This is because the proposed amendment implements Chapter 198 of the Laws of 2022 (Chapter 198), which effective May 9, 2022, amended the Education Law to allow dental hygienists, with anesthesia certification,¹ to use local infiltration and nitrous oxide anesthetic modalities to assist dentists in performing any dental service. By allowing dental hygienists, with anesthesia certification, to anesthetize patients for any dental service, access to care will be improved because this will enable dentists to work more efficiently, see more patients and reduce waiting times for patients.

The proposed rule amends section 61.17 of the Commissioner's regulations to implement the provisions of Chapter 198 as follows:

• Paragraph (1) of subdivision (b) of such section would be amended to remove the restriction that dental hygienists, with anesthesia certification, can only use local infiltration anesthesia and nitrous oxide for dental hygiene procedures.

Therefore, any impact on jobs or employment opportunities created by the proposed amendment is attributable to the statutory requirements, not the proposed amendment, which simply conforms the Commissioner's regulations to the requirements of the statute.

The proposed amendment will not have a substantial adverse impact on jobs and employment opportunities. Because it is evident from the nature of the proposed amendment that it will not affect job and employment opportunities, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

¹In order to administer anesthesia, dental hygienists must obtain an anesthesia certificate from the Department following successful completion of specified education and training.

Assessment of Public Comment

The agency received no public comment.

EMERGENCY RULE MAKING

Standards for School Building Leader (SBL) Preparation Programs, Definition of "Leadership Standards" for Annual Professional Performance Reviews, and Safety Net for the School Building Leader Assessment

I.D. No. EDU-26-22-00016-E Filing No. 710 Filing Date: 2022-09-12 Effective Date: 2022-09-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 30-3.2(l), 52.2(c) and 80-1.5(c) of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 305, 308, 3001, 3004 and 3009

Finding of necessity for emergency rule: Preservation of general welfare. *Specific reasons underlying the finding of necessity:* At its April 2021 meeting, the Board of Regents extended the date by which school building leader (SBL) preparation programs must be aligned with the Professional Standards for Educational Leaders (PSELs), with some modifications, to on or after September 1, 2022, in response to the COVID-19 pandemic. The definition of "leadership standards" was also revised at this meeting to mean the new PSELs for Annual Professional Performance Reviews (APPR) conducted in the 2024-2025 school year or later, extending the implementation timeline by one year consistent with the September 1, 2022 date for program alignment.

Additionally, the Board of Regents created a safety net for the School Building Leader Assessment at its March 2021 meeting. During the safety net, the predecessor Revised (September 2013) School Building Leader Assessment test continues to be available as candidates and SBL preparation programs become familiar with, and transition to, the Revised (May 2019) School Building Leader Assessment that is aligned with the PSELs. The deadline for the safety net is August 31, 2024, which is two years after the September 1, 2022 date when SBL preparation programs must be registered based upon the PSELs.

The Department now proposes to extend the date by which SBL preparation programs must be aligned with the new PSELs until September 1, 2023, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic. As such, the Department also proposes to revise the definition of "leadership standards" to mean the new PSELs for APPRs conducted in the 2025-2026 school year or later. Additionally, the proposal makes a corresponding amendment to clarify that nothing shall be construed to abrogate any conflicting provisions of any collective bargaining agreement in effect on September 1, 2025 that requires the use of the 2008 ISLLC Standards. Finally, the proposed amendment changes the deadline for the School Building Leader Assessment safety net to August 31, 2025. Candidates typically complete SBL preparation programs within two years.

The proposed amendment was presented to the Higher Education Committee for recommendation to the Full Board for adoption as an emergency rule at the June 2022 meeting of the Board of Regents, effective June 14, 2022. Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency-emergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the October 2022 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the October meeting, would be October 19, 2022, the date the Notice of Adoption would be published in the State Register.

However, the emergency rule will expire on September 11, 2022. Therefore, a second emergency action is necessary at the July 2022 meeting for the preservation of the general welfare to extend the date by which school building leader (SBL) preparation programs must be aligned with the Professional Standards for Educational Leaders (PSELs), with some modifications, to on or after September 1, 2023, to provide continuity for SBL preparation programs until the proposed rule can be permanently adopted, which is after the current deadline of September 1, 2022, and to ensure that the emergency action taken at the June meeting remains continuously in effect until the rule can be permanently adopted.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at its October meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for State agency rulemaking.

Subject: Standards for school building leader (SBL)preparation programs, definition of "leadership standards" for Annual Professional Performance Reviews, and safety net for the School Building Leader Assessment.

Purpose: To extend the date by which SBL preparation programs must be aligned with the new Professional Standards in Educational Leaders (PSELs) standards, revised the definition of "leadership standards" and change the deadline for the School Building Leader Assessment safety net.

Text of emergency rule: 1. Subdivision (1) of section 30-3.2 of the Rules of the Board of Regents is amended to read as follows:

(l) Leadership standards shall mean:

(1) for annual professional performance reviews conducted prior to the [2024-2025] 2025-2026 school year, the Educational Leadership Policy Standards: ISLLC 2008 as adopted by the National Policy Board for Educational Administration (Council of Chief State School Officers, Washington DC, One Massachusetts Avenue, NW, Suite 700, Washington, DC 20001-1431; available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234). The Leadership Standards provide that an education leader promotes the success of every student by:

(i)...

(ii)... (iii)...

(iv)...

(v)...

(vi)...

(2) for annual professional performance reviews conducted commencing in the [2024-2025] 2025-2026 school year, the Professional Standards for Educational Leaders: PSEL 2015 as adopted by the National Policy Board for Educational Administration (1904 Association Drive, Reston, VA 20191 -- available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234), as modified by the Board of Regents. The New York State Leadership Standards provide that an education leader shall: (i)...

(i)... (ii)... (iv)... (v)... (vi)... (vii)... (vii)...

(ix)...

(x)...

Provided, however, that nothing shall be construed to abrogate any conflicting provisions of any collective bargaining agreement in effect on and after [December 1, 2022] *September 1, 2025* that requires the use of the ISLLC: 2008 standards until entry into a successor collective bargaining agreement.

2. Clauses (a) and (b) of subparagraph (vi) of paragraph (2) of subdivision (c) of section 52.21 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) Prior to September 1, [2022] 2023, programs shall require candidates to complete studies sufficient to demonstrate, upon program completion, the knowledge and skills necessary to perform the following:

(b) On or after September 1, [2022] 2023, programs shall require candidates to complete studies sufficient to demonstrate, upon program completion, the knowledge, and skills necessary to:

3. Subparagraph (vii) of paragraph (2) of subdivision (c) of section 80-1.5 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(vii) When the revised (May 2019) school building leader assessment becomes available, a candidate may take part one of either the revised (May 2019) school building leader assessment or the revised (September 2013) school building leader assessment and may take part two of either the revised (May 2019) school building leader assessment or the revised (September 2013) school building leader assessment, until August 31, [2024] 2025.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-26-22-00016-EP, Issue of June 29, 2022. The emergency rule will expire November 10, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112 EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement 1. STATUTORY AUTHORITY:

Education Law 101 (not subdivided) charges the Department with the general management and supervision of all public schools and all of the educational work of the state.

Education Law 207 grants general rule-making authority to the Regents to carry into effect State educational laws and policies.

Education Law 208 grants general rule-making authority to the Regents to confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

Education Law 305 authorizes the Commissioner to enforce the educational policies of this State and execute all educational policies determined by the Regents and shall prescribe the licensing of teachers employed in this State.

Education Law 3001 establishes the qualifications of teachers in the classroom.

Education Law 3004 authorizes the Commissioner to promulgate regulations governing the certification requirements for teachers employed in public schools.

Education Law 3009 prohibits school districts from paying the salary of an unqualified teacher.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment of sections 52.21 and 80-1.5 of the Regulations of the Commissioner of Education and section 30-3.2 of the Rules of the Board of Regents is consistent with the above statutory authority and is necessary to extend the date by which school building leader (SBL) preparation programs must be aligned with the Professional Standards for Educational Leaders (PSELs), with some modifications, to on or after September 1, 2023, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic.

3. NEEDS AND BENEFITS:

At its April 2021 meeting, the Board of Regents extended the date by which school building leader (SBL) preparation programs must be aligned with the Professional Standards for Educational Leaders (PSELs), with some modifications, to September 1, 2022, in response to the COVID-19 pandemic. The definition of "leadership standards" was also revised accordingly within the context of Annual Professional Performance Reviews (APPR)

Additionally, the Board of Regents created a safety net period for the School Building Leader Assessment at its March 2021 meeting that is ongoing. During this period, the predecessor Revised (September 2013) School Building Leader Assessment test continues to be available as candidates and SBL preparation programs become familiar with, and transition to, the Revised (May 2019) School Building Leader Assessment that is aligned with the PSELs. The deadline for the safety net is August 31, 2024, which is two years after the September 1, 2022 date when SBL preparation programs must be registered based upon the PSELs

The Department now proposes to extend the date by which SBL preparation programs must be aligned with the new PSELs until September 1, 2023, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic. The Department also proposes to revise the definition of leadership standards" to mean the new PSELs for APPRs conducted in the 2025-2026 school year or later. Additionally, the proposal makes a corresponding amendment to clarify that nothing shall be construed to abrogate any conflicting provisions of any collective bargaining agreement in effect on September 1, 2025 that requires the use of the 2008 ISLLC Standards. Finally, the proposed amendment changes the deadline for the School Building Leader Assessment safety net to August 31, 2025. 4. COSTS

a. Costs to State government: The amendment does not impose any costs on State government, including the State Education Department.

b. Costs to local government: The amendment does not impose any costs on local government.

c. Costs to private regulated parties: The amendment does not impose any costs on private regulated parties.

d. Costs to regulating agency for implementation and continued administration: See above.

The proposed amendment merely extends the date by which SBL preparation programs must be aligned with the PSELs until September 1, 2023, and makes other corresponding amendments, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic. Therefore, it does not impose any costs on regulated parties. 5. LOCAL GOVERNMENT MANDATES:

The proposed amendment merely extends the date by which SBL preparation programs must be aligned with the PSELs until September 1, 2023, and makes other corresponding amendments, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic. The proposed amendment does not impose any additional program, service, duty or responsibility upon any local government. 6. PAPERWORK:

The proposed amendment does not impose any additional paperwork requirements.

7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

8. ALTERNATIVES:

The proposed amendment is necessary to extend the date by which school building leader (SBL) preparation programs must be aligned with the Professional Standards for Educational Leaders (PSELs), with some modifications, to on or after September 1, 2023, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic. Therefore, no alternatives were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards. 10. COMPLIANCE SCHEDULE:

If adopted as an emergency rule at the June 2022 Regents meeting, the emergency rule will become effective June 14, 2022. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the October 2022 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. Because the emergency action will expire before the October Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the July 2022 meeting. If adopted at the October 2022 meeting, the proposed amendment will become effective on October 19, 2022. It is anticipated that regulated parties will be able to comply with the proposed rule by its effective date.

¹Candidates typically complete SBL preparation programs within two vears

Regulatory Flexibility Analysis

The purpose of the proposed amendment of sections 52.21 and 80-1.5 of the Regulations of the Commissioner of Education and section 30-3.2 of the Rules of the Board of Regents is to extend the date by which school building leader (SBL) preparation programs must be aligned with the Professional Standards for Educational Leaders (PSELs) until September 1, 2023 to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic, and to make other corresponding amendments.

The amendment does not impose any new recordkeeping or other compliance requirements and will not have an adverse economic impact on small businesses or local governments. Because it is evident from the nature of the proposed amendment that it will not affect small businesses or local governments, no further steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses or local governments is not required and one has not been prepared.

Rural Area Flexibility Analysis

. TYPES AND EŠTIMATED NUMBERS OF RURAL AREAS:

The proposed amendment applies to all higher education institutions, school building leader candidates, and school districts including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES

The proposed amendment of sections 52.21 and 80-1.5 of the Regulations of the Commissioner of Education and section 30-3.2 of the Rules of the Board of Regents merely extends the date by which school building leader (SBL) preparation programs must be aligned with the Professional Standards for Educational Leaders (PSELs) until September 1, 2023, and makes other corresponding amendments, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic. The proposed rule does not impose any reporting, recordkeeping, or other compliance requirements or professional services on regulated parties, including those located in rural areas.

3. COSTS:

The proposed amendment merely extends the date by which SBL preparation programs must be aligned with the PSELs until September 1, 2023, and makes other corresponding amendments, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic. Therefore, the proposed amendment does not impose any costs on regulated parties, including those located in rural areas.

4. MINIMIZING ADVERSE IMPACT:

The proposed amendment merely extends the date by which SBL preparation programs must be aligned with the PSELs until September 1, 2023, and makes other corresponding amendments, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic. Therefore, no alternatives were considered for those institutions located in rural areas of the State.

5. RURAL AREA PARTICIPATION:

A Copy of the proposed amendment has been provided to the New York Association of Colleges for Teacher Education for review and comment. Job Impact Statement

The purpose of the proposed amendment of sections 52.21 and 80-1.5 of the Regulations of the Commissioner of Education is to extend the date by which school building leader (SBL) preparation programs must be aligned with the Professional Standards for Educational Leaders (PSELs), with some modifications, to on or after September 1, 2023, to provide programs with additional time to revise their curriculum, if needed, given the continuing challenges presented by the COVID-19 pandemic, and to make other corresponding amendments.

Because it is evident from the nature of the proposed amendment that it will have no impact on the existing number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken.

Assessment of Public Comment

The agency received no public comment.

EMERGENCY

RULE MAKING

Requirements for School Districts to Issue Diplomas to Eligible Students Confined in Certain Facilities

I.D. No. EDU-26-22-00018-E Filing No. 709 Filing Date: 2022-09-12 Effective Date: 2022-09-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 100.2 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 112, 112-a, 207, 208, 209, 215, 305, 3204, 3205; L. 2021, ch. 754; L. 2022, ch. 26

Finding of necessity for emergency rule: Preservation of general welfare. *Specific reasons underlying the finding of necessity:* Chapter 754 of the Laws of 2021, as amended by Chapter 26 of the Laws of 2022, added a new section 112-a to the Education Law. This section provides for the manner in which diplomas can be issued to students who have met all diploma requirements and are confined to certain facilities that provide educational programming but do not have the authority to issue diplomas. This legislation was proposed by the Board of Regents to ensure that these students have a pathway to an earned diploma.

Prior to the enactment of this law, barriers existed that often made it extremely difficult to secure a diploma for students placed by the courts in residential facilities offering educational programming. Such facilities ensure education of students placed in their care but have no authority to grant diplomas. Previously, the facility was expected to reach out to the district where a student attended in the past, or in which the facility was located, to request issuance of a diploma. These efforts were often unsuccessful.

New Section 112-a provides that the school district of location—the district in which the facility is located—shall issue a high school diploma to qualified students who receive education in a State-run facility. There is a single exception: when credit-bearing educational programming is directly provided by another school district, that district shall be responsible for issuing the high school diploma. The school district responsible for issuing the diploma is responsible for determining when each student has completed the minimum New York State diploma requirements in section 100.5 of the Commissioner's regulations while placed with, committed to, under the supervision of, detained, or confined in such facility.

The proposed amendment adds subdivision (pp) to section 100.2 of the Commissioner's regulations, which explains: (1) how to determine the district responsible for the issuance of the diploma, and (2) the responsibilities of both the facility where the student is placed and the diplomaissuing district. Diploma issuing districts will be given credit for diplomas issued under section 112-a of the Education Law in the calculation of district graduation rates. Additionally, the Department proposes to amend subdivision (y) of section 100.2 to confirm that a student who completes an educational program provided by a facility shall be entitled to enroll in the school district of location for purposes of being issued a diploma.

The proposed amendment was presented to the P-12 Education Committee for recommendation to the Full Board for adoption as an emergency rule at the June 2022 meeting of the Board of Regents, effective June 14, 2022. Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the October 2022 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earlier effective date of the proposed rule, if adopted at the October meeting, would be October 19, 2022, the date the Notice of Adoption would be published in the State Register.

However, the emergency rule will expire September 11, 2022. Therefore, a second emergency action is necessary at the July 2022 meeting, effective September 11, 2022, for the preservation of the general welfare to immediately implement Chapter 754 of the Laws of 2021, as amended by Chapter 26 of the Laws of 2022, to require school districts to issue diplomas to eligible students confined in a residential facility operated by a state department or agency providing educational programming within the district boundary, and to ensure the emergency action taken at the June meeting remains continuously in effect until the rule can be permanently adopted.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the October 2022 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rulemaking.

Subject: Requirements for school districts to issue diplomas to eligible students confined in certain facilities.

Purpose: To implement chapter 754 of the Laws of 2021, as amended by chapter 26 of the Laws of 2022.

Text of emergency rule: 1. Section 100.2 of the Regulations of the Commissioner of Education is amended by adding a new subdivision (pp) to read as follows:

(pp) District Responsibility for the Issuance of Diplomas.

(1) Definitions. For the purposes of this subdivision:

(i) "Residential facility" means a facility operated or administered by a state department or agency or political subdivision of the state pursuant to Education Law § 112 or a correctional facility as defined in Correction Law § 2(4) which provides educational programming to youth age 21 or younger who have not received a high school diploma and who are placed, committed, supervised, detained or confined at the facility.

(ii) "District of location" means the school district in which the facility where a youth is placed, committed, supervised, detained, or confined is located.

(iii) "Credit granting school district" means the school district or local education agency providing an educational program and granting diploma credits to students placed in a facility. (iv) "Diploma issuing district" means the school district that is

(iv) "Diploma issuing district" means the school district that is determined to be responsible for the issuance of the diploma pursuant to this subdivision.

(2) Determination of diploma issuing district. If a student placed, committed, supervised, detained, or confined in a residential facility completes an educational program provided by employees of such facility leading to a Regents (with or without an advanced designation diploma) or local diploma, the district in which the residential facility is located shall be the diploma issuing district. If a student placed, committed, supervised, detained, or confined in/to a residential facility receives creditbearing educational programming from a school or district other than the district of location of the residential facility, such credit-granting school district providing the educational programming shall be the diploma issuing district.

(3) Residential facility responsibility. When a student who has been placed, committed, supervised, detained, or confined in/to a residential facility completes all diploma requirements in accordance with section 100.5 of this Part, such residential facility shall notify the diploma issuing district to confer such student's diploma. Such notification shall be in writing and shall include the following documentation:

(i) All student records indicating the credits such student has attained at previous New York State schools and schools located in other states.

(ii) Documentation of transfer credits attested to by current or previous residential facilities pursuant to section 100.5(d)(b)(5)(i)(b)(2) of this Part and a summary of all academic credits earned and assessment requirements met which shall be attested to by the chief educational officer at such residential facility

(4) Diploma issuing district responsibility. Upon receipt of written

(i) Conduct a review of the documentation provided and make a determination of such student's eligibility to receive a diploma.

(ii) Notify the residential facility within 10 business days of receipt of such documentation of its findings and determination as to whether such student has met the requirements for a diploma; provided, however, that the findings and determination may be submitted after 10 business days where the facility and diploma issuing district mutually agree to extend such timeline.

(a) A notification that the student has not met the requirements of a diploma shall detail the deficiencies in the student records, clearly listing any requirements that have not been met. Such students are not required to meet local diploma requirements that exceed those indicated in section 100.5 of this Part. Facilities shall be given the opportunity to provide additional records, if available, to address any deficiencies noted by the diploma issuing district.

(b) A notification that the student has met the requirements for a diploma shall indicate when such diploma shall be conferred. Diplomas shall be conferred in January, June, or August, whichever is soonest.

(iii) Enroll such student prior to issuing the diploma, create a student transcript, and assume responsibility to retain all such student records in the district's student management system consistent with section 104.2 of this Chapter.

(iv) Forward such diploma and a copy of the district developed student transcript by registered mail to the facility that made the request on behalf of the student.

(v) Include such student in the district's accountability measures for the purposes of calculating graduation rate, as a graduate from the district of location in the school year in which the diploma is issued. 2. Subdivision (y) of section 100.2 of the Regulations of the Commis-

sioner of Education is amended by adding a new paragraph (7) to read as follows:

(7) Notwithstanding any provision of this subdivision to the contrary, in the case of a student placed, committed, supervised, detained, or confined in a residential facility located in a school district pursuant to subdivision (pp) of this section, such residential facility shall request enrollment of a child who has completed an educational program provided by employees of such facility leading to a Regents (with or without an advanced designation diploma) or local diploma in the diploma issuing district as defined in subparagraph (pp)(1)(iv) of this section. Such child shall be entitled to enroll in such school district solely for purposes of obtaining a Regents (with or without an advanced designation diploma) or local diploma, provided that the residential facility shall provide documentation of age in accordance with subparagraph (ii) of paragraph (9) of this subdivision and documentation of such child's placement, commitment, supervision, detainment, or confinement in/to such residential facility.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-26-22-00018-EP, Issue of June 29, 2022. The emergency rule will expire November 10, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112 EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement

. STATUTORY AUTHORITY:

Section 101 of the Education Law continues the existence of the Education Department, with the Board of Regents as its head, and authorizes the Regents to appoint the Commissioner as chief administrative officer of the Department, which is charged with the general management and supervision of public schools and the educational work of the State.

Section 112 of the Education Law provides that the State Education Department shall establish and enforce standards of instruction, personnel qualifications and other requirements for education services or programs with respect to the individual requirements of children who are in fulltime residential care in facilities or homes operated or supervised by any state department or agency or political subdivision.

Section 112-a of the Education Law as added by Chapter 654 of the Laws of 2021 and as amended by Chapter 26 of the Laws of 2022, provides that a person under 21 years of age who has not received a high school diploma and who is confined in any facility operated or administered by a state department or agency or political subdivision of the state which provides educational programs pursuant to Education Law § 112, or who is confined in a correctional facility, and who participates in an educational program provided by such facility, shall be issued a high school diploma by the school district of location except when credit bearing educational programming is provided by another school district.

Section 207 of the Education Law grants general rule making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Section 208 of the Education Law grants general rule-making authority to the Regents to confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

Section 209 of the Education Law provides that the Regents shall establish, in secondary institutions, examinations in studies furnishing a suitable standard of graduation therefrom and of admission to colleges, and certificates or diplomas shall be conferred by the Regents to students who satisfactorily pass such examinations.

Section 215 of the Education Law empowers the Regents and the Com-missioner to visit, examine into and inspect, any institution in the University and any school or institution under the educational supervision of the State and may require reports thereform giving information as the Regents or the Commissioner prescribe. Section 305(1) and (2) of the Education Law provide the Commissioner,

as chief executive officer of the State's education system, with general supervision over all schools and institutions subject to the Education Law, or any statute relating to education, and responsibility for executing all educational policies of the Regents.

Section 3204 of the Education Law provides that minors required to at-tend upon instruction pursuant to the Compulsory Education Law may at-tend at a public school or elsewhere and sets forth the requirements of such instruction.

Section 3205 of the Education Law provides that each minor from six to sixteen years of age in each school district or on an Indian reservation shall attend upon full time instruction.

2. LEGISLATIVE OBJECTIVES:

The proposed rule is consistent with the above statutory authority and is necessary to conform Commissioner's regulations to, and implement, Chapter 754 of the Laws of 2021, as amended by Chapter 26 of the Laws of 2022 (hereinafter referred to as Chapter 754), which added a new section 112-a to the Education Law, effective December 22, 2022, provides for the manner in which diplomas can be issued to students who have met all diploma requirements and are confined to certain facilities that provide educational programming but do not have the authority to issue diplomas. 3. NEEDS AND BENEFITS:

Chapter 754 of the Laws of 2021, as amended by Chapter 26 of the Laws of 2022, added a new section 112-a to the Education Law. This section provides for the manner in which diplomas can be issued to students who have met all diploma requirements and are confined to certain facilities that provide educational programming but do not have the authority to issue diplomas. This legislation was proposed by the Board of Regents to ensure that these students have a pathway to an earned diploma.

Prior to the enactment of this law, barriers existed that often made it extremely difficult to secure a diploma for students placed by the courts in residential facilities offering educational programming. Such facilities ensure education of students placed in their care but have no authority to grant diplomas. Previously, the facility was expected to reach out to the district where a student attended in the past, or in which the facility was located, to request the issuance of a diploma. These efforts were often unsuccessful.

New Section 112-a provides that the school district of location-the district in which the facility is located-shall issue a high school diploma to qualified students who receive education in a State-run facility. There is a single exception: when credit-bearing educational programming is directly provided by another school district, that district shall be responsible for issuing the high school diploma. Upon request from the facility, the school district responsible for issuing the diploma is responsible for determining if the student has completed the minimum New York State diploma requirements in section 100.5 of the Commissioner's regulations while placed with, committed to, under the supervision of, detained, or confined in such facility.

The proposed amendment adds subdivision (pp) to section 100.2 of the Commissioner's regulations, which explains: (1) how to determine the district responsible for the issuance of the diploma, and (2) the responsibilities of both the facility where the student is placed and the diplomaissuing district. Diploma issuing districts will be given credit for diplomas issued under section 112-a of the Education Law in the calculation of district graduation rates.

Additionally, the Department proposes to amend subdivision (y) of section 100.2 to confirm that a student who completes an educational program provided by a facility shall be entitled to enroll in the school district of location for purposes of being issued a diploma.

4. COSTS:

(a) Costs to State government: The proposed rule implements statutory requirements and establishes standards as directed by statute and will not impose any additional costs on State government.

(b) Costs to local government: There are no additional costs to local governments beyond those imposed by statute.

(c) Cost to private regulated parties: The proposed rule does not impose any additional costs to regulated parties beyond those imposed by statute. (d) Cost to the regulatory agency: The proposed rule does not impose any additional costs on the Department. 5. LOCAL GOVERNMENT MANDATES:

The proposed rule is necessary to implement Chapter 754, and does not impose any local government mandates, beyond those imposed by statute. Consistent with the statute the proposed rule requires that the school district of location—the district in which the facility is located—shall issue a high school diploma to qualified students who receive education in a State-run facility. There is a single exception: when credit-bearing State-run facility. There is a single exception: when credit-bearing educational programming is directly provided by another school district, that district shall be responsible for issuing the high school diploma. The school district responsible for issuing the diploma is responsible for determining when each student has completed the minimum New York State diploma requirements in section 100.5 of the Commissioner's regula-tions while placed with, committed to, under the supervision of, detained, or confined in such facility. Additionally, the proposed rule sets forth notification requirements for both the facility and diploma issuing district and requires such district to: enroll the student prior to issuing the diand requires such district to: enroll the student prior to issuing the di-ploma, create a student transcript, assume responsibility to retail all such student records in the district's student management system, and forward the diploma and a copy of the district developed student transcript tot the

facility. 6. PAPERWORK:

The proposed amendment is necessary to implement Chapter 754, and does not impose any specific recordkeeping, reporting or other paperwork requirements beyond those inherent in the statute. Consistent with the statute the proposed rule requires that the school district of location-the district in which the facility is located-shall issue a high school diploma to qualified students who receive education in a State-run facility. There is a single exception: when credit-bearing educational programming is directly provided by another school district, that district shall be respon-sible for issuing the high school diploma. The school district responsible for issuing the diploma is responsible for determining when each student has completed the minimum New York State diploma requirements in section 100.5 of the Commissioner's regulations while placed with, committed to, under the supervision of, detained, or confined in such facility. Additionally, the proposed rule sets forth notification requirements for both the facility and diploma issuing district and requires such district to: enroll the student prior to issuing the diploma, create a student transcript, assume responsibility to retail all such student records in the district's student management system, and forward the diploma and a copy of the district developed student transcript tot the facility.

7. DUPLICATION:

The proposed amendment does not duplicate any other existing State or Federal requirements.

8. ALTERNATIVES:

The proposed rule is necessary to conform the Commissioner's regulations to Chapter 754. There are no significant alternatives to the proposed rule available and none were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

The proposed rule will take effect as an emergency rule on June 24, 2022. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the October 2022 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the October 2022 meeting, the proposed amendment will become effective on October 19, 2022. It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

Regulatory Flexibility Analysis

(a) Small businesses:

The proposed rule is necessary to conform Commissioner's regulations to, and implement, Chapter 754 of the Laws of 2021, as amended by Chapter 26 of the Laws of 2022 (hereinafter referred to as Chapter 754), which added a new section 112-a to the Education Law, effective December 22, 2022, provides for the manner in which diplomas can be issued to students who have met all diploma requirements and are confined to certain facilities that provide educational programming but do not have the authority to issue diplomas. Because it is evident from the nature of the proposed amendment that it does not affect small businesses, no further measures were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

. EFFECT OF RULE:

The proposed amendment applies to all public school districts in the State.

2. COMPLIANCE REQUIREMENTS:

The proposed rule is necessary to implement Chapter 754, and consistent with the statute the proposed rule requires that the school district of location-the district in which the facility is located-shall issue a high school diploma to qualified students who receive education in a State-run facility. There is a single exception: when credit-bearing educational programming is directly provided by another school district, that district shall be responsible for issuing the high school diploma. Upon request from the facility, the school district responsible for issuing the diploma is responsible for determining if the student has completed the minimum New York State diploma requirements in section 100.5 of the Commissioner's regulations while placed with, committed to, under the supervision of, detained, or confined in such facility. Additionally, the proposed rule sets forth notification requirements for both the facility and diploma issuing district and requires such district to: enroll the student prior to issuing the diploma, create a student transcript, assume responsibility to retail all such student records in the district's student management system, and forward the diploma and a copy of the district developed student transcript tot the facility. 3. NEEDS AND BENEFITS:

Chapter 754 of the Laws of 2021, as amended by Chapter 26 of the Laws of 2022, added a new section 112-a to the Education Law. This section provides for the manner in which diplomas can be issued to students who have met all diploma requirements and are confined to certain facilities that provide educational programming but do not have the authority to issue diplomas. This legislation was proposed by the Board of Regents to ensure that these students have a pathway to an earned diploma.

Prior to the enactment of this law, barriers existed that often made it extremely difficult to secure a diploma for students placed by the courts in residential facilities offering educational programming. Such facilities ensure education of students placed in their care but have no authority to grant diplomas. Previously, the facility was expected to reach out to the district where a student attended in the past, or in which the facility was located, to request the issuance of a diploma. These efforts were often unsuccessful.

New Section 112-a provides that the school district of location-the district in which the facility is located—shall issue a high school diploma to qualified students who receive education in a State-run facility. There is a single exception: when credit-bearing educational programming is directly provided by another school district, that district shall be responsible for issuing the high school diploma. The school district responsible for issuing the diploma is responsible for determining when each student has completed the minimum New York State diploma requirements in section 100.5 of the Commissioner's regulations while placed with, committed to, under the supervision of, detained, or confined in such facility.

The proposed amendment adds subdivision (pp) to section 100.2 of the Commissioner's regulations, which explains: (1) how to determine the district responsible for the issuance of the diploma, and (2) the responsibilities of both the facility where the student is placed and the diplomaissuing district. Diploma issuing districts will be given credit for diplomas issued under section 112-a of the Education Law in the calculation of district graduation rates.

Additionally, the Department proposes to amend subdivision (y) of section 100.2 to confirm that a student who completes an educational program provided by a facility shall be entitled to enroll in the school district of location for purposes of being issued a diploma. 4. PROFESSIONAL SERVICES:

The proposed amendment does not require any additional professional service requirement on local governments.

5. COMPLIANCE COSTS:

In general, the proposed amendment does not impose any additional costs on local governments beyond those inherent in statute.

6. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional costs or technological requirements on local governments.

7. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to conform the Commissioner's regulations to, and implement, Chapter 754. Accordingly, no alternatives were considered.

8. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State and from the chief school officers of the five big city school districts.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule applies to all school districts and facilities operated by a state department or agency or political subdivision of the state pursuant to Education Law § 112 and correctional facilities as defined in Correction Law § (2)(4) which provide educational programming to youth in New York state, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less. 2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE

2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed rule does not impose any program, service, duty, or responsibility on entities in rural areas beyond those imposed by statute. Consistent with the statute the proposed rule requires that the school district of location—the district in which the facility is located—shall issue a high school diploma to qualified students who receive education in a State-run facility. There is a single exception: when credit-bearing educational programming is directly provided by another school district, that district shall be responsible for issuing the high school diploma. Upon request from the facility, the school district responsible for issuing the diploma is responsible for determining if the student has completed the minimum New York State diploma requirements in section 100.5 of the Commissioner's regulations while placed with, committed to, under the supervision of, detained, or confined in such facility. Additionally, the proposed rule sets forth notification requirements for both the facility and diploma issuing district and requires such district to: enroll the student prior to issuing the diploma, create a student transcript, assume responsibility to retail all such student records in the district's student management system, and forward the diploma and a copy of the district developed student transcript tot the facility.

3. COSTS:

The proposed rule does not impose any additional costs on regulated parties located in rural areas beyond those required by statute.

4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement the provisions of Chapter 754 which applies to all school districts. Therefore, alternative approaches for rural areas were not considered.

5. RURAL AREAS OF PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts, including those in rural areas.

Job Impact Statement

The proposed rule is necessary to conform Commissioner's regulations to, and implement, Chapter 754 of the Laws of 2021, as amended by Chapter 26 of the Laws of 2022 (hereinafter referred to as Chapter 754), which added a new section 112-a to the Education Law, effective December 22, 2022, provides for the manner in which diplomas can be issued to students who have met all diploma requirements and are confined to certain facilities that provide educational programming but do not have the authority to issue diplomas. The proposed rule will not have a substantial adverse impact on jobs and employment opportunities. Because it is evident from the nature of the proposed rule that it will not affect job and employment opportunities, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Assessment of Public Comment

The agency received no public comment.

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Remote Instruction and its Delivery Under Emergency Conditions and Length of School Day for Approved School-Age and Preschool Programs Serving Students with Disabilities

I.D. No. EDU-39-22-00010-EP Filing No. 719 Filing Date: 2022-09-13 Effective Date: 2022-09-13

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of sections 200.7, 200.16 and 200.20 of Title 8 NYCRR.

Statutory authority: Sections 101, 207, 305, 4002, 4401, and 4410 of the Education Law.

Finding of necessity for emergency rule: Preservation of general welfare. *Specific reasons underlying the finding of necessity:* Proposed amendment of sections 100.1, 155.17, and 175.5 of the Regulations of the Com-

missioner of Education relating to remote instruction and delivery under emergency conditions were presented to the P-12 Education Committee for discussion in April 2022. At the July 2022 meeting, the proposed amendment was submitted to the Full Board for adoption on an emergency basis to ensure the rule was effective for the 2022-23 school year. These proposed amendments are now being presented for permanent adoption. Additionally, the Department recommends that a similar amendment of sections 200.7, 200.16, and 200.20 of the Commissioner's regulations be made to address emergency remote instruction for approved special education programs.¹

Specifically, the Department proposes to add a new paragraph (10) to section 200.7(b) of the Commissioner's regulations to provide that if an: (1) approved private school for the education of students with disabilities; (2) state-supported school, (3) state-operated school, (4) Special Act School District, or (5) approved preschool special education program other than a multidisciplinary evaluation program would otherwise close due to an emergency, the school or program may remain in session and provide remote instruction, counting such instruction towards the 180-day requirement provided in section 200.7(b)(5) of the Commissioner's regulations. To qualify, instruction must be provided to all students and be consistent with the definition of remote instruction provided in section 100.1(u) of the Commissioner's regulations. In addition, beginning with the 2023-2024 school year, such remote instruction must be consistent with such school's or program's emergency remote instruction plan described in such section.²

Additionally, the Department proposes to amend section 200.7(b)(4) of the Commissioner's regulations regarding the length of school day requirements for operation and administration of full-day and half-day programs at approved private schools for the education of students with disabilities, state-supported schools, state-operated schools, and Special Act School Districts. This change is needed to remove a conflict in regulations and clarify the duration of in-person and remote instruction for the 180-day requirement in accordance with existing provisions in section 200.1 of the Commissioner's regulations. Specifically, the language stating that the school day must be comparable to section 175.5 of the Commissioner's regulations is removed and language is added to clarify that the minimum length of the school day shall be consistent with the applicable definition of full-day session or half-day session in section 200.1 of the Commissioner's regulations.³

The Department also proposes to amend section 200.16(f) of the Commissioner's regulations regarding educational programs for preschool students with disabilities to provide that:

• the provision of remote instruction due to emergency conditions by approved preschool programs serving preschool students with disabilities, other than a multidisciplinary evaluation program, must be provided in accordance with section 200.7(d)(10) of the Commissioner's regulations; and

• the provision of remote related services for a student receiving related services only, and not as part of an approved half-day or full-day program, must be provided in accordance with the emergency remote instruction plan included either in the district-wide school safety plan pursuant to section 155.17(c)(1) of the Commissioner's regulations of the school district responsible for the provision of special education services and programs for such student, or included in the student's individualized education program (IEP) or contingency plan developed by the committee on preschool special education of such school district. The remote related services must also be provided in accordance with applicable professional practice guidelines for engaging in telepractice.

Finally, the Department proposes to amend section 200.20(a) of the Commissioner's regulations to add a reference to the newly added 200.7(b)(10) with regard to requirements for approval and operation of preschool programs for preschool students with disabilities.

Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) and assessment of public comment would be the January 2023 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the January 2023 meeting, would be January 25, 2023, the date the Notice of Adoption would be published in the State Register. Therefore, emergency action is necessary at the September 2022 meeting, effective September 13, 2022, for the preservation of the general welfare in order to permit approved special education programs to provide remote instruction in the upcoming 2022-2023 school year on days they would otherwise close due to an emergency and to count such instructional days towards minimum requirements and to identify the ways in which such remote instruction may be delivered.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the January 2023 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rule making. However, since the emergency action will expire before the January 2023 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2022 Regents meeting.

¹Emergency remote instruction provisions are applicable to the Special Act School Districts pursuant to the amendments to 100.1 and 155.17 of the Commissioner's regulations referenced above and the proposed amendments to 200.7 summarized here.

²Emergency remote instruction plans must include policies and procedures to ensure the availability of devices, internet access, provision of special education and related services for students with disabilities, and the expectations for time spent in different remote modalities. Schools and programs must provide an opportunity for public comment at least thirty days prior to the plan's adoption. These plans must be posted on the school or program website or other online platform if such school or program does not have a website.

³In September 2018, proposed amendments to section 175.2 and 175.5 of the regulations of the Commissioner relating to the minimum instruction requirement for state aid were adopted. In response to public comment, the Department stated, "[t]he proposed regulation only relates to the minimum instructional hours required by school districts in order to receive their full allocation of Foundation Aid. Since 4410 and 853 programs do not receive Foundation Aid, their instructional requirements do not fall under either the existing or proposed regulations, and as such do not need to be addressed herein." As a result, the section 200.7(b)(4) reference to section 175.5 is improper and in conflict with the session day requirements in section 200.1. Therefore, the proposed amendments remove this reference.

Subject: Remote Instruction and its Delivery Under Emergency Conditions and Length of School Day for Approved School-Age and Preschool Programs Serving Students with Disabilities.

Purpose: To permit approved school-age and preschool programs serving students with disabilities to provide remote instruction on days they would otherwise close due to an emergency and to count such instructional days towards minimum requirements, and to amend the definition of length of school day for such schools and programs.

Text of emergency/proposed rule: 1. Paragraph (4) of subdivision (b) of section 200.7 of the Regulations of the Commissioner of Education is amended to read as follows:

(4) The length of the school day for a full-day session shall meet the requirements of section 200.1(q) of this Part and the length of the school day for a half-day session shall meet the requirements of section 200.1(v) of this Part [shall be comparable to that required by section 175.5 of this Title]. The school day shall include instructional services and related services, as required, but shall not include transportation.

2. Subdivision (b) of section 200.7 of the Regulations of the Commissioner of Education is amended by adding a new paragraph (10) to read as follows:

(10) Remote instruction due to emergency conditions.

(i) If a school governed by this section or approved preschool program serving preschool students with disabilities, other than a multidisciplinary evaluation program, would otherwise close due to an emergency, including but not limited to, extraordinary adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of a school building, or a communicable disease outbreak, the school or program may remain in session and provide remote instruction, as defined in section 100.1(u) of this Title. Beginning with the 2023-2024 school year, such remote instruction shall be consistent with such school's or program's emergency remote instruction plan pursuant to subparagraph (ii) of this paragraph. Instruction provided on these session days may be counted towards the 180 day requirement provided in paragraph (5) of this subdivision.

(ii) Emergency remote instruction plan. Beginning with the 2023-2024 school year, schools governed by this section and approved preschool programs serving preschool students with disabilities, other than a multidisciplinary evaluation component of a preschool program, shall develop and adopt an emergency remote instruction plan, and shall annually update such plan. Schools and programs must provide an opportunity for public comments at least thirty days prior to the plan's adoption to allow school personnel, parents, students and any other interested parties to inform the emergency remote instruction plan. Such plan shall be posted on the school or program website, provided, however, that if a school or program does not have a public website, the school or program may identify an online platform that allows the plan to be directly communicated to students and parent(s) or person(s) in parental relationship, school or program staff, and the public. For purposes of this paragraph, remote instruction shall have the same meaning as defined in section 100.1(u) of this Chapter. Emergency remote instruction plans shall include:

(a) policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. Each school or program shall survey students and parents and persons in parental relation to such students to obtain information on student access to computing devices and access to internet connectivity to inform the emergency remote instruction plan;

connectivity to inform the emergency remote instruction plan; (b) expectations for school or program staff as to the proportion of time spent in synchronous and asynchronous instruction of students on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction;

(c) a description of how instruction will occur for those students for whom remote instruction by digital technology is not available or appropriate;

(d) a description of how special education and related services will be provided to students with disabilities, as defined in section 200.1(zz) of this Chapter, and preschool students with disabilities, as defined in section 200.1(mm) of this Chapter, as applicable, in accordance with their individualized education programs to ensure the continued provision of a free appropriate public education.

3. Subdivision (f) of section 200.16 of the Regulations of the Commissioner of Education is amended by adding a new paragraph (7) to read as follows:

(7)(i) The provision of remote instruction due to emergency conditions by approved preschool programs serving preschool students with disabilities, other than a multidisciplinary evaluation program, shall be provided in accordance with the requirements contained in 200.7(b)(10) of this Part;

(ii) The provision of remote related services to preschool students receiving related services only, and not part of an approved half-day or full-day program, shall be provided in accordance with (a) the emergency remote instruction plan included in the district-wide school safety plan pursuant to section 155.17(c)(1) of this Chapter of the school district responsible for the provision of special education services and programs for such student, or (b) as specified in the student's IEP or (c) as specified in the student's contingency plan to address remote learning needs in the event of intermittent or extended school closures developed by the committee on preschool special education of such school district. Remote related services shall only be provided by individuals appropriately licensed and registered under Title 8 of the Education or license in each area of related service and in accordance with applicable professional practice guidelines for engaging in telepractice.

4. The opening paragraph of subdivision (a) of section 200.20 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) The approval and operation of preschool programs for preschool students with disabilities shall be conducted in a manner consistent with section 200.7(a)(1) through (3) and (b)(3), (5), (6), (8), [and] (9) and (10) of this Part, except that the following requirements shall apply:

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire December 11, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Ave, Room 148, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Christopher Suriano, Assistant Commissioner, NYS Education Department, Office of Special Education, 89 Washington Avenue, 301M EB, Albany, NY 12234, (518) 473-6119, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. STATUTÔRY AUTHORITY:

Section 101 of the Education Law continues the existence of the Education Department, with the Board of Regents as its head, and authorizes the Regents to appoint the Commissioner as chief administrative officer of the Department, which is charged with the general management and supervision of public schools and the educational work of the State.

Section 207 of the Education Law grants general rule making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Section 305(1) and (2) of the Education Law provide the Commissioner, as chief executive officer of the State's education system, with general supervision over all schools and institutions subject to the Education Law, or any statute relating to education, and responsibility for executing all educational policies of the Regents.

Section 4002 of the Education Law establishes school district duties for the education of students with disabilities.

Section 4403 of the Education Law outlines the Department's responsibilities regarding special education programs and services to students with disabilities. Section 4403(3) authorizes the Department to adopt regulations as the Commissioner deems in their best interest.

Section 4410 of the Education Law establishes school district duties for the education of preschool students with disabilities and the Department's responsibilities regarding special education programs for preschool students with disabilities. Section 4410(13) authorizes the Department to adopt regulations as to implement such section.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to implement Regents' policy regarding remote instruction and its delivery under emergency conditions and length of school day requirements for approved school-age and preschool programs serving students with disabilities.

3. NEEDS AND BENEFITS:

Proposed amendment of sections 100.1, 155.17, and 175.5 of the Regulations of the Commissioner of Education relating to remote instruction and delivery under emergency conditions were presented to the P-12 Education Committee for discussion in April 2022. At the July 2022 meeting, the proposed amendment was submitted to the Full Board for adoption on an emergency basis to ensure the rule was effective for the 2022-23 school year. These proposed amendments are now being presented for permanent adoption. Additionally, the Department recommends that a similar amendment of sections 200.7, 200.16, and 200.20 of the Commissioner's regulations be made to address emergency remote instruction for approved special education programs.

Specifically, the Department proposes to add a new paragraph (10) to section 200.7(b) of the Commissioner's regulations to provide that if an: (1) approved private school for the education of students with disabilities; (2) state-supported school, (3) state-operated school, (4) Special Act School District, or (5) approved preschool special education program other than a multidisciplinary evaluation program would otherwise close due to an emergency, the school or program may remain in session and provide remote instruction, counting such instruction towards the 180-day requirement provided in section 200.7(b)(5) of the Commissioner's regulations. To qualify, instruction must be provided to all students and be consistent with the definition of remote instruction provided in section 100.1(u) of the Commissioner's regulations. In addition, beginning with the 2023-2024 school year, such remote instruction must be consistent with such school's or program's emergency remote instruction plan described in such section.

Additionally, the Department proposes to amend section 200.7(b)(4) of the Commissioner's regulations regarding the length of school day requirements for operation and administration of full-day and half-day programs at approved private schools for the education of students with disabilities, state-supported schools, state-operated schools, and Special Act School Districts. This change is needed to remove a conflict in regulations and clarify the duration of in-person and remote instruction for the 180-day requirement in accordance with existing provisions in section 200.1 of the Commissioner's regulations. Specifically, the language stating that the school day must be comparable to section 175.5 of the Commissioner's regulations is removed and language is added to clarify that the minimum length of the school day shall be consistent with the applicable definition of full-day session or half-day session in section 200.1 of the Commissioner's regulations.

The Department also proposes to amend section 200.16(f) of the Commissioner's regulations regarding educational programs for preschool students with disabilities to provide that:

• the provision of remote instruction due to emergency conditions by approved preschool programs serving preschool students with disabilities, other than a multidisciplinary evaluation program, must be provided in accordance with section 200.7(d)(10) of the Commissioner's regulations; and

• the provision of remote related services for a student receiving related services only, and not as part of an approved half-day or full-day program, must be provided in accordance with the emergency remote instruction plan included either in the district-wide school safety plan pursuant to section 155.17(c)(1) of the Commissioner's regulations of the school district responsible for the provision of special education services and programs for such student, or included in the student's individualized education program (IEP) or contingency plan developed by the committee on preschool special education of such school district. The remote related services are provided as the service of the

vices must also be provided in accordance with applicable professional practice guidelines for engaging in telepractice.

Finally, the Department proposes to amend section 200.20(a) of the Commissioner's regulations to add a reference to the newly added 200.7(b)(10) with regard to requirements for approval and operation of preschool programs for preschool students with disabilities. 4. COSTS:

(a) Costs to State government: There are no additional costs to State government.

(b) Costs to local government: The proposed amendment requires that the provision of remote related services for a student receiving related services only, and not as part of an approved half-day or full-day program, must be provided in accordance with the emergency remote instruction plan included either in the district-wide school safety plan pursuant to section 155.17(c)(1) of the Commissioner's regulations of the school district responsible for the provision of special education services and programs for such student, or included in the student's individualized education program (IEP) or contingency plan developed by the committee on preschool special education of such school district. Part of such plans must include policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. There may be costs to school districts in ensuring computing devices are made available to students and ensuring that students receiving remote instruction under emergency conditions have access to internet connectivity. However, many school districts have already ensured student access to computing devices and internet access in providing remote instruction due to the COVID-19 pandemic. These costs will vary based on the location of the school district and current access to computing devices and internet connectivity.

(c) Cost to private regulated parties: The proposed amendment requires approved school-age and preschool programs serving students with disabilities to approve a plan for remote instruction beginning with the 2023-2024 school year. Part of such plans must include policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. Each school or program must survey students and parents and persons in parental relation to such students to obtain information on student access to computing devices and access to internet connectivity to inform the emergency remote instruction plan. There may be costs to schools and programs in ensuring computing devices are made available to students and ensuring that students receiving remote instruction under emergency conditions have access to internet connectivity. However, many schools and programs have already ensured student access to computing devices and internet access in providing remote instruction due to the COVID-19 pandemic. These costs will vary based on the location of the school or program and current access to computing devices and internet connectivity.

(d) Cost to the regulatory agency: The proposed amendment will not impose any additional costs on the Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment provides that the provision of remote related services for a student receiving related services only, and not as part of an approved half-day or full-day program, must be provided in accordance with the emergency remote instruction plan included either in the district-wide school safety plan pursuant to section 155.17(c)(1) of the Commissioner's regulations of the school district responsible for the provision of special education services and programs for such student, or included in the student's individualized education program (IEP) or contingency plan developed by the committee on preschool special education of such school district. The remote related services must also be provided in accordance with applicable professional practice guidelines for engaging in telepractice.

6. PAPERWORK:

The proposed amendment requires approved private school for the education of students with disabilities, state-supported school, state-operated school, Special Act School District, and approved preschool special education programs, other than a multidisciplinary evaluation component of a preschool program, to develop and adopt an emergency remote instruction plan, beginning with the 2023-2024 school year and annually update such plan must include:

(a) policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. Each school or program shall survey students and parents and persons in parental relation to such students to obtain information on student access to computing devices and access to internet connectivity to inform the emergency remote instruction plan; (b) expectations for school or program staff as to the proportion of time spent in synchronous and asynchronous instruction of students on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction;

(c) a description of how instruction will occur for those students for whom remote instruction by digital technology is not available or appropriate; and

(d) a description of how special education and related services will be provided to students with disabilities, as defined in section 200.1(zz) of the Commissioners' regulations, and preschool students with disabilities, as defined in section 200.1(mm) of the Commissioner's regulations, as applicable, in accordance with their individualized education programs to ensure the continued provision of a free appropriate public education.

7. DUPLICATION

The proposed amendment does not duplicate any other existing State or Federal requirements.

8. ALTERNATIVES:

The proposed rule is necessary to implement Regents' policy regarding the provision of remote instruction during emergencies. Specifically, the proposed amendment is necessary to implement Regents' policy regarding the remote instruction and its delivery under emergency conditions and length of school day requirements for approved school-age and preschool programs serving students with disabilities. Therefore, no significant alternatives were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

The proposed rule will take effect as an emergency rule on September 13, 2022. It is anticipated that the proposed amendment will be presented for permanent adoption at the January 2023 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. Because the emergency action will expire before the January 2023 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2022 meeting. If adopted at the January 2023 meeting, the proposed amendment will become effective as a permanent rule on January 25, 2023. It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

Regulatory Flexibility Analysis

1. EFFÉCT OF RÚLE:

Regarding local governments, the rule applies to all school districts with students who receive related services from such district only, and not as part of an approved half-day or full-day program. Related service providers who contract to provide preschool related services for school district students would be impacted pursuant only to school district requirements. Regarding small businesses offering instructional services, the proposed rule applies to all for-profit approved private schools for the education of students with disabilities and approved preschool special education programs. While the majority of approved preschool special education programs are not-for-profit, approximately 80 for-profit schools and programs providing instructional services would be impacted.

2. COMPLIANCE REQUIREMENTS:

The proposed rule requires for-profit approved private schools for the education of students with disabilities and approved preschool special education programs to develop and adopt an emergency remote instruction plan, and annually update such plan. Such plan must include:

(a) policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. Each school or program shall survey students and parents and persons in parental relation to such students to obtain information on student access to computing devices and access to internet connectivity to inform the emergency remote instruction plan;

(b) expectations for school or program staff as to the proportion of time spent in synchronous and asynchronous instruction of students on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction;

(c) a description of how instruction will occur for those students for whom remote instruction by digital technology is not available or appropriate; and

(d) a description of how special education and related services will be provided to students with disabilities, as defined in section 200.1(zz) of the Commissioner's regulations, and preschool students with disabilities, as defined in section 200.1(mm) of the Commissioner's regulations, as applicable, in accordance with their individualized education programs to ensure the continued provision of a free appropriate public education.

Additionally, the proposed rule provides that the provision of remote

related services for a student receiving related services only, and not as part of an approved half-day or full-day program, must be provided in accordance with the emergency remote instruction plan included either in the district-wide school safety plan pursuant to section 155.17(c)(1) of the Commissioner's regulations of the school district responsible for the provision of special education services and programs for such student, or included in the student's individualized education program (IEP) or contingency plan developed by the committee on preschool special education of such school district. The remote related services must also be provided in accordance with applicable professional practice guidelines for engaging in telepractice.

3. PROFESSIONAL SERVICES:

The proposed rule does not impose any additional professional services requirements on small businesses or local governments.

4. COMPLIANCE COSTS:

Regarding school districts, as stated above, the proposed amendment requires that the provision of remote related services for a student receiving related services only, and not as part of an approved half-day or fullday program, must be provided in accordance with the emergency remote instruction plan included either in the district-wide school safety plan pursuant to section 155.17(c)(1) of the Commissioner's regulations of the school district responsible for the provision of special education services and programs for such student, or included in the student's individualized education program (IEP) or contingency plan developed by the committee on preschool special education of such school district. Part of such plans must include policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. There may be costs to school districts in ensuring computing devices are made available to students and ensuring that students receiving remote instruction under emergency conditions have access to internet connectivity. However, many school districts have already ensured student access to computing devices and internet access in providing remote instruction due to the COVID-19 pandemic. These costs will vary based on the location of the school district and current access to computing devices and internet connectivity.

Regarding for-profit approved private schools for the education of students with disabilities and approved preschool special education programs, the proposed amendment requires approved school-age and preschool programs serving students with disabilities to approve a plan for remote instruction beginning with the 2023-2024 school year. Part of such plans must include policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. Each school or program must survey students and parents and persons in parental relation to such students to obtain information on student access to computing devices and access to internet connectivity to inform the emergency remote instruction plan. There may be costs to schools and programs in ensuring computing devices are made available to students and ensuring that students receiving remote instruction under emergency conditions have access to internet connectivity. However, many schools and programs have already ensured student access to computing devices and internet access in providing remote instruction due to the COVID-19 pandemic. These costs will vary based on the location of the school or program and current access to computing devices and internet connectivity.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule requires school districts, for-profit approved private schools for the education of students with disabilities and approved preschool special education programs to ensure computing devices are made available to students and ensuring that students receiving remote instruction under emergency conditions have access to internet connectivity. Many schools and programs have already ensured student access to computing devices and internet access in providing remote instruction due to the COVID-19 pandemic. Regarding economic feasibility see "COSTS" section above.

6. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement Regents' policy regarding remote instruction and its delivery under emergency conditions and length of school day requirements for approved school-age and preschool programs serving students with disabilities. While school districts and forprofit approved private schools for the education of students with disabilities and approved preschool special education programs may incur costs in implementing the proposed rule as outlined in the "COSTS" section above, the proposed rule is necessary to ensure that students receive meaningful instruction when being provided remote instruction during emergencies. Additionally, for-profit approved private schools for the education of students with disabilities and approved preschool special education programs have applied to the Department to be licensed as an approved special education program serving students with disabilities for the provision of a free appropriate public education. This requires them to uphold the standards applicable to instruction and there would be no way to exempt them without negatively impacting the students they serve. Therefore, no significant alternatives considered. 7. SMALL BUSINESS AND LOCAL GOVERNMENT

PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts and from approved school-age and preschool programs serving students with disabilities.

Rural Area Flexibility Analysis

1. TYPES AND EŠTIMATED NUMBERS OF RURAL AREAS:

The proposed rule applies to all Department approved private school for the education of students with disabilities, state-supported schools, state-operated schools, Special Act School District, approved preschool special education programs, and all school districts with students who receive related services from such district only, and not as part of an approved half-day or full-day program. including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less. 2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE

REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed amendment requires approved private school for the education of students with disabilities, state-supported school, stateoperated school, Special Act School District, and approved preschool special education programs, other than a multidisciplinary evaluation component of a preschool program, to develop and adopt an emergency remote instruction plan, and annually update such plan. Such plan must include:

(a) policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. Each school or program shall survey students and parents and persons in parental relation to such students to obtain information on student access to computing devices and access to internet connectivity to inform the emergency remote instruction plan;

(b) expectations for school or program staff as to the proportion of time spent in synchronous and asynchronous instruction of students on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction;

(c) a description of how instruction will occur for those students for whom remote instruction by digital technology is not available or appropriate; and

(d) a description of how special education and related services will be provided to students with disabilities, as defined in section 200.1(zz) of the Commissioner's regulations, and preschool students with disabilities, as defined in section 200.1(mm) of the Commissioner's regulations, as applicable, in accordance with their individualized education programs to ensure the continued provision of a free appropriate public education.

Additionally, the proposed rule provides that the provision of remote related services for a student receiving related services only, and not as part of an approved half-day or full-day program, must be provided in ac-cordance with the emergency remote instruction plan included either in the district-wide school safety plan pursuant to section 155.17(c)(1) of the Commissioner's regulations of the school district responsible for the provision of special education services and programs for such student, or included in the student's individualized education program (IEP) or contingency plan developed by the committee on preschool special education of such school district. The remote related services must also be provided in accordance with applicable professional practice guidelines for engaging in telepractice.

3. COSTS:

There may be costs to school districts, schools, and programs, in ensuring computing devices are made available to students and ensuring that students receiving remote instruction under emergency conditions have access to internet connectivity. However, many school district, schools, and programs have already ensured student access to computing devices and internet access in providing remote instruction due to the COVID-19 pandemic. These costs will vary based on the location of the school district and students current access to computing devices and internet connectivity.

4. MINIMIZING ADVERSE IMPAČT:

The proposed rule is necessary to implement Regents' policy regarding remote instruction and its delivery under emergency conditions and length of school day requirements for approved school-age and preschool programs serving students with disabilities. While school districts, schools, and programs may incur costs in implementing the proposed rule

as outlined in the "COSTS" section above, the proposed rule is necessary to ensure that students receive meaningful instruction when being provided remote instruction during emergencies. Additionally, approved private schools for the education of students with disabilities and approved preschool special education programs have applied to the Department to be licensed as an approved special education program serving students with disabilities for the provision of a free appropriate public education. This requires them to uphold the standards applicable to instruction and there would be no way to exempt them without negatively impacting the students they serve. Therefore, no alternatives were considered for school districts, schools, and programs located in rural areas.

5. RURAL AREA PARTICIPATION

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts and from approved school-age and preschool programs serving students with disabilities, including those in rural areas.

Job Impact Statement

The purpose of the proposed rule is to implement Regents' policy regarding remote instruction and its delivery under emergency conditions and length of school day requirements for approved school-age and preschool programs serving students with disabilities. Because it is evident from the nature of the proposed rule that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Laboratory Experience Required to Take a Science Regents Examination

I.D. No. EDU-39-22-00012-EP Filing No. 724 Filing Date: 2022-09-13 Effective Date: 2022-09-13

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of section 100.5(b)(7)(iv)(d) of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 209, 305, 308, 309 and 3204

Finding of necessity for emergency rule: Preservation of general welfare. Specific reasons underlying the finding of necessity: Prior to the COVID-19 pandemic, the Commissioner's regulations required that students could only take a science Regents Examination if they had completed 1,200 hours of hands-on science laboratory experience. Only a limited group of students-those who attended educational programs administered in residential care or correctional facilities pursuant to Education Law section 112 and Part 116 or 118 of this Title-were allowed to satisfy this requirement through a combination of hands-on and simulated experience. In response to the exigencies of the COVID-19 pandemic, the Department allowed all students to satisfy the 1,200 hours requirement through a combination of hands-on and simulated experience.

Given positive feedback from the field, the Department now proposes to make this flexibility permanent. Advances in technology and innovations in instructional methodologies, refined during the 2019-2020 and 2020-2021 school years, have made it possible to deliver high-quality laboratory learning experiences to students. By making this flexibility permanent, schools and districts can increase access to science courses with laboratory components, including advanced science courses, by utilizing blended or virtual learning. In addition, this flexibility will facilitate the implementation of the New York State P-12 Science Learning Standards.

Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the January 2023 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the January meeting, would be January 25, 2023, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the September 2022 meeting, effective September 13, 2022, for the preservation of the general welfare in order to immediately permit students to satisfy the science laboratory experience requirements to take a science Regents Examination through both hands on and simulated experience.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the January 2023 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rule making. However, since the emergency action will expire before the January Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2023 Regents meeting.

Subject: Laboratory experience required to take a science Regents examination.

Purpose: To permit students to satisfy laboratory requirement through a combination of hands-on and simulated laboratory experience.

Text of emergency/proposed rule: Clause (d) of subparagraph (iv) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(d) Science, three units of credit and one of the Regents examinations in science or an approved alternative pursuant to section 100.2(f) of this Part. In order to qualify to take a Regents examination in any of the sciences a student must complete 1,200 minutes of [actual hands-on (not simulated)] laboratory experience which may be met through any combination of hands-on and simulated laboratory experience with satisfactory documented laboratory reports[, provided that, for students who attend educational programs administered pursuant to Education Law section 112 and Part 116 or 118 of this Title, and for all students where such hands-on laboratory experience cannot be completed as a result of the COVID-19 crisis, the 1,200 minutes of laboratory experience may be met through a combination of hands-on and simulated laboratory experience]. The 1,200 minutes of laboratory experience must be in addition to the required classroom instruction associated with earning a unit of credit, provided, however, for the 2019-2020 and 2020-2021 school years, including the 2020 and 2021 summer sessions, the 1,200 minutes of laboratory experience is not required for a student to qualify to take a Regents examination where such student is unable to meet the 1,200-minute requirement due to the COVID-19 crisis and, provided further, that 1,200 minutes of laboratory experience is not required for a student to be exempted from a Regents examination pursuant to subparagraph (vi) of paragraph (5) of subdivision (a) of this section.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire December 11, 2022

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nvsed.gov

Data, views or arguments may be submitted to: Shannon Logan, NYS Education Department, Office of Curriculum and Instruction, (518) 474-5922, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement . STATUTORY AUTHORITY:

Section 101 of the Education Law continues the existence of the Education Department, with the Board of Regents at its head and the Commissioner of Education as the chief administrative officer, and charges the Department with the general management and supervision of public schools and the educational work of the State.

Section 207 of the Education Law grants general rule-making authority to the Board of Regents to carry into effect the laws and policies of the State relating to Education.

Section 208 of the Education Law grants general rule-making authority to the Regents to confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

Section 209 of the Education Law authorizes the Regents to establish secondary school examinations in studies furnishing a suitable standard of graduation and of admission to colleges; to confer certificates or diplomas on students who satisfactorily pass such examinations; and requires the admission to these examinations of any person who shall conform to the rules and pay the fees prescribed by the Regents.

Section 305(1) and (2) of the Education Law provide that the Commissioner shall have general supervision over all schools and institutions subject to the provisions of the Education Law, or of any statute relating to education, and shall execute all educational policies determined by the Board of Regents.

Section 308 of the Education Law authorizes the Commissioner to

enforce and give effect to any provision in the Education Law or in any other general or special law pertaining to the school system of the State or any rule or direction of the Regents.

Section 309 of the Education Law charges the Commissioner with the general supervision of boards of education and their management and conduct of all departments of instruction.

Section 3204 of the Education Law provides that minors required to at-tend upon instruction pursuant to the Compulsory Education Law may attend at a public school or elsewhere and sets forth the requirements of such instruction.

2. LEGISLATIVE OBJECTIVES:

The proposed rule is consistent with the above statutory authority and allows students to use a combination of hands-on and simulated experience to satisfy the 1,200 minutes of laboratory experience requirement to take a Regents examination in science.

3. NEEDS AND BENEFITS:

In response to the exigencies of the COVID-19 pandemic, the Department allowed all students to satisfy the 1,200 hours requirement through a combination of hands-on and simulated experience. Given positive feedback from the field, the Department now proposes to make this flexibility permanent. Advances in technology and innovations in instructional methodologies, refined during the 2019-2020 and 2020-2021 school years, have made it possible to deliver high-quality laboratory learning experiences to students. By making this flexibility permanent, schools and districts can increase access to science courses with laboratory components, including advanced science courses, by utilizing blended or virtual learning. In addition, this flexibility will facilitate the implementation of the New York State P-12 Science Learning Standards.

4. COSTS:

(a) Costs to State government: The amendment does not impose any costs on State government, including the State Education Department.

(b) Costs to local government: The amendment does not impose any costs on local government.

(c) Cost to private regulated parties: The amendment does not impose any costs on private regulated parties.

(d) Cost to the regulatory agency: See above.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment does not impose any additional program, service, duty or responsibility upon any local government.

6. PAPERWORK:

The proposed amendment does not impose any additional paperwork requirements

7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

8. ALTERNATIVES:

The proposed rule is necessary to allows students to use a combination of hands-on and simulated experience to satisfy the 1,200 minutes of laboratory experience requirement to take a Regents examination in science. There are no significant alternatives to the proposed amendment and none were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards. 10. COMPLIANCE SCHEDULE:

The proposed amendment will become effective as an emergency rule on September 13, 2022. It is anticipated that the proposed amendment will be presented for permanent adoption at the January 2023 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the January 2023 meeting, the proposed amendment will become effective as a permanent rule on January 25, 2023. It is anticipated that regulated parties will be able to comply with the proposed rule on its effective date.

Regulatory Flexibility Analysis

The purpose of the proposed rule is to allow students to use a combination of hands-on and simulated experience to satisfy the 1,200 minutes of laboratory experience requirement to take a Regents examination in science.

The proposed rule will not impose any reporting, recordkeeping or other compliance requirements or costs or have any adverse economic impact on small businesses or local governments. Because it is evident from the proposed rule that it will not adversely affect small businesses or local governments, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required, and one has not been prepared.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule applies to all school districts, charter schools, and

registered nonpublic schools in the State, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less. 2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE

REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed amendment to section 100.5(b)(7)(iv)(d) of the Commissioner's regulations does not impose any additional compliance requirements on persons in rural areas. The amendment allows students to use a combination of hands-on and simulated experience to satisfy the 1,200 minutes of laboratory experience requirement to take a Regents examination in science.

The proposed amendment does not impose any additional professional services requirements.

3. COSTS:

The proposed amendment does not impose any costs on persons in rural areas

4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to allow students to use a combination of hands-on and simulated experience to satisfy the 1,200 minutes of laboratory experience requirement to take a Regents examination in science. No alternatives were considered for school districts located in rural areas. 5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts, and from charter schools, including those in rural areas.

Job Impact Statement

The purpose of the proposed rule is to allows students to use a combination of hands-on and simulated experience to satisfy the 1,200 minutes of laboratory experience requirement to take a Regents examination in science. Because it is evident from the nature of the proposed rule that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required, and one has not been prepared.

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Independent Nurse Practitioner Practice

I.D. No. EDU-39-22-00014-EP

Filing No. 735 Filing Date: 2022-09-13 Effective Date: 2022-09-13

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of sections 29.14 and 64.5 of Title 8 NYCRR.

Statutory authority: Education Law, sections 207, 6504, 6507, 6902 and 6910; L. 2022, ch. 57, part C

Finding of necessity for emergency rule: Preservation of public health and general welfare

Specific reasons underlying the finding of necessity: The Nurse Practitioners Modernization Act (L. 2014, c. 56 Part D), effective January 1, 2015, amended the Education Law to establish criteria for authorizing qualified nurse practitioners to practice, pursuant to collaborative relationships with one or more licensed physicians or a hospital licensed under Article 28 of the Public Health Law (Article 28 hospital), in lieu of practicing in collaboration with a physician in accordance with a written practice agreement and written practice protocols.

The 2022 Enacted New York State Budget (L. 2022, c. 57, Part C or "Chapter 57") effective April 1, 2022, included Education Law amendments that expands the Nurse Practitioners Modernization Act by establishing criteria for authorizing qualified nurse practitioners to practice independently. The stated purpose of these amendments is to increase access to needed health care services in New York State as New York State has faced a nursing workforce shortage since the beginning of the COVID-19 pandemic.¹

Chapter 57 amends Education Law § 6902 to authorize a nurse practitioner with more than 3,600 hours of qualifying nurse practitioner experience to provide nurse practitioner services without a collaborative practice agreement with a physician or a collaborative relationship with one or more licensed physicians or an Article 28 hospital. Chapter 57 does not affect the Education Law requirement that all nurse practitioners with 3,600 or fewer hours of experience practice in collaboration with a physician qualified in the specialty involved and in accordance with a written practice agreement and written practice protocols.

Therefore, the Department proposes amendments to the Commissioner's regulations and the Rules of the Board of Regents to implement Chapter 57. Specifically, the Department proposes to amend section 64.5 of the Commissioner's regulations to establish the criteria for authorizing experienced nurse practitioners to practice independently. Consistent with Chapter 57, to practice independently, a nurse practitioners must have more than 3,600 hours of experience practicing as a licensed or certified nurse practitioner pursuant to the laws of New York State or any other state or as a nurse practitioner while employed by the United States Veteran Association, the United States Armed Forces or the United States Public Health Services.

Additionally, paragraph (3) of subdivision (a) of section 29.14 of the Rules of the Board of Regents provides that unprofessional conduct in the practice of nursing includes the failure by a nurse practitioner to comply with either the requirements relating to collaboration with a physician as set forth in Education Law § 6902(3)(a) or the collaborative relationship requirements of Education Law § 6902(3)(b). The proposed amendment removes the language referencing the collaborative relationship requirements of Education Law § 6902(3)(b), as Chapter 57 removes such requirements

Because the Board of Regents meets at fixed intervals, the earliest the proposed amendment can be presented for regular (non-emergency) adoption, after expiration of the required 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) section 202(1) and (5), would be the January 2023 Regents meeting. Furthermore, pursuant to SAPA section 203(1), the earliest effective date of the proposed amendment, if adopted at the January 2023 meeting, would be January 25, 2023, the date a Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the September 2022 Regents meeting for preservation of the public health and general welfare in order to immediately conform regulatory provisions with Part C of Chapter 57 of the Laws of 2022, which became effective April 1, 2022

It is anticipated that the proposed amendment will be presented for permanent adoption at the January 2023 Regents meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rule making. However, since the emergency action will expire before the January 2023 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2022 Regents meeting.

¹The Governor declared a statewide disaster emergency due to health care staffing shortages in New York State, which has been in effect since September 27, 2021. Executive Orders issued by Governor Hochul temporarily waived Education Law § 6902(3), and any associated regulations, including, but not limited to, 10 NYCRR 64.5, to the extent necessary to a nurse practitioner to provide medical services appropriate to their education, training and experience, without a written practice agreement, or collaborative relationship with a physician, without civil or criminal penalty related to a lack of written practice agreement, or collaborative relationship, with a physician.

Subject: Independent nurse practitioner practice.

Purpose: To implement part C of chapter 57 of the Laws of 2022.

Text of emergency/proposed rule: 1. Paragraph (3) of subdivision (a) of section 29.14 of the Rules of the Board of Regents is amended to read as follows

(3) Failure by a nurse practitioner to comply with [either] the requirements relating to collaboration with a physician of paragraph (a) of subdivision (3) of section 6902 of the Education Law [or the collaborative relationships requirements of paragraph (b) of subdivision (3) of section 6902 of the Education Law].

2. Section 64.5 of the Regulations of the Commissioner of Education is amended to read as follows:

64.5 Nurse practitioner practice

(a) Collaborative Practice

(1) A nurse practitioner who has three thousand six hundred or fewer hours of experience practicing as a licensed or certified nurse practitioner pursuant to the laws of New York or any other state or as a nurse practitioner while employed by the United States Veterans Administration, the United States Armed Forces or the United States Public Health Service shall practice in collaboration with a physician qualified in the specialty involved and in accordance with a written practice agreement and written practice protocols.

(2) Practice agreements and practice protocols shall be maintained in the practice setting of the nurse practitioner and collaborating physician and shall be available to the department for inspection.

[(b)](3) Practice agreements shall include provisions for referral and consultation, coverage for emergency absences of either the nurse practitioner or collaborating physician, resolution of disagreements between the nurse practitioner and collaborating physician regarding matters of diagnosis and treatment, and the review of patient records at least every three months by the collaborating physician; and may include such other provisions as determined by the nurse practitioner and collaborating physician to be appropriate.

[(c)](d) Protocols shall identify the area of practice to be performed by the nurse practitioner in collaboration with the physician and shall reflect accepted standards of nursing and medical practice. Protocols shall include provisions for case management, including diagnosis, treatment, and appropriate recordkeeping by the nurse practitioner; and may include such other provisions as are determined by the nurse practitioner and collaborating physician to be appropriate. Such protocols may be updated periodically.

[(d)](5) The department in its discretion or upon request of a nurse practitioner or collaborating physician may review practice protocols for the purpose of insuring that they are in conformance with accepted medical and nursing practice and with the statutes and regulations governing the practice of medicine, nursing, and the prescribing of drugs, and may render an opinion which shall be binding upon the parties to the protocol. A practice and protocol committee designated by the Deputy Commissioner for the Professions shall review practice protocols and shall recommend findings as to their adequacy and conformity with current accepted medical and nursing practice. If the department determines that a protocol is inadequate or contrary to current accepted medical and nursing practice it shall communicate that determination, and the reasons therefor, to the nurse practitioner to the collaborating physician in writing. The nurse practitioner and collaborating physician shall conform to accepted medical and nursing practice immediately, and shall submit a revised protocol within 30 days of receipt of the department's determination, unless an extension of time is requested and granted by the department. Continuation of practice in violation of the determination shall constitute unprofessional conduct by either or both licensees.

[(e)](6) An appeal from a determination that a practice protocol is inadequate or contrary to current accepted medical and nursing practice may be taken within 30 days after receipt of the notice of determination by a petition setting forth the reasons for the appeal, and signed by both the nurse practitioner and the collaborating physician. Such joint appeal shall be filed with the Division of Professional Licensing Services and determined by the Committee on the Professions whose determination shall be final.

[(f)](7) In addition to the requirements of section 6810 of the Education Law, prescription forms used by nurse practitioners shall be printed with the name, nurse practitioner certificate number, office address, and office telephone number of the nurse practitioner.

[(g) Collaborative relationships.

(1) Definitions. As used in this subdivision:

(i) Collaborative relationships shall mean that a nurse practitioner communicates, in person, by telephone, or through written means including electronically, with a physician who is qualified to collaborate in the specialty involved, or in the case of a hospital, the nurse practitioner communicates with a physician qualified to collaborate in the specialty involved and who has privileges at such hospital, for the purposes of exchanging information, as needed, in order to provide comprehensive patient care and to make referrals, as necessary.

(ii) Physician shall mean a New York State licensed and registered physician.

(iii) Hospital shall mean a hospital as defined by Public Health Law section 2801(1).

(2) Notwithstanding any provision in this section to the contrary and insofar as authorized by Education Law section 6902(3)(b), in lieu of complying with the requirements relating to collaboration with a physician, collaborative practice agreements and practice protocols as set forth in subdivisions (a), (b), (c), (d) and (e) of this section, a nurse practitioner may have collaborative relationships, with one or more physicians or a hospital, as such terms are defined in paragraph (1) of this subdivision, provided that the following criteria are met:

(i) The nurse practitioner shall have more than three thousand six hundred hours of experience practicing as a licensed or certified nurse practitioner pursuant to the laws of New York or any other state or as a nurse practitioner while employed by the United States Veterans Administration, the United States Armed Forces or the United States Public Health Service.

(ii) The nurse practitioner shall complete and maintain a form, prescribed by the department, to which the nurse practitioner shall attest, that describes the nurse practitioner's current collaborative relationships. The nurse practitioner shall also acknowledge on the form that if reasonable efforts to resolve any dispute that may arise with the collaborating physician, or, in the case of a collaboration with a hospital, with a physician qualified to collaborate in the specialty involved and having professional privileges at such hospital, about a patient's care are not successful, the recommendation of the physician shall prevail. The form shall be updated as needed and may be subject to review by the department, upon its request.

(iii) In addition to the form required by subparagraph (ii) of this paragraph, the nurse practitioner shall maintain documentation in written or electronic form that supports his or her collaborative relationships.]

(b) Independent Practice. A nurse practitioner who has more than three thousand six hundred hours of experience practicing as a licensed or certified nurse practitioner pursuant to the laws of New York or any other state or as a nurse practitioner while employed by the United States Veterans Administration, the United States Armed Forces or the United States Public Health Service shall not be required to practice in collaboration with a physician qualified in the specialty involved and in accordance with a written practice agreement and written practice protocols as set forth in subdivision (a) of this section.

[(h)](c) Orders to dispense drugs to prevent human immunodeficiency virus (HIV) infection.

(3)

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire December 11, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Sarah S. Benson, Deputy Commissioner, NYS Education Department, Office of the Professions, 89 Washington Avenue, 2nd Floor EB, West Wing, Albany, NY 12234, (518) 486-1727, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Section 207 of the Education Law grants general rule-making authority to the Board of Regents to carry into effect the laws and policies of the State relating to Education.

Section 6504 of the Education Law authorizes the Board of Regents to supervise the admission to and regulation of the practice of the professions.

Paragraph (a) of subdivision (2) of section 6507 of the Education Law authorizes the Commissioner of Education to promulgate regulations in administering the admission to and the practice of the professions.

Section 6902(3) of the Education Law, as amended by Part C of Chapter 57 of the Laws of 2022, authorizes nurse practitioners with more than 3,600 hours of qualifying nurse practitioner experience to provide nurse practitioner services without collaborating with a physician in accordance with a written practice agreement and written practice protocols or a collaborative relationship with one or more licensed physicians or a hospital.

Section 6910 of the Education Law defines requirements for certification as a nurse practitioner and authorizes the standards for such certification to be included in regulations promulgated by the Commissioner of Education.

2. LEGISLATIVE OBJECTIVES:

The proposed rule carries out the intent of Part C of Chapter 57 of the Laws of 2022 (Chapter 57), which amended Education Law § 6902(3) to authorize nurse practitioners with more than 3,600hours of qualifying nurse practitioner experience to provide nurse practitioner services without collaborating with a physician in accordance with a written practice agreement and written practice protocols or a collaborative relationship with one or more licensed physicians or a hospital.

3. NEEDS AND BENEFITS:

The proposed rule is necessary to implement the requirements of section 6902(3) of the Education Law, as amended by Part C of Chapter 57 of the Laws of 2022, by establishing criteria for nurse practitioners with more than 3,600 hours of qualifying nurse practitioner experience to provide nurse practitioner services without collaborating with a physician in accordance with a written practice agreement and written practice protocols or a collaborative relationship with one or more licensed physicians or a hospital. The proposed rule also amends section 29.14(3)(a) of the Rules of the Board of Regents relating to professional conduct in the practice of nursing to delete the collaborative relationship requirements which were repealed from Education Law § 6902(3)(b) by Part C of Chapter 57 of the Laws of 2022.

^{(1) ...}

^{(2) ...}

4. COSTS:

(a) Costs to State government: The proposed rule implements statutory requirements and will not impose any additional costs on State government beyond those imposed by the statutory requirements.

(b) Costs to local government: There are no additional costs to local governments.

(c) Cost to private regulated parties: The proposed rule does not impose any additional costs on regulated parties.

(d) Cost to the regulatory agency: The proposed rule does not impose any additional costs on the Department beyond those imposed by statute.
 5. LOCAL GOVERNMENT MANDATES:

The proposed rule does not impose any program, service, duty, or responsibility upon local governments.

6. PAPERWORK:

The proposed rule imposes no new reporting or other paperwork 7. DUPLICATION:

The proposed rule is necessary to implement section 6902(3) of the Education Law, as amended by Part C of Chapter 57 of the Laws of 2022. There are no other state or federal requirements on the subject matter of this proposed rule. Therefore, the proposed rule does not duplicate other existing state or federal requirements. 8. ALTERNATIVES:

The proposed rule is necessary to implement section 6902(3) of the Education Law, as amended by Part C of Chapter 57 of the Laws of 2022. There are no significant alternatives to the proposed rule, and none were considered.

9. FEDERAL STANDARDS:

Since there are no applicable federal standards for nurse practitioner practice, the proposed rule does not exceed any minimum federal standards for the same or similar subject areas. 10. COMPLIANCE SCHEDULE:

The proposed rule will take effect as an emergency rule on September 13, 2022. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the January 2023 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. Because the emergency action will expire before the January 2023 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2022 meeting. If adopted at the January 2023 meeting, the proposed rule will become effective as a permanent rule on January 25, 2023. It is anticipated that regulated parties will be able to comply with the proposed rule on its effective date.

Regulatory Flexibility Analysis

The proposed rule implements section 6902(3) of the Education Law, as amended by Part C of Chapter 57 of the Laws of 2022, which authorizes nurse practitioners with more than 3,600 hours of qualifying nurse practitioner experience provide nurse practitioner services without collaborating with a physician in accordance with a written practice agreement and written practice protocols or a collaborative relationship with one or more licensed physicians or a hospital. This law went into effect on April 1, 2022. The proposed rule will not impose any reporting, recordkeeping, or other compliance requirements or costs, or have an adverse impact, on small businesses or local governments. Because it is evident from the nature of the proposed rule that it will not affect small businesses or local governments, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis is not required and one has not been prepared.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule amendment will apply to all New York State certified nurse practitioners with more than 3,600 hours of qualifying nurse practitioner experience, including those who are located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less. Of the approximately 34,500 certified nurse practitioners who are registered to practice in New York State, approximately 3,900 reported that their permanent address of record is in a rural county of New York State.

2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed amendment to section 64.5 of the Regulations of the Commissioner of Education authorizes nurse practitioners with more than three thousand six hundred hours of qualifying nurse practitioner experience provide nurse practitioner services without collaborating with a physician in accordance with a written practice agreement and written practice protocols or a collaborative relationship with one or more licensed physicians or a hospital. The proposed amendment does not impose any reporting, recordkeeping, or other requirements on certified nurse practitioners

3. COSTS:

The proposed rule will not impose any costs on any nurse practitioner or other party. 4. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to implement Education Law 6902(3), as amended by Part C of Chapter 57 of the Laws of 2022. Because this amendment implements statutory provisions that are applicable to nurse practitioners across the state, alternative approaches for nurse practitioners located in rural areas were not considered

5. RURAL AREAS PARTICIPATION:

Comments on the proposed rule were solicited from statewide organizations representing all parties having an interest in the practice of certified nurse practitioners. These groups have members who live or work in rural areas

6. INITIAL REVIEW OF RULE (SAPA § 207)

Pursuant to State Administrative Procedure Act section 207(1)(b), the State Education Department proposes that the initial review of this rule shall occur in the fifth calendar year after the year in which the rule is adopted, instead of in the third calendar year. The justification for a five year review period is that the proposed rule is necessary to implement statutory requirements in Part C of Chapter 57 of the Laws of 2022 and, therefore, the substantive provisions of the proposed rule cannot be repealed or modified unless there is a further statutory change. Accordingly, there is no need for a shorter review period. The State Education Department invites public comment on the proposed five-year review period for this rule. Comments should be sent to the agency contact listed in item 10 of the Notice of Emergency Adoption and Proposed Rule Making published herewith and must be received within 60 days of the State Register publication date of the Notice.

Job Impact Statement

The proposed rule implements section 6902(3) of the Education Law, as amended by Part C of Chapter 57 of the Laws of 2022, which authorizes nurse practitioners with more than 3,600 hours of qualifying nurse practitioner experience provide nurse practitioner services without collaborating with a physician in accordance with a written practice agreement and written practice protocols or a collaborative relationship with one or more licensed physicians or a hospital. This law went into effect on April 1,

The proposed amendment to section 29.14 of the Rules of the Board of Regents and section 64.5 of the Regulations of the Commissioner implement specific statutory requirements and directives. Because it is evident from the nature of the proposed rule that they will have no adverse impact on jobs or employment opportunities attributable to their adoption or only a positive impact, no affirmative steps were needed to ascertain these facts, and none were taken. Accordingly, a job impact statement is not required, and one was not prepared.

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

School Safety Plans

I.D. No. EDU-39-22-00015-EP Filing No. 736 Filing Date: 2022-09-13 Effective Date: 2022-09-13

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of section 155.17 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 305 and 2801-a; L. 2022, ch. 227

Finding of necessity for emergency rule: Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: On June 23, 2022, Governor Hochul signed Alyssa's Law, Chapter 227 of the Laws of 2022 (Chapter 227) which became effective immediately. Chapter 227 amends Education Law § 2801-a to require that district-wide school safety teams of public schools, boards of cooperative educational services and county vocational education extension boards consider the usefulness of silent panic alarm systems when reviewing and amending district-wide safety plans. Additionally, Chapter 227 expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans and adds a definition for "panic alarm systems." The proposed amendments to Commissioner's regulation § 155.17 conform such section to the amendments made to Education Law § 2801-a by Chapter 227.

Because the Board of Regents meets at scheduled intervals, the earliest the proposed amendment could be presented for regular (non-emergency) adoption, after publication in the State Register and expiration of the 60day public comment period provided for in the State Administrative Procedure Act (SAPA) Sections 202(1) and (5), is the January 2023 Regents meeting. Furthermore, pursuant to SAPA Section 203(1), the earliest effective date of the proposed amendment, if adopted at the January 2023 Regents meeting, is January 25, 2023, the date a Notice of Adoption would be published in the State Register.

Register in order of the state Register. However, because Chapter 227 of the Laws of 2022 became effective on June 23, 2022, emergency action is necessary at the September 2022 Regents meeting now for the preservation of the general welfare in order to immediately conform section 155.17 of the Commissioner's regulations with the amendments made to Education Law § 2801-a by Chapter 227 of the Laws of 2022.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the January 2023 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rule making. However, since the emergency action will expire before the January 2023 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2022 Regents meeting.

Subject: School Safety Plans.

Purpose: To conforms the regulations to the amendments made to Education Law section 2801-a by chapter 227 of the Laws of 2022.

Text of emergency/proposed rule: 1. Subdivision (b) of section 155.17 of the Regulations of the Commissioner of Education is amended by adding a new paragraph (19) to read as follows:

(19) Panic alarm system means a silent security system signal generated by the manual activation of a device intended to signal a lifethreatening or emergency situation requiring a response from local law enforcement or, in the case of a school building located in a municipality in which there is no municipal police department, a location designated by the superintendent of state police and may include one or more of the following: wired panic button or buttons, wireless panic button or buttons or a mobile or computer application.

2. Clause (b) of subparagraph (xi) paragraph (1) of subdivision (c) of section 155.17 of the Regulations of the Commissioner of Education is amended to read as follows:

(b) security devices or procedures. *District-wide school safety teams shall consider, as part of their review of the comprehensive district-wide safety plan, the installation of a panic alarm system;*

3. Subparagraph (iv) of paragraph (2) of subdivision (c) of section 155.17 of the Regulations of the Commissioner of Education is amended to read as follows:

(iv) establishment of internal and external communication systems in emergencies *which may include the installation of a panic alarm system; This notice is intended:* to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire December 11, 2022.

Text of rule and any required statements and analyses may be obtained from: Angelique Johnson-Dingle, Education Department, Room 875, Education Building Annex, 89 Washington Avenue, Albany, New York 12234, (518) 486-1954, email: nysedp12@nysed.gov

Data, views or arguments may be submitted to: Christina Coughlin, Assistant Commissioner, Education Department, 89 Washington Avenue, 1075 EBA, Albany, NY 12234, (518) 474-6541, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. STATUTÔRY AUTHORITY:

Section 101 of the Education Law continues the existence of the Education Department, with the Board of Regents at its head and the Commissioner of Education as the chief administrative officer, and charges the Department with the general management and supervision of public schools and the educational work of the State.

Section 207 of the Education Law grants general rule-making authority to the Board of Regents to carry into effect the laws and policies of the State relating to Education.

Section 305(1) and (2) of the Education Law provide that the Commissioner shall have general supervision over all schools and institutions subject to the provisions of the Education Law, or of any statute relating to education, and shall execute all educational policies determined by the Board of Regents.

Section 2801-a of the Education Law requires the board of education or

trustees of every school district, board of cooperative educational services, county vocational education and extension board, and the chancellor of the city school district of the city of New York to adopt and amend a comprehensive district-wide school safety plan and building-level emergency response and management plan.

Chapter 227 of the Laws of 2022 amends Education Law § 2801-a to require that district-wide school safety teams of public schools, boards of cooperative educational services and county vocational education extension boards consider the usefulness of silent panic alarm systems when reviewing and amending district-wide safety plans. Additionally, Chapter 227 expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans and adds a definition for "panic alarm systems."

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to implement the provisions of Chapter 227 of the Laws of 2022 (Chapter 227) by requiring district-wide school safety teams of public schools, boards of cooperative educational services and county vocational education extension boards to consider the usefulness of silent panic alarm systems when reviewing and amending district-wide safety plans.

3. NEEDS AND BENEFITS:

Over the past few decades, threats to schools have evolved and recent events nationwide have reinforced that school staff must be prepared to take immediate protective action in the event of such an incident.

In February 2019, Alyssa Alhadeff was killed in a mass shooting at the Marjorie Stoneman Douglass High School in Parkland, Florida. Alyssa's parents established a foundation in her memory and have advocated for the adoption of silent panic alarm systems in school buildings. The implementation of an alert directly to all law enforcement in the area of a school can save precious minutes in an active shooter situation and allow for immediate police response, which may save lives.

On June 23, 2022, Governor Hochul signed Alyssa's Law, Chapter 227 which became effective immediately. Chapter 227 amends Education Law § 2801-a to require that district-wide school safety teams of public schools, boards of cooperative educational services and county vocational education extension boards consider the usefulness of silent panic alarm systems when reviewing and amending district-wide safety plans. Additionally, Chapter 227 expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans and adds a definition for "panic alarm systems."

Therefore, to implement the provisions Chapter 227, the Department proposes to amend section 155.17 of the Commissioner's regulation to conform such section to the amendments made to Education Law § 2801-a. 4. COSTS:

(a) Costs to State government: The amendment does not impose any costs on State government, including the State Education Department.(b) Costs to local government: The proposed amendment merely

(b) Costs to local government: The proposed amendment merely requires district-wide school safety teams to consider the usefulness of silent panic alarm systems when reviewing and amending district-wide school safety plan, and expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans. Therefore, the amendment does not impose any costs on local government beyond those imposed by statute. Additionally, should a school district choose to utilize silent panic alarm systems, such district may utilize Smart Schools Bond Act funds to offset such cost.

(c) Cost to private regulated parties: The amendment does not impose any costs on private regulated parties.

(d) Costs to regulating agencies for implementation and continued administration: There are no additional costs to the State Education Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment is necessary to conform the Commissioner's regulations to Chapter 227, and does not impose any additional program, service, duty or responsibility upon any local government beyond those inherent in the statute. Additionally, Chapter 227 does not mandate the use of panic alarm systems, rather it merely requires district-wide school safety teams to consider the usefulness of silent panic alarm systems when reviewing and amending district-wide school safety plan, and expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans.

6. PAPERWORK:

The proposed amendment is necessary to implement Chapter 227, and does not impose any specific recordkeeping, reporting or other paperwork requirements beyond those inherent in the statute. Consistent with the statute, the proposed amendment requires that school district-wide safety plans consider the usefulness of silent panic alarm systems when reviewing and amending district-wide safety plans.

7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

8. ALTERNATIVES:

The proposed amendment is necessary to implement Chapter 227. Therefore, no alternatives were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards. 10. COMPLIANCE SCHEDULE:

The proposed amendment will become effective as an emergency rule on September 13, 2022. It is anticipated that the proposed amendment will be presented for permanent adoption at the January 2023 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the January 2023 meeting, the proposed amendment will become effective as a permanent rule on January 25, 2023. It is anticipated that regulated parties will be able to comply with the proposed rule on its effective date.

Regulatory Flexibility Analysis

(a) Small businesses

The proposed amendment is necessary to implement Chapter 227 of the Laws of 2022 (Chapter 227) which requires district-wide school safety teams to consider the usefulness of silent panic alarm systems when reviewing and amending district-wide school safety plan, and expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans. The proposed rule does not impose any adverse economic impact, reporting, record keeping or any other compliance requirements on small businesses. Because it is evident from the nature of the proposed amendment that it does not affect small businesses, no further measures were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

1. EFFECT OF RULE:

The proposed amendment applies to all public school districts (as well as charter schools, boards of cooperative educational services and county vocational education extension boards) in the State. The purpose of the proposed amendment is to implement the provisions of Chapter 227 which requires that district-wide school safety teams of public schools, boards of cooperative educational services and county vocational education extension boards consider the usefulness of silent panic alarm systems when reviewing and amending district-wide safety plans, and expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans.

2. COMPLIANCE REQUIREMENTS:

The proposed amendment is necessary to timely implement Chapter 227 and does not impose any additional compliance requirements beyond those inherent in the statute. Consistent with Chapter 227 the proposed rule requires district-wide school safety teams to consider the usefulness of silent panic alarm systems when reviewing and amending district-wide school safety plan, and expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans.

3. NEEDS AND BENEFITS:

Over the past few decades, threats to schools have evolved and recent events nationwide have reinforced that school staff must be prepared to take immediate protective action in the event of such an incident.

In February 2019, Alyssa Alhadeff was killed in a mass shooting at the Marjorie Stoneman Douglass High School in Parkland, Florida. Alyssa's parents established a foundation in her memory and have advocated for the adoption of silent panic alarm systems in school buildings. The implementation of an alert directly to all law enforcement in the area of a school can save precious minutes in an active shooter situation and allow for immediate police response, which may save lives.

On June 23, 2022, Governor Hochul signed Alyssa's Law, Chapter 227 which became effective immediately. Chapter 227 amends Education Law § 2801-a to require that district-wide school safety teams of public schools, boards of cooperative educational services and county vocational education extension boards consider the usefulness of silent panic alarm systems when reviewing and amending district-wide safety plans. Additionally, Chapter 227 expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans and adds a definition for "panic alarm systems.

Therefore, to implement the provisions Chapter 227, the Department proposes to amend section 155.17 of the Commissioner's regulation to conform such section to the amendments made to Education Law § 2801-a. 4. PROFESSIONAL SERVICES

The proposed rule does not impose any additional professional services requirements on local governments. 5. COMPLIANCE COSTS:

The proposed amendment is necessary to conform the Commissioner's Regulations to Chapter 227, and does not impose any additional costs on the State, regulated parties, or the State Education Department, beyond those inherent in the statute. Additionally, Chapter 227 does not mandate the use of panic alarm systems, rather it merely requires district-wide school safety teams to consider the usefulness of such systems when reviewing and amending district-wide school safety plan, and expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans. Further, should a school district choose to utilize silent panic alarm systems, such district may utilize Smart Schools Bond Act funds to offset such cost. 6. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional costs or technological requirements on local governments

7. MINIMIZING ADVERSE IMPACT:

The proposed amendment implements statutory requirements of Chapter 227 which applies to all school districts in the State. Additionally, the proposed rule will have no adverse economic impact on local governments as it is not a mandate as merely requires district-wide school safety teams to consider the usefulness of such systems when reviewing and amending district-wide school safety plan, and expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans. Accordingly, no alternatives were considered.

8. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule have been solicited from school districts through the offices of the district superintendents of each supervisory district in the State, and from the chief school officers of the five big city school districts, and from charter schools.

Rural Area Flexibility Analysis

1. TYPES AND EŠTIMATED NUMBERS OF RURAL AREAS:

The proposed rule applies to all public schools, boards of cooperative educational services and county vocational education extension boards in the State, including those located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less.

2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed amendment is necessary to timely implement Chapter 227 of the Laws of 2022 (Chapter 227), and does not impose any specific recordkeeping, reporting or other paperwork requirements beyond those inherent in the statute. Consistent with the statute, the proposed amendment requires that district-wide school safety teams of public schools, boards of cooperative educational services and county vocational education extension boards consider the usefulness of silent panic alarm systems when reviewing and amending district-wide safety plans and expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans.

3. COSTS:

The proposed amendment is necessary to conform to Chapter 227, and does not impose any additional costs on the State, regulated parties, or the State Education Department, beyond those inherent in the statute. Additionally, Chapter 227 does not mandate the use of panic alarm systems, rather it merely requires district-wide school safety teams to consider the usefulness of such systems when reviewing and amending district-wide school safety plan, and expressly authorizes the inclusion of panic alarm systems in building-level emergency response plans. Additionally, should a school district choose to utilize silent panic alarm systems, such district may utilize Smart Schools Bond Act funds to offset such cost.

4. MINIMIZING ADVERSE IMPACT:

Because the statutory requirement applies to all schools in the State, it is not possible to establish differing compliance or reporting requirements or timetables or to exempt schools in rural areas from coverage by the proposed amendment.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts, and from charter schools, including those in rural areas.

Job Impact Statement

The proposed rule is necessary to conform the Regulations of the Commissioner of Education (Commissioner's regulations) to Chapter 227 of the Laws of 2022 (Chapter 227). Chapter 227, known as Alyssa's Law, effective June 23, 2022, amends Education Law § 2801-a to require that district-wide school safety teams of public school boards, boards of cooperative educational services and county vocational education extension boards consider the usefulness of silent panic alarms when reviewing and amending district-wide safety plans. Additionally, Chapter 227 expressly authorizes the inclusion of panic alarms in building-level emergency response plans and adds a definition for "panic alarm systems." Therefore, the Department proposes to amend section 155.17 of the Commissioner's regulations to conform such section to the amendments made to Education Law § 2801-a by Chapter 227.

The proposed rule will not have a substantial adverse impact on jobs

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and employment opportunities. Because it is evident from the nature of the proposed rule that it will not affect job and employment opportunities, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Universal Prekindergarten Program (UPK) Staffing Qualifications

I.D. No. EDU-39-22-00016-EP Filing No. 737 Filing Date: 2022-09-13 Effective Date: 2022-09-13

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of section 151-1.3 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 305 and 3602-e; L. 2022, ch. 56, part A

Finding of necessity for emergency rule: Preservation of general welfare. *Specific reasons underlying the finding of necessity:* The Enacted State Budget, (L. 2022, C. 56, Part A or "Chapter 56"), amended section 3602-e(12)(d) of the Education Law, in relation to staffing qualifications for Universal Prekindergarten Programs (UPK), effective April 1, 2022. The Enacted State Budget also made similar amendments to Education Law § 3602-ee in relation to staffing qualifications for Statewide Universal Full-Day Pre-Kindergarten Programs (SUFDPK), however, Part 151 of the Commissioner's regulations is only applicable to UPK.

Therefore, the Department proposes to amend section 151-1.3(e) of the Commissioner's regulations to conform with the amendments made by Chapter 56. Specifically, the proposed amendment:

• removes the requirement that eligible agencies collaborating with the district to provide Pre-K services maintain a written plan to obtain a certification valid for service in the early childhood grades within five years;

• removes the language which permits staff of eligible agencies collaborating with the district to provide prekindergarten services to have a bachelor's degree in a field related to early childhood education; and

• removes an outdated provision contained in 151-1.3(e)(1)(iv) that was only applicable until the beginning of the 2008-2009 school year and replaces that subparagraph with the waiver process. The proposed subparagraph provides, consistent with Chapter 56, that a school district may annually apply to the Commissioner by August first of the current school year for a waiver that would allow personnel employed by an eligible agency that is collaborating with such school district to provide Pre-K services, and licensed by an agency other than the Department, to meet the staff qualification prescribed by the licensing or registering agency.

Thus, the proposed rule requires that staff of eligible agencies collaborating with the district to provide Pre-K services have a bachelor's degree in early childhood education or a teaching license or certificate valid for services in the childhood grades. If such staff lack these qualifications, the district must obtain a waiver from the Department as a condition of their employment.

Additionally, the Department proposes to amend 151-1.3(e)(2) regarding on-site education directors. Currently, unless all UPK teachers at eligible agency sites possess a teaching license or certificate valid for services in the early childhood or childhood grades, the agencies operating such programs must employ an on-site education director who is responsible for program implementation. The Department recognizes that, due to teacher shortages, it may be difficult for UPK programs to hire an on-site education director with the above qualifications. Therefore, the Department proposes to permit agencies to employ an on-site education director who possesses a bachelor's degree or higher in early childhood education, provided that such individual develop a written plan to obtain a certification valid for service in the early childhood grades within five years of the date such individual begins employment as a site director. Such plans must be submitted to the Department by October 31 of each year. Additionally, the school district must oversee program implementation by the eligible agency until the on-site education director meets the requisite onsite education director qualifications.

Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the

State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the January 2023 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the January 2023 meeting, would be January 25, 2023, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the September 2022 meeting, effective September 13, 2022, for the preservation of the general welfare to immediately conform Commissioner's regulations with the amendments made to Education Law § 3602-e by Part A of Chapter 56 of the laws of 2022, which took effect April 1, 2022.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the January 2023 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rule making. However, since the emergency action will expire before the January 2023 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2022 Regents meeting.

Subject: Universal Prekindergarten Program (UPK) Staffing Qualifications

Purpose: To conform the Commissioner's regulations to Part A of Chapter 56 of the Laws of 2022.

Text of emergency/proposed rule: Subdivision (e) of section 151-1.3 of the Regulations of the Commissioner of Education is amended to read as follows:

(e) Staff qualifications.

(1) Prekindergarten teachers providing instruction through this Part shall possess:

(i) a teaching license or certificate valid for service in the early childhood grades pursuant to Part 80 of this Title; or

(ii) a teaching license or certificate for students with disabilities valid for service in early childhood grades pursuant to Part 80 of this Title; or

(iii) for eligible agencies collaborating with the district to provide prekindergarten services, a bachelor's degree in early childhood education [or a related field,] or a teaching license or certificate valid for services in the childhood grades pursuant to Part 80 of this Title[, and a written plan to obtain a certification valid for service in the early childhood grades within five years]; or

(iv) [eligible agencies collaborating with the district to provide prekindergarten services and licensed by an agency other than the State Education Department may employ staff who meet the standards of the licensing or registering agency, until the beginning of the 2008-2009 school year, at which time all prekindergarten teachers shall meet the qualifications set forth in subparagraphs (i)-(iii) of this paragraph.] a school district may annually apply to the Commissioner by August first of the current school year, on a form and format prescribed by the Commissioner, for a waiver that would allow personnel employed by an eligible agency that is collaborating with such school district to provide prekindergarten services, and licensed by an agency other than the department, to meet the staff qualifications prescribed by the licensing or registering agency.

(2) [Until] *Unless* all universal prekindergarten teachers at an eligible agency site possess a teaching license or certificate valid for services in the early childhood or childhood grades, the agencies operating such programs shall employ an on-site education director during the hours that the prekindergarten program is in operation that will be responsible for program implementation.

(i) The on-site director shall possess a teaching license or certificate valid for services in the early childhood or childhood grades pursuant to Part 80 of this Title.

(ii) Notwithstanding subparagraph (i) of this paragraph, if the agencies operating such programs are unable to employ an on-site education director who meets the qualifications prescribed in such subparagraph, they may employ an on-site education director who possesses a bachelor's degree or higher in early childhood education, and a written plan to obtain a certification valid for service in the early childhood grades within five years of the date such individual begins employment as a site director. Such plan shall be submitted to the Department by October 31 of each year in a form and format as prescribed by the Commissioner. The school district shall oversee program implementation by the eligible agency until the on-site education director meets the qualifications prescribed in subparagraph (i) of this paragraph.

(3) A prekindergarten teaching assistant providing instructional support in a prekindergarten classroom shall meet qualifications pursuant to Part 80 of this Title.

(4) A prekindergarten teacher aide providing support in a prekindergarten classroom shall meet the requirements prescribed by the local board of education.

This notice is intended: to serve as both a notice of emergency adoption

and a notice of proposed rule making. The emergency rule will expire December 11, 202

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, 89 Washington Ave-nue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Jason Breslin, Director, NYS Education Department, Office of Early Learning, 89 Washington Avenue, Room 319 EB, Albany, NY 12234, (518) 474-1931, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement STATUTORY AUTHORITY:

Education Law § 101 continues the existence of the Education Department, with the Board of Regents at its head and the Commissioner of Education as the chief administrative officer, and charges the Department with the general management and supervision of public schools and the educational work of the State.

Education Law § 207 empowers the Regents and the Commissioner to adopt rules and regulations to carry out the laws of the State regarding education and the functions and duties conferred on the Department by law

Education Law § 305(1) and (2) provide that the Commissioner, as chief executive officer of the State's education system, with general supervision over all schools and institutions subject to the Education Law, or of any statute relating to education, and responsibility for executing all educational policies of the Board of Regents.

Education Law § 3602-e(12) authorizes the Regents and the Commissioner to adopt regulations to implement the provisions of that section, relating to universal prekindergarten programs.

Part A of Chapter 56 of the Laws of 2022 amended Education Law § 3602-e(12)(d) to require that the Board of Regents adopt regulations to establish an annual process by which a district that is collaborating with an eligible agency to provide Pre-Kindergarten (Pre-K services) may apply to the Commissioner by August first of a given year for a waiver from the staff qualifications requirements provided that such staff are: (1) licensed and registered by an agency other than the Department; and (2) meet the standards of the 'licensing or registering" agency. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the authority conferred by the above statutes and is necessary to implement changes to Education Law section 3602-e, as amended by Part A of Chapter 56 of the Laws of 2022

NEEDS AND BENEFITS:

The Enacted State Budget, (L. 2022, C. 56, Part A or "Chapter 56"). amended section 3602-e(12)(d) of the Education Law in relation to staffing qualifications for Universal Prekindergarten Programs (UPK), effective April 1, 2022. The Enacted State Budget also made similar amendments to Education Law § 3602-ee in relation to staffing qualifications for Statewide Universal Full-Day Pre-Kindergarten Programs (SUFDPK). Part 151 of the Commissioner's regulations as currently written, however, is only applicable to UPK.

Prior to this amendment, Education Law § 3602-e(12)(d-1) required the Board of Regents to adopt regulations that permitted employees of an eligible agency that is collaborating with a district to deliver Pre-K services without early childhood certification so long as they: (1) were licensed and registered by an agency other than the Department; (2) met the standards of the "licensing or registering" agency; and (3) developed a written plan to obtain early childhood certification within five years of commencing employment or by June 30, 2022, whichever was later. Education Law § 3602-e(12)(d-2) imposed a similar requirement for programs that were not licensed or registered by the Department or other agency.1 Both provisions required that districts annually submit a report to the Commissioner regarding (i) barriers to certification, if any, (ii) the number of uncertified teachers teaching pre-kindergarten in the district, including those employed by a community-based organization, (iii) how long such teachers have been employed under transitional guidelines, and (iv) the expected certification completion date of such teachers. These provisions expired on June 30, 2022 and are no longer in effect.

The amendments made to Education Law § 3602-e by Chapter 56 now require that the Board of Regents adopt regulations to establish an annual process by which a district may apply to the Commissioner by August first of a given year for a waiver from the staff qualifications requirements. It is identical to the waiver provision described above, except that it does not require employees subject to the waiver to obtain early childhood certification. Chapter 56 made similar amendments to Education Law § 3602-ee.

In addition, these amendments removed the language permitting staff of eligible agencies from being qualified to provide SUFDPK services if they have a bachelor's degree in a field related to early childhood education. Now such staff must have a bachelor's degree in early childhood education or obtain a waiver from the Department.

Therefore, the Department proposes to amend section 151-1.3(e) of the Commissioner's regulations to conform with the above statutory amendments. Specifically, the proposed amendment: • removes the requirement that eligible agencies collaborating with the

district to provide Pre-K services maintain a written plan to obtain a certification valid for service in the early childhood grades within five years;

· removes the language that permits staff of eligible agencies, collaborating with the district to provide prekindergarten services, to have a bachelor's degree in a field related to early childhood education. This amendment aligns the UPK requirements with the requirements for SUFDPK described above; and

• removes an outdated provision contained in 151-1.3(e)(1)(iv) that was only applicable until the beginning of the 2008-2009 school year and replaces that subparagraph with the waiver process. The proposed subparagraph provides, consistent with Chapter 56, that a school district may annually apply to the Commissioner by August first of the current school year as described above.

Thus, the proposed rule requires that staff of eligible agencies collaborating with the district to provide Pre-K services have a bachelor's degree in early childhood education or a teaching license or certificate valid for services in the childhood grades. If such staff lack these qualifications, the district must obtain a waiver from the Department as a condition of their employment.

Additionally, the Department proposes to amend 151-1.3(e)(2) regarding on-site education directors. Currently, unless all UPK teachers at eligible agency sites possess a teaching license or certificate valid for services in the early childhood or childhood grades, the agencies operating such programs must employ an on-site education director who is responsible for program implementation. The Department recognizes that, due to teacher shortages, it may be difficult for UPK programs to hire an on-site education director with the above qualifications. Therefore, the Department proposes to permit agencies to employ an on-site education director who possesses a bachelor's degree or higher in early childhood education, provided that such individual develop a written plan to obtain a certification valid for service in the early childhood grades within five years of the date such individual begins employment as a site director. Such plans must be submitted to the Department by October 31 of each year. Additionally, the school district must oversee program implementation by the eligible agency until the on-site education director meets the requisite onsite education director qualifications.

COSTS

The proposed amendment is necessary to implement Education Law section 3602-e, as amended by Part A of Chapter 56 of the Laws of 2022, and will not impose any costs beyond those inherent in the statute.

(a) Costs to State government: None.

(b) Costs to local government: Universal Prekindergarten is not a mandated program. For school districts opting to participate, the proposed amendment relates to staffing qualifications for staff of eligible agencies collaborating with a district to provide Pre-K services and qualifications for on-site education directors. It is not expected to have a cost impact on school districts.

(c) Costs to private regulated parties: The proposed amendment relates to staffing qualifications for staff of eligible agencies collaborating with a district to provide Pre-K services and qualifications for on-site education directors. It is not expected to have a cost impact on eligible agencies or their staff, or on-site education directors.

(d) Costs to regulating agency for implementation and continued administration of this rule: None.

LOCAL GOVERNMENT MANDATES:

The proposed amendment is necessary to conform the Commissioner's Regulations to Education Law § 3602-e, as amended by Part A of Chapter 56 of the Laws of 2022, and does not impose any additional program, service, duty or responsibility on local governments. Universal Prekindergarten is not a mandated program.

PAPERWORK:

The proposed rule imposes no new reporting or other paperwork requirements beyond those imposed by the statute. Consistent with Education Law § 3602-e, as amended by Part A of Chapter 56 of the Laws of 2022, the proposed rule requires that districts apply to the Commissioner by August first of a given year for a waiver from the staff qualifications requirements.

DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

ALTERNATIVES:

In developing the proposed amendment, the Department reviewed the requirements established for prekindergarten programs in several other states. Staff reviewed the quality program benchmarks established by the National Institute for Early Education Research, which publishes the annual State Preschool Yearbook, to identify areas of "best practice" where New York State could strengthen its requirements. In addition, staff reviewed and discussed a comparison of targeted and universal prekindergarten program requirements to identify areas where greater consistency could be achieved.

FEDERAL STANDARDS:

There are no related federal standards.

COMPLIANCE SCHEDULE:

The proposed rule takes effect as an emergency rule September 13, 2022. It is anticipated that the proposed amendment will be presented for permanent adoption at the January 2023 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. Because the emergency action will expire before the January 2023 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2022 meeting. If adopted at the January 2023 meeting, the proposed amendment will become effective as a permanent rule on January 25, 2023. It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

¹The compliance date, if applicable, was June 30, 2020 for these employees (as opposed to June 30, 2022).

Regulatory Flexibility Analysis

Small Businesses:

The proposed amendment merely conforms section 151-1.3 of the Commissioner's Regulations to the provisions of Section 3602-e of Education Law as amended by Part A of Chapter 56 of the Laws of 2022, relating to universal prekindergarten programs operated by public school districts, and does not impose any adverse economic impact, reporting, recordkeeping or any other compliance requirements on small businesses. Because it is evident from the nature of the proposed amendment that small businesses will not be affected, no further measures are needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analy-sis for small businesses is not required and one has not been prepared.

Local Governments:

EFFECT OF RULE:

The proposed amendment applies to all universal prekindergarten programs operated by public school districts collaborating with eligible agencies.

COMPLIANCE REQUIREMENTS:

The proposed amendment:

· removes the requirement that eligible agencies collaborating with the district to provide Pre-K services maintain a written plan to obtain a certification valid for service in the early childhood grades within five years;

· removes the language that permits staff of eligible agencies, collaborating with the district to provide prekindergarten services, to have a bachelor's degree in a field related to early childhood education. This amendment aligns the UPK requirements with the requirements for SUFDPK described above; and

• removes an outdated provision contained in 151-1.3(e)(1)(iv) that was only applicable until the beginning of the 2008-2009 school year and replaces that subparagraph with the waiver process. The proposed subparagraph provides, consistent with Chapter 56, that a school district may annually apply to the Commissioner by August first of the current school year as described above.

Thus, the proposed rule requires that staff of eligible agencies collaborating with the district to provide Pre-K services have a bachelor's degree in early childhood education or a teaching license or certificate valid for services in the childhood grades. If such staff lack these qualifications, the district must obtain a waiver from the Department as a condition of their employment

Additionally, the Department proposes to amend 151-1.3(e)(2) regarding on-site education directors. Currently, unless all UPK teachers at eligible agency sites possess a teaching license or certificate valid for services in the early childhood or childhood grades, the agencies operating such programs must employ an on-site education director who is responsible for program implementation. The Department recognizes that, due to teacher shortages, it may be difficult for UPK programs to hire an on-site education director with the above qualifications. Therefore, the Department proposes to permit agencies to employ an on-site education director who possesses a bachelor's degree or higher in early childhood education, provided that such individual develop a written plan to obtain a certification valid for service in the early childhood grades within five years of the date such individual begins employment as a site director. Such plans must be submitted to the Department by October 31 of each year. Additionally, the school district must oversee program implementation by the eligible agency until the on-site education director meets the requisite onsite education director qualifications. PROFESSIONAL SERVICES:

The proposed amendment does not impose any additional professional services requirements on school districts. COMPLIANCE COSTS:

The proposed amendment is necessary to implement Education Law section 3602-e, as amended by Part A of Chapter 56 of the Laws of 2022, and does not impose any additional costs beyond those inherent in the statute

ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed amendment does not impose new technological requirements on school districts. Economic feasibility is address in the Compliance Cost section above

MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to conform the Commissioner's regulations to Part A of Chapter 56 of the Laws of 2022. Consequently, the majority of the proposed rule is statutorily imposed, and it is not feasible to establishing differing requirements or to exempt school districts and eligible agencies from coverage by the rule. However, it is not anticipated that the proposed rule will have an adverse economic impact on small businesses or local governments, as the proposed rule provides for a waiver of the staff qualification requirements for staff of eligible agencies collaborating with a district to provide Pre-K services. Additionally, the proposed rule provides flexibility for the qualifications of on-site education directors. No alternatives were considered.

LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State. In addition, the proposed amendment will be disseminated to the Early Childhood Advisory Council.

Rural Area Flexibility Analysis

TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed amendment applies to all school districts in the State, including those located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less

REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed amendment:

• removes the requirement that eligible agencies collaborating with the district to provide Pre-K services maintain a written plan to obtain a certification valid for service in the early childhood grades within five years;

· removes the language that permits staff of eligible agencies, collaborating with the district to provide prekindergarten services, to have a bachelor's degree in a field related to early childhood education. This amendment aligns the UPK requirements with the requirements for SUFDPK described above; and

• removes an outdated provision contained in 151-1.3(e)(1)(iv) that was only applicable until the beginning of the 2008-2009 school year and replaces that subparagraph with the waiver process. The proposed subparagraph provides, consistent with Chapter 56, that a school district may annually apply to the Commissioner by August first of the current school year as described above.

Thus, the proposed rule requires that staff of eligible agencies collaborating with the district to provide Pre-K services have a bachelor's degree in early childhood education or a teaching license or certificate valid for services in the childhood grades. If such staff lack these qualifications, the district must obtain a waiver from the Department as a condition of their employment

Additionally, the Department proposes to amend 151-1.3(e)(2) regarding on-site education directors. Currently, unless all UPK teachers at eligible agency sites possess a teaching license or certificate valid for services in the early childhood or childhood grades, the agencies operating such programs must employ an on-site education director who is respon-sible for program implementation. The Department recognizes that, due to teacher shortages, it may be difficult for UPK programs to hire an on-site education director with the above qualifications. Therefore, the Department proposes to permit agencies to employ an on-site education director who possesses a bachelor's degree or higher in early childhood education, provided that such individual develop a written plan to obtain a certification valid for service in the early childhood grades within five years of the date such individual begins employment as a site director. Such plans must be submitted to the Department by October 31 of each year. Additionally, the school district must oversee program implementation by the eligible agency until the on-site education director meets the requisite onsite education director qualifications.

COSTS

The proposed amendment is necessary to implement Education Law

section 3602-e, as amended by Part A of Chapter 56 of the Laws of 2022, and does not impose any additional costs beyond those inherent in the statute.

MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to conform the Commissioner's regulations to Part A of Chapter 56 of the Laws of 2022. Because this amendment implements statutory provisions that are applicable to school districts across the State, it was not possible to provide for a lesser standard or an exemption for school districts in rural areas. Therefore, no alternatives were considered. However, it is not anticipated that the proposed rule will have an adverse economic impact on regulated parties, including those located in rural areas, as the proposed rule provides for a waiver of the staff qualification requirements for staff of eligible agencies collaborating with a district to provide Pre-K services. Additionally, the proposed rule provides flexibility for the qualifications of on-site education directors.

RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, including those located in rural areas. In addition, the proposed amendment will be disseminated to the Early Childhood Advisory Council.

Job Impact Statement

The proposed amendment is necessary to conform section 151-1.3 of the Commissioner's regulations to Education Law § 3602-e, as amended by Part A of Chapter 56 of the Laws of 2022, relating to universal prekinder-garten programs operated by public school districts, and will not have an adverse impact on jobs or employment activities. Because it is evident from the nature of the proposed amendment that it will have no impact on jobs or employment opportunities, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Execution by Registered Professional Nurses of Non-Patient Specific Orders to Administer COVID-19 and Influenza Tests

I.D. No. EDU-39-22-00017-EP Filing No. 738 Filing Date: 2022-09-13 Effective Date: 2022-09-13

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of section 64.7 of Title 8 NYCRR.

Statutory authority: Education Law, sections 207, 6504, 6507, 6527, 6902 and 6909; L. 2022, ch. 57, part C

Finding of necessity for emergency rule: Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: The 2022 enacted New York State Budget (Part C of Chapter 57 of the Laws of 2022 or "Chapter 57"), effective April 1, 2022, included amendments to the Education Law which authorize registered professional nurses to execute non-patient specific orders to administer tests to determine the presence of COVID-19 or its antibodies or the influenza virus, pursuant to regulations promulgated by the Commissioner of Education. Such amendments aim to expand access to needed COVID-19 and influenza testing in New York State as both viruses remain public health challenges and combatting them remains a top public health priority.

remains a top public health priority. Therefore, to implement Chapter 57, the Department proposes to add a new subdivision (h) to section 64.7 of the Commissioner's regulations to permit registered professional nurses (RNs) to administer COVID-19 or influenza tests pursuant to a non-patient specific order issued by a licensed physician or a certified nurse practitioner. The proposed amendment requires that the COVID-19 tests be fully approved or authorized for emergency use by the Federal Food and Drug Administration (FDA) to detect COVID-19 or COVID-19 and influenza. Further, the proposed amendment requires that influenza tests be fully approved by the FDA. These requirements ensure that RNs administer accurate reliable tests.

Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment can be presented for regular (non-emergency) adoption, after expiration of the required 60-day public comment period provided for in State Administrative Procedure Act (SAPA) section 202(1)

and (5), would be the January 2023 Regents meeting. Furthermore, pursuant to SAPA section 203(1), the earliest effective date of the proposed amendment, if adopted at the January 2023 meeting, would be January 25, 2023, the date a Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the September 2022 Regents meeting for preservation of the public health and general welfare to immediately implement Part C of Chapter 57 of the Laws of 2022, which became effective April 1, 2022.

It is anticipated that the proposed amendment will be presented for permanent adoption at the January 2023 Regents meeting, which is the first scheduled meeting after the expiration of the 60-day public comment period mandated by SAPA for state agency rule making. However, since the emergency action will expire before the January 2023 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2022 Regents meeting.

Subject: Execution by registered professional nurses of non-patient specific orders to administer COVID-19 and influenza tests.

Purpose: To implement part C of chapter 57 of the Laws of 2022.

Text of emergency/proposed rule: 1. The section heading of section 64.7 of the Regulations of the Commissioner of Education is amended to read as follows:

64.7 Administration of immunizations, emergency treatment of anaphylaxis, tuberculosis tests, human immunodeficiency virus (HIV) tests, opioid related overdose treatments, hepatitis C tests and screening for syphilis, gonorrhea, COVID-19, influenza and/or chlamydia infections pursuant to non-patient specific orders and protocols. 2. Section 64.7 of the regulations of the Commissioner of Education is

2. Section 64.7 of the regulations of the Commissioner of Education is amended by adding a new subdivision (h) to read as follows:

(h) COVID-19 tests and influenza tests.

(1) As used in this subdivision:

(i) COVID-19 test means one or more laboratory or point of care tests that have been fully approved or have received emergency use authorization by the Federal Food and Drug Administration to detect COVID-19 or its antibodies or to detect COVID-19 and influenza virus; and

(ii) influenza test means one or more laboratory or point of care tests approved by the Federal Food and Drug Administration to detect influenza virus.

(2) A registered professional nurse may administer a COVID-19 test or an influenza test pursuant to a written non-patient specific order and protocol prescribed or ordered by a licensed physician or a certified nurse practitioner, provided that the requirements of this subdivision are met.

(3) Order and protocol.

(i) The non-patient specific order shall include, at a minimum, the following:

(a) the name, license number and signature of the licensed physician or certified nurse practitioner who orders or prescribes the non-patient specific order and protocol;

(b) the name of the specific COVID-19 or influenza test to be administered;

(c) a protocol for administering the ordered COVID-19 or influenza test or a specific reference to a separate written protocol for administering the ordered test, which shall meet the requirements of subparagraph (ii) of this paragraph;

(d) the period of time that the order is effective, including the beginning and ending dates;

(e) a description of the group(s) of persons to be tested; and

(f) the name and license number of the registered professional nurse(s) authorized to execute the non-patient specific order and protocol to administer the ordered COVID-19 or influenza test, or the name of the entity that employs or contracts with registered professional nurse(s) to execute the non-patient specific order and protocol, provided that the registered professional nurse(s) execute the non-patient specific order and protocol only in the course of such employment or pursuant to such contract and the entity is legally authorized to employ or contract with registered professional nurses to provide nursing services.

(ii) The written protocol, incorporated into the order prescribed in subparagraph (i) of this paragraph, shall, at a minimum, require the registered professional nurse(s) to ensure that:

(a) each potential recipient is assessed, pursuant to criteria in the protocol, for conditions that would qualify or preclude him or her from receiving the ordered test;

(b) informed consent for administering the ordered test or disclosing the test results to a third party (if applicable) has been obtained pursuant to the criteria in the protocol from the recipient, or when the recipient lacks capacity to consent, a person authorized pursuant to law to consent to health care for the recipient;

(c) positive diagnostic test results shall be disclosed to the test recipient, or the recipient's authorized representative, by the registered

professional nurse as specifically authorized by the protocol or pursuant to a patient specific order from a licensed physician, licensed physician assistant, or certified nurse practitioner; and

(d) the administration of the ordered test(s) is documented in the recipient's medical record in accordance with criteria in the protocol. Such documentation shall be maintained in accordance with section 29.2(a)(3) of this Title.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire December 11, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Sarah S. Benson, Deputy Commissioner, NYS Education Department, Office of the Professions, 89 Washington Avenue, 2nd Floor EB, West Wing, Albany, NY 12234, (518) 486-1727, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Section 207 of the Education Law grants general rule-making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Section 6504 of the Education Law authorizes the Board of Regents to supervise the admission to and regulation of the practice of the professions.

Paragraph (a) of subdivision (2) of section 6507 of the Education Law authorizes the Commissioner of Education to promulgate regulations in administering the admission to and the practice of the professions

administering the admission to and the practice of the professions. Paragraph (h) of subdivision (6) of section 6527 of the Education law authorizes registered professional nurses to administer immunizations pursuant to a non-patient specific order and protocol prescribed by a licensed physician.

Paragraph (1) of section 6902 of the Education law defines the practice of the profession of nursing for registered professional nurses.

Paragraph (h) of subdivision (4) of section 6909 of the Education law authorizes registered professional nurses to administer immunizations pursuant to a non-patient specific order and protocol prescribed by a certified nurse practitioner in accordance with regulations of the Commissioner of Education.

Part C of Chapter 57 of the Laws of 2022 (Chapter 57) authorizes registered professional nurses to execute non-patient specific orders to administer tests to determine the presence of COVID-19, or its antibodies, or the influenza virus, pursuant to regulations promulgated by the Commissioner of Education.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to implement Chapter 57, which authorizes registered professional nurses to execute non-patient specific orders to administer tests to determine the presence of COVID-19, or its antibodies, or the influenza virus, pursuant to regulations promulgated by the Commissioner of Education. The purpose of Chapter 57 is to ensure increased access to COVID-19 and influenza tests. The proposed amendment implements the provisions of such Chapter

3. NEEDS AND BENEFITS:

The purpose of the proposed rule is to implement Chapter 57 by authorizing licensed registered professional nurses to execute non-patient specific orders prescribed by a licensed physician or certified nurse practitioner to administer COVID-19 and influenza tests. The proposed amendment, if adopted, will ensure expanded access to needed COVID-19 and influenza tests.

4. COSTS:

(a) Costs to State government: There are no additional costs to state government.

(b) Costs to local government: There are no additional costs to local government.

(c) Cost to private regulated parties: There are no mandatory costs to private regulated parties.

(d) Cost to the regulatory agency: There are no additional costs to the Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed rule does not impose any program service, duty, responsibility, or other mandate on local governments.

6. PAPERWORK:

The proposed rule amendment does not impose any reporting, record keeping or other requirements on licensed physicians and certified nurse

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practitioners unless they choose to prescribe non-patient specific orders and protocols to permit registered professional nurses to administer COVID-19 or influenza tests. If a licensed physicians or certified nurse practitioners chooses to prescribe such non-patient specific orders and protocols, the proposed rule requires them to, inter alia, issue these orders and protocols in writing.

The proposed amendment does not impose any reporting, recordkeeping, or other requirements on registered professional nurses unless they choose to administer COVID-19 or influenza tests pursuant to non-patient specific orders and protocols issued by a licensed physician or certified nurse practitioner. If registered professional nurses choose to do this, the proposed amendment requires them to, inter alia, document the administration of the tests. The proposed rule also requires copes of the non-patient specific orders and protocols to be maintained in the patient's medical records.

7. DUPLICATION:

There are no other state requirements on the subject matter of the proposed rule. The federal Public Readiness and Emergency Preparedness Act (PREP Act) (42 U.S.C. 247d-6d and 42 U.S.C. 247d-6e) authorizes the Secretary of the Department of Health and Human Services to issue a PREP Act declaration, which provides immunity from liability for activities performed during an emergency. In March 2020, the Secretary to the Department of Health and Human Services issued a PREP Act declaration to provide liability immunity for activities related to medical countermeasures against COVID-19. These countermeasures included the administration of certain COVID-19 tests under certain conditions. Health professionals may receive immunity under the PREP Act declaration with respect to claims for loss caused by, arising out of, relating to, the administration or use of certain COVID -19 tests that are fully approved or have emergency use authorization from the federal Food and Drug Administration (FDÅ). However, the PREP Act declaration is only in effect for a finite amount of time, therefore, Chapter 57, and implementing regulations are necessary to ensure increased, uninterrupted access to COVID-19 tests. In addition, it is necessary to implement regulations to ensure increased access to influenza tests.

8. ALTERNATIVES:

The proposed amendment implements statutory requirements (Chapter 57). There are no significant alternatives to the proposed rule, and none were considered.

9. FEDERAL STANDARDS:

The Public Readiness and Emergency Preparedness Act (PREP Act) (42 U.S.C. 247d-6d and 42 U.S.C. 247d-6e) authorizes the Secretary of the Department of Health and Human Services to issue a PREP Act declaration, which provides immunity from liability for activities performed during an emergency. In March 2020, the Secretary to the Department of Health and Human Services issued a PREP Act declaration to provide liability immunity for activities related to medical countermeasures against COVID-19. These countermeasures included the administration of certain COVID-19 tests under certain conditions. Health professionals may receive immunity under the PREP Act declaration with respect to claims for loss caused by, arising out of, relating to, the administration or use of certain COVID -19 tests that are fully approved or have emergency use authorization from the federal Food and Drug Administration (FDA). However, is only in effect for a finite amount of time, therefore, Chapter 57, and implementing regulations are necessary to ensure increased, uninterrupted access to COVID-19 tests. In addition, it is necessary to implement regulations to ensure increased access to influenza tests.

10. COMPLIANCE SCHEDULE:

The proposed rule amendment will become effective on September 13, 2022. The proposed amendment does not impose any compliance schedules on regulated parties or local governments.

Regulatory Flexibility Analysis

The purpose of the proposed rule is to implement Part C of Chapter 57 of the Laws of 2022, which authorizes licensed registered professional nurses to execute non-patient specific orders and protocols prescribed by a licensed physician or certified nurse practitioner to administer COVID-19 and influenza tests.

The proposed rule will not impose any reporting, recordkeeping or other compliance requirements or costs or have any adverse economic impact on small businesses or local governments. Because it is evident from the proposed rule that it will not adversely affect small businesses or local governments, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required, and one has not been prepared.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule amendment will apply to all New York State registered professional nurses who administer COVID-19 or influenza

tests pursuant to non-patient specific orders and protocols, including those who are located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less. Of the approximately 355,000 registered professional nurses who are registered to practice in New York State, approximately 37,000 reported that their permanent address of record is in a rural county of New York State.

The proposed rule will also apply to all New York State certified nurse practitioners who issue non-patient specific orders and protocols to autho-rize registered professional nurses to administer COVID-19 or influenza tests, including nurse practitioners who are located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less. Of the approximately a population density of 150 per square mile or less. Of the approximately 34,500 certified nurse practitioners who are registered to practice in New York State, approximately 3,900 reported that their permanent address of record is in a rural county of New York State. Additionally, the proposed rule will apply to all New York State licensed physicians who issue non-patient specific orders and protocols to authorize registered professional nurses to administer immunizations, including physicians who is a posted in the 44 much overfice with less the 200 000

inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less. Of the approximately 103,000 licensed physicians who are registered to practice in New York State, approximately 3,100 reported that their permanent address of record is in a rural county of New York State.

2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

Consistent with Part C of Chapter 57 of the Laws of 2022 (Chapter 57), the proposed rule authorizes registered professional nurses to administer COVID-19 and influenza tests pursuant to non-patient specific orders and protocols issued by a licensed physician or certified nurse practitioner.

The proposed amendment does not impose any reporting, recordkeeping or other requirements on licensed physicians and certified nurse practitioners, unless they choose to prescribe non-patient specific orders and protocols to permit registered professional nurses to administer COVID-19 or influenza tests. If a licensed physicians or certified nurse practitioners chooses to prescribe such non-patient specific orders and protocols, the proposed rule requires them to, among other things, issue these orders and protocols in writing.

The proposed amendment does not impose any reporting, recordkeeping, or other requirements on registered professional nurses, unless they choose to administer COVID-19 or influenza tests pursuant to non-patient specific orders and protocols issued by a licensed physician or certified nurse practitioner. If registered professional nurses choose to do so, the proposed amendment requires them to, among other things, document the administration of the tests. The proposed rule also requires copies of the non-patient specific orders and protocols to be maintained in the patient's medical records.

3. COSTS:

The proposed rule will not impose any costs on any licensed physician, certified nurse practitioner, registered professional nurse or other party. 4. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to implement Chapter 57. Because this amendment implements statutory provisions that are applicable to licensed physicians, certified nurse practitioners, and registered professional nurses across the state, alternative approaches for such licensed professionals located in rural areas were not considered.

5. RURAL AREAS PARTICIPATION:

Comments on the proposed rule were solicited from statewide organizations representing all parties having an interest in the practice of licensed physicians, certified nurse practitioners, and registered professional nurses. These organizations included the New York State Department of Health, the State Board for Nursing and professional associations representing the nursing and medical professions. These groups have members who live or work in rural areas.

6. INITIAL REVIEW OF RULE (SAPA § 207):

Pursuant to State Administrative Procedure Act section 207(1)(b), the State Education Department proposes that the initial review of this rule shall occur in the fifth calendar year after the year in which the rule is adopted, instead of in the third calendar year. The justification for a five year review period is that the proposed rule is necessary to implement statutory requirements in Chapter 57 and, therefore, the substantive provisions of the proposed rule cannot be repealed or modified unless there is a further statutory change. The State Education Department invites public comment on the proposed five-year review period for this rule. Comments should be sent to the agency contact listed in item 10 of the Notice of Proposed Rule Making published herewith and must be received within 60 days of the State Register publication date of the Notice.

Job Impact Statement

The purpose of the proposed rule is to implement Part C of Chapter 57 of the Laws of 2022, whichs authorize licensed registered professional nurses to execute non-patient specific orders and protocols prescribed by a licensed physician or certified nurse practitioner to administer COVID-19 and influenza tests.

The revised proposed amendment will not have a substantial impact on jobs and employment opportunities. Because it is evident from the nature of the proposed rule, which implements specific statutory requirements and directives, that the proposed rule will have no impact on jobs or employment opportunities attributable to its adoption or only a positive impact, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one was not prepared.

NOTICE OF EMERGENCY ADOPTION AND REVISED RULE MAKING **NO HEARING(S) SCHEDULED**

Implementing the Dominic Murray Sudden Cardiac Arrest Prevention Act

I.D. No. EDU-22-22-00009-ERP

Filing No. 731

Filing Date: 2022-09-13

Effective Date: 2022-09-13

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action Taken: Amendment of section 135.5; addition of section 139.6 to Title 8 NYCRR

Statutory authority: Education Law, sections 101, 207, 305, 923, 3001-b and 3001-c; L. 2021, ch. 500

Finding of necessity for emergency rule: Preservation of general welfare. Specific reasons underlying the finding of necessity: Chapter 500 of the Laws of 2021, effective July 1, 2022, establishes the Dominic Murray Sudden Cardiac Arrest Prevention Act ("the Act") which:

• Requires the Commissioner of Health to develop information, in conjunction with the Commissioner of Education, relating to pupils exhibiting signs or symptoms of pending or increased risk of sudden cardiac arrest.

• Directs the Commissioner of Education to review such information created by the Department of Health and post such information on the Department's website.

• Requires all schools to include such information in any permission form, consent form, or similar document that may be required for a student's participation in interscholastic athletics and include such information, or reference how to obtain such information from the Department and Department of Health's websites, on the school's website, if one exists.

• Requires the Commissioner of Education to promulgate regulations requiring that any student displaying signs or symptoms of pending or increased risk of sudden cardiac arrest shall be immediately removed from athletic activities and shall not resume athletic activity until he or she has been evaluated by and received written and signed authorization from a licensed physician. Such authorization must be kept on file in the pupil's permanent health record.

• Removes the reference to "the American National Red Cross" and replaces such term with "a nationally recognized organization" as defined in Public Health Law § 3000-b(1)(d), regarding completion of a course of study in first aid knowledge and skills by public and nonpublic school coaches of extra-class activities.

Therefore, the Department proposes to add a new section 136.9 and amend section 135.5 of the Commissioner's regulations to implement the above provisions of the Dominic Murray Sudden Cardiac Arrest Prevention Act.

The proposed amendment was presented to the P-12 Education Committee for recommendation to the Full Board for adoption as an emergency rule at the May 2022 meeting of the Board of Regents, effective July 1, 2022. In response to public comment, the Department has revised the proposed amendment. Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (non-emergency) action after expiration of the 45-day public comment period provided for in the State Administrative Procedure Act (SAPA) section 201(4-a) would be the December 2022 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earlier effective date of the proposed rule, if adopted at the September meeting, would be December 28, 2022, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action was necessary at the September 2022

meeting for the preservation of the general welfare and public health to timely implement the provisions of the Dominic Murray Sudden Cardiac Arrest Prevention Act (Chapter 500 of the Laws of 2021) on its effective date, and to ensure that the emergency action taken at the May Regents meeting remains continuously in effect,

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the December 2022 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rulemaking. However, since the emergency action will expire before the December 2022 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2022 Regents meeting.

Subject: Implementing the Dominic Murray Sudden Cardiac Arrest Prevention Act.

Purpose: To implement the Dominic Murray Sudden Cardiac Arrest Prevention Act.

Text of emergency/revised rule: 1. Part 136 of the Regulations of the Commissioner of Education is amended by adding a new section 136.9 to read as follows:

Section 136.9. Sudden Cardiac Arrest

(a) Applicability.

(1) The provisions of this section relate to students who display signs or symptoms of pending or increased risk of sudden cardiac arrest while engaging in athletic activities

(2) The provisions of this section shall apply to all school districts, charter schools, and nonpublic schools.

(b) Definitions. As used in this section:

(1) Athletic activities mean participation in sessions for instruction and practice in skills, attitudes and knowledge through participation in individual, group and team activities organized on an intramural, extramural, interschool athletic or inclusive athletic basis to supplement regular physical education class instruction, otherwise known as extraclass periods in physical education or extraclass activities.

(b) Physical activities mean participation in physical education classes and recess or similar activities during the school day.

(c) Requirements.

(1) The Department shall post on its website information developed by the Commissioner of Health, in conjunction with the Commissioner, relating to students who exhibit signs or symptoms of pending or increased risk of sudden cardiac arrest. Such information shall include, but not be limited to:

(i) The definition of sudden cardiac arrest; and

(ii) signs and symptoms of pending or increased risk of sudden cardiac arrest.

(2) A school shall include the information required under paragraph (1) of this subdivision in any document that may be required from a parent or person in parental relation for a student's participation in interscholastic sports, including a permission or consent form.

(3) A school shall include the information required under paragraph (1) of this subdivision on its website, if in existence, or reference how to obtain such information from the webpages where such information is available from the Department and the Department of Health.

(d) Removal from athletic and physical activities.

(1) Any student who displays signs or symptoms of pending or increased risk of sudden cardiac arrest must be immediately removed from athletic activities and any person who displays signs or symptoms of pending sudden cardiac arrest must be immediately removed from physical activities.

(2) No student removed from athletic activities shall resume such activities until such student has been evaluated by and received written and signed authorization from, a licensed physician. No student removed from physical activities shall resume such activities until such student has been evaluated and received written and signed authorization from a healthcare provider. With respect to athletic activities for students attending a public school, no such student shall resume such activities until the student has also received clearance from the director of school health services to participate in such activity.

(i) Such authorization shall be kept on file in the student's permanent health record.

(ii) The school must abide by any limitations or restrictions concerning school attendance and athletic or physical activities issued by the student's treating physician or a health care provider.

2. Section 135.5 of the Regulations of the Commissioner of Education is amended to read as follows:

Section 135.5. First aid knowledge and skills requirements for coaches (a) Coaches of extra class periods in physical education, as defined in section 135.1(h) of this Part, shall meet the requirements of this section.

(b) Except as provided in subdivision (c) of this section, all coaches must hold valid certification in first aid knowledge and skills, including instruction in the administration of adult cardiopulmonary resuscitation, as issued by [the American National Red Cross] a nationally recognized organization, as defined in Public Health Law § 3000-b(1)(d), or meet equivalent requirements as set forth in this section. (c) By January 15, 1993, all coaches employed on or after January 15,

(c) By January 15, 1993, all coaches employed on or after January 15, 1992, must hold valid certification in first aid knowledge and skills, including instruction in administration of adult cardiopulmonary resuscitation, as issued by [the American National Red Cross] a nationally recognized organization, as defined in Public Health Law § 3000-b(1)(d), or meet equivalent requirements as set forth in this section. (d) For the purpose of this section, the following shall be deemed as

(d) For the purpose of this section, the following shall be deemed as equivalent to certification in first aid knowledge and skills, including instruction in administration of adult cardiopulmonary resuscitation as issued by [the American National Red Cross] a nationally recognized organization, as defined in Public Health Law § 3000-b(1)(d):

(1) completion of an approved course for coaches in first aid knowledge and skills, including instruction in administration of adult cardiopulmonary resuscitation and instruction in recognizing signs and symptoms of cardiac arrest and sudden cardiac arrest;

(2) completion of an approved college or university first aid knowledge and skills course, including instruction in administration of adult cardiopulmonary resuscitation and instruction in recognizing signs and symptoms of cardiac arrest and sudden cardiac arrest;

(3) completion of approved college or university courses in athletic training and sports medicine, which include first aid knowledge and skills, including instruction in administration of adult cardiopulmonary resuscitation and instruction in recognizing signs and symptoms of cardiac arrest and sudden cardiac arrest; or

(4) equivalent experience which is approved by the Commissioner of Education.

(e) Except as provided in subdivision (c) of this section, prior to the start of each sports season, coaches must provide valid evidence to their chief school officer that their first aid and adult cardiopulmonary resuscitation knowledge and skills are current pursuant to the requirements established by [the American National Red Cross] a nationally recognized organization, as defined in Public Health Law § 3000-b(1)(d), or that they meet equivalent requirements as set forth in subdivision (d) of this section.

This notice is intended to serve as both a notice of emergency adoption and a notice of revised rule making. The notice of proposed rule making was published in the *State Register* on June 1, 2022, I.D. No. EDU-22-22-00009-P. The emergency rule will expire November 11, 2022.

Emergency rule compared with proposed rule: Substantial revisions were made in section 136.9(b) and (d).

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Kathleen DeCataldo, Assistant Commissioner, Office of Student Support Services, NYS Education Department, 89 Washington Avenue, Room 318-M-EB, Albany, NY 12234, (518) 473-2890, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 45 days after publication of this notice.

Revised Regulatory Impact Statement

Since publication of a Notice of Proposed Rule Making in the State Register on June 1, 2022, the following substantial revisions were made to the proposed rule:

• The definition for the term "athletic activities" is revised to mean "participation in sessions for instruction and practice in skills, attitudes and knowledge through participation in individual, group and team activities organized on an intramural, extramural, interschool athletic or inclusive athletic activities basis to supplement regular physical education class instruction, otherwise known as extra-class periods in physical education or extra-class activities."

• A new definition for "physical activities" is added, which is defined as "participation in physical education classes and recess or similar activities during the school day."

• The proposed rule has been revised to clarify that, regarding athletic activities, any student who displays signs or symptoms of pending or increased risk of sudden cardiac arrest must be immediately removed from such activities and cannot return until they receive clearance from a physician. Regarding physical activities, any person who displays signs or symptoms of pending sudden cardiac arrest must be immediately removed from such activities and cannot return until they receive clearance from a health care provider, which may be either a physician, nurse practitioner (NP), or physician assistant (PA).

• Non-substantial revisions to the proposed rule have been made to replace the term "he or she" with "the student" to use non-gendered

language, and the term "pupil" has been replaced with the term "student' as such term is generally used in more recent amendments to the Commissioner's regulations.

The above changes require that the Legislative Objectives, Local government Mandates, and Compliance Schedule sections of the previously published Regulatory Impact Statement be revised to read as follows:

2. LEGISLATIVE OBJECTIVES:

The proposed rule is consistent with the above statutory authority and is necessary to conform Commissioner's regulations to, and implement, Chapter 500, which added a new section 923 to the Education Law, effective July 1, 2022, to require that any student displaying signs or symptoms of pending or increased risk of sudden cardiac arrest shall be immediately removed from athletic activities and shall not resume athletic activity until he or she has been evaluated by and received written and signed authorization from a licensed physician. Additionally, the proposed rule provides that, regarding physical activities, any person who displays signs or symptoms of pending sudden cardiac arrest must be immediately removed from such activities and cannot return until they receive clearance from a health care provider, which may be either a physician, nurse practitioner (NP), or physician assistant (PA).

5. LOCAL GOVERNMENT MANDATES:

The proposed rule does not impose any program, service, duty, or responsibility upon local governments beyond those imposed by statute. Consistent with Chapter 500, the proposed rule requires schools to include the information developed in any document that may be required from a parent or person in parental relation for a pupil's participation in interscholastic sports, including a permission or consent form. Schools must also include such information on its website, if in existence, or reference how to obtain such information from the webpages where such information is available from the State Education Department and the Department of Health. Additionally, the proposed rule requires that when a student is removed from athletic activities shall not resume athletic activity until they have been evaluated by and received written and signed authorization from licensed physician and when a student is removed from physical activities they shall not resume physical activities until they have been evaluated and received clearance from a health care provider, which may be either a physician, nurse practitioner (NP), or physician assistant (PA).

10. COMPLIANCE SCHEDULE:

The proposed revised rule will become effective as an emergency rule on September 13, 2022. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the December 2022 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. Because the emergency action will expire before the December 2022 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the October 2022 meeting. If adopted at the December 2022 meeting, the proposed amendment will become effective as a permanent rule on December 28, 2022. It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

Revised Regulatory Flexibility Analysis

Since publication of a Proposed Rule Making in the State Register on June 1, 2022, the proposed rule was revised as set forth in the Revised Regulatory Impact Statement submitted herewith.

The above changes require that the COMPLIANCE REQUIREMENTS section of the previously published Regulatory Flexibility Analysis for Local Governments be revised to read as follows:

2. COMPLIANCE REQUIREMENTS

The proposed rule is necessary to conform Commissioner's regulations to, and implement, Chapter 500, which added a new section 923 to the Education Law, effective July 1, 2022, to require that any student displaying signs or symptoms of pending or increased risk of sudden cardiac arrest shall be immediately removed from athletic activities. A student shall not resume athletic activity until they have been evaluated by and received written and signed authorization from a licensed physician. Additionally, the proposed rule also provides that any student displaying signs or symptoms of pending or increased risk of sudden cardiac arrest shall be immediately removed from physical activities. A student is removed from physical activities shall not resume such activities until they have been evaluated and received signed authorization from a health care provider, which may be either a physician, nurse practitioner (NP), or physician assistant (PA). Such authorization must be kept on file in the pupil's permanent health record and the school must abide by any limitations or restrictions concerning school attendance and activities issued by the pupil's treating physician. The proposed rule does not impose any program, service, duty, or responsibility upon local governments beyond those imposed by statute. Consistent with Chapter 500, the proposed rule requires schools to include the information developed in any document that may be required from a parent or person in parental relation for a pupil's participation in interscholastic sports, including a permission or consent form. Schools must also include such information on its website, if in existence, or reference how to obtain such information from the webpages where such information is available from the State Education Department and the Department of Health. Such authorization must be kept on file in the pupil's permanent health record and the school must abide by any limitations or restrictions concerning school attendance and activities issued by the pupil's treating physician.

Revised Rural Area Flexibility Analysis

Since publication of a Proposed Rule Making in the State Register on June 1, 2022, the proposed rule was revised as set forth in the Revised Regulatory Impact Statement submitted herewith.

The above changes require that the REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS section of the previously published Rural Area Flexibility Analysis be revised to read as follows:

2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed rule does not impose any program, service, duty, or responsibility on entities in rural areas beyond those imposed by statute. Consistent with Chapter 500, the proposed rule requires schools to include the information developed in any document that may be required from a parent or person in parental relation for a pupil's participation in interscholastic sports, including a permission or consent form. Schools must also include such information on its website, if in existence, or reference how to obtain such information from the webpages where such information is available from the State Education Department and the Department of Health. Additionally, the proposed rule requires that when a student is removed from athletic activities the student shall not resume athletic activity until they have been evaluated by and received written and signed au-thorization from licensed physician. The proposed rule also provides that any student displaying signs or symptoms of pending or increased risk of sudden cardiac arrest shall be immediately removed from physical activities. A student is removed from physical activities shall not resume such activities until they have been evaluated and received signed authorization from a health care provider, which may be either a physician, nurse practitioner (NP), or physician assistant (PA). Such authorization must be kept on file in the pupil's permanent health record and the school must abide by any limitations or restrictions concerning school attendance and activities issued by the pupil's treating physician.

Revised Job Impact Statement

The proposed rule is necessary to conform the Regulations of the Commissioner of Education (Commissioner's regulations) to Chapter 500 of the Laws of 2021 (Chapter 500). Chapter 500, effective July 1, 2022, establishes the Dominic Murray Sudden Cardiac Arrest Prevention Act ("the Act") which:

• requires the Commissioner of Health to develop information, in conjunction with the Commissioner of Education, relating to pupils exhibiting signs or symptoms of pending or increased risk of sudden cardiac arrest;

• directs the Commissioner of Education to review such information created by the Department of Health and post such information on the Department's website;

• requires all schools to include such information in any permission form, consent form, or similar document that may be required for a student's participation in interscholastic athletics and include such information, or reference how to obtain such information from the Department and Department of Health's websites, on the school's website, if one exists:

• requires the Commissioner of Education to promulgate regulations requiring that any student displaying signs or symptoms of pending or increased risk of sudden cardiac arrest shall be immediately removed from athletic activities and shall not resume athletic activity until he or she has been evaluated by and received written and signed authorization from a licensed physician; - such authorization must be kept on file in the pupil's permanent health record; and

• removes the reference to "the American National Red Cross" and replaces such term with "a nationally recognized organization" as defined in Public Health Law § 3000-b(1)(d), regarding completion of a course of study in first aid knowledge and skills by public and nonpublic school coaches of extra-class activities.

Therefore, the Department proposes to add a new section 136.9 and amend section 135.5 of the Commissioner's regulations to implement the above provisions of Chapter 500.

The proposed rule will not have a substantial adverse impact on jobs and employment opportunities. Because it is evident from the nature of the proposed rule that it will not affect job and employment opportunities, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Assessment of Public Comment

Since publication of the Notice of Proposed Rule Making in the State Register on June 1, 2022, the Department received the following public comment on the proposed rule:

comment on the proposed rule: 1. COMMENT: Several commenters expressed concern that the definition of athletic activities included physical education (PE) classes. Commenters felt that athletic activities were related to sports and PE classes should be defined as physical activities. DEPARTMENT RESPONSE: In response to public comment, the

DEPARTMENT RESPONSE: In response to public comment, the Department has amended the definition of athletic activities to remove PE classes and added a new definition of physical activities that includes PE classes.

2. COMMENT: Several commenters expressed concern regarding the requirement that a student who displays signs and symptoms or pending or increased risk of sudden cardiac arrest (SCA) must be seen by a licensed physician prior to resuming the activity. This concern was raised because many students see physician assistants and nurse practitioners and have difficulty accessing a physician.

DEPARTMENT RESPONSE: The regulation is consistent with the statute (Chapter 500 of the Laws of 2021), which requires that students removed from athletic activities due to signs and symptoms or pending or increased risk of SCA receive written and signed authorization from a licensed physician before resuming the athletic activity. The regulation has been revised so that students who show signs and symptoms of SCA during physical activities (PE class, etc.) may be seen by a healthcare provider (which includes physicians, nurse practitioners, and physician assistants), before resuming physical activities. This revision will allow students to readily access a healthcare provider to evaluate their symptoms in those circumstances.

3. COMMENT: Several commenters requested that the term director of school health service be replaced with the term medical director, stating that schools use the title director of school health services for personnel other than the school employed physician or nurse practitioner. DEPARTMENT RESPONSE: Education Law § 902 states that public

DEPARTMENT RESPONSE: Éducation Law § 902 states that public schools must employ "a qualified physician, or a nurse practitioner... to perform the duties of the director of school health services, including any duties conferred on the school physician or school medical inspector under any provision of law, to perform and coordinate the provision of health services in the public schools and to provide health appraisals of students attending the public schools in the city or district." Therefore, only a physician or nurse practitioner may have the title of Director of School Health Services. The term medical director is not defined in statute but is the commonly used term for a school district's Director of School Health Services. No changes to the proposed rule are necessary.

4. COMMENT: Several commenters asked that the regulation be amended to permit a student's mandated grade examination showing fitness for attendance to school to suffice for participation in all physical activity unless otherwise indicated.

DEPARTMENT RESPONSE: This comment is outside the scope of the proposed rule; therefore, no changes are necessary.

5. COMMENT: A commenter writes that "[i]t should be clear that medical directors do not do the clinical evaluation of students who experienced symptoms. We do the final ok AFTER they have seen a licensed health professional. We are not equipped to clinically evaluate or order tests on students; that is the role of their primary health care source. This is consistent with how we currently manage concussions."

tent with how we currently manage concussions." DEPARTMENT RESPONSE: The proposed regulation is consistent with statute and current regulations. Commissioner's regulation § 135.4(c)(7)(i)(i) requires that boards of education provide "adequate health examination before participation in strenuous activity and periodically throughout the season as necessary, and to permit no pupil to participate in such activity without the approval of the school medical officer", also referred to as the director of school health services. The Department has historically interpreted "periodic examination as necessary" to mean following injury and illness. Therefore, the director of school health services is responsible for authorizing a student to return to athletics following illness or injury. This section does not require the director of school health services (who can be either a physician or nurse practitioner) to be the physician who evaluates and provides the written clearance for a student to resume athletic activities if removed due to signs and symptoms of pending or increased risk of SCA. The director of school health service's authorization may be provided by conducting their own evaluation, or by reviewing the written clearance from the healthcare provider who evaluated the student, in accordance with their professional judgement. No changes to the proposed rule are needed.

6. COMMENT: A commenter questioned "[h]ow will these students at risk for Sudden Cardiac Death be identified and evaluated?" Another commenter stated that "[s]pecific guidance is needed regarding necessary cardiac evaluation and clearance for competitive high school sports, NJROTC, physical education and the role of the school medical director." DEPARTMENT RESPONSE: The Department, in collaboration with the Department of Health, has developed information on signs and symptoms and personal or family history that indicate a student is at risk for SCA and requires further evaluation by a health care provider. Both Departments have posted this information on their respective websites. Additionally, the Department will provide technical assistance as needed. No changes to the proposed rule are needed.

7. COMMENT: A commenter stated that "[t]he Interim Sports Form is only for sports. As per the Domonic Murray memo – clearance is needed for activities that increase heart rate and respirations. What is the role of the school nurse in this process?

What about the responsibilities of the athletes and their parent/guardians?"

DEPARTMENT RESPONSE: While the Department recognizes the commenter's request for clarity and intends to provide further guidance on this topic, the comments are beyond the scope of the amendment. Please also see response to comment #6. No changes to the proposed rule are needed.

NOTICE OF ADOPTION

Literacy (All Grades) Certificate

I.D. No. EDU-09-22-00015-A Filing No. 723 Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 30-1.8(a)(13), 52.21(b)(3), 80-1.2(b), 80-3.2(e), 80-3.7(a) of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 305, 308, 3001, 3004 and 3009

Subject: Literacy (All Grades) certificate.

Purpose: Establishes the Literacy (All Grades) certificate.

Text or summary was published in the March 2, 2022 issue of the Register, I.D. No. EDU-09-22-00015-P.

Final rule as compared with last published rule: No changes.

Revised rule making(s) were previously published in the State Register on June 29, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, Education Department, Office of Counsel, 89 Washington Avenue, Room 112 EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

Since publication of the Notice of Revised Rule Making in the State Register on June 29, 2022, the State Education Department (Department) received the following comment on the proposed amendment:

1. COMMENT: A commenter does not believe that the 50-clock hour practicum is sufficient, expressing uncertainty as to whether it can provide practitioners with the guided practice and necessary constructive feedback in assessment and instructional practices that will allow them to develop a level of skill and judgment for screening, assessment, and intervention purposes across the grade span from birth through grade 12. The commenter suggests that, if the proposal is adopted with the 50-clock hour practicum, one of the requirements for the Literacy (All Grades) certificate should be mentoring from an experienced literacy professional, who would provide a written evaluation on the effects of the guidance on the practitioner's performance. Additionally, the commenter feels that aspiring literacy practitioners should be required to demonstrate an ability to conduct informal student assessment, self-assessment, and self-reflection. The commenter also suggests that programs be authorized to offer both levels of literacy certification, offering prospective literacy practitioners the opportunity to choose the level of certification they wish to pursue. This, the commenter argues, will attract more teachers to literacy training and help ensure that those individuals have targeted training for the students with whom they wish to work. DEPARTMENT RESPONSE: The original proposal included a 100-

DEPARTMENT RESPONSE: The original proposal included a 100clock hour practicum requirement for Literacy (All Grades) programs. Multiple commenters objected to this amount of clock hours for numerous reasons. In response, the Department decreased the number of practicum clock hours from 100 to 50 to reduce the impact of the proposal on programs. The Department will not adjust the 50-clock hour practicum requirement in this revised proposal as it believes it to be sufficient to

The commenter further suggests that candidates and their school-based teacher educators be required to produce artifacts related to their self-reflection and guidance, respectively. These artifacts are not specific to the subject area of literacy and are related to clinical experiences and profes-sional growth generally. Since this proposal is focused on literacy programs and certification, the suggestion will not be incorporated into this revised proposal.

The Department is proposing the Literacy (All Grades) certificate to ad-dress the shortage of certified literacy teachers, giving school districts the flexibility to place literacy teachers in the grade levels with the highest staffing needs. Continuing to offer the current Literacy (Birth-Grade 6) and Literacy (Grades 5-12) programs and certificates, while simultane-ously offering the new Literacy (All Grades) programs and certificate, would adversely impact the ability of the new literacy programs and certificate to address the literacy teacher shortage. Therefore, the current literacy programs and certificates will no longer be offered according to the timeline described in the revised proposal. No changes to the proposed

rule are necessary. 2. COMMENT: A commenter states that, although the revisions to the proposal are marginally helpful, they do not address most of the issues that they will face at their institution of higher education and in their university system if the revised proposal is approved. The commenter reports that this regulatory proposal has been translated into a rumor that the Literacy (Grades 5-12) program and certificate are being eliminated, which is impacting fall enrollment in a Literacy (Grades 5-12) program. The commenter also believes that the revised proposal will exacerbate the literacy teacher shortage, opining that making it more difficult and less appealing to teachers to obtain literacy certification is not the answer. The commenter recommends that the Literacy (All Grade) certificate be added while retaining the current Literacy (Birth-Grade 6) and Literacy (Grades 5-12) programs and certificates because they feel that having more options for teachers is a reasonable solution and one way to help combat a teacher shortage in literacy in New York State.

DEPARTMENT RESPONSE: The Department understands that it will take time for candidates, institutions of higher education, and districts to transition from the current literacy programs and certificates to the new Literacy (All Grades) program and certificate. The Department will provide support during this transition period, during which candidates may learn about and experience some of the benefits of the Literacy (All Grades) certificate, such as increased employment opportunities and an opportunity to identify the grade levels that are the best fit for them.

Please also see Department Response #1 regarding continuation of the current literacy programs and certificates. No changes to the proposed amendment are necessary.

NOTICE OF ADOPTION

Substantially Equivalent Instruction for Nonpublic School Students

I.D. No. EDU-13-22-00025-A Filing No. 725 Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of Part 130 to Title 8 NYCRR.

Statutory authority: Education Law, sections 207, 215, 305(1), (2), 3204(1), (2), (3), 3205(1), 3210(2), 3233 and 3234

Subject: Substantially Equivalent Instruction for Nonpublic School Students.

Purpose: Provide guidance to local school authorities to assist them in fulfilling their responsibilities under the Compulsory Ed Law.

Substance of final rule: The proposed amendment adds a new Part 130 to the Commissioner's regulations as follows:

Section 130.1 defines terms.

Section 130.2 requires LSAs to make substantial equivalency determinations for all nonpublic schools within their geographical boundaries, except for nonpublic schools that are deemed substantially equivalent pursuant to section 130.3 or nonpublic schools for which the Commissioner is required to make a substantial equivalency determination pursuant to Education Law § 3204(2)(ii)-(iii). For schools that meet the statutory criteria for a Commissioner's determination, LSAs must review such schools for substantial equivalency and forward a recommendation to the Commissioner for his/her final determination.

Section 130.3 provides that a nonpublic school shall be deemed substantially equivalent if it annually delivers sufficient evidence to its LSA that it:

• Is a state-supported school for the blind and deaf; is a state-operated

Is a state-approved private special education school;
Is registered by the Board of Regents (grades 1 through 8 of a nonpublic school that has a registered high school program will also be deemed substantially equivalent);

• Is accredited by a Department-approved accreditation organization that meets certain prescribed criteria;

· Has instruction approved by the U.S. government for instruction on a military base or service academy;

· Participates in the international baccalaureate program; and/or

Regularly uses assessments approved by the Department.

Additionally, the Commissioner may request evidence submitted to the LSA. If the Commissioner determines that sufficient evidence has not been submitted, the Commissioner shall direct the LSA to conduct a review or submit a recommendation to the Commissioner, as applicable.

Section 130.4 provides that:

• New nonpublic schools that open on or after the effective date of the proposed regulation must be reviewed within the first two years of when the nonpublic school commences instruction and every seven years thereafter; and

· Existing nonpublic schools operating on the proposed regulation's effective date must be reviewed by the end of the 2024-2025 school year

and every seven years thereafter. If the LSA does not make sufficient progress toward reviewing nonpub-lic schools by the end of the 2023-2024 school year, and thereafter, the Commissioner may withhold public money consistent with Education Law § 3234.

Section 130.5 Provides that the superintendent or his or her designee must review all nonpublic schools in the LSA's geographic boundaries, including nonpublic schools that meet the criteria for a Commissioner's determination, except for nonpublic schools deemed substantially equivalent. For schools that meet the criteria for a Commissioner's final determination, the LSA conducts the review and makes a recommendation to the Commissioner for his or her final determination. Additionally, all reviews shall include at least one site visit to the nonpublic school by the LSA.

Section 130.6 sets forth a procedure for LSAs to render substantial equivalency determination as follows:

• Preliminary Determinations: If following its review, the superintendent or designee determines that the nonpublic school has not sufficiently demonstrated the substantial equivalence of instruction, the LSA must inform the nonpublic schools' administrators of the preliminary determination and the reason(s) for the determination; notify the Department; collaboratively develop, within 60 days, a timeline and plan with the nonpublic school for attaining substantial equivalency in an amount of time that is reasonable given the reasons identified in the review, provided that such timeline may not exceed the end of the next academic year following the year in which the preliminary determination is made; and continue services to the nonpublic school and students during such time period. No later than 60 days after the conclusion of that timeline, the LSA must render a final determination.

• Final Determinations:

o For school districts (other than the city school district of the City of New York) that have completed a review and preliminary determination, the superintendent or designee must make a recommendation to the board of education that a nonpublic school is deemed to be providing at least substantially equivalent instruction or be deemed to be not providing at least substantially equivalent instruction. After notification to the nonpublic school and providing the nonpublic school the opportunity to be heard, the LSA must vote on the superintendent's or designee's recommendation at a regularly scheduled board meeting. o For the city school district of the City of New York, the Chancellor,

after review and preliminary determination, shall render either a positive or negative substantial equivalency determination.

• Procedure After Final Determination:

o If the board renders a positive substantial equivalency determination, the LSA must provide written notification to the nonpublic school, the superintendent(s) of schools of each of the districts which have resident students enrolled in the nonpublic school, and the Department, which must post such determination on its website.

o If the board renders a negative substantial equivalence determination:

The nonpublic school will no longer be deemed a school that fulfills the requirements of Article 65 of the Education Law.

The LSA must provide written notification to the nonpublic

schools and provide a letter for the nonpublic school to distribute to the parents or persons in parental relationship to the students attending the nonpublic school and the superintendent(s) of schools of each district which has resident students enrolled in the nonpublic school advising them of such determination.

The board must provide a reasonable timeframe for parents or persons in parental relationship to enroll their children in a different appropriate educational setting.

■ The LSA must notify the Department of the negative determination and its reasons, therefore.

Services to the nonpublic school and students must continue until the end of the reasonable timeframe.

■ Student records shall be managed consistent with section 104.2 of the Commissioner's regulations.

Section 130.7 requires LSAs to report a list of all nonpublic schools within the LSA's geographical boundaries by September 1, 2023 and each September 1 thereafter and requires LSAs to report the following information to the Department by December 1, 2023, and each December 1 thereafter:

• A list of all nonpublic schools in the LSA's boundaries that meet one of the substantial equivalency pathways;

• A list of all nonpublic schools in the LSA's boundaries that do not meet one of the substantial equivalency pathways and are subject to a Commissioner's final determination; and

• A list of the remaining nonpublic schools in the LSA's boundaries for which the LSA is responsible for making the final substantial equivalency determination.

This section also requires that by December 1, 2024, and each December 1 thereafter, attest to whether they have or have not yet made final substantial equivalency determinations and recommendations for each nonpublic school in their geographical area and the date on which such determination or recommendation was made or is anticipated to be made.

Section 130.8 provides that for nonpublic schools for which the Commissioner is required to make a final determination, the LSA must conduct a review in accordance with the regulation and forward its recommendation regarding substantial equivalency and all relevant documentation to support its recommendation to the Commissioner. The Commissioner will review the materials and recommendation submitted by the LSA and will provide the nonpublic school with an opportunity to present additional relevant materials and/or a written statement prior to rendering a determination. The proposed regulation sets forth procedures for when a school subject to a Commissioner's determination appears not to be substantially equivalent and for when the Commissioner renders a positive or negative substantial equivalency determination.

Section 130.9 provides that, when reviewing a nonpublic school for substantial equivalency, an LSA and the Commissioner, when he or she is responsible for making the final determination, must consider the following criteria:

• Instruction is given only by a competent teacher;

• English is the language of instruction for common branch subjects;

• Students who have limited English proficiency are provided with instructional programs enabling them to make progress toward English language proficiency;

• Accreditation materials from the last five years;

• The instructional program in the nonpublic school as a whole incorporates instruction in mathematics, science, English language arts, and social studies that is substantially equivalent to such instruction required to be provided in public schools pursuant to Education Law § 3204(3);

• Similar courses of instruction to the course of instruction required by law in public schools in: patriotism and citizenship; history, meaning, significance and effect of the provisions of the U.S. Constitution and the amendments thereto, the Declaration of Independence, the Constitution of the State of New York and the amendments thereto; instruction in New York State history and civics; instruction in physical education and kindred subjects; instruction in health education regarding alcohol, drugs, and tobacco abuse; instruction in highway safety and traffic regulation; instruction in fire drills and in fire and arson prevention, injury prevention, and life safety education; and instruction in hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator; and

• For nonpublic schools meeting the criteria for Commissioner's final substantial equivalency determinations in Education Law § 3204(2)(ii)-(iii), the criteria enumerated in such statute.

Section 130.10 provides that reviews of nonpublic schools shall be: conducted in a manner that is respectful to the diversity of the nonpublic school community; based on objective criteria focused on whether students in the nonpublic school receive instruction that is at least substantially equivalent to instruction provided in public schools; cognizant of the rights of parents or persons in a parental relationship to choose among religious and independent schools; informed by and respectful of the cultural and religious beliefs and educational philosophy that may drive the curriculum in nonpublic schools and be integrated with academic content in the delivery of instruction.

Section 130.11 prescribes complaint procedures. Such section provides that the Commissioner, or his or her designee, may direct an LSA to investigate a nonpublic school if the Commissioner receives a complaint regarding the substantial equivalency of instruction at such nonpublic school, or if the Commissioner otherwise has reasonable suspicion to doubt the substantial equivalency of instruction at a nonpublic school. If an LSA does not investigate and decide such complaint, the Commissioner may withhold public money from such LSA consistent with Education 130.14(b).

stoner may withhold public money from such LSA consistent with Education Law § 3234 and section 130.14(b). Section 130.12 of the proposed rule provides that persons considering themselves aggrieved by an LSA's substantial equivalency determination may file an appeal to the Commissioner within 30 days of the LSA's decision pursuant to Education Law § 310 and section 275.16 of the Commissioner's regulations. The Commissioner may stay such determination pending a final determination of such appeal pursuant to Education Law § 311 and section 276.1 of the Commissioner's regulations.

Stoller's regulations. The commissioner may stary story accention Law § 311 and section 276.1 of the Commissioner's regulations. Section 130.13 provides that the Commissioner may request the records and/or documentation an LSA used to make a final substantial equivalency determination, and the LSA must provide them to the Commissioner within 10 days of any such request. With respect to any nonpublic school against which a penalty pursuant to section 130.14(c) is being considered, the Commissioner may request that the LSA provide records and/or documentation that a nonpublic school has intentionally prohibited an LSA from conducting a review and records and/or documentation of the LSA's good faith efforts to review such nonpublic school. The LSA must provide such request.

If the Commissioner's review of such records and/or documentation give rise to a substantial question as to whether the LSA's positive or negative substantial equivalency determination is or is not supported, or whether a penalty under section 130.14(c) is warranted, the Commissioner may initiate a review of whether the procedures in this Part were followed, whether the criteria in section 130.9 have or have not been satisfied, or whether a penalty against such non-public school pursuant to section 130.14 is warranted. This section prescribes procedures for such reviews and requires a written decision on the issues under review.

Section 130.14 prescribes penalties and enforcement for noncompliance, which include the penalties prescribed in Education Law §§ 3233 and 3234. Additionally, it provides that if, after review, the Commissioner determines that a nonpublic school has intentionally prohibited an LSA from conducting a substantial equivalency review, the Commissioner may issue a written decision making a negative substantial equivalency determination.

Section 130.15 includes a severability provision.

Final rule as compared with last published rule: Nonsubstantive changes were made in sections 130.1(c), 130.3(b), 130.6(a)-(b), 130.8(d)(7), 130.9(b)-(c) and 130.11.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Revised Regulatory Impact Statement

Since publication of a Notice of Proposed Rule Making in the State Register on March 30, 2022, the following non-substantial revisions were made to the proposed rule:

• Section 130.1(c) is revised to clarify the definition of Local School Authority for the City School District of the City of New York.

• Section 130.3(b) is revised to clarify that when an LSA deems a nonpublic school to be substantially equivalent pursuant to a pathway, the LSA must notify the nonpublic school of this determination.

• Sections 130.6(a) and 130.8(d) are revised to clarify that the Commissioner may, in his or her discretion, extend the timelines outlined in these provisions upon a showing of good faith progress toward development of a timeline and/or implementation of the plan.

• Section 130.8(\hat{d})(7)(ii) is revised to remove the language that references § 310 appeals to the Commissioner regarding final substantial equivalency of instruction determinations made by the Commissioner. This revision is necessary to clarify that an appeal does not lie with the Commissioner from his or her own determination a party.

• Section 130.9(b) and (c) are revised to clarify references to the Education Law.

• Section 130.11 is revised to clarify that the Commissioner may direct another authority, other than an LSA, to investigate a complaint. Additionally, such section is revised to clarify that the Commissioner is not obligated to direct an investigation of a nonpublic school where the Commissioner determines, in his or her discretion, that a complaint does not have merit or that investigation is otherwise not warranted. The above revisions to the proposed rule do not require any revisions to the previously published Regulatory Impact Statement.

Revised Regulatory Flexibility Analysis and Rural Area Flexibility Analysis

Since publication of a Notice of Proposed Rule Making in the State Register on March 30, 202, the proposed rule was revised as set forth in the Statement Concerning the Regulatory Impact Statement submitted herewith.

The above revisions to the proposed rule do not require any revisions to the previously published Regulatory Flexibility Analysis and Rural Area Flexibility Analysis.

Revised Job Impact Statement

The proposed rule is necessary to provide guidance to local school authorities (LSAs) to assist them in fulfilling their responsibilities under Education Law §§ 3204, 3205, and 3210 in determining whether students in nonpublic schools are receiving instruction that is at least substantially equivalent to the instruction being provided to students of like age and at tainments at the public schools.

The proposed rule will not have a substantial adverse impact on jobs or employment opportunities. Because it is evident from the nature of the proposed rule that it will have no impact, or a positive impact, on jobs or employment opportunities, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

This assessment summarizes the comments received on the proposed rule, published March 30, 2022. Please refer to the full Assessment of Public Comment (APC) for the Department's complete assessment of public comment at: http://www.counsel.nysed.gov/rules/full-text-indices

1. SUPPORT: The Department received supportive comments stating that the regulation is necessary to ensure that children receive basic education, and that children can receive such instruction while engaging in religious studies.

RESPONSE: No changes are necessary.

2. STRENGTHEN: Comments suggest that the rule be strengthened in several ways, such as, by increasing local school authority (LSA) review periods, imposing punitive measures against the heads of nonpublic schools who knowingly and intentionally deny children an education, and requiring all schools to be accredited.

RESPONSE: The Department believes that the proposed rule's substantial equivalency review cycles are reasonable. The Department does not have statutory authority to implement many suggestions offered by the commenters. The proposed rule provides numerous safeguards to ensure that substantial equivalency determinations are timely, fair and accurate. Therefore, no changes to the proposed rule are necessary.

3. ASSESSMENT PATHWAY. The Department received numerous comments critiquing the assessment pathway, including that it will perpetuate the status quo and will not ensure that all required subjects are taught for sufficient time. Commenters suggest that independent proctors and scoring systems be required and that more objective measures and consequences be included.

^A RESPONSE: The Department believes that substantial equivalency of instruction may be fairly and accurately demonstrated through the assessment pathway, as written. The proposed rule prescribes that the assessments must demonstrate student academic progress as they move from grade to grade, be regularly used by the nonpublic school as part of its instructional program, and have a student participation rate which is equal to or greater than the three-year state-wide average State assessment public school participation rate. Therefore, no changes to the proposed rule are necessary.

4. PROPOSED RULE IS UNNECESSARY: Commenters state that proposed regulation is unnecessary because yeshivas do a good job, have successful graduates, and/or that their religious community has less crime, drugs, suicide, incarceration, and unemployment than other communities. Some state that the regulations will have a detrimental effect on their nonpublic schools and may cause trauma to students.

RESPONSE: The Department considered these comments and determined no change is necessary. The regulation implementing the law is necessary to ensure that all students receive the instruction to which they are entitled and are prepared for their place in society. 5. FREE EXERCISE OF RELIGION: Commenters argue that the

5. FREE EXERCISE OF RELIGION: Commenters argue that the proposed regulation infringes on the free exercise of religion. Commenters state that high school is reserved exclusively for religious instruction. They stated that preparing students for secular college or career readiness violates their beliefs because of its irreligious effect. RESPONSE: The Department respectfully disagrees with those who argue the proposed regulation infringes upon the freedom of religion. The ability of the State to require that all education provided therein meet a minimum threshold is well established. The proposed regulation respects the right to exercise religion and acknowledges that instructional requirements may be met through the entire curriculum, including religious studies. A nonpublic school may choose whether to integrate required instruction into religious classes. The proposed regulation is in accordance with and fully respects all First Amendment rights and jurisprudence. By focusing on core competencies and statutory courses, the regulation allows ample room for religious instruction.

6. PARENTS' RIGHTS: Commenters state that the proposed regulation undermines a parent's right to choose their child's education, including an education that aligns with their values rather than public school.

RESPONSE: The Department disagrees that the proposed regulation violates the right of parents to direct the education of their children. The proposed regulation merely sets forth a process for determining equivalency of instruction, which is required by statute. The Department does not expect private schools to look like public schools. No change to the proposed rule is necessary.

7. APPEALS: Many comments criticized the appeals provision of the proposed rule. Some commenters argued that that it is wrong to give anyone the right to appeal an affirmative substantial equivalency determination. Some argue that this gives outsiders undue control over nonpublic schools and parental choice. Other commenters stated that appeals should be limited to those with standing.

RESPONSE: No change to the proposed rule is necessary because it does not eliminate the standing requirement for appeals. An individual may not maintain an appeal pursuant to Education Law § 310 unless aggrieved in the sense that he or she has suffered personal damage or injury to his or her civil, personal, or property rights. Only an individual who is directly affected by an action has standing to commence an appeal therefrom. Therefore, only a person or entity with standing—e.g., the parent or guardian of a child who attends the nonpublic school in question— could file such an appeal.

8. COMPLAINT PROVISION: Many comments argued that the proposed regulation's complaint procedure undermines nonpublic schools by giving outside critics the right to raise concerns about substantial equivalency of instruction in nonpublic schools. They state that a person should be required to have standing to make a complaint. Commenters were concerned about allowing school districts to investigate complaints due to the competition between private and public schools. Commenters also requested that the Commissioner, Department, or an accreditation agency investigate complaints rather than LSAs.

RESPONSE: Establishing a complaint process is an important safeguard to ensure compliance with the compulsory education law. Section 130.11 of the proposed rule provides that the Commissioner, or his or her designee, may direct an LSA to investigate a nonpublic school if the Commissioner receives a complaint regarding the substantial equivalency of instruction at such nonpublic school, or if the Commissioner otherwise has reasonable suspicion to doubt the substantial equivalency of instruction at a nonpublic school. Additionally, the proposed rule has been revised to clarify that the Commissioner could direct another authority to investigate a complaint when appropriate and to clarify that the Commissioner is not obligated to direct an LSA to investigate a nonpublic school where the Commissioner determines that a complaint does not have merit or that investigation is otherwise not warranted. Thus, complaints to the Department will be reviewed prior to any inquiry being directed by the Commissioner based on the complaint. The Department is a public agency without authority to limit the class(es) of individuals who may write to and/or make complaints to the Department on any issue and will not do so here. Additionally, an LSA or other authority that receives a complaint about the substantial equivalency of instruction in a nonpublic school within its geographical boundaries may use its discretion-subject to contrary direction from the Commissioner-to determine whether the complaint has merit and whether an investigation is warranted. Please also see the Department's response regarding LSAs' responsibility to enforce compulsory education requirements for nonpublic schools located within their geographical boundaries. No further changes are necessary.

9. ENFORCEMENT: Commenters state that the regulation will not be enforceable because there is no enforcement mechanism on private schools and the regulation does not go far enough to ensure LSA compliance. Some commenters assert that they will be unable to comply with the regulation and will be compelled to break the law. A few people indicate they are willing to forgo government funding or face prosecution to maintain the status quo of their religious community's education.

RESPONSE: The substantial equivalency obligation already exists in law; commenters' suggestion that they "are unable to comply" makes little sense as all schools have been subject to the substantially equivalent obligation, explicated in Departmental guidance, for over a century. Previous noncompliance is not a justification or excuse for future noncompliance. Additionally, the regulation contains adequate enforcement mechanisms that are informed by the Compulsory Education Law. No change is necessary.

10. LSA OVERSIGHT: Commenters argue that there are many problems with LSAs overseeing nonpublic schools, such as a misalignment of values between the public school and nonpublic school. Commenters are concerned that public school officials are not qualified to evaluate nonpublic schools. Some assert that there is a conflict of interest between public and nonpublic schools that should prohibit public schools from having an oversight role. Many state that public schools should not be able to tell parents to enroll their children in another school because parents should decide where to send their children. Others complain that public schools should not be given authority to investigate nonpublic schools if there is a complaint. Some argue that nonpublic schools should bear the burden to demonstrate substantial equivalency and leave the public schools out of it. Other commenters complain about public school outcomes and state it is ridiculous to try to make private yeshivas "equivalent" to public schools.

RESPONSE: The Education Law places primary responsibility on the LSA for ensuring substantial equivalency of instruction that occurs elsewhere than a public school and it has been the Department's longstanding interpretation that LSAs are responsible for making substantial equivalency determinations. The Department has published guidance on this requirement for decades. The proposed rule is consistent with this interpretation and aims to ensure that LSAs fulfill these responsibilities. LSA reviews of nonpublic schools are contemplated by statute, as described in the full assessment of public comment; thus, any "conflict of interest" lies with the statutory structure, not the Department's rulemaking. In any event, the proposed rule provides numerous safeguards to ensure that reviews are fair and accurate, and to ensure that they are conducted in a manner that is respectful to the diversity of nonpublic schools. The regulation does not demand perfect congruence between public and nonpublic school instruction. No change is necessary.

11. INEQUITABLE: Commenters state that the regulation inequitably burdens Jewish schools because they are not generally accredited like other nonpublic schools. Commenters state that the regulation goes against New York's tolerance and appreciation of multiculturalism.

RESPONSE: The Department strenuously disagrees with these comments. The regulation applies to all nonpublic schools and emphasizes the importance of respect for other cultures. No changes are necessary.

12. REQUIRED SUBJECTS: Many commenters submitted comments regarding the subjects required to be looked at during substantial equivalency reviews. For example, commenters argue that requiring subjects beyond math, science, social studies, and English (others say the "three R's") is unnecessary, that the subject matter requirements will apply only to yeshivas because accreditors of other types of schools do not look at other subjects, that the term "kindred subjects" is vague, that subjects required by the proposed regulation are against their religious beliefs and cannot be taught, and that it violates their religion to teach certain scientific concepts.

RESPONSE: The review criteria in the regulation are all based on existing requirements in law and regulation. A nonpublic school is not substantially equivalent if it fails to provide instruction that is guaranteed to nonpublic school students by existing law or regulation. Regarding commenters' assertions that the subject matter requirements in the proposed regulation violates their First Amendment rights, as stated above, the Department disagrees. No changes are necessary.

13. RELIGIOUS STUDIES: Many commenters argue that the regulation places no value on religious studies.

RESPONSE: The Department believes that the proposed rule will enable nonpublic schools to comply with the Compulsory Education Law while also maintaining their unique culture and beliefs in the delivery of instruction. The proposed regulation leaves it open to each nonpublic school to choose whether it will integrate required instruction into religious studies, which may be considered to fulfill requirements. No changes are necessary.

14. SPECIFIC SUGGESTIONS: Numerous commenters offered specific suggestions and revisions to the proposed rule, which are fully outlined in the Department's complete APC.

RESPONSE: The Department made non substantial revisions in response to some suggestions and comments and did not make other suggested revisions for the reasons stated in the Department's complete APC. No further changes are needed.

NOTICE OF ADOPTION

Special Education Due Process System Procedures

I.D. No. EDU-13-22-00029-A Filing No. 729 Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 200.2(e) and 200.5(j) of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 305, 3214, 4403, 4404 and 4410

Subject: Special education due process system procedures.

Purpose: To address the rotational selection process for assignment of IHOs to due process complaints; clarify language regarding IHO findings of fact and decisions; and address how IHOs must handle conflicts of interest.

Text or summary was published in the March 30, 2022 issue of the Register, I.D. No. EDU-13-22-00029-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

COMMENT:

One commenter stated that the proposed rotational IHO system will change the way that New York City (NYC) families and students receive due process. Another commenter stated that impartial hearings would be governed by a different set of appointment procedures than for students and families residing outside of NYC and would result in inherent unfairness and discrimination in treating similarly situated New York State (NYS) residents differently based on their locality.

DEPARTMENT RESPONSE:

The timely appointment of an IHO is a required component of the due process procedures afforded to all families in NYS pursuant to section 200.5(j)(3)(i)(a) of the Commissioner's regulations. However, this is a persistent problem in NYC, where more than 95 percent of all due process complaints in the State are filed (i.e., 10,798 in 2019-2020; 14,264 in 2020-21; and 17,874 in 2021-22). This amendment promotes efficiency by permitting IHOs to accept more than one case at a time. Moreover, the purpose of a rotational system is to ensure that cases are distributed in a fair and impartial manner. So long as the identities of the parties are unknown to the assigned IHO, the amount of cases accepted at any specific time is immaterial.

The Department disagrees that the proposed rule will result in inherent unfairness and discrimination by treating NYS residents differently based on their locality. Other parts of the State do not have the volume of due process complaints that NYC does. Of the 18,292 due process complaints filed in New York State in the 2021-2022 school year 17,974 of those complaints were filed in NYC. The Department believes that a delay in assigning an IHO for any family in the State to be intolerable. Therefore, no changes to the proposed rule are needed.

COMMENT:

One commenter stated that allowing an administrative tribunal to reassign cases after assignment to an IHO would violate the IHO selection process.

DEPARTMENT RESPONSE:

Any permanent standing administrative tribunal employing more than one IHO at a time would be responsible for managing caseloads of IHOs employed by, or reporting to, such tribunal. The proposed amendments to section 200.2(e)(1)(ii) of the Commissioner's regulations allow a tribunal to reassign cases between its IHOs to manage administrative needs including workload distribution, which ensures a timely and responsive due process system in NYC. There are many instances that might justify reassignment of cases; for example, a IHO's medical leave, parental leave, extended absence, or resignation. Therefore, no changes to the proposed rule are needed.

COMMENT:

Commenters stated that the proposed amendment allows for IHOs employed by an administrative tribunal to take precedence over contract IHOs when due process cases are assigned. DEPARTMENT RESPONSE:

The proposed amendments to section 200.2(e)(1)(ii)(a) of the Commissioner's regulations provide that "[a]ny impartial hearing officers employed by, or reporting to, a permanent, standing administrative tribunal employing more than one impartial hearing officer shall be first in an alphabetical rotation when new cases are assigned, and any impartial hear-ing officer not employed by, or reporting to, a permanent standing administrative tribunal, will be listed in alphabetical order thereafter." The volume of due process complaints in NYC (as described above) has necessitated utilization of an administrative tribunal with full time employees to ensure that students and families have full access to a timely and responsive due process system. Moreover, it is the Department's contention that assigning cases to employees in an administrative tribunal first would be the most efficient way to ensure that the tribunal is effectively utilized and to further the Department's goal of ensuring access to a timely and responsive due process system. Therefore, no changes to the proposed rule are necessary.

COMMENT:

Several commenters generally objected to the proposed regulations but did not provide detail as to the reasons for their objections.

DEPARTMENT RESPONSE:

The Department acknowledges the responses but is unable to respond as it is not clear why the commenters are objecting to the proposed regulations. Therefore, no changes to the proposed rule are necessary. COMMENT:

Some commenters provided general statements about their experiences with the NYCDOE and the due process hearing system in NYC, opined on the legality of administrative tribunals accepting cases, and speculated as to how due process hearings would be handled by NYC's Office of Administrative Trials and Hearings.

DEPARTMENT RESPONSE:

These comments are outside the scope of the proposed regulation. Therefore, no response is necessary.

NOTICE OF ADOPTION

Remote Instruction and Its Delivery Under Emergency Conditions

I.D. No. EDU-17-22-00007-A Filing No. 739 Filing Date: 2022-09-13

Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 100.1, 155.17 and 175.5 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 215, 305, 1704, 2801-a, 2854, 3602 and 3604

Subject: Remote instruction and its delivery under emergency conditions. Purpose: To permit districts to provide remote instruction on days they would otherwise close due to an emergency and to count such instructional days towards minimum requirements, to define remote instruction, and to require public schools to plans for providing remote instruction.

Text of final rule: 1. Subdivision (e) of section 175.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(e) Emergency conditions.

1) Remote instruction due to emergency conditions. If a school district would otherwise close due to an emergency, including but not limited to, extraordinary adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of a school building, or a communicable disease outbreak, the school district may remain in session and provide remote instruction, as defined in section 100.1(u) of this Chapter, and beginning with the 2023-2024 school year such remote instruction shall be consistent with such school district's emergency remote instruction plan pursuant to section 155.17(c)(1)(xxi) of this Chapter. Instruction provided on these session days may be counted towards the annual hour requirement set forth in subdivision (c) of this section. The superintendent shall certify to the Department, on a form prescribed by the Commissioner, that an emergency condition existed on a previously scheduled session day and that such school district was in session and provided remote instruction on that day and indicate how many instructional hours were provided on such session day and, beginning with the 2023-2024 school year, certify that remote instruction was

provided in accordance with the district's emergency remote instruction plan.

(2) Unscheduled school delays and early releases. Instructional hours that a school district scheduled but did not execute, either because of a delay to the start of a school day or an early release, due to extraordinarily adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of a school building, or such other cause as may be found satisfactory by the Commissioner, may still be considered as instructional hours for State aid purposes for up to two instructional hours per session day, provided, however, that the superin-tendent shall certify to the Department, on a form prescribed by the Comscheduled session day and that school was in session on that day.

2. Section 100.1 of the Regulations of the Commissioner of Education is amended by adding a new subdivision (u) to read as follows:

(u) Remote instruction means instruction provided by an appropriately certified teacher, or in the case of a charter school an otherwise qualified teacher pursuant to Education Law § 2854(3)(a-1), who is not in the same in-person physical location as the student(s) receiving the instruction, where there is regular and substantive daily interaction between the student and teacher.

(1) Remote instruction shall encompass synchronous instruction provided through digital video-based technology and may also include asynchronous instruction intended to complement synchronous instruction. Digital video-based technology includes online technology and videoconferencing technology.

(2) Remote instruction may encompass non-digital and audio-based asynchronous and/or synchronous instruction where such instruction is *more appropriate for a student's educational needs.* (v) Non-digital and/or audio-based instruction means instruction ac-

cessed synchronously and/or asynchronously through paper-based materials where the student to teacher interaction occurs via telephone or other audio platforms.

w) Asynchronous instruction means instruction where students engage in learning without the direct presence (remote or in-person) of a teacher.

(x) Synchronous instruction means instruction where students engage in learning in the direct presence (remote or in-person) of a teacher in real time.

3. Subdivision (a) of section 155.17 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) Development of school safety plans. Every board of education of a school district, every board of cooperative educational services and county vocational education and extension board and the chancellor of the City School District of the City of New York shall adopt by July 1, 2001, and shall update by July 1st for the 2002-2003 through the 2015-2016 school years and shall update and adopt by September 1st for the 2016-2017 school year and each subsequent September 1st thereafter, a comprehensive district-wide school safety plan and building-level emergency response plans regarding crisis intervention and emergency response and management, and commencing with the 2023-2024 school year districtwide school safety plans shall include plans for the provision of remote instruction during any emergency school closure, provided that in the City School District of the City of New York, such plans shall be adopted by the chancellor of the city school district. Such plans shall be developed by a district-wide school safety team and a building-level emergency response team, as such terms are defined in subdivision (b) of this section, and shall be in a form developed by the commissioner in consultation with the Division of Criminal Justice Services, the superintendent of the State Police and any other appropriate State agencies. Each district-wide school safety plan and building-level emergency response plan shall be reviewed by the appropriate school safety team on at least an annual basis, and updated as needed.

4. Paragraphs (3) and (13) of subdivision (b) of section 155.17 of the Regulations of the Commissioner of Education are amended to read as follows

Section 100.2 of the Regulations of the Commissioner of Education is amended by adding a new subdivision (pp) to read as follows:

(3) Disaster means occurrence or imminent threat of widespread or severe damage, *illness*, injury, or loss of life or property resulting from any natural or manmade causes, such as fire, flood, earthquake, hurricane, tornado, high water, landslide, mudslide, windstorm, wave action, epidemic, air contamination, drought, explosion, water contamination, chemical accident, communicable disease outbreak, war or civil disturbance.

(13) District-wide school safety plan means a comprehensive, multihazard school safety plan that covers all school buildings of the school district, BOCES or county vocational education and extension board, that addresses crisis intervention, emergency response and management, and commencing July 1, 2023, provision of remote instruction during an emergency school closure, at the district level and has the contents prescribed in paragraph (c)(1) of this section.

5. Subparagraphs (ix), (xviii) and (xx) of paragraph (1) of subdivision (c) of section 155.17 of the Regulations of the Commissioner of Education are amended and a new subparagraph (xxi) is added to read as follows: (ix) policies and procedures for contacting parents, guardians or

(ix) policies and procedures for contacting parents, guardians or persons in parental relation to the students of the district in the event of a violent incident or an early dismissal *or emergency school* closure;

(xviii) in the case of a school district, except in a school district in a city having more than one million inhabitants, a system for informing all educational agencies within such school district of a disaster *or emergency school* closure;

(xx) ensure the development of protocols for responding to a declared state disaster emergency involving a communicable disease that are substantially consistent with the provisions of section 27-c of the Labor Law[.]; and

(xxi) beginning with the 2023-2024 school year and every school year thereafter, an emergency remote instruction plan. For purposes of this subparagraph remote instruction shall have the same meaning as defined in section 100.1(u) of this Chapter. Emergency remote instruction plans shall include:

(a) policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. Each chief executive officer of each educational agency located within a public school district shall survey students and parents and persons in parental relation to such students to obtain information on student access to computing devices and access to internet connectivity to inform the emergency remote instruction plan;

(b) expectations for school staff as to the proportion of time spent in synchronous and asynchronous instruction of students on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction;

(c) a description of how instruction will occur for those students for whom remote instruction by digital technology is not available or appropriate;

(d) a description of how special education and related services will be provided to students with disabilities, as defined in section 200.1(zz) of this Chapter, and preschool students with disabilities, as defined in section 200.1(mm) of this Chapter, as applicable, in accordance with their individualized education programs to ensure the continued provision of a free appropriate public education; and

(e) for school districts that receive foundation aid, the estimated number of instructional hours the school district intends to claim for State aid purposes for each day spent in remote instruction due to emergency conditions pursuant to section 175.5 of this Chapter.

6. Subdivision (f) of section 155.17 of the Regulations of the Commissioner of Education is amended to read as follows:

(f) Reporting. (1) Each superintendent shall notify the commissioner as soon as possible whenever the emergency plan or building-level school safety plan is activated and results in the closing of a school building in the district, and shall provide such information as the commissioner may require in a manner prescribed by the commissioner. [School] *In addition, school* districts within a supervisory district [shall] *may* provide such notification through the BOCES district superintendent, who shall be responsible for notifying the commissioner. Such information need not be provided for routine snow emergency days. Provided, however, that for the 2020-21 and 2021-22 school years, districts shall provide such notification under the 2020-21 and 2021-22 snow day pilot in accordance with the provisions of this subdivision.

(2) Beginning in the 2022-2023 school year, each chief executive officer shall report to the Commissioner, no later than June 30 of each school year, on a form and format prescribed by the Commissioner, the results of the survey on student access to computing devices and access to internet connectivity required pursuant to subparagraph (xxi) of paragraph (1) of subdivision (c) of this section.

Final rule as compared with last published rule: Nonsubstantive changes were made in section 155.17(c)(1).

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112 EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Revised Regulatory Impact Statement, Regulatory Flexibility Analysis and Rural Area Flexibility Analysis

Since publication of a Notice of Proposed Rule Making in the State Register on April 27, 2022, the proposed rule has been revised to make a technical revision to correctly label the clauses in subparagraph 1551.7(c)(1)(xxi) in alphabetical order. Therefore, clauses 155.17(c)(1)(xxi)(c)-(f) are now labeled clauses 155.17(c)(1)(xxi)(b)-(e).

The above revisions to the proposed rule do not require any revisions to the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis and Rural Area Flexibility Analysis.

Revised Job Impact Statement

The purpose of the proposed rule is to implement Regents' policy regarding the provision of remote instruction during emergencies. Specifically, the proposed amendment is necessary to: (1) define the term "remote instruction"; (2) permit districts to deliver instruction remotely on days in which it would otherwise have closed due to an emergency and count these instructional days towards minimum instructional requirements; (3) require public schools, board of cooperative educational services (BO-CES), and county vocational education and extension boards to amend their district-wide school safety plans to include plans for remote instruction beginning with the 2023-2024 school year. Because it is evident from the nature of the proposed rule that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

This assessment summarizes the comments received on the proposed rule, published April 27, 2022. Please refer to the full Assessment of Public Comment (APC) for the Department's complete assessment of public comment at: http://www.counsel.nysed.gov/rules/full-text-indices

1. COMMENT: A commenter opined that the proposed rule should not be adopted due to issues with broadband access, device access for students, concerns that emergency days heighten mental health and social-emotional well-being, and that "adding school work to the situation...unnecessarily increases stress and anxiety of students and parents." The commenter also states that "paper form of work and added that the "option should only be allowed to be used when a school has exhausted all available days."

RESPONSE: The State Education Department (SED) is aware of concerns regarding access to high-quality broadband internet and appropriate devices. The proposed amendment to Section 175.5 indicates that schools "may remain in session and provide remote instruction." The use of this flexibility is entirely optional and should not be used by districts if there is concern about providing remote instruction for all students. As required by the proposed regulation, plans must include the methods by which schools will ensure the availability of devices, internet access, provision of special education and related services for students with disabilities, and the expectations for time spent in different remote modalities. Additionally, such plans require that each chief executive officer of each educational agency located within a public school district report information on student access to computing devices and access to internet connectivity each year. SED also acknowledges legitimate concerns regarding the mental health of students and families. However, as indicated above, a district can choose not to offer remote learning on emergency closure days. Regarding the necessity or practicality of schools providing work in "paper" form, SED does not require the use of paper and permits the use of different modalities of instruction. Finally, only allowing remote learning when all other emergency days have been exhausted would be incon-sistent with the intention of the proposed amendment: to provide flexibility for schools and districts as they seek to provide instruction for all students. No changes are necessary.

2. COMMENT: A commenter described a situation of concern for the faculty association involving a particular student. The association mentions its concern that teachers "might be violating the law by following what they consider an improper directive" and that Individualized Educational Program (IEP) requirements are not being followed. The commenter asserts that the proposed changes do not "authorize" districts to provide remote instruction outside of emergency situations.

RESPONSE: The comment related to the specific situation of concern for the faculty association are outside of the scope of the proposed rule. Also, every remote instruction plan must include a description of how special education and related services will be provided to students with disabilities. Additionally, other provisions of the Commissioner's regulations that permit schools to offer online and blended courses (8 NYCRR 100.5(d)(10)). No changes are necessary.

3. COMMENT: A commenter raises multiple concerns with the proposed rule:

Å. Connectivity. The commenter expressed concerns with students not having access to the tools they need to participate fully and equitable in remote instruction.

RESPONSE: The Department agrees that it is imperative that students have access to the internet and devices to participate in remote instruction.

The decision to provide instruction remotely under emergency conditions is a local decision, based upon districts' assessment as to whether they can meet the needs of their students through remote instruction. The proposed rule also requires that all public schools, boards of cooperative educational services (BOCES) and county vocational education and extension boards adopt an emergency remote instruction plan by the 2023-2024 school year, to be included in the district-wide safety plan. Any remote instruction provided under emergency conditions pursuant to the proposed rule must be consistent with such plan. Additionally, the plan ensures that schools, BOCES, etc. are better equipped and prepared to deal with future situations, like the COVID-19 pandemic, that may necessitate remote instruction. The plan also requires that policies and procedures be established to ensure computing devices will be made available to students or that otherwise address how students will participate in synchronous instruction, as well as survey students and parents and persons in parental relation to such students to obtain information on student access to computing devices and access to the internet. No changes are needed.

B. Privacy. The commenter raises concerns with technology required for remote learning and its ability to store and share private information from students, and states that student privacy must be protected.

RESPONSE: There are many state and federal laws that protect personal data including. Educational agencies are responsible for complying with these laws. No changes are necessary.

C. Students with Disabilities. The commenter raises concerns regarding students with individualized education programs ("IEPs") and loss of access to federally mandated services and supports, during remote learning. The commenter also stated that the proposed rule only mandates that schools describe how special education and related services be administered and should have mandatory safeguards for schools to implement.

RESPONSE: The extent to which students may have "lost access to their federally mandated services and supports" is beyond the scope of this rulemaking. The proposed rule requires that emergency remote instruction plans must include a description of how special education and related services will be provided to students with disabilities and preschool students with disabilities in accordance with their IEPs to ensure the continued provision of a free appropriate public education (FAPE), nothing in the proposed rule changes the available remedies for a parent where they allege a denial of FAPE. School districts, BOCES, and county vocational education and extension boards are responsible for ensuring that each student with a disability and preschool student with a disability receives special education programs and services consistent with their IEP, regardless of the mode of instruction. No changes are necessary.

D. Medical Issues. The commenter states that NYSED should allow immunocompromised students and/or medically vulnerable parents to elect remote instruction and participate virtually to the fullest extent possible in instruction and extracurricular activities. The existing language on homebound instruction should be updated to align with these proposed remote instruction regulations.

RESPONSE: The Department has proposed amendments to the Commissioner's regulations regarding home, hospital, and institutional instruction that permit the use of remote instruction for students receiving such instruction. The comments related to the election of remote instruction for immunocompromised students and/or medically vulnerable parents are outside the scope of the proposed rule. No changes are necessary.

E. Student Discipline. The commenter raises concern with school districts turning to asynchronous delivery of materials in nonemergency circumstances, including, student discipline.

RESPONSE: These comments are outside the scope of the proposed rule, as the proposed rule.

F. The commenter offers specific recommendations for remote instruction time and methods including, longer and more frequent instruction time, collaborative learning, concrete lesson plans, flexible schedules to meet family needs, and promoting inclusivity over punitive measures. DEPARTMENT RESPONSE: Section 100.1(a) of the Commissioner's

regulations requires 180 minutes per week, or the equivalent, for a course to meet a "unit of study." Additionally, the proposed rule adds a definition of remote instruction that applies whenever remote instruction is provided. This definition for remote instruction places emphasis on direct interaction between teachers and students and synchronous instruction provide through digital video-based technology. Additionally, the emergency plans must include expectations for school staff as to the proportion of time spent in synchronous and asynchronous instruction of students on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction. Nothing in the proposed rule prohibits collaborative learning and the Department agrees that collaborative learning is helpful for students' social skills and engagement with schoolwork. It is up to local school districts and teachers whether they wish to provide lesson plans and schedules in advance and it is up to local school districts whether to provide flexible scheduling during the period of emergency remote instruction.

G. The commenter offers feedback on specific provisions of the proposed rule as follows:

i. Regarding section 175.5(e) of the proposed rule, the commenter states that a limit should be placed on how many remote instruction days may be used.

ii. Regarding the definition of remote, the commenter states that this definition is vague as there is no definition for the terms "regular" and "substantive" and districts could interpret this to mean minimal teacher-student interaction.

iii. Regarding section 155.17(a) of the proposed rule, the commenter states that a switch to remote learning should be for emergency circumstances only, not for lack of transportation or other non-immediate safety concerns. They state that the Department should require districts to periodically collect and publish data on actual connectivity.

periodically collect and publish data on actual connectivity. iv. Regarding section 155.17, the commenter states that they "commend NYSED for requiring public feedback on plans for remote instruction prior to adoption and a public hearing on the matter...However, it is not clear to us that this is actually reflected in the proposed language...The commissioner should make public the surveys of students' access to computing devices and to the internet, disaggregated by gender, age, grade, race/national origin, and disability status."

v. Regarding section 155.17(c)(1)(xxi)(a), the commenter states that more guardrails should be applied to specify what proportion of students should have devices and internet access at home and the proposed rule should define how much instructional time should be synchronous, recommending that the majority of time should be synchronous. Further, the commenter characterizes section 155.17(c)(1)(xxi)(c) as vague, stating that "[i]t states instruction be modified for those who cannot access full remote instruction. If instruction is simply 'weekly work packets' this would not meet the needs of many students."

DEPARTMENT RESPONSE:

i. The Department disagrees that a limit must be placed on how many days a district is permitted to shift to remote instruction due to emergency conditions. Please also see section E(i) of this response regarding asynchronous instruction.

ii. While not defined specifically in regulation, "regular and substantive interaction" can be understood as "meaningful and frequent" interaction (see 8 NYCRR 100.1[a]). Such interactions should provide opportunities for the teacher of record to develop a professional relationship with all students enrolled in a class; to track and understand the student's strengths, areas that need additional attention, and engagement; to provide timely and quality feedback; and to identify areas where students may need additional services. The Department will consider providing additional guidance on this topic.

iii. The proposed rule provides specific and illustrative examples of what emergencies may justify a shift to remote instruction. Regarding data on connectivity, the proposed rule requires that each chief executive officer of each educational agency located within a public school district survey students and parents to obtain information on student access to computing devices and access to the internet to inform the emergency remote instruction plan. Additionally, it requires that each chief executive officer report the results of such survey to the Commissioner. Period-by-period attendance, under any modality, is currently not collected by the Department; this would represent a significant increase in districts' reporting obligations.

iv. Section 155.17(c)(3)(i) of the Commissioner's regulations requires that "[e]ach board of education, chancellor or other governing body shall make each district-wide safety plan available for public comment at least 30 days prior to its adoption." Since the emergency remote instruction plan has been made part of the district-wide safety plan, it, too, will be subject to this comment period. The survey results submitted to the commissioner will be collected and made public in aggregate form to protect students' personally identifiable information.

v. Any remote instruction provided under emergency conditions must be provided consistent with the definition of remote instruction provided in section 100.1(u) of the proposed rule. Please also see section E(i) of this response.

No changes are necessary.

NOTICE OF ADOPTION

State Aid for Public Library Systems, School Library Systems and Reference and Research Library Resource Councils

I.D. No. EDU-17-22-00010-A Filing No. 720 Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 90.1, 90.3, 90.18; repeal of section 90.19 of Title 8 NYCRR.

Statutory authority: Education Law, sections 207, 208, 215, 253-268, 271-273, 273-a, 282, 283, 284 and 285; L. 2021, chs. 322 and 563

Subject: State Aid for Public Library Systems, School Library Systems and Reference and Research Library Resource Councils.

Purpose: To align the Commissioner's regulations with Chapters 563 and 322 of the Laws of 2021.

Text or summary was published in the April 27, 2022 issue of the Register, I.D. No. EDU-17-22-00010-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Incidental Teaching and Substitute Teaching Flexibilities

I.D. No. EDU-22-22-00004-A Filing No. 726 Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 80-5.3 and 80-5.4 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 305, 308, 3001, 3004 and 3009

Subject: Incidental teaching and substitute teaching flexibilities.

Purpose: To extend flexibilities for incidental teaching and substitute teaching.

Text or summary was published in the June 1, 2022 issue of the Register, I.D. No. EDU-22-22-00004-EP.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Business and Marketing Content Specialty Test Safety Net

I.D. No. EDU-22-22-00005-A Filing No. 727 Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 80-1.5 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 305, 308, 3001, 3004 and 3009

Subject: Business and Marketing Content Specialty Test Safety Net.

Purpose: To create a safety net for the business and marketing content specialty test.

Text or summary was published in the June 1, 2022 issue of the Register, I.D. No. EDU-22-22-00005-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Education, Examination, and Experience Requirements for Licensure in the Profession of Public Accountancy

I.D. No. EDU-22-22-00006-A Filing No. 728 Filing Date: 2022-09-13

Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 52.13, 70.2, 70.3 and 70.4 of Title 8 NYCRR.

Statutory authority: Education Law, sections 207, 6504, 6507, 7401 and 7404

Subject: Education, examination, and experience requirements for licensure in the profession of public accountancy.

Purpose: To modernize the education, experience and examination standards for CPAs.

Text or summary was published in the June 1, 2022 issue of the Register, I.D. No. EDU-22-22-00006-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Unprofessional Conduct in the Practice of Veterinary Medicine

I.D. No. EDU-22-22-00007-A Filing No. 721 Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 29.6 of Title 8 NYCRR.

Statutory authority: Education Law, sections 207, 6504, 6507, 6509, 6701 and 6702

Subject: Unprofessional conduct in the practice of veterinary medicine. *Purpose:* To establish unprofessional conduct for multi veterinarian and solo veterinarian practices.

Text or summary was published in the June 1, 2022 issue of the Register, I.D. No. EDU-22-22-00007-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment The agency received no public comment.

NOTICE OF ADOPTION

Special Appeal to Earn Diplomas with a Lower Score on a Regents Examination in the 2021-22 or 2022-23 School Years

I.D. No. EDU-22-22-00010-A

Filing No. 733

Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 100.5(d)(7) of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 209, 305, 309 and 3204

Subject: Special appeal to earn diplomas with a lower score on a Regents examination in the 2021-22 or 2022-23 school years.

Purpose: To permit students to appeal a lower score on a Regents examination in the 2021-22 or 2022-23 school yeas to earn diplomas.

Text or summary was published in the June 1, 2022 issue of the Register, I.D. No. EDU-22-22-00010-EP.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

1. COMMENT: Two commenters noted that they were "very pleased that the proposed amendment...will open the door to college and career pathways for some students who might otherwise leave high school without a diploma and help more young people to graduate when they have passed Regents-level courses and demonstrated mastery of State standards." However, they "recommend[ed] a further amendment to strengthen this provision for students with disabilities," noting that they are "concerned that this emergency regulation is not accessible to many students with disabilities who use a superintendent determination in order to meet high school graduation requirements." The commenters requested an expansion of the Superintendent Determination option for graduation with a Local Diploma to allow students to meet the eligibility conditions for this option using a Special Appeal granted for a mathematics and/or English language arts Regents Examination score of 50 or 51. One of the commenters noted that "[w]hile students with disabilities...may still be able to graduate with a local diploma in June 2022 pursuant to the recently adopted emergency regulations adding a new 'special determination' to graduate with a local diploma (8 NYCRR § 100.5(d)(14)), the special determination is only for students graduating in June 2022, so we are concerned about students with disabilities graduating after June 2022.

DEPARTMENT RESPONSE: The Department appreciates the supportive comments. The Superintendent Determination option for certain students with disabilities for eligibility to graduate with a Local Diploma allows such students to graduate from high school and obtain a Local Diploma without passing the 4+1 exit examinations typically required for a diploma. Students with disabilities are eligible for this pathway if they pass all their required coursework, attempt all required Regents exam, and either: (1)achieve a minimum score of 55 (or successfully appeal a score between 52 and 54 on both the English language arts and mathematics Regents Examinations required for graduation); or (2) complete the requirements for the New York State career development and occupational studies credential pursuant to section 100.6(b) of the Commissioner's regulations. These comments are outside the scope of the proposed rule as they would require an amendment to the Special Determination option contained in section 100.5(d)(12)(ii) of the Commissioner's regulations. However, as noted by one of the commenters, the Board of Regents adopted emergency regulations at the July 2022 Board of Regents meeting setting forth a new Special Determination option for all students set to graduate in June 2022 that recognizes that there may be some students who, because of a disruption to their educational program due to COVID-19, or for other medical reasons, are unable to demonstrate their proficiency on one or more required Regents Examinations. The Department believes that these regulatory provisions offer sufficient flexibility to all students, enabling them to earn a diploma and exit high school to pursue post-secondary opportunities. Therefore, no changes to the proposed rule are necessary.

2. COMMENT: A commenter noted that while they are "very pleased that this amendment allows more students who have mastered course content to meet graduation requirements," they "remain concerned that New York State continues to rely on a complicated framework of exit exam requirements that do little to ensure that students are college or career ready." The commenter recognizes that "no federal law requires that students pass high-stakes exit exams in order to graduate from high school" and encourages the New York State Education Department and the Board of Regents to "immediately decouple Regents Exam requirements from graduation requirements."

DEPARTMENT RESPONSE: While this comment is outside the scope of the proposed regulation, the Board of Regents and the Department are currently engaged in a review of high school graduation measures. The goals of this initiative are to explore what it means to obtain a diploma in New York State, what that diploma should represent, and to ensure educational excellence and equity for all students in New York State. No changes to the proposed rule are necessary. 3. COMMENT: A commenter expressed concern that this amendment

3. COMMENT: A commenter expressed concern that this amendment "is part of a troubling trend of lowered expectations and graduation requirements for NY students." The commenter states that "[r]ather than lowering graduation requirements, we urge state and local school leaders to invest their record amounts of new federal and state funding to provide extra academic support to students, particularly those struggling to graduate, to ensure they graduate with the skills necessary for success in college and career. It is particularly concerning that this amendment applies to the 2022-23 school year, when students will have had ample time to receive extra support from schools to catch up on pandemic-related unfinished learning." The commenter continues by stating that "[w]hile we support a focus on new graduation pathways and look forward to supporting the Blue Ribbon Commission, the current Regents system is the only mechanism in place to ensure students are prepared to succeed after high school and it must be maintained until a new system is in place." The commenter urged the Members of the Board of Regents to vote no to the adoption of the regulatory amendment in September.

DEPARTMENT RESPONSE: The flexibility provided by the proposed amendment is necessary due to widely varied teaching and learning conditions caused by the continued impact of the COVID-19 pandemic. Please see response to the preceding comment concerning the Department's ongoing review of graduation measures. The comment regarding the use of state and federal funds is outside the scope of the proposed rule. No changes to the proposed rule are necessary.

NOTICE OF ADOPTION

Session Days and Time Spent in Assessments

I.D. No. EDU-22-22-00011-A Filing No. 730 Filing Date: 2022-09-13 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 175.5 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 305, 3602, 3604 and 3609-a

Subject: Session days and time spent in assessments.

Purpose: To define session days and to count time spent in assessments toward the minimum instructional hour requirement.

Text or summary was published in the June 1, 2022 issue of the Register, I.D. No. EDU-22-22-00011-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Students with Disabilities Certificate

I.D. No. EDU-22-22-00012-A Filing No. 732 Filing Date: 2022-09-13

Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 52.21, 57-3.1, 57-3.7, 80-1.2, 80-1.5, 80-1.12, 80-3.2, 80-3.7, 80-4.3 and 80-4.4 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 305, 308, 3001, 3004 and 3009

Subject: Students with Disabilities Certificate.

Purpose: To establish the Students with Disabilities (All Grades) certificate, revise the registration requirements for Students with Disabilities (Birth-Grade 2) programs, and revise the requirements for the extension and limited extension to teach certain subjects to students with disabilities.

Text or summary was published in the June 1, 2022 issue of the Register, I.D. No. EDU-22-22-00012-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

This assessment summarizes the comments received on the proposed rule, published June 1, 2022. Please refer to the full Assessment of Public Comment (APC) for the Department's complete assessment of public comment at: http://www.counsel.nysed.gov/rules/full-text-indices

1. COMMENT: Many commenters support the propose regulatory amendment.

DEPARTMENT RESPONSE: The comments are supportive of the proposed rule; therefore, no changes are necessary.

2. COMMENT: A few commenters' support for the proposal was conditional upon: (1) if teacher preparation programs leading to certification are rigorous and sufficiently robust with content knowledge in addition to pedagogical practices; and (2) if current special education teachers' certificates are also extended.

DEPARTMENT RESPONSE: The proposed amendments requirements are designed to prepare candidates with the knowledge and skills needed to work with students with disabilities in all grades (pre-Kindergarten through grade 12). The SWD (All Grades) certificate has different requirements than the SWD (Birth-Grade 2), SWD (Grades 1-6), or SWD (Grades 7-12) certificates. Therefore, teachers would not be able to be awarded the certificate through legacy exceptions.

3. COMMENT: Several commenters who support the proposed regulatory amendment offered suggestions and concerns related to the proposal such as: awarding the SWD (All Grades) certificate to all teachers who hold a SWD certificate in a grade band without additional requirements; special education teachers need to have a deeper understanding of the science of reading and its application and be able to identify/understand the deficits and processes that negatively impact student learning; and options to support teachers with the SWD (All Grades) certificate are needed and should be explored, such as mentorship or micro-credentials, so that they can teach middle school and high school subject area, classes. These suggestions are fully described in the Department's complete assessment of public comment.

DEPARTMENT RESPONSE: The SWD (All Grades) certificate has different requirements than the SWD (Birth-Grade 2), SWD (Grades 1-6), or SWD (Grades 7-12) certificates. Therefore, teachers would not be able to be awarded the certificate through legacy exceptions.

Candidates who complete a New York State registered teacher preparation program leading to the SWD (All Grades) certificate will complete coursework in curriculum development and research-validated methods of instructing students with disabilities.

Teachers who obtain the SWD (All Grades) certificate can teach a special class in a subject area in grades 7-12, with some or no students under alternate assessment, if they are certified in the subject area or meet the teaching experience requirement for the statement of continued

eligibility (SOCE) in the subject area and have an active SOCE application in the TEACH system. There are several ways that special education teachers can become certified in a subject area, including earning a subject area certificate, subject area extension, or limited extension in the subject area.

Please see the complete assessment of public comment for the entirety of the Department's response.

4. COMMENT: Several commenters raised questions related to the proposed regulatory amendment such as: What happens to teachers who hold a current SWD (Birth-Grade 2), SWD (Grades 1-6), or SWD (Grades 7-12) certificate regarding the SWD (All Grades) certificate? Would they need to pay for an application? Would they get a refund? Would their certificates be converted or extended to the proposed SWD (All Grades) certificate or obtain the proposed certificate through legacy exceptions, or would they need to retake exams and classes?

DEPARTMENT RESPONSE: Individuals who hold one of the current SWD certificates will not be required to obtain the new SWD (All Grades) certificate by the Department, as those certificates will continue to be recognized in the future. They can choose to pursue the SWD (All Grades) certificate if they wish. The SWD (All Grades) certificate has different requirements than the SWD (Birth-Grade 2), SWD (Grades 1-6), or SWD (Grades 7-12) certificates. Therefore, teachers who hold or held these certificates would not have their certificates automatically converted to the SWD (All Grades) certificate and would not be able to obtain the certificate through legacy exceptions. If they wish to obtain the SWD (All Grades) certificate, they would need to apply and pay the application fee for the SWD (All Grades) certificate. Special education teachers would not receive a refund for past certificate application fees or assessment fee because they paid for services rendered by the Department. Teachers who hold a current SWD certificate would be able to apply for the SWD (All Grades) certificate through a variety of pathways that have different requirements. Applicants may or may not need to complete coursework or exams for the certificate, depending on the pathway through which they are seeking the new certificate. Teachers could pass any one of the following tests for the SWD (All Grades) certificate until a multi-subject content specialty test for such certificate title is developed and available: Multi-Subject, Multi-subject: Teachers of Childhood (Grade 1-Grade 6), Multi-subject: Teachers of Middle Childhood (Grade 5-Grade 9), or Multisubject: Secondary Teachers (Grade 7-Grade 12) content specialty tests.

Please see the complete assessment of public comment for the entirety of the Department's response.

5. COMMENT: Multiple commenters do not support the proposed regulatory amendment. The reasons that they do not support the proposed amendment may be sorted into the following categories: teacher preparation quality; impact on programs; impact on students with disabilities, impact on early childhood education, special education teacher shortage, former special education certificate. These comments are fully summarized in the Department's complete assessment of public comment.

DEPARTMENT RESPONSE: The Department recognizes that special education teacher preparation programs would need to offer coursework that addresses the broader student developmental levels of the Students with Disabilities (All Grades) certificate (pre-Kindergarten-grade 12). Although this coursework may not go into as much depth as the coursework in current special education programs, the supportive public comments articulate how it is valuable for special education teachers to understand the full continuum of grade range abilities among students with disabilities, and the ability to specially design and instruct students with special learning needs can be applied across the grade levels. Additionally, the SWD (All Grades) certificate would also allow school districts to better meet the needs of students with disabilities by providing flexibility with hiring and teaching assignments across grade levels, particularly in rural and small districts and in buildings with grades that span more than one certification. This flexibility would also help address the persistent special education teacher shortage.

Several commenters indicated that SWD (All Grades) programs would be longer and more costly, forced to reduce the specialized content to keep the number of semester hours competitive, or forced to close or endure lower enrollments in the case of dual certification programs. Institutions of higher education would not necessarily need to increase the number of semester hours to offer this type of program, however; this would be a choice made by institutions. The proposal establishes a new certificate title with different education requirements, rather than reducing the amount of certification and education as indicated by a commenter.

The supportive public comments point out that school districts can provide professional learning and support for special education teachers so that they have the knowledge and skills needed to work with students with disabilities, which may not have been covered by their teacher preparation program. This professional learning and support can also help with the retention of special education teachers. The Department understands that institutions of higher education will engage in efforts to develop or revise their special education programs and will provide support during this process.

The Department believes that the proposal will have a positive impact on students with disabilities by increasing the pool of certified special education teachers, enabling school districts to meet the needs of students across the grade bands. The Department does not anticipate that the creation of the SWD (All Grades) certificate will limit the opportunities for students with disabilities to be included in general education classroom instruction, increase discrete skill instruction in stand-alone special classes in a subject area, limit the type of work for co-teachers or resource room teachers, or diminish the requirements for subject area special class teachers.

Currently, special education teachers can teach a special class in a subject area in grades 7-12, with some or no students under alternate assessment, if they are certified in the subject area or meet the teaching experience requirement for the statement of continued eligibility (SOCE) in the subject area and have an active SOCE application in the TEACH system. There are several ways that special education teachers can become certified in a subject area, including earning a subject area certificate, subject area extension, or limited extension in the subject area. For the extension to teach students with disabilities in certain subjects in grades 5-9 or grades 7-12, the Department believes that candidates can sufficiently demonstrate the content knowledge needed to teach student with disabilities by completing 12 semester hours in the subject area of the extension or passing the content specialty test in the subject area of the extension.

In response to comments that candidates may be more interested in teaching students with disabilities in grades 1-6 instead of grades 7-12, the Department notes that, in the past, New York State offered an all grades Special Education certificate. Several special education teachers who hold this former certificate have described its benefits in public comments. Additionally, other states offer special education certificates that span all grades. Therefore, there is ample support for the proposition that candidates will pursue a SWD (All Grades) certificate and program. This certificate does not require teachers to teach outside of their area of interest and would make them more marketable for school districts.

The Department holds the teaching profession in high esteem and greatly values the preparation that candidates receive in New York State registered teacher preparation programs. No changes to the proposed rule are necessary

6. COMMENT: Several commenters who do not support the proposed regulatory amendment made suggestions, such as: consider a Kindergarten-grade 8 certification and a grades 5-12 certification, which would allow colleges to provide deliberate developmental coursework; expand the already existing New York State Internship Certificate; and expand opportunities for institution of higher education and Department collaborations, such as those already in place that support qualified candidates in getting robust teacher education while also being in

classrooms (e.g., teacher residency programs). DEPARTMENT RESPONSE: The Department appreciates the sugges-tions to help address the special education teacher shortage and will take several of them under consideration. Several of the suggestions could complement and bolster the proposal, such as expanding opportunities for institution of higher education and Departmental collaborations. However, the suggestions would not address the special education teacher shortage to the same extent as the proposed amendment. Please see the complete assessment of public comment for the entirety of the Department's response

7. COMMENT: The commenter believes that additional information on the shortage problem would be useful in understanding the specific shortages both regionally and by grade levels. They understand and appreciate the recent shortage reports stemming from data in the TEACH system but assert that this data is not as clear as it could be because many certified SWD teachers also have certification in another area like childhood education.

DEPARTMENT RESPONSE: The Department collects data on statewide teacher shortage areas and reports the shortage areas annually to the U.S. Department of Education (USDE). The USDE Teacher Shortage Area website shows the years in which special education has been designated a statewide shortage area, and for some years the shortages are reported by region (e.g., New York City). Special education was a statewide shortage area in grades 5-12 (2020-2021), pre-Kindergarten-grade 12 (2021-2022), and grades 7-12 (2022-2023).

8. COMMENT: Many comments were submitted that were unrelated to the proposed rule.

DEPARTMENT RESPONSE: Since these comments are outside the scope of the proposed rule, no changes are necessary.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Appeals to the Commissioner of Education Under Education Law Section 310

I.D. No. EDU-39-22-00011-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of sections 275.3, 275.9, 275.17, 276.4 and 276.8; repeal of section 276.2; and addition of new section 276.2 to Title 8 NYCRR

Statutory authority: Education Law, sections 101, 207, 305, 310 and 311 Subject: Appeals to the Commissioner of Education under Education Law section 310.

Purpose: To amend requirements related to form of pleading and to provide for electronic filing, extensions for filing memoranda of law, and confidential resolution conferences, and repeal the provision providing for oral arguments for Appeals to the Commissioner of Education under Education Law section 310.

Text of proposed rule: 1. Subdivision (c) of section 275.3 of the Regulations of the Commissioner of Education is amended to read as follows:

(c) Form of pleadings. Documents that do not comply with the requirements of this section may be rejected in the sole discretion of the Commissioner. All pleadings and affidavits [shall be submitted in typewritten form, double spaced, on white paper 8 1/2 by 11 inches in size, and] shall set forth the allegations of the parties in numbered paragraphs. Such pleadings shall be addressed "To the Commissioner of Education," and shall be filed in accordance with the provisions of section 275.9 of this Part. All pleadings and affidavits, unless an exception is granted by the Commissioner, shall be submitted in the following form:

(1) typewritten in black ink, on single-sided pages, and text doublespaced (block quotations and footnotes may be single-spaced), on white paper 8 1/2 by 11 inches in size;

(2) all text, except page numbers, shall appear on pages containing margins of at least one inch. Text shall appear as minimum 12-point type in a legible font (serif preferred). Footnotes may appear as 10-point or 12-point type;

(3) pages consecutively numbered; and

(4) the petition, stay opposition, answer, or reply shall not exceed 15 pages in length; a memorandum of law shall not exceed 30 pages in length. Parties seeking to exceed these limitations may submit a written request in *the manner described in Section 275.3(b).* 2. Subdivision (a) of section 275.9 of the Regulations of the Commis-

sioner of Education is amended to read as follows:

(a) Within five days after the service of any pleading or paper or, in the case of a charter school location/co-location appeal pursuant to section 276.11 of this Title, within the period specified in such section 276.11 of this Title, a complete electronic copy of the original, together with the affidavit of verification and an affidavit proving the service of a copy thereof, shall be transmitted to the Office of Counsel as an email attachment, in a secure digital format that cannot be edited, at the following email address: legal@nysed.gov. Provided, however, that if electronic filing cannot be accomplished, the original pleading or paper, together with the affidavit of verification and an affidavit proving the service of a copy of the pleading or paper, shall be transmitted to the Office of Counsel, New York State Education Department, State Education Building, Albany, NY 12234. The affidavit of service shall be in substantially the form set forth below and shall indicate the name and, if applicable, official title of the person upon whom service was made.

Section 276.2 of the Regulations of the Commissioner of Education is REPEALED and a new section 276.2 is added to read as follows:

276.2 Confidential Resolution Conference.

(a) The Commissioner may schedule and direct the parties to participate in a confidential resolution conference with the counsel or the counsel's designee. Such conferences shall be for the purposes of considering settlement, simplifying the issues, resolving procedural issues, and/or discussing any matters which may aid in the expeditious disposition of the appeal.

(b) The resolution conference may be held in-person, by telephone, or by digital conferencing software and may be continued, as necessary.

(c) The counsel or designee may require an authorized school district representative familiar with the facts of the appeal to attend.

(d) The confidential resolution conference shall not be recorded, no evidence may be introduced or received, and any statements made therein shall not be admissible in the appeal under review, or in any other legal proceeding.

(a) Memoranda of law, consisting of the parties' arguments of law may be submitted by any party to an appeal and may be requested by the commissioner's counsel or by the commissioner. The petitioner shall serve a copy of any memorandum of law upon every other party to the appeal in the manner provided by section 275.8(b) of this Title within 40 days after service of the petition. Each respondent shall serve a copy of any memorandum of law, upon every other party in the manner provided by section 275.8(b) of this Title within 50 days after service of the petition. Reply memoranda will be accepted only with the prior approval of the commissioner. All memoranda of law shall be filed with proof of service thereof in accordance with section 275.9 of this Title. The commissioner, in [his/her] his or her sole discretion 275.9 of this little. The commissioner, ing of memoranda of law upon written application by a party, setting forth good cause for the delay and demonstrating the necessity of such memoranda to a determination of the appeal, together with proof of ser-vice of a copy of such application upon all other parties to the appeal. The commissioner may also permit an extension of time to serve and file memoranda of law upon each acces shown and upon such targets of such memoranda of law upon good cause shown and upon such terms and conditions as the commissioner may specify. A party seeking an extension shall make such request to the Office of Counsel prior to the expiration of the time to serve such answer or reply. The procedures set forth in this subdivision shall not apply to charter school location/co-location appeals, which shall be governed by section 276.11 of this Part.

5. Subdivision (a) of section 276.8 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) Any party to an appeal may, within 30 days after the date of a decision thereon, apply by petition to the commissioner for a reopening of said decision. Applications for reopening are addressed solely to the discretion of the commissioner, and will not be granted in the absence of a showing that the decision which is the subject of such application was rendered under a misapprehension as to the facts or that there is new and material evidence which was not available at the time the original decision was made. [No oral argument shall be had in connection with an application for reopening unless the commissioner directs that such argument be had.]

6. Section 275.17 of the Regulations of the Commissioner of Education is amended to read as follows:

Section 275.17. Amicus curiae

The commissioner may, in his/her sole discretion and upon written application submitted [at or before oral argument], permit interested persons or organizations to submit memoranda of law amicus curiae in connection with a pending appeal. Those permitted to submit memoranda amicus curiae shall not be considered parties to the appeal before the commissioner and shall not be entitled to receive copies of pleadings and papers pertaining thereto or to participate in [oral argument] a confidential resolution conference pursuant to section 276.2 of this Chapter.

Text of proposed rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Daniel Morton-Bentley, Counsel, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

. STAŤUTÔRY AUTHORITY:

Education Law § 101 continues the existence of the Education Department, with the Board of Regents as its head, and authorizes the Regents to appoint the Commissioner as chief administrative officer of the Department, which is charged with the general management and supervision of public schools and the educational work of the State.

Education Law § 207 authorizes the Regents and Commissioner to adopt rules and regulations implementing State law regarding education.

Education Law § 305(1) designates the Commissioner as chief executive officer of the State system of education and the Regents, and authorizes the Commissioner to enforce laws relating to the educational system and to execute the Regents' educational policies. Section 305(2) authorizes the Commissioner to have general supervision over schools subject to the Education Law.

Education Law § 310 provides that an aggrieved party may appeal by petition to the Commissioner of Education in consequence of certain specified actions by school districts and school officials.

Education Law § 311 authorizes the Commissioner to regulate the practice of appeals to the Commissioner brought pursuant to Education Law section 310.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the authority conferred by the above statutes to regulate the practice and procedures to be followed in Education Law section 310 appeals. 3. NEEDS AND BENEFITS:

The proposed rule is needed to encourage the expeditious resolution of disputes that come before the Commissioner. These changes include the introduction of style and page limit requirements to pleadings and memoranda of law, electronic filing, and confidential settlement conference procedures. Specifically, the Department proposes the following amendments:

Page Limitations and Formatting: The Department recommends that pleadings (i.e., petition, stay opposition, answer, or reply) be typewritten and limited to 15 pages in length, while memorandum of law be limited to 30 pages in length. There would be no page limitation on supporting materials and evidence such as affidavits and exhibits. The Commissioner may grant a party permission to submit handwritten pleadings. The Department believes that these limitations strike a balance between allowing parties to present their case while ensuring that allegations are concise and non-repetitive. A party seeking to exceed the page limitations may submit a written request to do so in the manner described in Section 275.3(b).

Electronic Filing with the Department: In addition to serving copies of papers and pleadings on the opposing party, parties must file a copy of all pleadings with the State Education Department pursuant to 8 NYCRR 275.9(a). During the COVID-19 pandemic, the Department granted several requests to file these documents electronically. This saved time and money, as parties were able to instantaneously transmit documents without incurring copying and shipping costs. The Department did not experience any difficulty accessing digital files sent as pdf attachments.

Therefore, the Department proposes that electronic filing as an email attachment, in a secure digital format that cannot be edited, serve as the default method of filing pleadings and papers under 8 NYCRR 275.9(a). For parties unable to utilize email, the Department will continue to accept pleadings and papers by mail. Petitioners will remain obligated to commence an appeal through personal service of the petition as set forth in 8 NYCRR 275.8.

Extensions of Time to Serve Memoranda of Law: The Department proposes clarifying amendments to 8 NYCRR 276.4(a) to confirm that any party may prospectively seek an extension of time to serve and file a memorandum of law ahead of the deadline for submission. The current provisions permitting the late service and filing of a memorandum of law upon good cause shown will remain in effect.

Confidential Resolution Conference/Oral Argument: Finally, the Department recommends a new, confidential resolution conference procedure in lieu of oral argument. The Department believes that the ideal outcome of an appeal to the Commissioner is an agreement between the parties to work together and move forward, whether through mutually acceptable resolution or agreement on the issues to be addressed.

The proposed procedure would authorize counsel, on behalf of the Commissioner, to convene a conference "for the purposes of considering settlement, simplifying the issues, resolving procedural problems, and/or discussing any matters which may aid in the expeditious disposition of the appeal." These conferences may be held in a manner convenient for the parties, including in-person, telephone, or digital conferencing software. The counsel or counsel's designee may require an authorized school district representative familiar with the facts of the appeal to attend. The conference would not be recorded or admissible in the appeal or any other proceeding.

This process would replace the oral argument procedure currently authorized by 8 NYCRR 276.2. That procedure has fallen into disuse; the Commissioner has not entertained oral argument for decades. The Department believes that the confidential resolution conference process is more likely to produce positive outcomes for students, families, and schools.

4. COSTS:

Cost to the State: The amendments do not impose any costs on State government.

Costs to local government: The amendments do not impose any costs on local government beyond those imposed by statute. Additionally, the rule allows electronic filing of pleadings, which may provide cost savings to school districts.

Cost to private regulated parties: The amendments do not impose any costs on private regulated parties beyond those imposed by the statute. Additionally, the rule allows electronic filing of pleadings, which may provide cost savings to parties to the appeal.

Cost to regulating agency for implementation and continued administration of this rule: There are no additional costs to the State Education Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment requires that pleadings be submitted in a specific format and sets page limitations as described in the needs and benefits section above. Additionally, the proposed rule provides that the Commissioner may schedule and direct the parties to participate in a confidential resolution conference with the Department's counsel or the counsel's designee for the purpose of considering settlement, simplifying the issues, etc. as described in the needs and benefits section above.

6. PAPÉRWORK:

The proposed amendment requires that pleadings be submitted in a specific format and sets page limitations as described in the needs and benefits section above.

. DUPLICATION:

The proposed amendment does not duplicate, overlap or conflict with State and Federal rules or requirements.

8. ALTERNATIVES:

The proposed amendment is necessary to encourage the expeditious resolution of disputes that come before the Commissioner. There were no significant alternatives and none were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

It is anticipated that the proposed amendment will be presented for permanent adoption at the January 2023 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60day public comment period required under the State Administrative Procedure Act. If adopted at the January 2023 meeting, the proposed amendment will become effective on January 25, 2023.

Regulatory Flexibility Analysis

(a) Small Businesses:

The proposed amendment relates to procedures for appeals that are brought pursuant to Education Law section 310 and does not apply to small businesses since they are not parties to such proceedings. The proposed amendment will not impose any additional reporting, recordkeeping or other compliance requirements on small businesses, nor will it have any adverse economic impact on small businesses. Because it is evident from the nature of the rule that it does not apply to small businesses, no further steps were needed to ascertain that fact and none were taken. Therefore, a regulatory flexibility analysis is not required, and one has not been prepared.

(b) Local Governments:

1. EFFECT OF RULE:

The proposed amendment is applicable to all public school districts and boards of cooperative educational services (BOCES) in the State.

2. COMPLIANCE REQUIREMENTS:

The proposed rule is needed to encourage the expeditious resolution of disputes that come before the Commissioner. These changes include the introduction of style and page limit requirements to pleadings and memoranda of law, electronic filing, and confidential settlement confer-ence procedures. Specifically, the Department proposes the following amendments

Page Limitations and Formatting: The Department recommends that pleadings (i.e., petition, stay opposition, answer, or reply) be typewritten and limited to 15 pages in length, while memorandum of law be limited to 30 pages in length. There would be no page limitation on supporting materials and evidence such as affidavits and exhibits. The Commissioner may grant a party permission to submit handwritten pleadings. The Department believes that these limitations strike a balance between allowing parties to present their case while ensuring that allegations are concise and non-repetitive. A party seeking to exceed the page limitations may submit a written request to do so in the manner described in Section 275.3(b).

Electronic Filing with the Department: In addition to serving copies of papers and pleadings on the opposing party, parties must file a copy of all pleadings with the State Education Department pursuant to 8 NYCRR 275.9(a). During the COVID-19 pandemic, the Department granted several requests to file these documents electronically. This saved time and money, as parties were able to instantaneously transmit documents without incurring copying and shipping costs. The Department did not experience any difficulty accessing digital files sent as.pdf attachments.

Therefore, the Department proposes that electronic filing as an email attachment, in a secure digital format that cannot be edited, serve as the default method of filing pleadings and papers under 8 NYCRR 275.9(a). For parties unable to utilize email, the Department will continue to accept pleadings and papers by mail. Petitioners will remain obligated to commence an appeal through personal service of the petition as set forth in 8 NYCRR 275.8

Extensions of Time to Serve Memoranda of Law: The Department proposes clarifying amendments to 8 NYCRR 276.4(a) to confirm that any party may prospectively seek an extension of time to serve and file a memorandum of law ahead of the deadline for submission. The current provisions permitting the late service and filing of a memorandum of law upon good cause shown will remain in effect.

Confidential Resolution Conference/Oral Argument: Finally, the

Department recommends a new, confidential resolution conference proce-dure in lieu of oral argument. The Department believes that the ideal outcome of an appeal to the Commissioner is an agreement between the parties to work together and move forward, whether through mutually acceptable resolution or agreement on the issues to be addressed.

The proposed procedure would authorize counsel, on behalf of the Commissioner, to convene a conference "for the purposes of considering settlement, simplifying the issues, resolving procedural problems, and/or discussing any matters which may aid in the expeditious disposition of the appeal." These conferences may be held in a manner convenient for the parties, including in-person, telephone, or digital conferencing software. The counsel or counsel's designee may require an authorized school district representative familiar with the facts of the appeal to attend. The conference would not be recorded or admissible in the appeal or any other proceeding.

This process would replace the oral argument procedure currently authorized by 8 NYCRR 276.2. That procedure has fallen into disuse; the Commissioner has not entertained oral argument for decades. The Department believes that the confidential resolution conference process is more likely to produce positive outcomes for students, families, and schools.

3. PROFESSIONAL SERVICES:

The proposed amendment will not increase the level of professional services needed by school districts or BOCES to comply with its requirements

4. COMPLIANCE COSTS:

The proposed rule will not impose any additional costs on school districts or BOCES. Additionally, the rule allows electronic filing of pleadings, which may provide cost savings to school districts and BOCES. 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed amendment does not impose any additional technological requirements on school districts or BOCES. Economic feasibility is addressed under the compliance costs section above. 6. MINIMIZING ADVERSE IMPACT:

The proposed amendment requires that pleadings be submitted in a specific format and sets page limitations as described in the compliance requirements section above. Additionally, the proposed rule provides that the Commissioner may schedule and direct the parties to participate in a confidential resolution conference with the Department's counsel or the counsel's designee for the purpose of considering settlement, simplifying the issues, etc. as described in the compliance requirements section above. These amendments are needed to encourage the expeditious resolution of disputes that come before the Commissioner. There were no significant alternatives considered

7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed amendment were solicited from school districts and BOCES through the offices of the district superintendents of each supervisory district in the State.

Rural Area Flexibility Analysis

1. TYPES AND EŠTIMĀTED NUMBERS OF RURAL AREAS:

The proposed amendment applies to all school districts and BOCES in the State, including those located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less.

2. ŘEPORTÍNG, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed rule is needed to encourage the expeditious resolution of disputes that come before the Commissioner. These changes include the introduction of style and page limit requirements to pleadings and memoranda of law, electronic filing, and confidential settlement confer-ence procedures. Specifically, the Department proposes the following amendments

Page Limitations and Formatting: The Department recommends that pleadings (i.e., petition, stay opposition, answer, or reply) be typewritten and limited to 15 pages in length, while memorandum of law be limited to 30 pages in length. There would be no page limitation on supporting materials and evidence such as affidavits and exhibits. The Commissioner may grant a party permission to submit handwritten pleadings. The Department believes that these limitations strike a balance between allowing parties to present their case while ensuring that allegations are concise and non-repetitive. A party seeking to exceed the page limitations may submit a written request to do so in the manner described in Section 275.3(b).

Electronic Filing with the Department: In addition to serving copies of papers and pleadings on the opposing party, parties must file a copy of all pleadings with the State Education Department pursuant to 8 NYCRR 275.9(a). During the COVID-19 pandemic, the Department granted several requests to file these documents electronically. This saved time and money, as parties were able to instantaneously transmit documents without incurring copying and shipping costs. The Department did not experience any difficulty accessing digital files sent as.pdf attachments.

Therefore, the Department proposes that electronic filing as an email at-

tachment, in a secure digital format that cannot be edited, serve as the default method of filing pleadings and papers under 8 NYCRR 275.9(a). For parties unable to utilize email, the Department will continue to accept pleadings and papers by mail. Petitioners will remain obligated to commence an appeal through personal service of the petition as set forth in 8 NYCRR 275.8.

Extensions of Time to Serve Memoranda of Law: The Department proposes clarifying amendments to 8 NYCRR 276.4(a) to confirm that any party may prospectively seek an extension of time to serve and file a memorandum of law ahead of the deadline for submission. The current provisions permitting the late service and filing of a memorandum of law upon good cause shown will remain in effect.

Confidential Resolution Conference/Oral Argument: Finally, the Department recommends a new, confidential resolution conference procedure in lieu of oral argument. The Department believes that the ideal outcome of an appeal to the Commissioner is an agreement between the parties to work together and move forward, whether through mutually acceptable resolution or agreement on the issues to be addressed.

The proposed procedure would authorize counsel, on behalf of the Commissioner, to convene a conference "for the purposes of considering settlement, simplifying the issues, resolving procedural problems, and/or discussing any matters which may aid in the expeditious disposition of the appeal." These conferences may be held in a manner convenient for the parties, including in-person, telephone, or digital conferencing software. The counsel or counsel's designee may require an authorized school district representative familiar with the facts of the appeal to attend. The conference would not be recorded or admissible in the appeal or any other proceeding.

This process would replace the oral argument procedure currently authorized by 8 NYCRR 276.2. That procedure has fallen into disuse; the Commissioner has not entertained oral argument for decades. The Department believes that the confidential resolution conference process is more likely to produce positive outcomes for students, families, and schools.

3. COSTS:

The proposed rule will not impose any additional costs on school districts or BOCES, including those located in rural areas. Additionally, the rule allows electronic filing of pleadings, which may provide cost savings to school districts and BOCES.

4. MINIMIZING ADVERSE IMPACT:

The proposed amendment requires that pleadings be submitted in a specific format and sets page limitations as described in the compliance requirements section above. Additionally, the proposed rule provides that the Commissioner may schedule and direct the parties to participate in a confidential resolution conference with the Department's counsel or the counsel's designee for the purpose of considering settlement, simplifying the issues, etc. as described in the compliance requirements section above. These amendments are needed to encourage the expeditious resolution of disputes that come before the Commissioner. There were no significant alternatives considered. Because these requirements are applicable Statewide, it was not possible to prescribe lesser requirements for rural areas.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts, including those in rural areas.

Job Impact Statement

The proposed amendment relates to Education Law section 310 appeal procedures and will not have a substantial adverse impact on jobs and employment opportunities. Because it is evident from the nature of the rule that it will not affect job and employment opportunities, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Degree and Experience Requirements for College Professors for the Tran G Certificate and the Individual Evaluation Pathway

I.D. No. EDU-39-22-00013-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of sections 80-3.7 and 80-5.22 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 305, 308, 3001, 3004 and 3009

Subject: Degree and experience requirements for college professors for the Tran G Certificate and the Individual Evaluation Pathway.

Purpose: To amend degree and experience requirements for college professors for the Transitional G certificate and through the individual evaluation pathway to certification.

Text of proposed rule: 1. Clause (c) of subparagraph (ii) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education is REPEALED.

2. Subparagraph (xiii) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education is amended to read as follows:

(xiii) For candidates with a *baccalaureate degree and/or a* graduate degree and two years of post-secondary teaching experience in the certificate area to be taught or in a closely related subject area acceptable to the department[, who apply for a certificate on or after February 2, 2019], the candidate shall not be required to meet the general requirements in subparagraph (2)(iii) or (2)(iv) of this subdivision. However[.], the candidate shall meet the following requirements:

(a) Degree completion. The candidate shall possess a graduate degree in the area of a certificate title sought or in a closely related subject area acceptable to the department, or a baccalaureate degree in the area of a certificate title or in a closely related subject area acceptable to the department and a graduate degree in another area, from an institution of higher education that is accredited by an institutional accrediting agency recognized for this purpose by the United States Department of Education, a higher education institution authorized by the Board of Regents to confer degrees and whose programs are registered by the department. The candidate shall have completed a [graduate] major in the subject of the certificate sought, or in a related field approved by the department for this purpose.

(b) Post-secondary teaching experience. The candidate must show evidence of at least two years of satisfactory teaching experience at the post-secondary level in the certificate area to be taught or in a closely related subject area acceptable to the department[: provided, however, that such experience must have been completed within 10 years immediately preceding the application for an initial certificate unless the candidate holds/held a Transitional G certificate].

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3. Section 80-5.22 of the Regulations of the Commissioner of Education is amended to read as follows:

80-5.22 Transitional G certificate for career changers and others holding a [graduate or higher degree] *baccalaureate and/or graduate degree* in [any area for which there is] *the area of* a certificate title and with at least two years of acceptable post-secondary teaching experience[in any area for which there is a certificate title or in a closely related subject area acceptable to the department].

4. Paragraph (2) of subdivision (a) of section 80-5.22 of the Regulations of the Commissioner of Education is amended to read as follows:

(2) Limitations. The transitional G *certificate* shall authorize a candidate to teach only in a school district for which a commitment for employment has been made. The candidate shall meet the requirements in each of the following paragraphs:

i) Education. A candidate shall hold a graduate degree in the area of a certificate title or in a closely related subject area acceptable to the department, or a baccalaureate degree in the area of a certificate title or in a closely related subject area acceptable to the department and a graduate degree in another area or in a closely related subject area acceptable to the department, from an institution of higher education that is accredited by an institutional accrediting agency recognized for this purpose by the United States Department of Education, a higher education institution that the commissioner deems substantially equivalent, or from an institution authorized by the Board of Regents to confer degrees. A candidate shall complete study in the means for identifying and reporting suspected child abuse and maltreatment, which shall include at least two clock hours of coursework or training in the identification and reporting of suspected child abuse or maltreatment in accordance with the requirements of section 3004 of the Education Law. In addition, the candidate shall complete at least two clock hours of coursework or training in school violence prevention and intervention, as required by section 3004 of the Education Law, which is provided by a provider approved or deemed approved by the department pursuant to Subpart 57-2 of this Title. A candidate who applies for the certificate on or after December 31, 2013, shall also complete at least six clock hours, of which at least three hours must be conducted through face-to-face instruction, of coursework or training in harassment, bullying and discrimination prevention and intervention, as required by section 14 of the Education Law.

(ii) Post-secondary teaching experience. The candidate shall submit evidence of at least two years of satisfactory teaching experience at the post-secondary level in the certificate area to be taught or in a closely related subject area acceptable to the department[; provided, however, that such experience must have been completed within 10 years immediately preceding the application for a transitional G certificate].

(iii) ...

Text of proposed rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112 EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: William P. Murphy, Deputy Commissioner, NYS Education Department, Office of Higher Educa-tion, 89 Washington Avenue, Room 975 EBA, Albany, NY 12234, (518) 473-3781, email: OHEREGComments@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. STATUTÔRY AUTHORITY:

Education Law § 101 (not subdivided) charges the Department with the general management and supervision of all public schools and all of the educational work of the state.

Education Law § 207 grants general rule-making authority to the Regents to carry into effect State educational laws and policies.

Education Law § 208 grants general rule-making authority to the Regents to confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

Education Law § 305 authorizes the Commissioner to enforce the educational policies of this State and execute all educational policies determined by the Regents and shall prescribe the licensing of teachers employed in this State.

Education Law § 3001 establishes the qualifications of teachers in the classroom.

Education Law § 3004 authorizes the Commissioner to promulgate regulations governing the certification requirements for teachers employed in public schools.

Education Law § 3009 prohibits school districts from paying the salary of an unqualified teacher.

2. LEGISLATIVE OBJECTIVES:

The proposed amendments of sections 80-3.7 and 80-5.22 of the Regulations of the Commissioner of Education are consistent with the above statutory authority and are necessary to increase the flexibilities for current and former college professors, enabling them to fill open teaching positions in the New York State public school system. The proposal also includes a technical revision that applied to college professors who met certain education and experience requirements and applied for a certificate in grades 7-12 on or after February 2, 2011 and prior to February 2, 2019 in earth science, biology, chemistry, physics, mathematics or a closely related field. This provision is defunct; all those who would have qualified are eligible to apply for certification under the current requirements.

3. NEEDS AND BENEFITS:

The Transitional G certificate is one option for current and former college professors to obtain certification and teach in New York State public schools. The requirements for this two-year certificate include (8 NYCRR 80-5.22(a)(2)):

· Education. Holding a graduate degree in the area of the certificate title sought from an institution of higher education.

· Experience. Having at least two years of satisfactory teaching experience at the post-secondary level in the certificate area to be taught or in a closely related subject area acceptable to the Department, provided that such experience must have been completed within 10 years immediately preceding the application for the certificate.

• Employment. Having a commitment from a school district for at least two years of employment as a teacher in the area of the certificate sought.

College professors can also become eligible for the five-year Initial certificate through the individual evaluation pathway to certification by either: (1) gaining two years of satisfactory teaching experience while holding the Transitional G certificate; or (2) completing at least six credits of undergraduate pedagogical coursework or four credits of graduate coursework in specified areas, such as the methods of teaching (8 NYCRR 80-3.7(a)(3)(xiii)). They are also subject to the experience requirement described above. However, regarding the education requirement, college professors' graduate degree can be either in the area of a certificate title sought, or in a closely related subject area acceptable to the Department, from an acceptable institution of higher education. College professors are excellent candidates to fill open teaching positions in a variety of subject areas during this time of teacher shortages

Therefore, the Department proposes to expand the P-12 teaching pool through the following three flexibilities:

· Removing the requirement that college professors' relevant experi-

ence be completed within 10 years immediately preceding the certificate application date in order to obtain a Transitional G certificate or Initial certificate.

• Allowing college professors to meet the education requirement if they have a baccalaureate degree in the area of a certificate title (or in a closely related subject area acceptable to the Department), so long as they possess a graduate degree in another area.

• Allowing, for the Transitional G certificate education requirement, consideration of a graduate degree in a closely related subject area acceptable to the Department. This is consistent with the education requirement for college professors through the individual evaluation pathway to certification.

The proposal also includes a technical revision, repealing a provision in section 80-3.7 of the Commissioner's regulations that applied to college professors who met certain education and experience requirements and applied for a certificate in grades 7-12 on or after February 2, 2011 and prior to February 2, 2019 in earth science, biology, chemistry, physics, mathematics or a closely related field. This provision is defunct; all those who would have qualified are eligible to apply for certification under the current requirements.

4. COSTS:

a. Costs to State government: The amendment does not impose any costs on State government, including the State Education Department.

b. Costs to local government: The amendment does not impose any costs on local government.

c. Costs to private regulated parties: The amendment does not impose any costs on private regulated parties.

d. Costs to regulating agency for implementation and continued administration: See above.

The proposed amendment merely creates greater flexibilities for current and former college professors, allowing them to fill open teaching positions in a variety of subject areas during this time of teacher shortages. The proposal also includes a technical revision removing an outdated provision. Therefore, the proposed amendments do not impose any costs on regulated parties.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment does not impose any additional program, service, duty or responsibility upon any local government.

6. PAPERWORK:

The proposed amendment does not impose any additional paperwork requirements.

7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

8. ALTERNATIVES:

The proposed amendment is necessary to address the current teacher shortage in New York State. The proposal also includes a technical revision removing an outdated provision. Therefore, no alternatives were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards. 10. COMPLIANCE SCHEDULE:

It is anticipated that the proposed amendment will be presented to the Board of Regents for permanent adoption at the January 2023 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the January 2023 meeting, the proposed amendment will become effective on January 25, 2023. It is anticipated that regulated parties will be able to comply with the proposed rule by its effective date.

Regulatory Flexibility Analysis

The purpose of the proposed amendment of sections 80-3.7 and 80-5.22 of the Regulations of the Commissioner of Education is to address the current teacher shortage by allowing current and former college professors to fill open teaching positions in New York State public schools in a variety of subject areas. The Department proposes to expand the P-12 teaching pool through the following three flexibilities:

 Removing the requirement that college professors' relevant experience be completed within 10 years immediately preceding the certificate application date in order to obtain a Transitional G certificate or Initial certificate.

• Allowing college professors to meet the education requirement if they have a baccalaureate degree in the area of a certificate title (or in a closely related subject area acceptable to the Department), so long as they possess a graduate degree in another area.

• Allowing, for the Transitional G certificate education requirement, consideration of a graduate degree in a closely related subject area acceptable to the Department. This is consistent with the education requirement for college professors through the individual evaluation pathway to certification.

The proposal also includes a technical revision, repealing a provision in section 80-3.7 of the Commissioner's regulations that applied to college professors who met certain education and experience requirements and applied for a certificate in grades 7-12 on or after February 2, 2011 and prior to February 2, 2019 in earth science, biology, chemistry, physics, mathematics or a closely related field. This provision is defunct; all those who would have qualified are eligible to apply for certification under the current requirements.

The amendment does not impose any new recordkeeping or other compliance requirements and will not have an adverse economic impact on small businesses or local governments. Because it is evident from the nature of the proposed amendment that it will not affect small businesses or local governments, no further steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses or local governments is not required and one has not been prepared.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed amendment applies to all current and former college professors seeking to obtain teaching certification including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed amendment of sections 80-3.7 and 80-5.22 of the Regulations of the Commissioner of Education is intended to address the current teacher shortages by allowing current and former college professors to fill open teaching positions in New York State public schools in a variety of subject areas. The Department proposes to expand the P-12 teaching pool through the following three flexibilities:

• Removing the requirement that college professors' relevant experience be completed within 10 years immediately preceding the certificate application date in order to obtain a Transitional G certificate or Initial certificate.

• Allowing college professors to meet the education requirement if they have a baccalaureate degree in the area of a certificate title (or in a closely related subject area acceptable to the Department), so long as they possess a graduate degree in another area.

• Allowing, for the Transitional G certificate education requirement, consideration of a graduate degree in a closely related subject area acceptable to the Department. This is consistent with the education requirement for college professors through the individual evaluation pathway to certification.

The proposal also includes a technical revision, repealing a provision in section 80-3.7 of the Commissioner's regulations that applied to college professors who met certain education and experience requirements and applied for a certificate in grades 7-12 on or after February 2, 2011 and prior to February 2, 2019 in earth science, biology, chemistry, physics, mathematics or a closely related field. This provision is defunct; all those who would have qualified are eligible to apply for certification under the current requirements.

The proposed amendments merely provide flexibility for current and former college professors to obtain teaching certification and therefore do not impose any reporting, recordkeeping, or other compliance requirements or professional services on regulated parties, including those located in rural areas.

3. COSTS:

The proposed amendments provide greater latitude to current and former college professors wishing to teach in New York State public schools who already meet certain education and experience requirements. Therefore, the proposed amendment does not impose any costs on regulated parties, including those located in rural areas.

4. MINIMIZING ADVERSE IMPACT:

The proposed amendments seeks to remove existing barriers to those who may otherwise be eligible to teach in New York State public schools as a way of addressing the State's teacher shortage. Therefore, no alternatives were considered for regulated parties located in rural areas of the State.

5. RURAL AREA PARTICIPATION:

A Copy of the proposed amendment has been provided to the United University Professions union for review and comment, which has members located in rural areas.

Job Impact Statement

The purpose of the proposed amendment of sections 80-3.7 and 80-5.22 of the Regulations of the Commissioner of Education is to address the current teacher shortage by allowing current and former college professors to fill open teaching positions in New York State public schools in a variety of subject areas. The Department proposes to expand the P-12 teaching pool through the following three flexibilities:

• Removing the requirement that college professors' relevant experience be completed within 10 years immediately preceding the certificate application date in order to obtain a Transitional G certificate or Initial certificate.

• Allowing college professors to meet the education requirement if they have a baccalaureate degree in the area of a certificate title (or in a closely related subject area acceptable to the Department), so long as they possess a graduate degree in another area.

• Allowing, for the Transitional G certificate education requirement, consideration of a graduate degree in a closely related subject area acceptable to the Department. This is consistent with the education requirement for college professors through the individual evaluation pathway to certification.

The proposal also includes a technical revision, repealing a provision in section 80-3.7 of the Commissioner's regulations that applied to college professors who met certain education and experience requirements and applied for a certificate in grades 7-12 on or after February 2, 2011 and prior to February 2, 2019 in earth science, biology, chemistry, physics, mathematics or a closely related field. This provision is defunct; all those who would have qualified are eligible to apply for certification under the current requirements.

Because it is evident from the nature of the proposed amendment that it will have no impact on the existing number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken.

Department of Financial Services

EMERGENCY RULE MAKING

Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure

I.D. No. DFS-39-22-00002-E Filing No. 706 Filing Date: 2022-09-09 Effective Date: 2022-09-09

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of section 52.76(b) to Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 301, 3216, 3217, 3221 and 4303

Finding of necessity for emergency rule: Preservation of public health.

Specific reasons underlying the finding of necessity: According to the Center for Disease Control and Prevention ("CDC"), as of August of this year "COVID-19 has caused more than 1,030,000 deaths in the United States since the start of the pandemic and was the third leading cause of death in 2020 and 2021." The CDC also states that "COVID-19 vaccines available in the United States are effective at protecting people—especially those who are boosted—from getting seriously ill, being hospitalized, and even dying. Because COVID-19 vaccines are readily available, the nation is closer than ever to ending the COVID-19 pandemic in the United States."

While the percentage of New Yorkers aged 18 and older who have completed the COVID-19 vaccine series is more than 88%, the percentage of New Yorkers eligible for but who have not received the booster vaccine remains high - 46.6% of eligible New Yorkers have not received a booster vaccine. The CDC recommends booster vaccines for most people to enhance or restore protection that may have waned over time after the primary vaccines were given. The CDC states that: "Boosters are an important part of protecting yourself from getting seriously ill or dying from COVID-19."

It is essential that New Yorkers have coverage for COVID-19 immunizations and the administration thereof, including any visits necessary to obtain the immunization, so that there are no barriers for New Yorkers to expeditiously obtain the immunizations.

This amendment requires authorized insurers and health maintenance organizations that issue a policy or contract that provides hospital, surgical, or medical care coverage, excluding grandfathered health plans, to provide coverage, with no cost-sharing, of COVID-19 immunizations and the administration thereof immediately upon the earliest of the date on which: (1) the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices issues a recommendation for the COVID-19 immunization; (2) the United States Preventive Services Taskforce issues a recommendation with an "A" or "B" rating for the COVID-19 immunization; or (3) the Superintendent of Financial Services ("Superintendent") determines, in consultation with the Commissioner of Health, that a policy or contract must cover the COVID-19 immunization.

Given the public health implications of COVID-19, it is essential that there are no barriers to New Yorkers accessing COVID-19 immunizations. Failure to ensure coverage of COVID-19 immunizations and the administration thereof could jeopardize the health and safety of the people of New York. Accordingly, it is imperative that this amendment be promulgated on an emergency basis for the preservation of the public health.

Subject: Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure.

Purpose: To require immediate coverage, without cost-sharing, for COVID-19 immunizations and the administration thereof.

Text of emergency rule: A new section 52.76(b) is added as follows:

(b)(1) Except as provided in paragraph (2) of this subdivision, a policy that provides hospital, surgical, or medical care coverage shall cover coronavirus disease 2019 (COVID-19) immunizations, and the administration thereof, immediately upon the earliest of the date on which: (i) the advisory committee on immunization practices of the federal centers for disease control issues a recommendation for the COVID-19 immunization; (ii) the United States preventive services task force issues a recommendation with an "A" or "B" rating for the COVID-19 immunization; or (iii) the superintendent determines, in consultation with the commissioner of health, that a policy shall cover the COVID-19 immunization. COVID-19 immunizations, and administration thereof, including any visits necessary to obtain the immunizations, administered at a provider's office, facility, pharmacy, or other setting, including any provider or location authorized by this State or the federal government to administer or host the administration of the immunization, shall not be subject to annual deductibles, coinsurance, copayments, or any other out-of-pocket cost.

(2) The coverage required under paragraph (1) of this subdivision shall not be limited to COVID-19 immunizations, and the administration thereof, administered by participating providers and shall apply to such immunizations, and the administration thereof, administered by nonparticipating providers until the expiration of the federally declared public health emergency.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires December 7, 2022.

Text of rule and any required statements and analyses may be obtained from: Colleen Rumsey, Department of Financial Services, One Commerce Plaza, Albany, NY 12257, (518) 474-0154, email: Colleen.Rumsey@dfs.ny.gov

Regulatory Impact Statement

1. Statutory authority: Financial Services Law ("FSL") Sections 202 and 302 and Insurance Law ("IL") Sections 301, 3216, 3217, 3221, and 4303.

FSL Section 202 establishes the office of the Superintendent of Financial Services ("Superintendent").

FSL Section 302 and IL Section 301 authorize the Superintendent to prescribe regulations interpreting the IL and to effectuate any power granted to the Superintendent in the IL, FSL, or any other law.

IL Sections 3216, 3221, and 4303 set forth the standard provisions in individual, small group, large group, and blanket accident and health insurance policies and contracts. Specifically, Insurance Law Sections 3216(i)(17)(B)(ii) and (iii), 3221(l)(8)(B)(ii) and (iii), and 4303(j)(2)(B) and (C) require individual, group, and blanket policies or contracts that provide medical, major medical, or similar comprehensive-type coverage to cover an immunization, at no cost-sharing, for children who are 19 years old or younger if determined to be a necessary immunization by the Superintendent, in consultation with the Commissioner of Health. Insurance Law Sections 3216(i)(17)(E), 3221(l)(8)(E) and (F), and 4303(j)(3) further require individual, group, and blanket policies or contracts that provide hospital, surgical, or medical care coverage, except for a grandfathered health plan, to cover, at no cost-sharing, preventive care and screen-ings that have in effect a rating of "A" or "B" in the current recommendations of the United States Preventive Services Taskforce ("USPSTF") and immunizations that have in effect a recommendation from the Centers for Disease Control and Prevention's ("CDC's") Advisory Committee on Immunization Practices ("ACIP") regardless of the age of the recipient.

IL Section 3217(a) authorizes the Superintendent to issue regulations to establish minimum standards for the form, content and sale of accident and health insurance policies and subscriber contracts of corporations organized under IL Articles 32 and 43 and Public Health Law Article 44.

2. Legislative objectives: The statutory sections cited above establish the minimum standards for the form, content, and sale of accident and health insurance, including coverage for certain immunizations with no cost-sharing. This amendment accords with the public policy objectives that the Legislature sought to advance in the foregoing sections of the IL by requiring coverage for coronavirus disease 2019 ("COVID-19") immunizations and the administration thereof immediately upon the earliest of the date on which: (1) the ACIP issues a recommendation for the COVID-19 immunization; (2) the USPSTF issues a recommendation with an "A" or "B" rating for the COVID-19 immunization; or (3) the Superintendent determines, in consultation with the Commissioner of Health, that a policy or contract must cover the COVID-19 immunization. This amendment also prohibits copayments, coinsurance, annual deductibles, and any other out-of-pocket costs for such immunizations and the administration thereof.

3. Needs and benefits: According to the Center for Disease Control and Prevention ("CDC"), as of August of this year "COVID-19 has caused more than 1,030,000 deaths in the United States since the start of the pandemic and was the third leading cause of death in 2020 and 2021." The CDC also states that "COVID-19 vaccines available in the United States are effective at protecting people—especially those who are boosted from getting seriously ill, being hospitalized, and even dying. Because COVID-19 vaccines are readily available, the nation is closer than ever to ending the COVID-19 pandemic in the United States."

While the percentage of New Yorkers aged 18 and older who have completed the COVID-19 vaccine series is more than 88%, the percentage of New Yorkers eligible for but who have not received the booster vaccine remains high - 46.6% of eligible New Yorkers have not received a booster vaccine. The CDC recommends booster vaccines for most people to enhance or restore protection that may have waned over time after the primary vaccines were given. The CDC states that: "Boosters are an important part of protecting yourself from getting seriously ill or dying from COVID-19."

It is essential that New Yorkers have coverage for COVID-19 immunizations and the administration thereof, including any visits necessary to obtain the immunization, so that there are no barriers for New Yorkers to expeditiously obtain the immunizations.

This amendment requires authorized insurers and health maintenance organizations (collectively, "health care plans") that issue a policy or contract that provides hospital, surgical, or medical care coverage, except grandfathered health plans, to provide coverage of COVID-19 immunizations and the administration thereof immediately upon the earliest of the date on which: (1) the ACIP issues a recommendation for the COVID-19 immunization; (2) the USPSTF issues a recommendation with an "A" or "B" rating for the COVID-19 immunization; or (3) the Superintendent determines, in consultation with the Commissioner of Health, that a policy or contract must cover the COVID-19 immunization. Coverage for COVID-19 immunizations, and the administration thereof, and any visits necessary to obtain the immunizations at a provider's office, facility, pharmacy, or other setting, including any provider or location authorized by New York State or the federal government to administer or host the administration of the immunization, will not be subject to annual deductibles, coinsurance, copayments, or any other out-of-pocket cost. There will be coverage for COVID-19 immunizations administered by nonparticipating providers until the expiration of the federally declared public health emergency.

The federal Departments of Health and Human Services, Treasury, and Labor ("federal Departments") have issued Interim Final Rule 85 Fed. Reg. 71142 (November 6, 2020) ("federal rules") that address coverage for COVID-19 immunizations and their administration. The federal rules require COVID-19 immunizations and their administration to be covered when provided by out-of-network providers for the duration of the federal public health emergency for COVID-19. The federal rules state that reimbursement for out-of-network providers must be made in an amount that is reasonable, as determined by comparison to prevailing market rates for such services. The preamble to the federal rules indicates that the federal Departments will consider the amount of payment to be reasonable if the health care plan pays the provider the amount that would be paid under Medicare for the service, although the federal Departments are seeking comments on this approach. The Department of Financial Services ("Department") may address out-of-network provider reimbursement for COVID-19 immunizations and their administration in future rulemaking if the federal rules are finalized.

4. Costs: Health care plans may incur additional costs to comply with the amendment because they may need to file new policy and contract forms and rates. However, any costs should be minimal because health care plans submit policy and contract forms and rates as a part of the normal course of business.

This amendment does not impose any costs on providers.

This amendment may impose compliance costs on the Department because the Department will need to review amended policy and contract forms and rates. However, any additional costs incurred by the Department should be minimal, and the Department should be able to absorb the costs in its ordinary budget.

The amendment will not impose compliance costs on any local governments.

5. Local government mandates: The amendment does not impose any program, service, duty or responsibility on any county, city, town, village, school district, fire district or other special district.

6. Paperwork: Health care plans may need to file new policy and contract forms and rates with the Superintendent. Providers and local governments should not incur any additional paperwork to comply with this amendment.

7. Duplication: The federal Departments have issued federal rules interpreting the immunization requirements of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), codified at 15 U.S.C. Section 9001 et seq. The federal rules require issuers to cover COVID-19 immunizations and their administration with no cost-sharing under all non-grandfathered group and individual comprehensive health insurance policies and contracts when administered by providers enrolled in the CDC COVID-19 Vaccination Program.

The federal rules also require COVID-19 immunizations and their administration to be covered when provided by out-of-network providers for the duration of the federally declared public health emergency for COVID-19. The federal requirement for out-of-network coverage ends when the federally declared public health emergency is terminated. Furthermore, the CARES Act requires coverage of any COVID-19 im-

munizations and their administration within 15 business days after the immunization has been recommended by ACIP.

8. Alternatives: There are no significant alternatives to consider.

9. Federal standards: The amendment exceeds the minimum standards of the federal government for this subject area. This amendment requires: (1) coverage for COVID-19 immunizations and the administration thereof at a provider's office, facility, pharmacy, or other setting, including any provider or location authorized by New York State or the federal government to administer or host the administration of the immunization; (2) coverage immediately upon certain triggering events; and (3) coverage for COVID-19 immunizations administered by non-participating providers until the expiration of the federally declared public health emergency.

10. Compliance schedule: The rule will take effect immediately upon the filing of the Notice of Emergency Adoption with the Secretary of State. **Regulatory Flexibility Analysis**

1. Effect of rule: This rule affects authorized insurers and health maintenance organizations (collectively, "health care plans") and providers. This amendment requires a policy or contract that provides hospital, surgical, or medical care coverage, excluding grandfathered health plans, to provide immediate coverage, without cost sharing, of COVID-19 immunizations and the administration thereof at a provider's office, facility, pharmacy, or other setting, including any provider or location authorized by New York State or the federal government to administer or host the administration of the immunization.

Industry has asserted that certain health care plans subject to the amendment are small businesses. Providers also may be small businesses. As a result, certain health care plans and providers that are small businesses will be affected by this amendment.

This amendment does not affect local governments.

2. Compliance requirements: No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with this amendment because the amendment does not apply to any local government.

A health care plan that is a small business may be subject to reporting, recordkeeping, or other compliance requirements as the health care plan may need to file new policy or contract forms and rates with the Superintendent of Financial Services.

A provider that is a small business should not be subject to reporting, recordkeeping, or other compliance requirements.

3. Professional services: No local government will need professional services to comply with this amendment because the amendment does not apply to any local government. No health care plan or provider that is a small business should need to retain professional services, such as lawyers or auditors, to comply with this amendment.

4. Compliance costs: No local government will incur any costs to comply with this amendment because the amendment does not apply to any local government.

A health care plan that is a small business may incur costs to comply with this amendment because it may need to file new policy or contract forms and rates. However, any costs should be minimal because health care plans submit policy and contract forms and rates as a part of the normal course of business.

This amendment does not impose any additional costs on a provider that is a small business.

5. Economic and technological feasibility: This amendment does not apply to any local government; therefore, no local government should experience any economic or technological impact as a result of the

6. Minimizing adverse impact: There will not be an adverse impact on any local government because the amendment does not apply to any local government. This amendment should not have an adverse impact on a health care plan or provider that is a small business because the amendment uniformly affects all health care plans and providers.

7. Small business and local government participation: The Department of Financial Services ("Department") notified trade associations represent-ing health care plans that are small businesses that it intended to promulgate this amendment. Health care plans and providers that are small businesses also will have an opportunity to participate in the rulemaking process when the amendment is published in the State Register and posted on the Department's website.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Authorized insurers and health maintenance organizations (collectively, "health care plans") and providers affected by this amendment operate in every county in New York State, including rural areas as defined by State Administrative Procedure Act section 102(10).

2. Reporting, recordkeeping, and other compliance requirements; and professional services: A health care plan, including a health care plan in a rural area, may be subject to additional reporting, recordkeeping, or other compliance requirements because the health care plan may need to file new policy or contract forms and rates with the Department of Financial Services ("Department")

A provider, including a provider in a rural area, should not be subject to reporting, recordkeeping, or other compliance requirements.

A health care plan and provider, including those in a rural area, should not need to retain professional services, such as lawyers or auditors, to comply with this amendment.

3. Costs: Health care plans, including those in rural areas, may incur additional costs to comply with the amendment because they may need to file new policy and contract forms and rates with the Department. However, any costs should be minimal because health care plans submit policy and contract forms and rates as a part of the normal course of business

Providers, including those in rural areas, should not incur additional costs to comply with the amendment.

4. Minimizing adverse impact: This amendment uniformly affects health care plans and providers that are located in both rural and non-rural areas of New York State. The amendment should not have an adverse impact on rural areas.

5. Rural area participation: The Department notified trade associations representing health care plans that are in rural areas that it intended to promulgate this amendment. Health care plans and providers in rural areas will also have an opportunity to participate in the rulemaking process when the amendment is published in the State Register and posted on the Department's website.

Job Impact Statement

This amendment should not adversely impact jobs or employment opportunities in New York State. The amendment requires a policy or contract that provides hospital, surgical, or medical care coverage, excluding grandfathered health plans, to provide immediate coverage, without cost sharing, of COVID-19 immunizations and the administration thereof at a provider's office, facility, pharmacy, or other setting, including any provider or location authorized by New York State or the federal government to administer or host the administration of the immunization. As a result, there should be no impact on jobs or employment opportunities.

EMERGENCY RULE MAKING

Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure

I.D. No. DFS-39-22-00003-E Filing No. 707 Filing Date: 2022-09-09 Effective Date: 2022-09-09

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of new section 52.16(p) to Title 11 NYCRR. Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 301, 3216, 3217, 3221 and 4303

Finding of necessity for emergency rule: Preservation of public health and public safety.

Specific reasons underlying the finding of necessity: While New York State has made incredible progress in the fight against COVID-19, to continue to effectively monitor infection levels and encourage the public to test for COVID-19, it is essential that cost-sharing not serve as a barrier to testing for COVID-19.

A component of the federal government's National COVID-19 Preparedness Plan to combat the virus is the protection and treatment of people who test positive for COVID-19. The government has secured millions of courses of COVID-19 anti-viral pills that have been shown to reduce the risk of hospitalization or death from COVID-19 by 89%. See https://www.whitehouse.gov/covidplan/. Obtaining the medication is dependent upon a positive COVID-19 test result. To ensure that New Yorkers are provided all medical intervention available to keep them safe, it is necessary to encourage the public to test for COVID-19 and eliminate cost-sharing so that it does not serve as a barrier to COVID-19 testing.

Consistent with the federal Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), codified at 15 U.S.C. Section 9001 et seq., this amendment prohibits health care plans that provide hospital, surgical, or medical expense insurance policies or contracts from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for covered in-network laboratory tests to diagnose COVID-19 and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider's office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for COVID-19, including an inpatient hospital admission, as otherwise permitted by law. The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network providers in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible at any time, including when the services are provided, which is typically when such payment is collected.

Since the COVID-19 pandemic is constantly evolving, and to ensure that cost-sharing does not serve as a barrier to testing for COVID-19, it is imperative that this amendment be promulgated on an emergency basis for the preservation of public health.

Subject: Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure.

Purpose: To waive cost-sharing for in-network visits and laboratory tests necessary to diagnose the novel coronavirus (COVID-19).

Text of emergency rule: Section 52.16(p) is added as follows:

(p)(1) No policy or contract delivered or issued for delivery in this State that provides hospital, surgical, or medical expense insurance coverage shall impose, and no insured shall be required to pay, copayments, coinsurance, or annual deductibles for the following services when covered under the policy or contract:

(i) in-network laboratory tests to diagnose the novel coronavirus (COVID-19); and

(ii) visits to diagnose the novel coronavirus (COVID-19) at the following locations, including through telehealth: an in-network provider's office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose the novel coronavirus (COVID-19), or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for the novel coronavirus (COVID-19), including an inpatient hospital admission, as otherwise permitted by law.

(2) An insurer shall provide written notification to its in-network providers that they shall not collect any deductible, copayment, or coinsurance in accordance with this subdivision.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires December 7, 2022.

Text of rule and any required statements and analyses may be obtained from: Tobias Len, Department of Financial Services, One Commerce Plaza, Albany, NY 12257, (518) 474-8975, email: Tobias.Len@dfs.ny.gov *Regulatory Impact Statement*

1. Statutory authority: Financial Services Law sections 202 and 302 and Insurance Law sections 301, 3216, 3217, 3221, and 4303.

Financial Services Law section 202 establishes the office of the Superintendent of Financial Services ("Superintendent").

Financial Services Law section 302 and Insurance Law section 301, in pertinent part, authorize the Superintendent to prescribe regulations

interpreting the Insurance Law and to effectuate any power granted to the Superintendent in the Insurance Law, Financial Services Law, or any other law.

Insurance Law section 3216 sets forth the standard provisions in individual accident and health insurance policies.

Insurance Law section 3217 authorizes the Superintendent to issue regulations to establish minimum standards for the form, content and sale of health insurance policies and subscriber contracts of corporations organized under Insurance Law Articles 32 and Article 43 and Public Health Law Article 44.

Insurance Law section 3221 sets forth the standard provisions in group and blanket accident and health insurance policies.

Insurance Law section 4303 sets forth mandatory benefits in subscriber contracts issued by corporations organized under Insurance Law Article 43.

2. Legislative objectives: The statutory sections cited above establish the minimum standards for the form, content, and sale of health insurance, including standards of full and fair disclosure. This proposed amendment accords with the public policy objectives that the Legislature sought to advance in the foregoing sections of the Insurance Law by prohibiting the imposition of copayments, coinsurance, or annual deductibles for innetwork laboratory tests to diagnose the novel coronavirus ("COVID-19") and visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network outpatient provider's office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital.

3. Needs and benefits: While New York State has made incredible progress in the fight against COVID-19, to continue to effectively monitor infection levels and encourage the public to test for COVID-19, it is essential that cost-sharing not serve as a barrier to testing for COVID-19.

A component of the federal government's National COVID-19 Preparedness Plan to combat the virus is the protection and treatment of people who test positive for COVID-19. The government has secured millions of courses of COVID-19 anti-viral pills that have been shown to reduce the risk of hospitalization or death from COVID-19 by 89%. See https://www.whitehouse.gov/covidplan/. Obtaining the medication is dependent upon a positive COVID-19 test result. To ensure that New Yorkers are provided all medical intervention available to keep them safe, it is necessary to encourage the public to test for COVID-19 and eliminate cost-sharing so that it does not serve as a barrier to COVID-19 testing.

Consistent with the federal Coronavirus Aid, Relief, and Economic Se-curity Act ("CARES Act"), codified at 15 U.S.C. Section 9001 et seq., this amendment prohibits health care plans that provide hospital, surgical, or medical expense insurance policies or contracts from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, or annual deductibles for covered in-network laboratory tests to diagnose COVID-19 and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider's office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for COVID-19, including an inpatient hospital admission, as otherwise permitted by law. The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network providers in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible at any time, including when the services are provided, which is typically when such payment is collected.

The Department of Financial Services ("Department") expects every health care plan to reimburse a provider, including reimbursement for the insured's waived copayment, coinsurance, or annual deductible, with respect to any impacted claims.

Given the public health implications related to COVID-19, it is essential that cost-sharing does not serve as a barrier to testing for COVID-19. The waiver of copayments, coinsurance, and annual deductibles is necessary to ensure that people are not deterred from seeing a provider and getting tested for COVID-19. Failure to do so could result in the further spread of this epidemic and could jeopardize the health and safety of the people of New York.

4. Costs: Health care plans may incur additional costs to comply with the amendment because they may need to file new policy and contract forms and rates and they will need to provide the written notification to innetwork providers regarding this amendment. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

This amendment may impose costs on providers because they will need

to ensure that insureds are not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed, including at the time the services are provided. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured's copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims.

This amendment may impose compliance costs on the Department because the Department will need to review amended policy and contract forms and rates. However, any additional costs incurred by the Department should be minimal, and the Department should be able to absorb the costs in its ordinary budget.

The amendment will not impose compliance costs on any local governments.

5. Local government mandates: The amendment does not impose any 5. Local government mandates. The amendment does not impose any program, service, duty or responsibility on any county, city, town, village, school district, fire district or other special district.
 6. Paperwork: Health care plans are required to provide written notification to their in-network providers that the providers may not collect any advectible accurate for laboratory tests and visits to district to be a set of the provide to the set of the provider of th

deductible, copayment, or coinsurance for laboratory tests and visits to diagnose COVID-19. This notification may be provided electronically as part of existing communications that occur between health care plans and in-network providers. Health care plans may also need to file new policy and contract forms and rates with the Superintendent.

Providers and local governments should not incur additional paperwork to comply with this amendment.

7. Duplication: This amendment does not duplicate, overlap, or conflict with any existing state or federal rules or other legal requirements. It is consistent with the federal CARES Act.

Alternatives: There are no significant alternatives to consider.

9. Federal standards: The amendment does not exceed any minimum standards of the federal government for the same or similar subject areas. 10. Compliance schedule: The rule will take effect immediately upon

filing of the Notice of Emergency Adoption with the Secretary of State. **Regulatory Flexibility Analysis**

1. Effect of rule: This rule affects health maintenance organizations and authorized insurers (collectively, "health care plans") and health care providers ("providers"). This amendment prohibits health care plans that provide hospital, surgical, or medical expense insurance policies or contracts from imposing, and provides that no insured shall be required to pay copayments, coinsurance, or annual deductibles for covered innetwork laboratory tests to diagnose the novel coronavirus ("COVID-19") and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network provider's office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. Copayments, coinsurance, or annual deductibles may be imposed in accordance with the applicable policy or contract for any follow-up care or treatment for COVID-19, including an inpatient hospital admission, as otherwise permitted by law. The amendment requires every health care plan to provide written notification of the requirements of the amendment to its in-network providers in order to ensure that the providers do not require any insured to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment. This notification should ensure that providers do not collect a copayment, coinsurance, or annual deductible at any time, including when the services are provided, which is typically when such payment is collected.

Industry asserts that certain health care plans subject to the amendment are small businesses. Providers also may be small businesses. As a result, certain health care plans and providers that are small businesses will be affected by this amendment.

This amendment does not affect local governments.

2. Compliance requirements: No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with this amendment because the amendment does not apply to any local government.

A health care plan that is a small business affected by this amendment, if any, may be subject to reporting, recordkeeping, or other compliance requirements as the health care plan may need to file new policy and contract forms and rates with the Superintendent and will be required to provide written notification of the amendment to its in-network providers.

A provider that is a small business may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed under the amendment at any time, including at the time services are provided.

3. Professional services: No local government will need professional services to comply with this amendment because the amendment does not apply to any local government. No health care plan or provider that is a small business affected by this amendment should need to retain professional services, such as lawyers or auditors, to comply with this amendment.

4. Compliance costs: No local government will incur any costs to comply with this amendment because the amendment does not apply to any local government. A health care plan that is a small business affected by this amendment, if any, may incur costs because it may need to file new policy or contract forms and rates and will be required to provide written notification of the amendment to its in-network providers. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

A provider that is a small business may incur additional costs to comply with the amendment, which may include costs to ensure that the insured is not charged a copayment, coinsurance, or annual deductible that is prohibited from being imposed at any time, including at the time the services are provided. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured's copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims.

5. Economic and technological feasibility: This amendment does not apply to any local government; therefore, no local government should experience any economic or technological impact as a result of the amendment. A health care plan and a provider that is a small business should not incur any economic or technological impact as a result of the amendment

6. Minimizing adverse impact: There will not be an adverse impact on any local government because the amendment does not apply to any local government. This amendment should not have an adverse impact on a health care plan or provider that is a small business affected by the amendment, if any, because the amendment uniformly affects all health care plans and providers. In addition, a provider that is a small business should receive reimbursement, including the insured's copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims from the health care plan directly.7. Small business and local government participation: The Department

of Financial Services ("Department") contacted trade associations representing health care plans that are small businesses before it promulgated this amendment and considered comments it received from these associations. The Department also notified trade associations representing providers that are small businesses that it intended to promulgate this amendment and considered comments it received from these associations. Health care plans and providers that are small businesses also will have an opportunity to participate in the rulemaking process when the amendment is published in the State Register and posted on the Department's website.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Authorized insurers and health maintenance organizations (collectively, "health care plans") and health care providers ("providers") affected by this amendment operate in every county in this state, including rural areas as defined by State Administrative Procedure Act section 102(10).

2. Reporting, recordkeeping, and other compliance requirements; and professional services: A health care plan, including a health care plan in a rural area, may be subject to additional reporting, recordkeeping, or other compliance requirements because the health care plan may need to file new policy and contract forms and rates with the Department of Financial Services ("Department") and will be required to provide written notification of the amendment to its in-network providers.

A provider, including a provider in a rural area, may be subject to reporting, recordkeeping, or other compliance requirements as the provider must ensure that an insured is not required to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed pursuant to the amendment at any time, including at the time the services are provided.

A health care plan or a provider, including those in a rural area, should not need to retain professional services, such as lawyers or auditors, to comply with this amendment.

3. Costs: Health care plans and providers, including those in rural areas, may incur additional costs to comply with the amendment. A health care plan may incur additional compliance costs as it may need to file new policy and contract forms and rates with the Department and will be required to provide written notification of the amendment to its in-network providers. However, any costs should be minimal because health care plans submit policy or contract form and rate filings and provide written notifications to providers as a part of the normal course of business.

A provider, including those in rural areas, may incur additional costs to comply with the amendment. Those additional costs may include costs to ensure that the insured is not required to pay a copayment, coinsurance, or annual deductible that is prohibited from being imposed at any time, including at the time the services are provided. However, any additional costs should be minimal because a provider should receive reimbursement, including the insured's copayment, coinsurance, or annual deductible, from the health care plan directly with respect to any impacted claims.

4. Minimizing adverse impact: This amendment uniformly affects

health care plans and providers that are located in both rural and non-rural areas of New York State. The amendment should not have an adverse impact on rural areas.

5. Rural area participation: The Department contacted trade associations representing health care plans that are in rural areas before it promulgated this amendment and considered comments it received from these associations. The Department also notified trade associations representing providers in rural areas that it intended to promulgate this amendment and considered comments it received from these associations. Health care plans and providers in rural areas will also have an opportunity to participate in the rulemaking process when the amendment is published in the State Register and posted on the Department's website.

Job Impact Statement

This amendment should not adversely impact jobs or employment opportunities in New York State. The amendment prohibits policies and contracts of hospital, surgical, or medical expense insurance from imposing, and provides that no insured shall be required to pay, copayments, coinsurance, and annual deductibles for covered in-network laboratory tests to diagnose the novel coronavirus ("COVID-19") and for visits to diagnose COVID-19 at the following locations, including through telehealth: an in-network health care provider's office, an in-network urgent care center, any other in-network outpatient provider setting able to diagnose COVID-19, or an emergency department of a hospital. As a result, there should be no impact on jobs or employment opportunities.

Department of Health

NOTICE OF ADOPTION

COVID-19 Vaccinations of Nursing Home and Adult Care Facility Residents and Personnel

I.D. No. HLT-23-22-00002-A Filing No. 743 Filing Date: 2022-09-15 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of Subpart 66-4 to Title 10 NYCRR.

Statutory authority: Public Health Law, sections 201, 206, 2803; Social Services Law, sections 461 and 461-e

Subject: COVID-19 Vaccinations of Nursing Home and Adult Care Facility Residents and Personnel.

Purpose: To require nursing homes and adult care facilities to conduct ongoing COVID-19 vaccinations of their residents and personnel.

Text of final rule: A new Subpart 66-4, titled COVID-19 Nursing Home and Adult Care Facility Vaccination Program, is added to read as follows: 66-4.1. Requirements for Nursing Homes

(a) Every nursing home regulated pursuant to Part 415 of this Title shall offer all consenting, unvaccinated existing personnel and residents an opportunity to receive the first or any recommended next or booster dose of the COVID-19 vaccine.

(b) The operator and administrator of every nursing home regulated pursuant to Part 415 of this Title must ensure that all new personnel, including employees and contract staff, and every new resident and resident readmitted to the facility has an opportunity to receive the first or any recommended next or booster dose of the COVID-19 vaccine within fourteen days of having been hired by or admitted or readmitted to such facility, as applicable.

(c) The requirement to ensure that all new and current personnel and residents have an opportunity to receive the COVID-19 vaccination, as set forth in subdivisions (a) and (b) of this section, shall include, but not be limited to:

(1) Posting conspicuous signage throughout the facility reminding personnel and residents that the facility offers COVID-19 vaccination; and

(2) Providing all personnel and residents who decline to be vaccinated a written affirmation for their signature, which indicates that they were offered the opportunity for a COVID-19 vaccination but declined. Such affirmation must state that the signatory is aware that, if they later decide to be vaccinated for COVID-19, it is their responsibility to request vaccination from the facility. The facility shall maintain signed affirmations on file at the facility and make such forms available at the request of the Department.

(d) Nursing homes must comply with the requirements for vaccination of personnel in 10 NYCRR § 415.19(a)(5).

66-4.2. Requirements for Adult Care Facilities

(a) The operator and administrator of every adult care facility regulated pursuant to Parts 487, 488 and 490 of Title 18 of the NYCRR and Part 1001 of this Title shall make diligent efforts to arrange for all consenting, unvaccinated existing personnel and residents to register for a vaccine appointment and an appointment to receive any recommended booster, and shall document attempts to schedule and methods used to schedule the vaccine in the individual's personnel file or case management notes, as applicable.

(b) The operator and administrator of every adult care facility regulated pursuant to Parts 487, 488 and 490 of Title 18 of the NYCRR and Part 1001 of this Title must arrange for the COVID-19 vaccination, including the first or any recommended next or booster dose, of all new personnel, including employees and contract staff, and every resident upon admission to the facility. The requirement to arrange for COVID-19 vaccination of such personnel and residents shall include, but not be limited to:

(1) For residents:

(i) during the pre-admission screening process, and in no event after the first day of admission, the adult care facility shall screen the prospective or newly-admitted resident for COVID-19 vaccine eligibility, including whether any first doses of the vaccine were previously administered, and whether the resident is interested in obtaining the COVID-19 vaccine, including a recommended booster. Such information shall be documented with the resident's pre-admission screening information and, if admitted, retained in the resident's case management records; and

(ii) within seven days of admission, the facility shall make diligent efforts to schedule all consenting and eligible residents for the COVID-19 vaccination, including a recommended booster. The facility must document attempts to schedule and methods used to schedule the vaccine appointment in the resident's case management notes.

(2) For personnel:

(i) during the pre-employment screening process, the facility shall solicit information from the prospective personnel regarding their vaccination status, including whether any first doses of the vaccine were previously administered, and whether the prospective personnel is interested in obtaining the COVID-19 vaccine. Such information must be documented with the personnel's pre-employment screening information and, if hired, retained in the personnel file; provided, however, that nothing in this paragraph shall be construed to require an adult care facility to make any hiring determination based upon the prospective personnel's COVID-19 vaccination status, history, or interest in COVID-19 vaccination; and

(ii) within seven days of hiring new personnel, the facility shall make diligent efforts to schedule all consenting and eligible new personnel for the COVID-19 vaccination. The facility must document attempts to schedule and methods used to schedule the vaccine appointment in the individual's personnel file.

(iii) Adult care facilities must comply with the requirements for vaccination of personnel in 18 NYCRR §§ 487.9(a)(18), 488.9(a)(14), 490.9(a)(15), and 10 NYCRR § 1001.11(q)(5), as applicable.

(c) The facility shall further provide all current and new personnel and residents who decline to be vaccinated a written affirmation for their signature, which indicates that they were offered the opportunity for the facility to arrange for a COVID-19 vaccination, but declined. Such affirmation must state that the signatory is aware that, if they later decide to be vaccinated for COVID-19, it is their responsibility to request the facility arrange for their vaccination. The facility shall maintain signed affirmations on file at the facility and make such forms available at the request of the Department.

66-4.3. Penalties.

(a) A violation of any provision of this Subpart shall be subject to penalties in accordance with sections 12 and 12-b of the Public Health Law.

(b) For adult care facilities, failure to arrange for the vaccination of every facility resident and personnel as set forth in section 66-4.2 of this Part constitutes a "failure in systemic practices and procedures" under Social Services Law 460-d(7)(b)(2)(iii) and pursuant to 18 NYCRR 486.5(a)(4)(v).

(c) In addition to any monetary penalties or referral for criminal investigation to appropriate entities, the Department shall be empowered to immediately take custody and control of such vaccine at a nursing home and re-allocate to another provider.

Final rule as compared with last published rule: Nonsubstantial changes were made in sections 66-4.1(c)(1), 66-4.2(b)(1)(i) and (ii).

Text of rule and any required statements and analyses may be obtained from: Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsqna@health.ny.gov

Revised Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Changes made to the last published rule do not necessitate revision to the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The New York State Department of Health "Department" received comments regarding the addition of Subpart 66 4 to Part 66 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR). The comments received and the Department's responses are summarized below.

Comment: The regulation should not apply when the COVID-19 vaccine is medically contraindicated for nursing home or adult care facility residents or staff. The Department should instead require that residents and staff be made to understand the requirements but be permitted to waive them if the individual has medical contraindications.

Response: This regulation requires nursing homes to offer COVID-19 vaccines to unvaccinated residents and personnel and to post conspicuous signage throughout the facility reminding personnel and residents that the facility offers COVID-19 vaccinations. This regulation also requires adult care facilities to arrange for unvaccinated residents and personnel to receive COVID-19 vaccinations outside of the facility (for example, at a pharmacy).

This regulation does not contain the requirement for personnel to be vaccinated. On June 22, 2022, the Department adopted and made final and permanent separate regulations in 10 NYCRR § § 415.19(a)(5) and 1001.11(q)(5) and 18 NYCRR § § 487.9(a)(18), 488.9(a)(14), and 490.9(a)(15) that contain personnel vaccination requirements. A medical exemption is available when the vaccine is medically contraindicated. No changes were made to the regulation in response to this comment.

Comment: This regulation closely mirrors the federal nursing home requirements already in place at 42 CFR § 483.80(d). However, the language in this State regulation differs slightly from the federal rule. This may cause confusion among surveyors and facility staff.

Response: The Department does not believe there is any conflict between the federal and State requirements, and the Department believes regulated facilities can comply with both regulations, where applicable. The Department acknowledges that the wording of the federal requirement is that "each resident and staff member is offered the COVID–19 vaccine unless the immunization is medically contraindicated or the resident or staff member has already been immunized." Although worded differently, the federal and State requirements work the same in practice. All residents and personnel are offered the vaccine, but a medical exemption is available when the vaccine is medically contraindicated. Residents may refuse vaccination. The State regulation requires facilities to provide personnel and residents who decline to be vaccinated a written affirmation for their signature, which indicates that they were offered the opportunity to receive, or have arranged, a COVID-19 vaccination, but they declined. No changes to the regulation have been made in response to this comment.

Comment: There are federal and State penalties for non-compliance, and facilities are already financially stressed. This regulation has a punitive component at Section 66-4.3 which, when applicable, could further drain valuable financial resources. Moreover, adult care facility penalties are disproportionately severe in that failure to arrange for the vaccination of every resident and personnel constitutes a failure of systemic practices such that if one resident is not scheduled to receive the appropriate vaccine dose in the applicable timeframe, the facility will face harsh penalties.

Response: The penalty for non-compliance with this regulation underscores the importance of ensuring direct care staff are vaccinated and that residents have every opportunity to access to vaccination. It is important to understand that the purpose of a penalty is to complicompliance. As such, while we appreciate that some facilities are experiencing financial distress, however the language is appropriate. Regarding the characterization that failure to follow the requirements for one single resident or staff should not be considered a failure of systemic practices, the Department reminds the commenters that the nature of COVID-19 does not require multiple exposures for transmission. One single unvaccinated staff member or resident can be the precipitating factor in the death of a resident. Accordingly, one single case indeed represents a systemic failure. No change to the regulation was made in response to this comment.

Comment: The requirement to conspicuously post vaccine availability in nursing homes diminishes the homelike atmosphere of a facility. Moreover, required nursing home postings are increasing with lengthy and voluminous impersonal posters. We recommend the vaccine availability posting be limited to the staff break rooms and the facility entrance. Response: The Department agrees with this comment, in that the homelike atmosphere of facilities can be muted by the posting of various materials. The Department believes that posting in the staff break rooms, staff locker rooms, activities rooms, and the facility's front entrance is sufficiently "conspicuous signage throughout the facility." In the Final Rule, the Department is deleting the words "including at points of entry and exit and each residential hallway" that was in Section 66-4.1(c)(1) of the Proposed Rule.

Comment: For purposes of clarity and consistency with mandates, the language at 66 4.2(b)(2)(i) should be updated to strike the following: "nothing in this paragraph shall be construed to require an adult care facility to make any hiring determination based upon the prospective personnel's COVID-19 vaccination status, history, or interest in COVID-19 vaccination."

Response: The Department believes that, as written, the regulation is clear and consistent. No changes to the regulation were made in response to this comment.

Comment: Adult care facility residents remain in "admitted" status even when they are not present at the facility, for example, when they are in a rehabilitation facility. When a resident is formally discharged and later wishes to return to the adult care facility from which they were discharged, such process is handled as a new admission. Accordingly, the regulation at Section 66-4.2 should remove the terms "readmission" and "readmitted," as such term is not recognized in the adult care facility setting and such use will cause interpretive confusion.

Response: The Department agrees with this comment. The Final Rule deletes the terms "readmission" and "readmitted" from Section 66-4.2.

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Early Intervention Program

I.D. No. HLT-39-22-00020-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of Subpart 69-4 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 2559-b

Subject: Early Intervention Program.

Purpose: To conform existing program regulations to federal regulations and state statute, as well as to provide additional clarification.

Public hearing(s) will be held at: 11:00 a.m., Nov. 7, 2022 at NYS Convention Center, Meeting Room 1, Empire State Plaza, Albany, NY.

Interpreter Service: Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph below.

Accessibility: All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Substance of proposed rule (Full text is posted at the following State website: https://regs.health.ny.gov/regulations/proposed-rule-making): This notice of proposed rulemaking amends 10 NYCRR subpart 69-4, which governs the Early Intervention Program (EIP), to: add mental health practitioners to and remove school psychologists from the list of Early Intervention (EI) "Early and Periodic Screening, Diagnostic and Treatment" (EPSDT) Medicaid State Plan; align the definition of elevated blood lead level with the current New York Codes, Rules and Regulations (NYCRR) Title 10 Part 67 definition; reduce the required number of clock hours of experience for qualified personnel; require a comprehensive quality assurance plan; update the term "family assessment;" clarify written order and written recommendation requirements; and clarify documentation requirements for EI services. The proposed amendments also clarify reimbursement requirements for EI evaluations and services; define group EI services. Specific amendments are as follows:

Section 69-4.1(m), (o), (q), and (ag) are amended to add definitions for the terms "collateral visits" and "group early intervention services;" to correct a typographical error in a cross reference; to update the term "family assessment" to read "family-directed assessment;" and to clarify service delivery in natural environments."

Section 69-4.1(al)(16)-(24) are amended to add licensed mental health counselors, licensed marriage and family therapists, licensed psychoanalysts, and licensed creative arts therapists as qualified personnel to provide early intervention services, and to remove school psychologists from the definition of qualified personnel.

Section 69-4.3(g)(1)(xvii) is amended to add the option of a follow-up screening or diagnostic audiological evaluation to rule out hearing loss based on risk factors or failure of initial newborn infant hearing screening. Section 69-4.3(g)(2)(iii) is amended to align with 10 NYCRR Part 67, Lead Poisoning Prevention and Control, which reduces the definition of elevated venous blood lead level to 5mcg/dl.

Section 69-4.4(b) is amended to update the time frame in which introductory service coordination training must be completed; the new period will be within four weeks of Department approval and prior to furnishing services. Section 69-4.5(a) is amended to remove an outdated deadline; reduce

Section 69-4.5(a) is amended to remove an outdated deadline; reduce the required number of documented clock hours of experience delivering services to children under five years of age from 1,600 hours to 1,000 hours; remove the requirement for discipline-specific quality assurance plans and to require an overall quality assurance plan developed and overseen by the agency director or county Early Intervention Official; and to require an EI agency to employ all required staff before agency authorization will be granted by the Department.

Section 69-4.5(b) is repealed, as licensed behavior analysts and certified behavior analyst assistants are now recognized as qualified providers of Early Intervention services, so there is no need for this provision. Similarly, Section 69-4.11(a)(10)(v), (vi), (xiii) is amended to remove reference to ABA aides and reflect that licensed behavior analysts and certified behavior analyst assistants are recognized as providers of Early Intervention services. Section 69-4.30(c)(13) is also amended to remove the reference to ABA aides.

the reference to ABA aides. Section 69-4.7(i)(3) and (p)(3) are amended to update the name of a program to the Children and Youth with Special Health Care Needs Program, in conformance with recent regulatory changes under Title 10 of the NYCRR.

Section 69-4.8(e)(2) is amended to clarify that evaluation instruments must be administered following all protocols in the examiner's manual.

Section 69-4.10(a)(1)(iv) is amended to ensure that group EI services are provided to EI eligible children at the site of an approved EI provider, and to require that the site is documented in the provider's current DOH approval.

Section 69-4.11(a)(10) is amended to clarify the term "frequency" means the number of days or sessions per week the service will be provided and to clarify that parents must object in writing to the notification from the Committee on Preschool Special Education (CPSE) that their child is potentially eligible for services under section 4410 of Education Law, to align with federal Office of Special Education Program (OSEP) requirements that oral objection is not sufficient. Likewise, Section 69-4.20(b)(1)(i) is amended to clarify that parental objection to notification of the CPSE must be in writing, to align with these federal OSEP requirements.

Section 69-4.26(b)(8) is amended to clarify that written orders apply to multidisciplinary and supplemental evaluations.

Section 69-4.26 includes several amendments to the session note requirements: subdivision (b)(12) is amended to clarify that parents are to sign service logs, not session notes; subdivision (c) is amended to require additional specificity in session notes and align with documentation requirements to be added to section 69-4.30(c)(8)(vii); and subdivision (d) is amended to require session notes to include the date the session note was created.

Section 69-4.30 is amended to clarify reimbursement requirements for EI screenings; clarify that supplemental evaluations are driven by the Individualized Family Service Plan (IFSP); clarify supplemental evaluations must be in accordance with the child's IFSP; clarify multidisciplinary evaluation reimbursement and additional multidisciplinary or supplemental evaluations provided within a 12-month period; clarify that collateral visits are intended to provide the parent and/or caregiver with the tools needed to assist their eligible child; and fix typographical errors and update cross-references. In addition, language is added to clarify that when determining whether hearing loss is present, supplemental audiological evaluations may take place prior to an IFSP for certain infants. Finally, language is repealed to make changes to ensure group EI services are provided appropriately and will benefit each eligible child participating in group services.

Several sections are amended to add the word "directed" before the term "family assessment" for purposes of clarification and consistency in terminology, including: Section 69-4.7(p)(3); Section 69-4.17(a)(1); Section 69-4.26(a)(8); and Section 69-4.30(c)(2)(i).

Additionally, several sections are amended solely to correct typographical errors, including: Section 69-4.10(a)(1)(iii); and Section 69-4.30(c)(7). *Text of proposed rule and any required statements and analyses may be obtained from:* Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsqna@health.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: Five days after the last scheduled public hearing.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

Statutory Authority: Public Health Law (PHL) § 2550(1) establishes the Department of Health (Department) as the lead agency responsible for the general administration and supervision of providers and services under the Early Intervention Program (EIP), and PHL § 2550(2) authorizes the Department to establish standards for evaluators, service coordinators, and providers of early intervention services and requires the Department to monitor agencies, institutions, and organizations providing early intervention services to ensure compliance with such standards.

Legislative Objectives:

The EIP implements Part C of the federal Individuals with Disabilities Education Act (IDEA). The legislative objectives of the EIP include providing a coordinated, comprehensive array of services that enhance the development of infants and toddlers with disabilities, thereby minimizing the need for later special education services, in compliance with federal and state laws.

Needs and Benefits:

The proposed rule will conform the State's EIP regulations to federal regulations and amendments to PHL, as well as align with the current State Medicaid plan for Early Intervention (EI) Early and Periodic Screening, Diagnostic and Treatment (EPSDT) services and federal Office of Special Education Programs (OSEP) directives to the Department, as the State implementing agency for IDEA Part C, regarding parental consent requirements. The proposed rule changes are in relation to definitions; additional practitioner types; provider approval; evaluations; service delivery, including documentation requirement; and aligning with current Lead Poisoning Prevention and Control levels.

The proposed regulations also make clarifying changes, including adding the word "directed" to the term family assessment, updating regulatory references, eliminating applied behavior analyst aides to match prior regulatory updates, and correcting typographical errors.

regulatory updates, and correcting typographical errors. These proposed amendments, which will conform the regulations to State and federal law, current Medicaid State Plan requirements, and OSEP guidance, will assist the municipalities and EIP providers by reducing confusion regarding regulatory oversight of the program, insofar as State EIP regulations will become up to date with current federal and State law. Costs:

Costs for the Implementation of, and Continuing Compliance with the Regulation to the Regulated Entity:

No additional cost for providers of EIP services is anticipated to result from the proposed rule, as they provide conforming changes based on the PHL and federal rules and guidance.

In addition, removing the requirement that agencies have one Quality Assurance (QA) professional for each approved EI service type and addition of the requirement that the EI Program Director oversee the QA plan for all approved EI services, will give agencies the flexibility to potentially achieve savings by reducing the hours of QA professionals and/or increasing program revenue through the QA professionals' availability to provide services.

Costs to the Agency, the State and Local Governments for the Implementation of and Continuing Compliance with the Rule:

There is potential savings to the State and Local Governments of \$200,000 annually related to holding the group size for early intervention services to two to eight children.

Local Government Mandates:

The proposed rule does not impose any new duty upon any county, city, town, village, school district, fire district, or other special district, as all existing EIP requirements on localities that administer the EIP at the local level will remain unchanged by the amended regulations.

Paperwork:

The proposed rules do not impose any new paperwork requirements upon any state or local governments.

Duplication: The proposed rules do not duplicate, overlap, or conflict with relevant rules and other legal requirements of the state and federal government. Alternatives:

There are no alternatives to the proposed rules. Amendments to these sections are necessary to comply with federal regulations, the updated approved Medicaid State Plan for Early Intervention (EI) Early and Periodic Screening, Diagnostic and Treatment (EPSDT) services, and OSEP guidance.

The Department presented the proposed regulations to the Early Intervention Coordinating Council (EICC) on March 23, 2021. No specific alternative proposals were recommended by the EICC. Federal Standards:

The proposed amendments will be consistent with the federal standards at 34 CFR Parts 300 and 303. Compliance Schedule:

The proposed rules will be effective immediately upon adoption. These proposed rules will conform the regulations to existing requirements in federal regulations and federal and state statutes.

Regulatory Flexibility Analysis

No Regulatory Flexibility Analysis is required pursuant to section 202b(3)(a) of the State Administrative Procedure Act. The proposed amendment does not impose an adverse economic impact on small businesses or local governments, and it does not impose reporting, record keeping, or other compliance requirements on small businesses or local governments.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis for these amendments is not being submitted because amendments will not impose any adverse impact or significant reporting, record keeping, or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed amendments.

Job Impact Statement

A Job Impact Statement for these amendments is not being submitted because it is apparent from the nature and purposes of the amendments that they will not have a substantial adverse impact on jobs and/or employment opportunities.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Repeal of Collection of Source Plasma

I.D. No. HLT-39-22-00004-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: This is a consensus rule making to repeal section 58-2.14 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 3121(5)

Subject: Repeal of Collection of Source Plasma.

Purpose: Repeal of Collection of Source Plasma.

Text of proposed rule: Pursuant to the authority vested in the Council on Human Blood and Transfusion Services and the Commissioner by section 3121(5) of the Public Health Law, Subpart 58-2 of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon publication of a Notice of Adoption in the New York State Register, to read as follows:

Section 58-2.14 [Collection of Source Plasma] Reserved.

Text of proposed rule and any required statements and analyses may be *obtained from:* Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsgna@health.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Consensus Rule Making Determination

Statutory Authority:

Pursuant to section 3121(5) of the Public Health Law the Council on Human Blood and Transfusion Services, subject to approval by the Commissioner, has the power to enact, amend and repeal, rules and regulations establishing minimum standards for the proper collection, processing, fractionation, storage, distribution, and supply of human blood or blood derivatives, for the purpose of transfusions.

Basis:

Subpart 58-2 of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR) establishes regulatory requirements for all aspects of blood banking, including personnel qualifications, donor screening and care, record keeping, and certain technical specifications. In particular, section 58-2.14 addresses these aspects for blood banks collecting "source plasma" that is utilized in the manufacture of blood derivatives such as Rho(D) immune globulin and anti-SARS Cov-2 immunoglobulin.

Pursuant to recently adopted legislation found in chapter 675 of the Law of 2021, source plasma donation centers are now exempt from the

definition of a blood bank and the Department of Health must adopt new regulations specific to the operation of these entities and consistent with federal regulations for source plasma collection. Section 58-2.14 of 10 NYCRR regulates source plasma donation centers

as blood banks and is more stringent than federal regulations for source plasma. Repealing these regulations is therefore necessary since source plasma donation centers are now exempt from blood banking requirements pursuant to L_2021 , ch 675 and the requirements in section 58-2.14 are no longer applicable to any person.

Job Impact Statement

No job impact statement is required pursuant to Section 201-a(2)(a) of the State Administrative Procedure Act. It is apparent, from the nature of the proposed amendment, that it will not have an adverse impact on jobs and employment opportunities.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Source Plasma Donation Centers

I.D. No. HLT-39-22-00018-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Addition of Subpart 58-4 to Title 10 NYCRR.

Statutory authority: Public Health Law, sections 571 and 575-a Subject: Source Plasma Donation Centers.

Purpose: To distinguish source plasma donation centers as a separate regulatory entity from blood banks.

Text of proposed rule: A new subpart 58-4 is added to Title 10, to read as follows

SUBPART 58-4 SOURCE PLASMA DONATION CENTERS 58-4.1 Definitions.

(a) Source plasma is defined as the fluid portion of human blood collected by plasmapheresis and intended as source material for further manufacturing use. This definition excludes single donor plasma products intended for intravenous use (i.e., transfusion).

(b) Source plasma donation center means a facility where source plasma is collected by plasmapheresis, and total protein and hematocrit testing is performed on prospective donors. Source plasma donation center does not include collection of single source donor plasma intended for intravenous use (i.e., transfusion).

(c) Responsible physician means an individual who is:

(1) Licensed and registered to practice medicine by the New York State Education Department;

(2) In good standing with the New York State Education Department and the Office of Medical Professional Conduct of the New York State Department of Health;

(3) Adequately trained and qualified to direct and control personnel and relevant procedures concerning the determination of donor eligibility; collection of blood and blood components; the immunization of a donor; and the return of red blood cells or other blood components to the donor during collection of blood component(s) by apheresis; and

4) Designated by the collection establishment to perform the activities described in paragraph (c)(3) of this section.

(d) Physician substitute means a trained and qualified person(s) who is: 1) Currently licensed and registered as a health care worker by the New York State Education Department;

(2) Currently certified in cardiopulmonary resuscitation; and

(3) Trained and authorized under State law, and/or local law when applicable, to perform the specified functions under the direction of the responsible physician.

(e) Laboratory director means an individual who meets the qualifications listed under the Code of Federal Regulations including, Title 42, Part 493, Section 1405.

58-4.2 Registration of source plasma donation centers.

(a) Each source plasma donation center must apply for registration on forms provided by the Department, which shall include: the necessary demographic information of the source plasma donation center; current license and registration of the responsible physician overseeing collection activities; name, address and credentials of the laboratory director; name and address of the owner of the donation center; and other such information as the department may require.

(b) A source plasma donation center registration shall not be issued unless the responsible physician meets all criteria in section 58-4.1(c) of this Subpart, the laboratory director meets the requirements in section 58-4.1(e) of this Subpart, the registration fees have been paid and the registration application is complete.

(c) The source plasma donation center registration shall be valid for a period of two years from the date of issuance and may be renewed for successive two-year periods thereafter. The original application and each re-newal application shall be accompanied by a registration fee of six hundred dollars. A renewal application must be received at least sixty (60) days prior to registration expiration.

(d) Source plasma donation centers shall only perform hematocrit and total protein donor eligibility tests. Any other clinical laboratory testing shall require a clinical laboratory permit pursuant to Section 574 of the Public Ĥealth Law.

(e) The responsible physician and laboratory director shall be jointly responsible for ensuring compliance with this Subpart. The responsible physician shall be responsible for ensuring compliance with the Code of Federal Regulations, Title 21, Parts 630 and 640. The laboratory director will be responsible for ensuring compliance with the Code of Federal Regulations, Title 42, Part 493.

(f) Source plasma donation centers shall notify the Department no later than sixty (60) calendar days after any change in the responsible physician, laboratory director, owner, or location. Failure to provide proper notice pursuant to this subdivision may result in the revocation of the source plasma donation center's registration.

58-4.3 Incorporation by Reference.

The provisions of the Code of Federal Regulations which have been incorporated by reference in this Subpart have been filed in the Office of the Secretary of State of the State of New York, the publication so filed being the booklet entitled: Code of Federal Regulations, Title 21, Parts 630 and 640, revised as of May 22, 2015 and April 1, 2016, respectively, and Title 42, Part 493, revised as of August 10, 2022, published by the Office of the Federal Register, National Archives and Records Administration and Code of Federal Regulations. The regulations incorporated by reference may be examined at the Records Access Office, New York State Department of Health, Corning Tower, Empire State Plaza, Albany, New York 12237 or can be directly obtained from the Superintendent of Documents, US Government Printing Office, Washington, D.C. 20402.

58-4.4 Enforcement.

(a) Registration under this Subpart may be denied, suspended, revoked or annulled by the department upon a determination that a registrant:

1) failed to comply with the requirements of this Subpart;

(2) provided services that constitute an unwarranted risk to human health;

(3) intentionally provided any false or misleading information to the Department relating to registration or performing donor eligibility and collection procedures; or

(4) has demonstrated incompetence or shown consistent errors in the performance of donor eligibility or collection procedures.

(b) A registration shall not be suspended or revoked without a hearing. However, a registration may be temporarily suspended without a hearing for a period not to exceed thirty (30) days upon notice to the registrant following a finding by the Department that the public health, safety or welfare is in imminent danger.

(c) Source plasma donation centers shall provide the Department with immediate access to all registered facilities during reported operating hours, equipment, records, and personnel, as required by the Department to determine compliance with this Subpart and compliance with federal requirements in the Code of Federal Regulations, including Title 21, Parts 630 and 640 and Title 42, Part 493.

Text of proposed rule and any required statements and analyses may be obtained from: Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsqna@health.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

Statutory Authority:

Public Health Law (PHL) § 571 defines source plasma donation centers as entities separate and apart from blood banks. PHL § 575-a sets forth the allowable activities performed at source plasma donation centers and authorizes the Commissioner of the Department of Health to promulgate regulations establishing a registration process for such entities.

Legislative Objectives:

The legislative objective of PHL § 575-a is to separate source plasma donation centers as a regulatory entity distinct from blood banks, authorize collection of source plasma at source plasma donation centers that comply with federal law, and create a streamlined registration process for these facilities.

Needs and Benefits:

Source plasma collection through donation is the first step in manufacturing plasma protein therapies to treat diseases, including creation of clotting factor products for individuals with bleeding disorders, autoimmune disorders, and other conditions. It is a completely separate process from blood and blood component collection for transfusion purposes.

The proposed regulations are needed to ensure source plasma donation centers in New York State operate in a safe manner and in compliance with federal standards. The regulations accomplish this by requiring source plasma donation centers to register with the Department of Health (Department) and be subject to periodic inspections. These requirements will positively impact entities seeking to operate source plasma collection facilities by harmonizing the federal and state requirements. In addition, by establishing source plasma donation centers as a regulatory entity distinct from blood banks, such entities are relieved of the burden of ensuring the director of the facility holds a certificate of qualification, obtaining a blood bank permit, and employing individuals who hold appropriate licensure from the State Education Department to perform the federally mandated total protein and hematocrit testing.

Costs:

Costs to Regulated Parties:

Source plasma donation centers will be subject to a biennial registration fee of \$600. There will be no additional cost to the regulated party for the assessment of compliance by on-site inspection. Costs to the Department, State and Local Governments:

A new regulatory program will be needed to oversee source plasma donation centers. The Department anticipates hiring two (2) full-time employees to administer the registration process and perform biennial inspections to ensure compliance with both state and federal requirements. The anticipated start-up costs are approximately \$140,000 and the estimated annual operating costs are approximately \$200,000.

Local governments are not expected to incur any costs as a result of this regulation.

Local Government Mandates:

The proposed regulations do not impose new mandates on any county, city, town or village government; or school, fire or other special district.

Paperwork:

The proposed regulations will require the generation of new forms to facilitate the registration of source plasma donation centers. In addition, source plasma donation centers will be required to maintain the same documentation consistent with federal regulations, to include but not be limited to, personnel credentials, donor demographics and medical history, testing results for donor eligibility, and disposition of all donations

Duplication:

Source plasma donation centers are subject to the Code of Federal Regulations, Title 21, Parts 630 (Requirements for Blood and Blood Components Intended for Transfusion or for Further Manufacturing) and 640 (Additional Standard for Human Blood and Blood Products), and Title 42, Part 493 (Laboratory Requirements). The Department has applied and been approved for an exemption from the federal government for the laboratory requirements (42 CFR 493) continuously since 1995, granting the Department the authority as the primary accrediting body for clinical laboratories operating in New York. Consequently, there is no duplication with regard to status of source plasma donation centers as clinical laboratories performing total protein and hematocrit testing

Alternatives:

One alternative to the proposed regulations would be to not adopt regulations and allow source plasma donation centers to operate in New York without registering with the Department. However, this alternative was not considered a viable option since requiring source plasma donation centers to register will provide the Department better oversight of these facilities within New York and ensure that such facilities are meeting minimum health and safety requirements.

Federal Standards:

Source plasma donation centers are subject to the Code of Federal Regulations, Title 21, Parts 630 (Requirements for Blood and Blood Components Intended for Transfusion or for Further Manufacturing) and 640 (Additional Standard for Human Blood and Blood Products), and Title 42, Part 493 (Laboratory Requirements).

Compliance Schedule:

Recent amendments to the Public Health Law, carving out source plasma donation centers from the definition of a blood bank, went into effect on June 19, 2022. Prior to June 19, 2022, these facilities needed to be permitted as a blood bank. Source plasma donation centers currently operating under the authority of a blood bank will have the option of continuing their permit or registering under the regulation. Any facility currently operating a source plasma donation center or seeking to operate a new source plasma donation center, that does not hold a blood bank permit, will be required to register with the Department once the regulations are in effect. The regulations will be effective upon publication of the Notice of Adoption in the New York State Register.

Regulatory Flexibility Analysis

No regulatory flexibility analysis is required pursuant to section 202-b(3)(a) of the State Administrative Procedure Act. The amendment does not impose an adverse economic impact on small businesses or local governments, and it does not impose reporting, recordkeeping or other compliance requirements on small businesses or local governments.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis for these amendments is not being submitted because the amendments will not impose any adverse impact or significant reporting, recordkeeping or other compliance requirements on public or private entities in rural areas. There are no other compliance costs imposed on public or private entities in rural areas as a result of the amendments.

Job Impact Statement

A Job Impact Statement for these amendments is not being submitted because it is apparent from the nature and purposes of the amendments that they will not have a substantial adverse impact on jobs and/or employment opportunities.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Private Duty Nursing (PDN) Services to Medically Fragile Adults

I.D. No. HLT-39-22-00019-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of section 505.8 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 363-a(2) and 367-r *Subject:* Private Duty Nursing (PDN) Services to Medically Fragile Adults.

Purpose: To increase PDN fee-for-service reimbursement for nursing services provided to medically fragile adults.

Text of proposed rule: Pursuant to the authority vested in the Commissioner of Health by Section 363-a(2) of the Social Services Law, paragraphs (6) and (7) of subdivision (f) of section 505.8 of Title 18 (Social Services) of the Official Compilation of Codes, Rules and Regulations of the State of New York are amended, to be effective upon publication of a Notice of Adoption in the New York State Register, to read as follows:

Notice of Adoption in the New York State Register, to read as follows: (6) Effective January 1, 2007, payment for nursing services provided to medically fragile children; and effective April 1, 2022, payment for nursing services provided to medically fragile adults; shall be at an enhanced rate which exceeds the provider's nursing services payment rate established by the Department of Health and approved by the State Budget Director under this subdivision.

([a]*i*) Medically fragile children means children who are at risk of hospitalization or institutionalization, but who are capable of being cared for at home if provided with appropriate home care services, including but not limited to case management services and continuous nursing services, and includes any children under the age of 21 receiving continuous nursing services pursuant to this section; medically fragile adults means adults who are at risk of hospitalization or institutionalization, but who are capable of being cared for at home if provided with appropriate home care services, including but not limited to case management services and continuous nursing services, and includes but is not limited to any individuals who previously qualified as a medically fragile child but who no longer meet the age requirements.

([b]*ii*) The enhanced rate shall be determined by applying thirty percent (30%) of the provider's approved rate in addition to the rate otherwise payable under this subdivision, which increase is at least equivalent to the reimbursement rate for the AIDS Home Care Program specified in section 86-1.46(b) of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York. Licensed Home Care Services Agency (LHCSA) providers receiving reimbursement at the enhanced rate shall use such amounts only to recruit and retain nurses to ensure the delivery of nursing services to medically fragile children and medically fragile adults.

(c]*iii*) The enhanced rate shall only be payable upon submission of a certification by a nurse provider, on forms and procedures prescribed by the Department, that he or she has satisfactory training and experience to provide nursing services to medically fragile children *and medically fragile adults*. A LHCSA provider shall make and submit such certifications on behalf of nurses rendering services to children *and adults* under this subdivision.

(7)(i) Fee-for-service reimbursement for provider directory participants.

(a) Effective October 1, 2020, the Commissioner of Health shall, subject to the provisions of paragraph (f)(6) of this section, and the provisions of paragraph (f)(7)(ii) of this section, and subject to the availability of federal financial participation, annually increase fees for the fee-forservice reimbursement of private duty nursing services provided to medically fragile children by fee-for-service private duty nursing services providers who enroll and participate in the provider directory pursuant to paragraph (f)(7)(ii) of this section, over a period of three years, commencing October 1, 2020, by one-third annual increments, until such fees for reimbursement equal the final benchmark payment designed to ensure adequate access to the service. In developing such benchmark, the Commissioner of Health may utilize the average 2018 Medicaid managed care payments for reimbursement of such private duty nursing services.

(b) Effective April 1, 2022, the Commissioner of Health shall, subject to the provisions of paragraph (f)(6) of this section, and the provisions of paragraph (f)(7)(ii) of this section, and subject to the availability of federal financial participation, increase fees for the fee-for-service reimbursement of private duty nursing services provided to medically fragile adults by fee-for-service private duty nursing services providers who enroll and participate in the provider directory pursuant to paragraph (f)(7)(ii) of this section, so such fees for reimbursement equal the benchmark payment designed to ensure adequate access to the service. In developing such benchmark, the Commissioner of Health may utilize the average 2018 Medicaid managed care payments for reimbursement of such private duty nursing services.

(ii) Provider directory for fee-for-service private duty nursing services provided to medically fragile children and medically fragile adults. The Commissioner of Health shall establish a directory of qualified providers for the purpose of promoting the availability and ensuring delivery of fee-for-service private duty nursing services to medically fragile children and [individuals transitioning out of such category of care] medically fragile adults. [Such transition period shall commence upon the individuals treaching age 21 and shall include any such individuals under the age of 23 receiving continuous nursing services pursuant to this section.] Qualified providers enrolling in the directory shall ensure the availability and delivery of such services to individuals in need of such services, and shall receive increased reimbursement for such services pursuant to paragraph f(7)(i)(a) and f(7)(i)(b) of this section. The directory shall offer enrollment to all private duty nursing services providers to promote and ensure the participation in the directory of all nursing services providers available to serve medically fragile children and medically fragile adults.

Text of proposed rule and any required statements and analyses may be obtained from: Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsqna@health.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register. Regulatory Impact Statement

Statutory Authority:

Social Services Law ("SSL") section 363-a and Public Health Law ("PHL") section 201(1)(v) provide that the Department is the single state agency responsible for supervising the administration of the State's medical assistance ("Medicaid") program and for adopting such regulations, not inconsistent with law, as may be necessary to implement the State's Medicaid program. The State's Medicaid program includes nursing services authorized by SSL § 367-r, as amended by Chapter 56 of the Laws of 2020, and Chapter 57 of the laws of 2022. The Department may promulgate regulations necessary to carry out the program's objectives, which includes the provision of and payment for nursing services. SSL § 367-r. The proposed amendment to the nursing services regulation is within the Department's statutory rulemaking authority as it sets forth a required framework for the method of reimbursing private duty nursing services to medically fragile adults.

Legislative Objectives:

The Legislature's objective in amending SSL § 367-r was to establish an increase to fees for fee-for-service (FFS) reimbursement of private duty nursing (PDN) services provided to medically fragile adults by FFS enrolled PDN service providers who additionally enroll and participate in the provider directory, commencing April 1, 2022, to ensure adequate access to the service. This will establish parity with the increased rates for medically fragile children authorized in 2020. In increasing the fees, the Commissioner of Health may utilize the average 2018 Medicaid managed care payments for reimbursement of such PDN services. The statutory amendment further provides for the Commissioner of Health to establish a directory of qualified providers for the purpose of promoting the availability and ensuring delivery of FFS PDN services to medically fragile adults. Qualified providers enrolling in the directory are required to ensure the availability, delivery, and provision of PDN to those individuals who need the services in order to receive the increased reimbursement for the nursing services. The directory offers enrollment to all PDN services providers.

Needs and Benefits:

There are approximately 1,500 Medicaid members who access PDN services in the FFS program, one-third who are 21 years of age or older. These members often require long-term PDN services, starting as children and continuing into adulthood. Historically, there has been an industrywide shortage of private duty nurses which the Department addressed by increasing pediatric nursing reimbursement, to attract enough qualified providers to staff these cases. In 2002, changes were enacted to provide a 3 percent increase to nurses serving pediatric cases. In 2007, the section 367-r of the Social Services Law was amended to provide an additional add-on to nurses attesting to their qualifications to serve medically fragile children. In the 2020-21 budget, a new program was created to address the difficulty staffing pediatric FFS nursing cases, due to the higher reimbursement offered by managed care organizations. A directory of private duty nurses was created to identify providers willing to provide services to FFS members up to the age of 23 with enhanced fees amounting phased in over three (3) years to achieve parity with Medicaid Managed Care (MMC) fees; and to extend the current add-on from age 21 to age 23 to allow an additional two year transitional period in which to locate nursing providers willing to accept the lower adult reimbursement amount in effect at that time. Under that legislation and policy, when medically fragile children reached 23 years of age, the increased provider reimbursement was no longer available, and consequently nurses were unwilling to continue providing the same services at a lower reimbursement amount to these members who had aged out of the enhanced pediatric reimbursement. The transitioning FFS adult cases were at further disadvantage in trying to attract nurses, because the adult FFS base hourly fees were significantly lower than the MMC fees, creating further disincentive for nurses to serve adult FFS cases. The increases enacted to address the pediatric FFS staffing shortage caused an adult nursing shortage.

In November of 2021, to address this disparity, temporary increased fee reimbursement was made to providers of adult PDN under Section 9817 of the American Rescue Plan Act (ARPA).

In the 2022-23 budget, Chapter 56 of the laws of 2022, amended section 367-r of the SSL to permanently eliminate the disparity between pediatric and adult PDN reimbursement, and establish a provider directory of available nurses to provide PDN services to medically fragile adults. This current regulatory change implements these 2022 statutory amendments.

Costs:

Costs to Regulated Parties:

There will be no additional costs to private regulated parties because of the proposed regulation.

Costs to State Government:

As reflected in the State's fiscal year 2022-23 budget, there is additional increase of \$15.5 million (State share) in Medicaid expenditures anticipated because of the proposed regulation.

Costs to Local Government:

The Local districts' share of Medicaid costs is statutorily capped; therefore, there will be no additional costs to local governments because of the proposed regulation.

Costs to the Department of Health:

There will be no additional administrative cost to the Department of Health.

Local Government Mandates:

The proposed regulation does not impose any new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.

Paperwork:

The proposed regulations do not impose any reporting requirements on fiscal intermediaries or other entities. The existing provider enrollment forms will be modified, and no new forms will be created.

Duplication:

The proposed regulations do not duplicate any existing federal, state, or local regulations.

Alternatives:

As discussed above, the Legislature has determined that, based on the need for PDN services and the scarcity of nurses available for medically fragile adults, the additional reimbursement fees are needed for those nurses who enroll and participate in the provider directory. Accordingly, the alternative of not taking this regulatory action was rejected.

Federal Standards:

The proposed regulations do not exceed any minimum federal standards. Compliance Schedule: There is no compliance schedule imposed by this amendment, which shall be effective upon publication of a notice of adoption.

Regulatory Flexibility Analysis

No regulatory flexibility analysis is required pursuant to section 202-(b)(3)(a) of the State Administrative Procedure Act. The proposed amendment does not impose an adverse economic impact on small businesses or local governments, and it does not impose reporting, recordkeeping or other compliance requirements on small businesses or local governments.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis for these amendments is not being submitted because the amendments will not impose any adverse impact or significant reporting, recordkeeping or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed amendments.

Job Impact Statement

A Job Impact Statement for these amendments is not being submitted because it is apparent from the nature and purposes of the amendments that they will not have a substantial adverse impact on jobs and/or employment opportunities.

Office of Mental Health

NOTICE OF ADOPTION

COVID-19 Vaccination Program

I.D. No. OMH-43-21-00002-A Filing No. 705 Filing Date: 2022-09-08

Effective Date: 2022-09-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of Part 557 to Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 7.07, 7.09 and 31.04 *Subject:* COVID-19 Vaccination Program.

Purpose: To implement a COVID-19 vaccination program in OMH Operated or Licensed Hospitals.

Text or summary was published in the October 27, 2021 issue of the Register, I.D. No. OMH-43-21-00002-EP.

Final rule as compared with last published rule: No changes.

Revised rule making(s) were previously published in the State Register on March 23, 2022.

Text of rule and any required statements and analyses may be obtained from: Sara Paupini, Esq., Office of Mental Health, 44 Holland Ave., Albany, NY 12229, (518) 474-1331, email: regs@omh.ny.gov

Revised Regulatory Impact Statement

(1) Statutory authority:

(a) Section 7.07 of the Mental Hygiene Law (MHL) charges the Office of Mental Health (OMH) with the responsibility for seeing that persons with mental illness are provided with care and treatment, and that such care, treatment and rehabilitation is of high quality and effectiveness.

(b) Section 7.09 of the Mental Hygiene Law gives the Commissioner of the Office of Mental Health the power and responsibility to adopt regulations that are necessary and proper to implement matters under their jurisdiction.

(c) Section 31.04 of the Mental Hygiene Law grants the Commissioner of Mental Health the power and responsibility to adopt regulations to effectuate the provisions and purposes of article 31 of such law, including procedures for the issuance and amendment of operating certificates, and for setting standards of quality and adequacy of facilities.

(2) Legislative objectives:

To implement a COVID-19 vaccination program through MHL §§ 7.07, 7.09 and 31.04 which provide the Commissioner of Mental Health with the authority to protect the health and life of the people of the State of New York including by controlling the spread of communicable diseases. COVID-19 is an unpredictable disease that can cause serious illnesses and death. In response to this increased public health threat, New York must take active steps to prevent and control transmission of COVID-19. The seriousness of the continuing threat and the failure to achieve acceptable vaccination rates through voluntary programs necessitate further action. Collectively, the legislative purpose of these statutes is to protect patients in hospitals operated or licensed by the Office of Mental Health by providing safe, efficient, and adequate care.

(3) Needs and benefits:

These regulations are necessary to prevent the spread of COVID-19 in hospitals operated or licensed by the Office of Mental Health. This requirement will help ensure patients are less likely to suffer a COVID-related death or severe illness and that fewer staff test positive for COVID-19 and aligns these facilities with other hospitals in New York State. COVID-19 is a disease that causes mild to severe respiratory symptoms,

including fever, cough, and difficulty breathing. People infected with COVID-19 have had symptoms ranging from those that are mild (like a common cold) to severe pneumonia that requires medical care in a general hospital and can be fatal. Given the disproportionate adverse health impacts of COVID-19 for adults and those with comorbidities, many of whom receive treatment in New York's Hospitals, it is imperative that these hospitals facilitate the prompt vaccination of its staff.

Based on the foregoing, the Office has made the determination that this emergency regulation is necessary to best protect patients and staff in Hospitals operated by the Office of Mental Health.

(4) Costs:

(a) Costs to Regulated Parties: The purpose of this regulation is to require Hospitals licensed or operated by the Office of Mental Health to promptly coordinate the COVID-19 vaccination of their staff. Costs are expected to be minimal given that the COVID-19 vaccine is provided free of charge, and Medicare reimbursement is available to help Medicareenrolled residents cover administrative costs.

(b) Costs to Local and State Governments: This regulation will have no significant impact on local or State governments. There may be limited additional agency costs for reviewing documentation and other administrative oversight.

5. Local government mandates: This regulation will have no impact on local governments.

6. Paperwork: This regulation imposes no additional paperwork. Although the regulation requires recordkeeping by hospitals, including documentation in personnel files, these records must already be maintained by the hospital.

7. Duplication: These regulatory amendments do not duplicate existing State or Federal requirements.

8. Alternatives: The Office believes that the promulgation of this regulation is the most effective means to ensure that OMH operated hospitals adequately ensure their staff are vaccinated against COVID-19. Accordingly, the alternative of not issuing these regulations was rejected, as the potential for serious illness and possible death of both staff and patients as a result of a COVID-19 outbreak outweighed the risk of rejecting a vaccine mandate.

9. Federal standards: The regulatory amendments do not exceed any minimum standards of the Federal Government for the same or similar subject areas.

10. Compliance schedule: This rulemaking will be effective upon filing a Notice of Adoption in the State Register.

Revised Regulatory Flexibility Analysis

Effect of Rule:

This regulation will not impact local governments or small businesses. Compliance Requirements:

This regulation primarily requires Hospitals operated or licensed by the Office of Mental Health to promptly coordinate the COVID-19 vaccination of their staff.

Professional Services:

No professional services are required by this regulation.

Compliance Costs:

Costs are expected to be minimal given that the COVID-19 vaccine is provided free of charge.

Economic and Technological Feasibility:

There are no economic or technological impediments to the rule changes

Minimizing Adverse Impact:

This regulation is consistent with the existing responsibilities hospitals have to maintain the health and safety of residents, and ensure staff are free from communicable diseases. Therefore, any adverse impacts are expected to be minimal and are outweighed by the regulation's health and safety benefits to residents and staff.

Small Business and Local Government Participation:

Due to the urgent need to ensure hospital staff are vaccinated as soon as possible given the seriousness of COVID-19 if contracted, particularly by older adults or persons with comorbidities, small business and local governments were not directly consulted. However, the Office will notify such entities of the existence of these regulations and the opportunity to submit comments or questions to the Office.

Cure Period:

This regulation does not include a cure period given the serious threat the COVID-19 virus causes to all New Yorkers, particularly those residing in hospitals, considering such residents' age and comorbidities. The Office finds the periods provided to comply with the regulatory requirements sufficient to ensure Hospitals can establish or revise their vaccination policies and procedures, while balancing the urgent need to protect patients and personnel from this dangerous disease.

Revised Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

Although this rule applies uniformly throughout the state, including ru-ral areas, for the purposes of this Rural Area Flexibility Analysis (RAFA), "rural area" means areas of the state defined by Exec. Law § 481(7) (SAPA § 102(10)). Per Exec. Law § 481(7), rural areas are defined as "counties within the state having less than two hundred thousand population, and the municipalities, individuals, institutions, communities, and programs and such other entities or resources found therein.

Reporting, recordkeeping, and other compliance requirements; and professional services:

This regulation creates no additional paperwork. Although the regulation requires recordkeeping by hospitals, including documentation in personnel files these records must already be maintained. Additionally, no additional professional services are required by this regulation. Costs:

This regulation requires staff of OMH operated and licensed hospitals to be vaccinated against COVID-19. Costs are expected to be minimal given that the COVID-19 vaccine is provided free of charge.

Economic and Technological Feasibility: There are no economic or technological impediments to the rule changes.

Minimizing Adverse Impact:

This regulation is consistent with the existing responsibilities Hospitals have to maintain the health and safety of residents, ensure sufficient staffing levels, and ensure staff are free from communicable diseases. Therefore, any adverse impacts are expected to be minimal and are outweighed by the regulation's health and safety benefits to patients and staff.

Rural Area Participation:

Due to the urgent need to ensure Hospital staff are vaccinated as soon as possible given the seriousness of the COVID-19 virus and the need for services to be provided in person where appropriate, Hospitals located in rural areas were not directly consulted. However, the Office will notify covered entities located in rural areas of the existence of these regulations and the opportunity to submit comments or questions to the Office.

Revised Job Impact Statement

Nature of impact: Hospitals as defined may take disciplinary action on staff who are not fully vaccinated and up to date, and do not have a valid medical exemption.

Categories and numbers affected: This rule may impact any individual who falls within the definition of "staff" who are not fully vaccinated including maintaining up to date status if eligible, against COVID-19 and do not have a valid medical exemption on file with the Hospital for which they are employed with or are affiliated.

Regions of adverse impact: The rule would apply uniformly throughout the State and the Office does not anticipate that there will be any regions of the state where the rule would have a disproportionate adverse impact on jobs or employment.

Minimizing adverse impact: As part of ongoing efforts to address the COVID-19 pandemic, regulated parties have been a partner in implementing measures to limit the spread and/or mitigate the impact of COVID-19 within the Office since March of 2020.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Telehealth Expansion

I.D. No. OMH-48-21-00003-A Filing No. 716 Filing Date: 2022-09-12 Effective Date: 1 day after filing

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 596 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 7.07, 7.09 and 31.04 *Subject:* Telehealth Expansion.

Purpose: To establish regulations regarding the expansion of telehealth. *Text or summary was published* in the December 1, 2021 issue of the Register, I.D. No. OMH-48-21-00003-EP.

Final rule as compared with last published rule: No changes.

Revised rule making(s) were previously published in the State Register on May 11, 2022.

Text of rule and any required statements and analyses may be obtained from: Sara Paupini, Esq., Office of Mental Health, 44 Holland Ave., Albany, NY 12229, (518) 474-1331, email: regs@omh.ny.gov

Revised Regulatory Impact Statement

1. Statutory Authority: Sections 7.09, 31.02 and 31.04 of the Mental Hygiene Law, grant the Commissioner of Mental Health the authority and responsibility to adopt regulations that are necessary and proper to implement matters under their jurisdiction. Pursuant to Section 2999-dd of the Public Health Law, health care services delivered by means of telehealth are entitled to Medicaid reimbursement under Social Services Law Section 367-u.

2. Legislative Objectives: To establish regulations regarding mental health programs, including the expansion of the opportunity to offer telehealth services.

3. Needs and Benefits: The proposed amendments are intended to continue to expand the opportunity to offer telehealth services in the New York State regulated mental health system. The proposed changes are also in response to recent amendments to New York State Public Health Law § 2999-cc (as amended by Chapter 124 of the Laws of 2020) which may eventually lead to more flexibility for the provision of certain Medicaidfunded services using audio-only telephonic communication technology. The newly revised definition of "Telehealth" in this section provides that for the Medicaid and Child Health Insurance Plan, shall include audioonly telephone communication only to the extent defined in regulations as may be promulgated by the commissioner of the Department of Health (DOH). This amendment expands the types of practitioners who can be designated or authorized by this Office to provide these services, will al-low practitioners to be physically located outside the State of New York while delivering services, and provide that practitioners can deliver services remotely without first conducting an in-person evaluation. Additionally, in the revised proposed rule, an evaluation or examination required as part of an involuntary removal from the community, involuntary retention in a hospital or Assisted Outpatient Treatment order pursuant to Article 9 of the Mental Hygiene Law can be conducted via audio-visual telemental health only.

Such amendments are necessary to allow providers to maintain continuity of care with their patients, rapidly evaluate and screen new patients, and offer crisis and support interventions during this difficult time. The promulgation of these regulations is essential to preserve the health, safety and welfare of individuals with mental illness who receive services through licensed and designated OMH providers. If OMH did not promulgate regulations on an emergency basis, providers will be unable to maintain the continuity and quality of care their patients are receiving as a number of these patients do not have any other way of accessing behavioral health services at this time. Immediately, this amendment would permit the continued access to mental health services for people who are vulnerable or at risk for contracting COVID and wish to continue treatment in the safest manner possible, while working towards their treatment goals, while not having to choose between treatment and safety.

4. Costs:

(a) Cost to State government: There are no costs to State government as a result of these amendments. (b) Cost to local government: There are no new costs to local government as a result of these amendments. (c) Cost to regulated parties: There are no new costs to regulated parties as a result of these amendments.

5. Local Government Mandates: The provision of telehealth services is not required. These regulatory amendments will not involve or result in any additional imposition of duties or responsibilities upon county, city, town, village, school, or fire districts.

6. Paperwork: There are no new paperwork requirements as a result of the amendments.

7. Duplication: These regulatory amendments do not duplicate existing State or federal requirements.

8. Alternatives: It was determined that should the Office consider not moving forward with the proposed rule, it would have a detrimental effect on behavioral health care delivery. The field has consistently expressed support for the increase flexibility previously authorized during the public health emergency, and the ability to serve their populations fully during this period. They have also expressed concern about continuity of care and

delivering necessary services should such flexibility be terminated. The proposed amendment intends to increase flexibility for providers wishing to deliver telelhealth services and conforms regulations to recent amendments to Section 2999-cc of the Public Health Law.

 9. Federal Standards: Currently states can choose to cover telehealth under Medicaid, as defined via their state plan amendment.
 10. Compliance Schedule: The office is promulgating these rules on an

10. Compliance Schedule: The office is promulgating these rules on an emergency basis. The permanent amendments to the regulation would be effective upon adoption, following the 45 day public comment period required by the State Administrative Procedure Act.

Revised Regulatory Flexibility Analysis

Effect of Rule: There will be no adverse economic impact upon small businesses or local governments as a result of this rule making. The rule serves to update existing regulations and provide additional flexibilities that were permit-

ted during the Public Health Emergency.

Compliance Requirements:

Additional compliance requirements are expected to be minimal, as telehealth has already been authorized during the public health emergency. Professional Services:

No professional services are required by this regulation.

Economic and Technological Feasibility:

There are no economic or technological impediments to the rule changes.

Minimizing Adverse Impact:

This regulation is consistent with the existing flexibilities providers have utilized during the public health emergency. Therefore, any adverse impacts are expected to be minimal and are outweighed by the regulation's intent to continue to provide broad access to services.

Small Business and Local Government Participation:

The Office will notify such entities of the existence of these regulations and the opportunity to submit comments or questions to the Department.

Revised Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

Although this rule applies uniformly throughout the state, including rural areas, for the purposes of this Rural Area Flexibility Analysis (RAFA), "rural area" means areas of the state defined by Exec. Law § 481(7) (SAPA § 102(10)). Per Exec. Law § 481(7), rural areas are defined as "counties within the state having less than two hundred thousand population, and the municipalities, individuals, institutions, communities, and programs and such other entities or resources found therein.

Reporting, Recordkeeping, and Other Compliance Requirements; and Professional Services:

This regulation imposes no additional paperwork. Although the regulation may require recordkeeping these records must already be maintained by facilities. Additionally, no additional professional services are required by this regulation.

Costs:

Costs are expected to be minimal, as telehealth has already been authorized during the public health emergency.

Economic and Technological Feasibility:

There are no economic or technological impediments to the rule changes.

Minimizing Adverse Impact:

This regulation is consistent with the existing flexibilities providers have utilized during the public health emergency. Therefore, any adverse impacts are expected to be minimal and are outweighed by the regulation's intent to continue to provide broad access to services

Rural Area Participation:

The Office will notify covered entities located in rural areas of the existence of these regulations and the opportunity to submit comments or questions to the Office.

Revised Job Impact Statement

The amendments to 14 NYCRR Part 596 are intended to improve mental health services by expanding the opportunity to offer telehealth services. It is evident from the subject matter of this rule, that it could only have a positive impact or no impact on jobs or employment, therefore a Job Impact Statement is not necessary with this notice.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

Comment: A commentor supports the expanded definitions of "originating site," "telehealth practitioners" and "telehealth services" and recommends that OMH include text messaging in the definition of telehealth services. Text messaging can provide opportunities for patients in environments where audio conversations would prohibit them from otherwise receiving care. Response: The Office has considered the recommendation and declines to make the amendment. The Office recognize that texting is a positive tool for outreach, building connections and engagement, but is not an appropriate clinical service delivery tool.

Comment: A Commentor supports the requirement to only submit policies and procedures and an attestation instead of a written plan and encourages OMH to continue efforts to streamline the designation process, including review of policies and procedures.

Response: The Office continues to review regulations in an effort to streamline processes.

Comment: A Commentor supports the flexibility to use telehealth services to satisfy specific statutory examination, evaluation or assessment requirements pursuant to Section 9.27 and 9.39 of Mental Hygiene Law.

Response: The Office agrees with the comment.

Comment: A Commentor supports the removal of the requirement for patients to receive an initial in-person visit. Patients who experience transportation and/or mobility challenges have especially benefited from the ability to receive behavioral healthcare through telehealth.

Response: The Office agrees with the comment and such comment does not require any amendments to the proposed regulation.

Comment: A Commentor recommends OMH to not include requirements for written consent in the guidance as the process creates unnecessary administrative delays for access to care.

Response: The Office appreciates the comment and will address consent flexibilities in guidance.

Comment: A Commentor notes that inadequate reimbursement is a longstanding barrier to the expansion of telehealth in New York and supports OMH for including telehealth payment parity.

Response: The Office appreciates the comment and such comment does not require any amendments to the proposed regulation.

Public Service Commission

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Petition to Submeter Electricity

I.D. No. PSC-39-22-00006-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering the petition of RXR Church Division Tower A Holdings, LLC to submeter electricity at 55 Clinton Place, New Rochelle, New York.

Statutory authority: Public Service Law, sections 2, 4(1), 30, 32-48, 52, 53, 65(1), 66(1), (2), (3), (4), (12) and (14)

Subject: Petition to submeter electricity.

Purpose: To ensure adequate submetering equipment and consumer protections are in place.

Substance of proposed rule: The Public Service Commission (Commission) is considering the petition filed by RXR Church Division Tower A Holdings, LLC on July 12, 2022, seeking authority to submeter electricity to a new fair market rental building at 55 Clinton Place, New Rochelle, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, RXR Church Division Tower A Holdings, LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its tenants. Submetering of electricity to residential tenants is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website http://www.dps.ny.gov/f96dir.htm. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Sec-

retary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov *Public comment will be received until:* 60 days after publication of this

notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (22-E-0415SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Transfer of Indirect Ownership of Cable Television Facilities and 27 Municipal Franchises

I.D. No. PSC-39-22-00007-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a joint petition to transfer indirect ownership and control of SLIC Networks Solutions, Inc., HCCI LLC and Keene Valley Video, Inc. from Atlas Connectivity, LLC to SDC Altas AcquisitionCo, LLC.

Statutory authority: Public Service Law, section 222

Subject: Transfer of indirect ownership of cable television facilities and 27 municipal franchises.

Purpose: To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest.

Substance of proposed rule: The Public Service Commission is considering a joint petition, filed on August 24, 2022, requesting Commission approval of a holding company level transaction that will result in the transfer of control of SLIC Network Solutions, Inc. (SLIC), HCCI, LLC (HCCI) and Keene Valley Video, Inc. (KVVI) from Atlas Connectivity, LLC to SDC Atlas AcquisitionCo, LLC, including the indirect transfer of control of 27 cable television franchises.

SLIC, HCCI and KVVI will remain the franchisees under each of their respective franchise agreements, which include towns and villages in Essex, Franklin, Hamilton, St. Lawrence and Warren Counties. The petition states that there will be no change to customers' rates, terms or conditions as a result of the transactions.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website http://www.dps.ny.gov/f96dir.htm. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(22-M-0492SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Proposed Service Territory Extension, Waiver, and Tariff Revisions

I.D. No. PSC-39-22-00008-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a tariff filing by Bloomingburg Water Transportation Company, Inc. requesting an extension of its service territory, waiver of rate setting regulations, and a revised tariff schedule to reflect the extended territory.

Statutory authority: Public Service Law, sections 4(1), 5(4), 89-b and 89c(10)

Subject: Proposed service territory extension, waiver, and tariff revisions. Purpose: To determine if proposed territory extension, waiver, and tariff revisions are in the public interest.

Substance of proposed rule: The Commission is considering a tariff filing, filed on August 29, 2022 by Bloomingburg Water Transportation Company, Inc. (Bloomingburg) which requests a waiver of rate setting regulations pursuant to Public Service Law (PSL) § 5(4), and authorization to provide service to a customer outside of its service territory.

Bloomingburg seeks to provide water service to an approximately 28 condominium units in the subdivision known as Winterton Condominium (Winterton). Winterton is located along the main installed by Bloomingburg but is currently outside of the service area of Bloomingburg.

Bloomingburg seeks to provide service to Winterton through the application of a rate setting waiver, under PSL § 5(4). Bloomingburg requests authorization to extend its service territory to incorporate Winterton, which would be served by an existing main. The bylaws of both Bloomingburg and Winterton will be modified such that members of both associations will have assessed equally for the operation costs of the water system, and that each member will have an equal vote regarding operations. The new tariff schedule includes Winterton in the applicable territory, states that operating costs will be assessed to all members equally, defines when a bill would be delinquent and establishes a late payment charge. The restoration of service charge would be a rate agreed upon by the association members and will appear on all written notices of discontinuation of service. The new tariff schedule has an effective date of January 1, 2023.

The full text of the tariff filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website http://www.dps.ny.gov/f96dir.htm. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (22-W-0499SP1)

Department of State

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Administration and Enforcement of the Uniform Code and **Energy Code by the Department of State**

I.D. No. DOS-39-22-00009-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule: Proposed Action: Repeal of Part 1202; addition of new Part 1202 to Title 19 NYCRR.

Statutory authority: Executive Law, section 381(1) and (2)

Subject: Administration and enforcement of the Uniform Code and Energy Code by the Department of State.

Purpose: To ensure the Department's administration and enforcement of the Uniform Code and Energy Code satisfies the minimum standards.

Public hearing(s) will be held at: 10:00 a.m., Nov. 30, 2022 at 99 Washington Ave., Room 505, Albany, NY.

Interpreter Service: Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within rea-sonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph below.

Accessibility: All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Substance of proposed rule (Full text is posted at the following State website: dos.ny.gov/code/code-development): This rule making would repeal the current version of Part 1202 of Title 19 of the NYCRR and add a new Part 1202 as summarized below:

Part 1202 Uniform Code and the Energy Code: Administration and Enforcement by the State in Certain Local Governments Section 1202.1 Introduction.

This Section specifies the purpose of Part 1202 to establish the procedures applicable in the circumstances in which the Secretary of State, through the Department of State (the Department), will administer and enforce the Uniform Code and Energy Code in the place and stead of a local government or county.

Section 1202.2 Definitions.

(a) The following terms shall be deemed to have the meanings set forth in section 1203.1 of Part 1203 of this Title:

(1) Assembly area

(2) Authority having jurisdiction

(3) Building permit

(4) Certificate of compliance

(5) Certificate of occupancy

(6) Codes

(7) Energy Code(8) FCNYS

(9) Fire safety and property maintenance inspection

(10) Hazardous production materials

(11) Mobile food preparation vehicle

(12) PMCNYS

(13) RCNYS

(14) Repair

(15) Sugarhouse

(16) Uniform Code

(b) The following terms are defined:

(1) Department

(2) Owner

Section 1202.3 Building permits.

This Section provides that building permits and demolition permits are required for any work which must comply with the Uniform Code or Energy Code. Section 1202.3 also specifies certain exceptions, where a permit is not required; specifies requirements applicable to permit applications; specifies requirements applicable to the construction documents that must be submitted with the permit application; specifies when permits may be suspended or revoked; and specifies the duration of permits and the procedures applicable to renewal of permits.

Section 1202.4 Construction inspections.

This Section provides that construction inspections will be performed at appropriate stages during the performance of work for which a building permit has been issued. Section 1202.4 also includes provisions relating to the circumstances where remote inspections may be performed in lieu of in-person inspections and includes provisions relating to the results of the inspections.

Section 1202.5 Certificates of occupancy, certificates of compliance, and temporary certificates of occupancy.

This Section provides that a certificate of occupancy or certificate of compliance must be obtained upon completion of any work for which a permit has been issued. Section 1202.5 also prohibits the use or occupancy of buildings or structures without an appropriate certificate of occupancy or certificate of compliance; includes provisions relating to temporary certificates of occupancy; and includes provisions relating to the issuance of certificates and the suspension or revocation of certificates.

Section 1202.6 Notification regarding fire or explosion.

In the event of any fire or explosion involving any structural damage, fuel-burning appliance, chimney, or gas vent where the building is owned by a village, town, city, or county; the owner shall promptly notify the Department of the event. For all other buildings, the chief of any fire department or other officer providing firefighting services shall promptly notify the Department.

Section 1202.7 Unsafe structures and equipment and conditions of imminent danger.

When the Department finds conditions of imminent danger and/or unsafe structures and equipment as outlined in the Uniform Code, the Department is authorized to take appropriate enforcement action to ensure the conditions are addressed, including but not limited to issuing an order to remedy, stop work order, or any other enforcement option available pursuant to this Part or other State or local law.

Section 1202.8 Operating permits.

This Section includes provisions relating to operating permits. Section 1202.8 prohibits certain activities and certain uses of buildings without an appropriate operating permit. Section 1202.8 also includes provisions relating to applications for operating permits; inspections that may be required prior to the issuance of an operating permit; the duration of an operating permit; and revocation or suspension of operating permits.

Section 1202.9 Fire safety and property maintenance inspections.

This Section provides for periodic inspections of buildings for compliance with applicable fire safety and property maintenance provisions of the Uniform Code. In general, buildings which contain an area of public assembly, public and private schools and colleges shall be subject to inspection at least once every year; and multiple dwellings and all nonresidential occupancies shall be subject to inspection at least once every three (3) years. Section 1202.9 also includes provisions relating to inspections that are in addition to the regular, periodic inspections.

Section 1202.10 Complaints.

This Section includes provisions relating to the review and investigation of complaints which alleged or assert the existence of conditions or activities that fail to comply with Uniform Code or Energy Code.

Section 1202.11 Condition assessment of parking garages.

This Section provides for owners of parking garages to cause condition assessments to be performed by responsible professional engineers for parking garages and for condition assessment reports to be submitted to the Department. Section 1202.11 also includes provisions relating to additional condition assessments that are in addition to the regular, periodic condition assessments.

Section 1202.12 Climatic and geographic design criteria.

This Section provides that included with any building permit application, the owner shall provide the Department with the climatic and geographic design criteria required by the Uniform Code as established by the city, town, or village in which the building or structure is located.

Section 1202.13 Recordkeeping.

This Section provides that the Department shall keep permanent official records of all transactions and activities conducted by the Department and specified in this Part.

Section 1202.14 Orders and violations.

This Section includes provisions relating to violations and remedies. Section 1202.14 authorizes the Department, and its employees and agents, to issue order to remedy, not to be occupied orders, and stop work orders, and includes provisions relating to the content, service, and effect of such orders.

Section 1202.15 Fees.

This Section includes provisions relating to fees. In general, existing fees are not changed, although some provisions relating to existing fees are clarified by incorporating by reference the fee schedule in a userfriendly format.

Text of proposed rule and any required statements and analyses may be obtained from: Chad Sievers, Department of State, 99 Washington Ave., Suite 1160, Albany, NY 12231, (518) 486-1189, email: code.development@dos.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: Five days after the last scheduled public hearing.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. STATUTORY AUTHORITY

Executive Law § 381(1) authorizes the Secretary of State to promulgate rules and regulations prescribing minimum standards for administration and enforcement of the State Uniform Fire Prevention and Building Code (Uniform Code) and State Energy Conservation Construction Code (Energy Code).

Executive Law § 381(2) provides that in the event that a local government (city, town, or village) elects not to administer and enforce the Uniform Code and Energy Code (the Codes) within such local government, and the county in which such local government is located elects not to administer and enforce the Codes in such county, the Secretary of State shall administer and enforce the Codes in the place and stead of such local government.

Part 1202 of Title 19 NYCRR establishes the procedures applicable in

circumstances in which the Secretary of State must administer and enforce the Codes. This rule amends Part 1202.

2. LEGISLATIVE OBJECTIVES

This rule will further the legislative objective of ensuring that administration and enforcement of the Codes be conducted in a manner that satisfies the minimum standards established by the rules and regulations promulgated by the Secretary of State pursuant to Executive Law § 381(1).

Part 1203 of Title 19 NYCRR was promulgated pursuant to Executive Law § 381(1). Part 1203 establishes the minimum standards for administration and enforcement of the Codes by local governments. Part 1203 was amended in 2021, with an effective date of December 30, 2022.

Part 1202 of Title 19 NYCRR establishes the procedures applicable in circumstances in which the Department of State (DOS) must administer and enforce the Codes. This proposed rule is intended to amend Part 1202 to update the procedures to administer and enforce the Codes to: (1) update references to be consistent with the updated versions of the Codes which took effect on May 12, 2020 (2020 Codes of New York State); (2) update the features of DOS's code enforcement program to be substantially similar to the features that local governments must include in the code enforcement program they are required to adopt under the updated version of Part 1203; (3) add defined terms for the purposes of Part 1202; and (4) revise the format of the features to the feature user friendly.

3. NEEDS AND BENEFITS

The purpose of the proposed rule is to correlate the features included in DOS's program for enforcing the Codes (Part 1202) to be substantially similar to the features which are required (under Part 1203) to be included in a code enforcement program adopted by any local government that enforces the Codes. This is necessary because certain features (e.g., operating permit requirements) required by Part 1203 are not included in the existing Part 1202. The benefits to be derived from this rule include ensuring that enforcement of the Codes by DOS, in any local government where DOS has that responsibility, to be substantially similar to the minimum standards set forth in Part 1203.

The proposed rule adds the option for DOS to contract for third-party services to perform code enforcement activities and allows DOS to pass the cost of these services on to the applicant. The ability for DOS to hire an expert to conduct a plan review or to perform a specialized inspection for a project that is unique or complex will provide assurance that buildings are safely constructed.

The list of required construction inspections was expanded to match the inspections which are required by the 2020 Codes of New York State and includes inspections to show compliance with the Energy Code, consistent with Part 1203.

In response to developments in available technology, recent guidelines published by the International Code Council, and feedback from the code enforcement community, the proposed rule provides for DOS to accept construction documents (submitted as part of a permit application) in electronic format, and allows inspections to be performed remotely when DOS deems that the inspections can be performed to the same level and quality as an in-person inspection. Both of these items allow the efficient use of resources by eliminating travel time and increasing efficiency by using electronic tools.

Part 1203 states that when a fire or an explosion involving any structural damage, fuel-burning appliance, chimney, or gas vent occurs, the responding fire department must notify the local authority having jurisdiction, because the building must be assessed to assure that the building is safe and to ensure that any repair work is done safely and is code-compliant. Currently, the Department administers and enforces the Codes with respect to buildings and structures in the custody of twelve counties (the "opted-out counties").¹ Should a fire or an explosion involving any structural damage, fuel-burning appliance, chimney, or gas vent occur, it would be unreasonable to expect the responding fire department to know that DOS is the entity that must be notified of the incident, as there are relatively few buildings within the fire service area for which this requirement would be in effect. In this situation, the fire service would likely inform the County because they are the owner of said structure, and it would be the responsibility of the County to then notify DOS, as they have a relationship with DOS's code enforcement staff.

The proposed rule adds provisions for operating permits. Operating permit requirements for listed hazardous processes or activities, or for operating any type of building, structure, or facility, provide increased safety measures and additional oversight to ensure safety for the hazardous conditions. Operating permit requirements are included in Part 1203, as well as in the Uniform Code, but are not addressed in the current version of Part 1202. The actual number of operating permits required will vary from one municipality to another and will depend on several variables such as the size and population of the municipality; the number of hazardous processes and activities performed; whether those processes, activities, buildings, and uses requiring an operating permit are specifically allowed under the certificate of occupancy or certificate of compliance; the

number of existing buildings capable of accommodating a gathering of 50 people or more; and other factors.

The proposed rule updates the intervals for fire safety and property maintenance inspections to align with Part 1203 for consistency, instead of requiring annual inspections for all buildings, as currently required by the existing Part 1202. This modification will allow DOS to focus resources on buildings that have the greatest public exposure, as these buildings pose a greater risk to life and safety, but allow multiple dwellings and all nonresidential occupancies, where the occupants are more familiar with their surroundings, to be inspected on a reduced frequency consistent with Part 1203.

A new provision added to Part 1202 will clarify the responsibility of the local government to establish and make available the data outlined in Chapter 3 of the 2020 Residential Code of New York State (2020 RCNYS), and that if such data is not available, it is then the responsibility of the design professional to establish the climatic and geographic design data. The requirement for the local government to provide this data has long been part of the Uniform Code and is stated in Section R301.2 and in Table R301.2(1) of the 2020 RCNYS, however, it is often missed by local governments. To assist local governments and design professionals to determine the design criteria, DOS has published a technical bulletin on "Requirements for Completing Table R301.2(1) in the 2020 Residential Code of New York State.²"

The fee schedule has been reformatted to make it more user friendly. The fees in the schedule will not change.

4. COST

a. Cost to Regulated Parties for the Implementation of, and Continuing Compliance, With the Proposed Rule

Regulated parties that build, alter, or demolish buildings or structures located in a local government in which DOS enforces the Codes will be required to obtain building permits, operating permits, and certificates of occupancy. Currently, there are no local governments in which DOS enforces the Codes. However, if a local government opts out of enforcement within an already opted-out county, then DOS would be responsible for administering and enforcing the Codes within such local government immediately pursuant to Executive Law § 381(2).

b. Cost to the Agency, the State and Local Governments for the Implementation of, and Continued Administration of, the Rule

DOS will be required to provide the staff necessary to administer and enforce the Codes in local governments and/or counties where DOS has the responsibility, and DOS will be required to develop permit application forms, permit forms, and other aspects of programs for enforcing the Codes in such local governments and/or counties. However, these obligations are imposed upon DOS by statute, as a consequence of local governments and counties opting out of their code enforcement responsibilities, and not by reason of this rule or implementation of this rule.

There will be no cost to local governments for the implementation of this rule, except as follows: DOS currently enforces the Codes with respect to buildings and structures in the custody of the opted-out counties. Enforcement of the Codes for those buildings and structures is performed under the current version of Part 1202. This rule will amend Part 1202 by, inter alia, adding provisions requiring the issuance of operating permits in certain cases and adding provisions permitting DOS to require the use of third-party contractors for code enforcement services.

5. LOČAL GOVERNMENT MANDATES

This rule will not impose any new program, service, duty, or responsibility upon any county, city, town, or village, except as follows: opted-out counties, which are not subject to the proposed provisions, such as operating permit requirements, under the current version of Part 1202, will be subject to these additional features of the code enforcement program to be added to Part 1202 by this rule.

6. PAPERWORK

This rule will not impose any new reporting requirements. This rule will require regulated parties to file permit application forms and to obtain permits. However, regulated parties (other than opted-out counties) are currently subject to similar requirements under code enforcement programs that local governments are required to adopt under Part 1203. Further, except for the new provisions relating to operating permits to be added to Part 1202 by this rule, opted-out counties are currently subject to similar paperwork requirements under the current version of Part 1202.

7. DUPLICATION

This rule does not duplicate any existing State or Federal government requirement.

8. ALTERNATIVES

The alternative of making no change to Part 1202 was considered. However, it was determined that the existing provisions of Part 1202 do not include certain features (e.g., operating permit requirements) which are required by Part 1203 to be included in the code enforcement programs adopted by local governments that enforce the Codes, and it was determined that the differences between the features included in Part 1202 and the features required by Part 1203 should be minimized to create consistency in regulation and enforcement. Therefore, this alternative was rejected.

9. FEDERAL STANDARDS

There are no standards of the Federal Government which address the subject matter of this rule.

10. COMPLIANCE SCHEDULE

It is anticipated that regulated parties will be able to achieve compliance with this rule on December 30, 2022. DOS notified the regulated parties, including opted-out counties, of its intent to develop and propose this rule by means of a notice that was posted on DOS's website and contained in Building New York, an e-bulletin sent by DOS to local governments and other persons and entities interested in the construction industry. Prior to proposing this rule, DOS also sent a copy of the rule to each of the opted-out counties by email and/or by regular mail, and invited the optedout counties to contact DOS if they had any questions or comments.

¹Currently, there are twelve (12) opted-out counties where DOS enforces the Codes: Allegany, Cattaraugus, Chautauqua, Clinton, Greene, Hamilton, Herkimer, Madison, Oneida, Saratoga, Schoharie, and St. Lawrence.

²Technical Bulletin: Requirements for Completing Table R301.2(1) in the 2020 Residential Code of New York State https://dos.ny.gov/system/files/ documents/2021/12/2021-12-15_tb_table-r301.2.pdf

Regulatory Flexibility Analysis

1. EFFECT OF RULE:

This rule amends 19 NYCRR Part 1202 ("Part 1202"), which sets forth the procedures applicable in circumstances in which the Secretary of State, through the Department of State ("DOS"), will administer and enforce the State Uniform Fire Prevention and Building Code (the "Uniform Code") and the State Energy Conservation Construction Code (the "Energy Code") in the place and stead of a local government or county. Currently, DOS administers and enforces the Uniform Code and Energy Code with respect to buildings and structures in the custody of the following twelve counties (the "opted-out counties"): Allegany, Cattaraugus, Chautauqua, Clinton, Greene, Hamilton, Herkimer, Madison, Oneida, Saratoga, Schoharie, and St. Lawrence. DOS is not currently responsible for administering and enforcing the Uniform Code with respect to any local governments (cities, towns, or villages) within any opted-out county.

This rule will apply to the opted-out counties and to any county that elects to opt out in the future and to all individuals and businesses (including all small businesses) in any city, town, or village within an opted-out county in which DOS becomes responsible for administering and enforcing the Uniform Code and Energy Code in the future.

ing the Uniform Code and Energy Code in the future. 2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS:

This rule will require regulated parties to file permit application forms and to obtain permits. However, regulated parties (other than opted-out counties) should now be subject to similar requirements under code enforcement programs that local governments are required to adopt under Part 1203 of Title 19 NYCRR. Further, except for the new provisions relating to operating permits to be added to Part 1202 by this rule, opted-out counties are now subject to similar paperwork requirements under the current version of Part 1202.

3. PROFESSIONAL SERVICES:

Regulated parties will be required to provide construction documents (plans, drawings, and specifications) when they apply for a building or demolition permit. In most cases, construction documents must be stamped and signed by a registered architect or professional engineer. However, the requirement that permit applicants submit construction documents is not a new requirement added by this rule; it is a statutory requirement which is established by the Education Law, which is reflected in the current version of Part 1202, and which should be reflected in code enforcement programs enacted by local governments that enforce the Uniform Code and Energy Code.

The proposed rule would also continue to require parking garage condition assessments to be performed by a professional engineer who has at least three years of experience performing structural evaluations. All parking garage owners, including local governments and small businesses, would be required to hire such an engineer to perform the evaluations if one is not currently employed by the local government.

4. COMPLIANCE COSTS:

An opted-out county that builds, alters, or demolishes a building or structure will be required to obtain a building permit, demolition permit, or certificate of occupancy or compliance. Regulated parties that build, alter, or demolish buildings or structures located in a local government which DOS enforces the Uniform Code and Energy Code will be required to obtain building permits, demolition permits, and certificates of occupancy or compliance. The initial costs of obtaining a building or demolition permit will include the costs of obtaining the necessary construction documents and other documents, that are to be included in or with the application for the required permits, and the fees payable to obtain such permits.

However, the requirement that construction documents be provided as part of a permit application is not a new requirement added by this rule. Part 1202 currently requires the submission of "three sets of plans and specifications for the proposed work." This rule would amend this requirement by providing that construction documents may be submitted in either electronic or hard copy format; this, in certain cases, may reduce the cost of applying for a building or demolition permit. The fees to be paid to DOS for building permits or demolition permits are set forth in the current version of Part 1202, and will be set forth in a

The fees to be paid to DOS for building permits or demolition permits are set forth in the current version of Part 1202, and will be set forth in a separate fee schedule incorporated by reference in the new version of Part 1202. This rule does not change those fees. This rule also continues provisions which are found in the current version of Part 1202 and which allow DOS to require the use of a third-party inspector to perform required inspections. This rule adds provisions which allow DOS to require the use of a third-party reviewer to review permit applications. Permit applicants will be required to pay the fees and expenses charged by any third-party inspector or third-party reviewer; however, in either case, the portion of the fee payable to DOS for the permit will be reduced.

Regulated parties that conduct certain activities or use certain buildings will be required to apply for, obtain, and maintain an operating permit. Opted-out counties that engage in such activities or uses are not currently subject to operating permit requirements. This rule will extend those requirements to the opted-out counties without additional cost. However, all other regulated parties currently are, or should be, subject to substantially similar operating permit requirements under code enforcement programs adopted by local governments pursuant to Part 1203 of Title 19 NYCRR.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

It is economically and technologically feasible for small businesses and local governments to comply with the rule. This rule imposes no substantial new compliance costs and no new technology is necessary to be developed for compliance with this rule.

6. MINIMIZING ADVERSE IMPACT:

This rule is intended to further the legislative objective of ensuring that administration and enforcement of the Uniform Code and Energy Code be conducted in a manner that satisfies the minimum standards established by rules and regulations promulgated by the Secretary of State pursuant to Executive Law 381(1) by amending Part 1202 to make the features of DOS's code enforcement program substantially similar to the features that local governments must include in the code enforcement programs they are required to adopt under Part 1203 of Title 19 NYCRR.

Approaches such as establishing differing standards or requirements that consider the resources available to small businesses and local governments and/or providing exemptions from coverage by the rule, or by any part thereof, for small businesses and local governments were not considered because doing so would be inconsistent with the provisions of Article 18 of the Executive Law.

7. SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION:

DOS gave interested parties, including small business and local governments, an opportunity to participate in this rule making by publishing a notice regarding this rule in Building New York, an electronic news bulletin covering topics related to the Uniform Code and the construction industry, which is prepared by DOS and distributed to approximately 10,000 subscribers, including local governments, design professionals and others involved in all aspects of the construction industry. DOS also sent a copy of the proposed rule to each of the twelve opted-out counties by email and invited the opted-out counties to contact DOS if they had any questions or comments. To date, no substantive comments have been received.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS.

This rule amends 19 NYCRR Part 1202 ("Part 1202"), which sets forth the procedures applicable in circumstances in which the Secretary of State, through the Department of State ("DOS"), will administer and enforce the State Uniform Fire Prevention and Building Code (the "Uniform Code") and the State Energy Conservation Construction Code (the "Energy Code") in the place and stead of a local government or county. Currently, DOS administers and enforces the Uniform Code and Energy Code with respect to buildings and structures in the custody of the following twelve counties (the "opted-out counties"): Allegany, Cattaraugus, Chautauqua, Clinton, Greene, Hamilton, Herkimer, Madison, Oneida, Saratoga, Schoharie, and St. Lawrence. DOS is not currently responsible for administering and enforcing the Uniform Code with respect to any local governments (cities, towns, or villages) within any opted-out county.

This rule will apply to the opted-out counties and to any county that elects to opt out in the future, and to all individuals and businesses in any city, town, or village within an opted-out county, in which DOS becomes responsible for administering and enforcing the Uniform Code and Energy Code in the future.

There would be no differentiation of this rule's impact on rural areas and urban areas of the State.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES.

This rule will require regulated parties to file permit application forms and to obtain permits. However, regulated parties (other than opted-out counties) should now be subject to similar requirements under code enforcement programs that local governments are required to adopt under Part 1203 of Title 19 NYCRR. Further, except for the new provisions relating to operating permits to be added to Part 1202 by this rule, opted-out counties are now subject to similar paperwork requirements under the current version of Part 1202.

Regulated parties will be required to provide construction documents (plans, drawings, and specifications) when they apply for a building or demolition permit. In most cases, construction documents must be stamped and signed by a registered architect or professional engineer. However, the requirement that permit applicants submit construction documents is not a new requirement added by this rule; it is a statutory requirement which is established by the Education Law, which is reflected in the current version of Part 1202, and which should be reflected in code enforcement programs enacted by local governments that enforce the Uniform Code and Energy Code.

The proposed rule would also continue to require parking garage condition assessments to be performed by a professional engineer who has at least three years of experience performing structural evaluations. All parking garage owners, including local governments and small businesses, would be required to hire such an engineer to perform the evaluations if one is not currently employed by the local government.

3. COSTS.

An opted-out county that builds, alters, or demolishes a building or structure will be required to obtain a building permit, demolition permit, or certificate of occupancy or compliance. Regulated parties that build, alter, or demolish buildings or structures located in a local government which DOS enforces the Uniform Code and Energy Code will be required to obtain building permits, demolition permits, and certificates of occupancy or compliance. The initial costs of obtaining a building or demolition permit will include the costs of obtaining the necessary construction documents, and other documents, that are to be included in or with the application for the required permits, and the fees payable to obtain such permits.

However, the requirement that construction documents be provided as part of a permit application is not a new requirement added by this rule. Part 1202 currently requires the submission of "three sets of plans and specifications for the proposed work." This rule would amend this requirement by providing that construction documents may be submitted in either electronic or hard copy format; this, in certain cases, may reduce the cost of applying for a building or demolition permit.

The fees to be paid to DOS for building permits or demolition permits are set forth in the current version of Part 1202, and will be set forth in a separate fee schedule incorporated by reference in the new version of Part 1202. This rule does not change those fees. This rule also continues provisions which are found in the current version of Part 1202 and which allow DOS to require the use of a third-party inspector to perform required inspections. This rule adds provisions which allow DOS to require the use of a third-party reviewer to review permit applications. Permit applicants will be required to pay the fees and expenses charged by any third-party inspector or third-party reviewer; however, in either case, the portion of the fee payable to DOS for the permit will be reduced.

Regulated parties that conduct certain activities or use certain buildings will be required to apply for, obtain, and maintain an operating permit. Opted-out counties that engage in such activities or uses are not currently subject to operating permit requirements. This rule will extend those requirements to the opted-out counties without additional cost. However, all other regulated parties currently are, or should be, subject to substantially similar operating permit requirements under code enforcement programs adopted by local governments pursuant to Part 1203 of Title 19 NYCRR.

4. MINIMIZING ADVERSE IMPACT.

This rule is intended to further the legislative objective of ensuring that administration and enforcement of the Uniform Code and Energy Code be conducted in a manner that satisfies the minimum standards established by rules and regulations promulgated by the Secretary of State pursuant to Executive Law 381(1) by amending Part 1202 to make the features of DOS's code enforcement program substantially similar to the features that local governments must include in the code enforcement programs they are required to adopt under Part 1203 of Title 19 NYCRR.

In developing the proposed rule, DOS did not consider establishing differing compliance or reporting requirements or timetables, nor exempting

rural areas from coverage by the rule as suggested by State Administrative Procedure Act § 202-bb(2). Executive Law § 371(2) declares that it shall be the public policy of the State of New York to "[i]nsure that the Uniform Code be in full force and effect in every area of the State" and to "[e]ncourage local governments to exercise their full powers to administer and enforce the Uniform Code." Establishing differing standards or exempting rural areas from the application of the proposed rule would have conflicted with the public policy of the State as established by the Legislature. 5. RURAL AREA PARTICIPATION.

DOS gave interested parties, including interested parties in rural areas, an opportunity to participate in this rule making by publishing a notice regarding this rule in Building New York, an electronic news bulletin covering topics related to the Uniform Code and the construction industry, covering topics related to the Uniform Code and the construction industry, which is prepared by DOS and distributed to approximately 10,000 subscribers, including local governments, design professionals and others involved in all aspects of the construction industry. DOS also sent a copy of the proposed rule to each of the twelve opted-out counties by email and invited the opted-out counties to contact DOS if they had any questions or comments. To date, no substantive comments have been received.

Job Impact Statement

The Department of State ("DOS") has determined that, given the nature and purpose of this rule, it would not have a substantial adverse impact on and purpose of this rule, it would not have a substantial adverse impact on jobs or employment opportunities. Part 1202 of Title 19 NYCRR ("Part 1202") establishes the procedures applicable in circumstances in which the Secretary of State, through DOS, will administer and enforce the State Uniform Fire Prevention and Building Code (the "Uniform Code") and the State Energy Conservation Construction Code (the "Energy Code") in the place and stead of a local government or county. The rule would repeal the existing Part 1202 and replace it with a new Part 1202. Regulated parties that build, alter, or demolish buildings in local govern-ments in which DOS enforces the Uniform Code and Energy Code will be

ments in which DOS enforces the Uniform Code and Energy Code will be required to apply for and obtain building or demolition permits and certif-icates of occupancy or compliance. However, regulated parties currently are, or should be, subject to substantially similar obligations under code enforcement programs adopted by local governments pursuant to Part 1203 of Title 19 NYCRR or under the current version of Part 1202

Regulated parties that conduct certain activities or use certain buildings will be required to apply for, obtain, and maintain an operating permit. Counties that have elected not to enforce the Uniform Code ("opted out counties") and that engage in such activities or uses are not currently subject to operating permit requirements. This rule will extend those requirements to the opted-out counties. However, all other regulated parties currently are, or should be, subject to substantially similar operating permit requirements under code enforcement programs adopted by local governments pursuant to Part 1203 of Title 19 NYCRR.

Based on the foregoing, it is anticipated that this rule will have no significant adverse impact on jobs and employment opportunities in the building industry, or in any related businesses or industry.

Department of Taxation and Finance

NOTICE OF ADOPTION

Designation of a Records Appeals Officer to Decide Appeals from Departmental Responses to Requests for Public Access to Records

I.D. No. TAF-23-22-00006-A Filing No. 700 Filing Date: 2022-09-07 Effective Date: 2022-09-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 2370.8(a) of Title 20 NYCRR.

Statutory authority: Tax Law, section 171, subdivision First; Public Officers Law, section 89(4)(a)(FOIL); 20 NYCRR 1401.7

Subject: Designation of a records appeals officer to decide appeals from departmental responses to requests for public access to records.

Purpose: To provide for greater flexibility in designating a records appeals officer to decide appeals under FOIL.

Text or summary was published in the June 8, 2022 issue of the Register, I.D. No. TAF-23-22-00006-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kathleen D. Chase, Regulations Specialist, Department of Taxation and Finance, Office of Counsel, Building 9, W.A. Harriman Campus, Albany, NY 12227, (518) 530-4153, email: kathleen.chase@tax.ny.gov Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2027, which is no later than the 5th year after the year in which this rule is being adopted

Assessment of Public Comment The agency received no public comment.

Office of Temporary and Disability Assistance

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)

I.D. No. TDA-39-22-00005-EP Filing No. 715 Filing Date: 2022-09-12 Effective Date: 2022-10-01

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of section 387.12(f)(3)(v)(a)-(c) of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 17(a)-(b), (k), 20(3)(d), 95; 7 United States Code section 2014(e)(6)(C); 7 Code of Federal Regulations, section 273.9 (d)(6)(iii)

Finding of necessity for emergency rule: Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: It is of great importance that the federally-approved standard utility allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP) are applied to SNAP benefit calculations effective October 1, 2022, and thereafter until new amounts eventually are approved by the United States Department of Agriculture (USDA). The new federally-approved SUA amounts for heating/cooling, utilities and telephone must be implemented by the October 1, 2022 deadline. The use of SUAs that are not authorized by the USDA could result in severe fiscal sanctions by the federal government against the State. These emergency amendments protect the public health and general welfare by setting forth the federally-approved SUAs effective as of October 1, 2022.

As stated above, there is no federal authority to use past SUAs after the October 1, 2022 effective date of the new federally-approved allowance amounts. For New York to continue the State option to use the SUA in lieu of the actual utility cost portion of SNAP household shelter expenses, new allowances must be in place. Otherwise, the State may be forced to use the actual utility cost portion of the shelter expenses of each SNAP household. This policy would result in all 58 social services districts (districts) in New York State having to require up to 1.6 million SNAP households to provide verification of the actual utility cost portions of their shelter expenses. This policy would create a tremendous burden on both districts as well as recipient households. In addition, as actual utility costs are gen-erally significantly less than the SUAs, SNAP households would have a much smaller shelter deduction resulting in a sizeable reduction in their SNAP benefits. This reduction in SNAP benefits for up to 1.6 million SNAP households would result in significant harm to the health and welfare of these households.

It is noted that the regulatory amendments are being promulgated pursuant to a combined Notice of Emergency Adoption and Proposed Rule Making, instead of a Notice of Proposed Rule Making, due to time constraints. On August 1, 2022, the USDA approved the Office of Temporary and Disability Assistance's (OTDA's) SUA calculation methodology and the resulting federal fiscal year 2023 SUAs for heating/ air conditioning, basic utilities and telephone effective October 1, 2022.

This did not provide sufficient time for OTDA to publish a Notice of Proposed Rule Making and for the new SUAs to become effective on October 1, 2022. An emergency adoption is necessary to help ensure that the new SUAs are effective on October 1, 2022. Although these regulations are being promulgated on an emergency basis to protect the public health and general welfare, OTDA will receive public comments on its combined Notice of Emergency Adoption and Proposed Rule Making until 60 days after publication of this notice.

Subject: Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP).

Purpose: These regulatory amendments set forth the federally-approved SUAs as of 10/1/22.

Text of emergency/proposed rule: Clauses (a)-(c) of subparagraph (v) of paragraph (3) of subdivision (f) of § 387.12 of Title 18 NYCRR is amended to read as follows:

(a) The standard allowance for heating/cooling consists of the costs for heating and/or cooling the residence, electricity not used to heat or cool the residence, cooking fuel, sewage, trash collection, water fees, fuel for heating hot water and basic service for one telephone. The standard allowance for heating/cooling is available to households which incur heating and/or cooling costs separate and apart from rent and are billed separately from rent or mortgage on a regular basis for heating and/or cooling their residence, or to households entitled to a Home Energy Assistance Program (HEAP) payment or other Low Income Home Energy As-sistance Act (LIHEAA) payment. A household living in public housing or other rental housing which has central utility meters and which charges the household for excess heating or cooling costs only is not entitled to the standard allowance for heating/cooling unless they are entitled to a HEAP or LIHEAA payment. Such a household may claim actual costs which are paid separately. Households which do not qualify for the standard allowance for heating/cooling may be allowed to use the standard allowance for utilities or the standard allowance for telephone. As of October 1, [2021] 2022, but subject to subsequent adjustments as required by the United States Department of Agriculture (USDA), the standard allowance for heating/cooling for SNAP applicant and recipient households residing in New York City is [\$852] \$1,002; for households residing in either Suffolk or Nassau Counties, it is [\$792] \$932; and for households residing in any other county of New York State, it is [\$703] \$827.

(b) The standard allowance for utilities consists of the costs for electricity not used to heat or cool the residence, cooking fuel, sewage, trash collection, water fees, fuel for heating hot water and basic service for one telephone. It is available to households billed separately from rent or mortgage for one or more of these utilities other than telephone. The standard allowance for utilities is available to households which do not qualify for the standard allowance for heating/cooling. Households which do not qualify for the standard allowance for utilities may be allowed to use the standard allowance for telephone. As of October 1, [2021] 2022, but subject to subsequent adjustments as required by the USDA, the standard allowance for utilities for SNAP applicant and recipient households residing in New York City is [\$336] \$395; for households residing in either Suffolk or Nassau Counties, it is [\$211] \$366; and for households residing in any other county of New York State, it is [\$285] \$335.

(c) The standard allowance for telephone consists of the cost for basic service for one telephone. The standard allowance for telephone is available to households which do not qualify for the standard allowance for heating/cooling or the standard allowance for utilities. As of October 1, [2021] 2022, but subject to subsequent adjustments as required by the USDA, the standard allowance for telephone for all SNAP applicant and recipient households residing in New York State is \$31.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire December 10, 2022.

Text of rule and any required statements and analyses may be obtained from: Thomas Makely, Office of temporary and Disability Assistance, 40 North Pearl Street, 16C, Albany, NY 12243-0001, (518) 402-3966, email: thomas.makely@otda.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. Statutory authority:

The United States Code (U.S.C.), at 7 U.S.C. § 2014(e)(6)(C), provides that in computing shelter expenses for budgeting under the federal Supplemental Nutrition Assistance Program (SNAP), a State agency may use a standard utility allowance (SUA) as provided in federal regulations.

The Code of Federal Regulations (C.F.R.), at 7 C.F.R. § 273.9(d)(6)(iii), provides for SUAs in accordance with SNAP. Clause (A) of this subparagraph states that with federal approval from the Food and Nutrition Ser-

vices (FNS) of the United States Department of Agriculture (USDA), a State agency may develop SUAs to be used in place of actual costs in calculating a household's excess shelter deduction. Federal regulations allow for the following types of SUAs: a SUA for all utilities that includes heating or cooling costs; a limited utility allowance that includes electricity and fuel for purposes other than heating or cooling, water, sewerage, well and septic tank installation and maintenance, telephone, and garbage or trash collection; and an individual standard for each type of utility expense. Clause (B) of the subparagraph provides that a State agency must review the SUAs annually and adjust them to reflect changes in costs. State agencies also must provide the amounts of the SUAs to the FNS when the SUAs are changed and submit the methodologies used in developing and updating the SUAs to the FNS for approval whenever the methodologies are developed or changed.

Social Services Law (SSL) § 17(a)-(b) and (k) provide, in part, that the Commissioner of the Office of Temporary and Disability Assistance (OTDA) shall "exercise such other powers and perform such other duties as may be imposed by law."

SSL § 20(3)(d) authorizes OTDA to promulgate regulations to carry out its powers and duties.

SSL § 95 authorizes OTDA to administer SNAP in New York State (NYS) and to perform such functions as may be appropriate, permitted or required by or pursuant to federal law.

2. Legislative objectives:

It was the intent of the Legislature to implement the federal SNAP Act in NYS in order to provide SNAP benefits to eligible NYS residents.

3. Needs and benefits:

The regulatory amendments set forth the SUAs within NYS as of October 1, 2022. OTDA is amending its SUAs in 18 NYCRR § 387.12(f)(3)(v)(a)–(b) to reflect an increase in fuel and utility costs, which is indicated in the Consumer Price Index (CPI) fuel and utilities values (which includes components for water, sewage and trash collection). Specifically, OTDA is amending the standard allowance for heating/ cooling for SNAP applicant and recipient households residing in New York City from \$852 to \$1,002; the standard allowance for heating/cooling for such households residing in either Nassau or Suffolk Counties from \$792 to \$932; and for such households residing in any other county of NYS \$703 to \$827. OTDA is also amending the standard allowance for utilities for SNAP applicant and recipient households residing in New York City from \$336 to \$395; the standard allowance for utilities for such households residing in either Nassau or Suffolk Counties from \$311 to \$366; and for such households residing in any other county of NYS from \$285 to \$335. The standard allowance for telephone, as set forth in 18 NYCRR § 387.12(f)(3)(v)(c), will remain \$31 for all counties in the State.

The following chart sets forth the SUA categories; the past SUAs ("Past SUA") that were in effect for federal fiscal year (FFY) 2022, from October 1, 2021 through September 30, 2022; and the new SUAs ("New SUA") that are in effect for FFY 2023, effective October 1, 2022:

| | New York City | | Nassau/Suffolk Counties | | Rest of State | |
|------------------------------------|---------------|------------|----------------------------|------------|---------------|------------|
| | Past SUA | New SUA | Past SUA | New SUA | Past SUA | New SUA |
| Heating/Air Conditioning SUA | \$852 | \$1002 | \$792 | \$932 | \$703 | \$827 |
| Basic Utility SUA | \$336 | \$395 | \$311 | \$366 | \$285 | \$335 |

Phone SUA SUA: \$31 (for all Counties)

The aforementioned values have been determined in accordance with the current methodology approved by USDA for adjusting New York State's SUA values.

To determine the Heating/Cooling and Limited Utility SUA values for FFY 2023, the Consumer Price Index (CPI) Fuel and Utility value for All Urban Consumers, Not Seasonally Adjusted, for June 2022 was compared to the same CPI Fuel and Utility value for June 2021. (The June 2021 CPI value was used to determine the adjustment for the current FFY 2022 SUA values). The June 2022 CPI-U Fuel and Utility value is 17.624 percent higher than the current FFY 2022 SUA. Rounded to the nearest whole dollar, the resultant values are reflected in the chart above.

To determine the Telephone SUA value for FFY 2023, the Consumer Price Index (CPI) Telephone Services value for All Urban Consumers, Not Seasonally Adjusted, for June 2022 was compared to the same CPI Telephone Services value for June 2021, the CPI value that was used to determine the current FFY 2022 SUA value. The percentage change between June 2021 and June 2022 was then applied to OTDA's current SUA figure and rounded; the June 2022 CPI-U Telephone Services value is 0.067 percent lower than the June 2021 value. Rounded to the nearest whole dollar, this means that the Telephone SUA value for FFY 2023 will remain \$31 statewide.

OTDA has all required approvals from the FNS pertaining to these changes and is required to apply the SUAs for FFY 2023 in its SNAP budgeting effective October 1, 2022. As of October 1, 2022, OTDA does not have federal approval or authority to apply past SUAs in its prospective SNAP budgeting.

It is of great importance that the federally-approved SUAs for the SNAP are applied to SNAP benefit calculations effective October 1, 2022, and thereafter until new amounts eventually are approved by the USDA. The new federally-approved SUA amounts for heating/cooling, utilities and telephone must be implemented by the October 1, 2022 deadline. The use of a SUA that is not authorized by the USDA could result in severe fiscal sanctions by the federal government against the State. These emergency amendments protect the public health and general welfare by setting forth the federally-approved SUAs effective as of October 1, 2022.

As stated above, there is no federal authority to use past SUAs after the October 1, 2022 effective date of the new federally-approved allowance amounts. For New York to continue the State option to use the SUA in lieu of the actual utility cost portion of SNAP household shelter expenses, new allowances must be in place. Otherwise, the State may be forced to use the actual utility cost portion of the shelter expenses of each SNAP household. This policy would result in all 58 social services districts (districts) in NYS having to require up to 1.6 million SNAP households to provide verification of the actual utility cost portions of their shelter expenses. This policy would create a tremendous burden on both districts as well as recipient households. In addition, as actual utility costs are generally significantly less than the SUAs, SNAP households would have a much smaller shelter deduction resulting in a sizeable reduction in their SNAP households would result in significant harm to the health and welfare of these households.

4. Costs:

The regulatory amendments will not result in any impact to the State financial plan, they will not impose costs upon the districts because SNAP benefits are 100 percent federally-funded, and they comply with federal statute and regulation to implement federally-approved SUAs.

5. Local government mandates:

The regulatory amendments do not impose any mandates upon districts since the amendments simply set forth the federally-approved SUAs, effective October 1, 2022. Additionally, the calculation of SNAP budgets, which incorporates the SUAs, and the resulting issuances of SNAP benefits are mostly automated processes in New York City and the rest of the State using OTDA's Welfare Management System. To the extent that these processes are not automated, the regulatory amendments do not impose any additional requirements upon the districts in terms of calculating SNAP budgets.

6. Paperwork:

The regulatory amendments do not impose any new forms, new reporting requirements or other paperwork upon the State or the districts.

7. Duplication:

The regulatory amendments do not duplicate, overlap or conflict with any existing State or federal statutes or regulations.

8. Alternatives:

An alternative to the regulatory amendments would be to refrain from implementing the revised SUAs. However, this alternative is not a viable option because if NYS were to opt not to implement the new SUAs or were otherwise judicially precluded from doing so, then NYS would be out of compliance with federal statutory and regulatory requirements.

9. Federal standards:

The regulatory amendments do not conflict with or exceed minimum standards of the Federal Government.

10. Compliance schedule:

Since the regulatory amendments set forth the federally-approved SUAs effective October 1, 2022, the State and all districts will be in compliance with the regulatory amendments upon the adoption date of the regulatory amendments.

Regulatory Flexibility Analysis

A RFASB&LG is not required for the regulatory amendments because the regulatory amendments to 18 NYCRR § 387.12(f)(3)(v)(a)-(c) will neither have an adverse economic impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon small businesses or social services districts (districts). The regulatory amendments set forth the federally-approved standard utility allowances for the Supplemental Nutrition Assistance Program effective October 1, 2022. As it is evident from the nature of the regulatory amendments that they will not have an adverse impact upon or impose reporting, recordkeeping, or other compli-

ance requirements upon small businesses or districts, no further measures were needed to ascertain those facts and, consequently, none were taken.

Rural Area Flexibility Analysis

A RAFA is not required for the regulatory amendments to 18 NYCRR § 387.12(f)(3)(v)(a)-(c) because the regulatory amendments will neither have an adverse impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon rural social services districts (rural districts) or private entities in rural areas. The regulatory amendments set forth the federally-approved standard utility allowances for the Supplemental Nutrition Assistance Program effective October 1, 2022. As it is evident that the regulatory amendments will not have an adverse impact upon or impose reporting, recordkeeping, or other compliance requirements upon rural districts or private entities in rural areas, no further measures were needed to ascertain those facts and, consequently, none were taken.

Job Impact Statement

A JIS is not required for the regulatory amendments. It is apparent from the nature and the purpose of the regulatory amendments that they do not have a substantial adverse impact on jobs and employment opportunities in either the public or the private sectors in New York State (NYS). The regulatory amendments have no effect on small businesses. The regulatory amendments do not affect, in any significant way, the jobs of the workers in the social services districts (districts) or the State. These regulatory amendments set forth the federally-approved standard utility allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP) as of October 1, 2022. The calculation of SNAP budgets, which incorporates the SUAs, and the resulting issuances of SNAP benefits are mostly automated processes in New York City and the rest of the State using the Office of Temporary and Disability Assistance's Welfare Management System. To the extent these processes are not automated, the regulatory amendments do not impose any additional requirements upon the districts in terms of calculating SNAP budgets. Thus, the regulatory amendments do not have any adverse impact on jobs and employment opportunities in either the public or private sectors of NYS.

HEARINGS SCHEDULED FOR PROPOSED RULE MAKINGS

| F | OR PROPOSED RULE MAKING | iS |
|---|--|---|
| Agency I.D. No. | Subject Matter | Location—Date—Time |
| Environmental Conservation, Department | nt of | |
| ENV-33-22-00004-P | Amendments to the regulations (6 NYCRR Part 621) that implement ECL article 70 | Remote hearing by Webex event—October 20, 2022, 2:00 p.m. |
| | (Uniform Procedures Act) and related changes | Remote hearing by Webex event—October 20, 2022, 6:00 p.m. |
| Health, Department of | | The DEC will be conducting remote hearings by Webex as identified in item 5 on the Notice of Proposed Rule Making Form. Additional information regarding the hearings is available at https://www.dec.ny.gov/regulations/ propregulations.html#public, under the section for Proposed Amendments to 6 NYCRR 621, Uniform Procedures Act. |
| HLT-39-22-00020-P | Early Intervention Program | NVS Convention Center Meeting Pm. One |
| | | NYS Convention Center, Meeting Rm. One, Empire State Plaza, Albany, NY—November 7, 2022, 11:00 a.m. |
| Housing and Community Renewal, Divis HCR-35-22-00004-P | | One Deviling Creen, New York, NY |
| nCR-55-22-00004-F | City rent and eviction regulations governing rent control in New York City | One Bowling Green, New York, NY— November 15, 2022, 10:00 a.m. |
| | | One Larkin Center, 2nd Fl., Yonkers, NY— November 15, 2022, 10:00 a.m. |
| | | 1550 Franklin Ave., 1st Fl., Mineola, NY— November 15, 2022, 10:00 a.m. |
| HCR-35-22-00005-P | Emergency tenant protection regulations regulating residential rents and evictions | One Bowling Green, New York, NY— November 15, 2022, 10:00 a.m. |
| | | One Larkin Center, 2nd Fl., Yonkers, NY— November 15, 2022, 10:00 a.m. |
| | | 1550 Franklin Ave., 1st Fl., Mineola, NY— November 15, 2022, 10:00 a.m. |
| HCR-35-22-00006-P | State rent and eviction regulations governing statewide rent control | One Bowling Green, New York, NY— November 15, 2022, 10:00 a.m. |
| | | One Larkin Center, 2nd Fl., Yonkers, NY |
| | | 1550 Franklin Ave., 1st Fl., Mineola, NY— November 15, 2022, 10:00 a.m. |
| HCR-35-22-00007-P | Rent stabilization code regulating residential rents and evictions | One Bowling Green, New York, NY— November 15, 2022, 10:00 a.m. |
| | | One Larkin Center, 2nd Fl., Yonkers, NY |
| | | 1550 Franklin Ave., 1st Fl., Mineola, NY— November 15, 2022, 10:00 a.m. |
| Lake George Park Commission | | |
| LGP-36-22-00006-P | Addition of waste water management regula- tions within the Lake George Park. | Fort William Henry Hotel, Lake George, NY— November 9, 2022, 4:00 p.m. |
| | Minimum quariculum requirements for ATAD | 162 W 125th St. New York NY Neversher |
| LQR-36-22-00001-P | Minimum curriculum requirements for ATAP schools | 163 W. 125th St., New York, NY—November 22, 2022, 10:00 a.m. |
| Long Island Power Authority | | |
| LPA-37-22-00010-P | Solar Communities Program | Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY— November 16, 2022, 2:00 p.m. |
| | | H. Lee Dennison Bldg., 100 Veterans Memo- rial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m. |

2022, 10:00 a.m.

| | | Refer to schedule on: www.lipower.org |
|---------------------------|--|--|
| LPA-37-22-00012-P | Authority's small generator interconnection | Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY— November 16, 2022, 2:00 p.m. |
| | | H. Lee Dennison Bldg., 100 Veterans Memo- rial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m. |
| | | Refer to schedule on: www.lipower.org |
| LPA-37-22-00013-P | Authority's annual budget and retail rates | Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY— November 16, 2022, 2:00 p.m. |
| | | H. Lee Dennison Bldg., 100 Veterans Memo- rial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m. |
| | | Refer to schedule on: www.lipower.org |
| LPA-37-22-00014-P | Large Renewable Host Community Benefit Program | Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY— November 16, 2022, 2:00 p.m. |
| | | H. Lee Dennison Bldg., 100 Veterans Memo- rial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m. |
| | | Refer to schedule on: www.lipower.org |
| LPA-37-22-00015-P | Long Island Choice Program | Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY— November 16, 2022, 2:00 p.m. |
| | | H. Lee Dennison Bldg., 100 Veterans Memo- rial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m. |
| | | Refer to schedule on: www.lipower.org |
| LPA-37-22-00016-P | Bill credits and food and medicine spoilage reimbursements during widespread prolonged outages | Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY— November 16, 2022, 2:00 p.m. |
| | | H. Lee Dennison Bldg., 100 Veterans Memo- rial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m. |
| | | Refer to schedule on: www.lipower.org |
| Public Service Commission | | |
| PSC-31-22-00005-P | Proposed major rate increase in NYSEG's electric delivery revenues of approximately \$274 million (or 16.8% in total revenues) | Teleconference—November 2, 2022 and continuing daily as needed, 10:30 a.m. (Evi- dentiary Hearing)* |
| | | *On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 22-E-0317. |
| PSC-31-22-00006-P | Proposed major rate increase in NYSEG's gas delivery revenues of approximately \$43.4 million (or 9.8% in total revenues) | Teleconference — November 2, 2022 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)* |
| | | *On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 22-G-0318. |
| PSC-31-22-00007-P | Proposed major rate increase in RG&E's gas delivery revenues of approximately \$37.7 million (or 9.7% in total revenues) | Teleconference — November 2, 2022 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)* |

| | | *On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 22-G-0320. |
|----------------------|--|--|
| PSC-31-22-00009-P | Proposed major rate increase in RG&E's electric delivery revenues of approximately \$93.8 million (or 11.3% in total revenues) | Teleconference — November 2, 2022 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)* |
| | | *On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 22-E-0319. |
| State, Department of | | |
| DOS-39-22-00009-P | Administration and enforcement of the Uniform Code and Energy Code by the Department of State | Department of State, 99 Washington Ave., Rm. 505, Albany, NY—November 30, 2022, 10:00 a.m. |

ACTION PENDING INDEX

Subject Matter

The action pending index is a list of all proposed rules which are currently being considered for adoption. A proposed rule is added to the index when the notice of proposed rule making is first published in the *Register*. A proposed rule is removed from the index when any of the following occur: (1) the proposal is adopted as a permanent rule; (2) the proposal is rejected and withdrawn from consideration; or (3) the proposal's notice expires.

Most notices expire in approximately 12 months if the agency does not adopt or reject the proposal within that time. The expiration date is printed in the second column of the action pending index. Some notices, however, never expire. Those notices are identified by the word "exempt" in the second column. Actions pending for one year or more are preceded by an asterisk(*).

For additional information concerning any of the proposals

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listed in the action pending index, use the identification number to locate the text of the original notice of proposed rule making. The identification number contains a code which identifies the agency, the issue of the *Register* in which the notice was printed, the year in which the notice was printed and the notice's serial number. The following diagram shows how to read identification number codes.

| Agency | Issue | Year | Serial | Action |
|--------|--------|-----------|--------|--------|
| code | number | published | number | Code |
| AAM | 01 | 12 | 00001 | Р |

Action codes: P — proposed rule making; EP — emergency and proposed rule making (expiration date refers to proposed rule); RP — revised rule making

Purpose of Action

| | Agency I.D. No. | Expires | Subject Matter | Purpose of Action | | | |
|--|--------------------|------------------|--|---|--|--|--|
| AGRICULTURE AND MARKETS, DEPARTMENT OF | | | | | | | |
| | AAM-24-22-00012-P | 08/25/23 | Holding and movement of captive cervids | To ensure that captive cervids are held and moved in a manner designed to prevent disease and to be properly treated if disease | | | |
| | ALCOHOLISM AND | SUBSTANCE ABI | JSE SERVICES, OFFICE OF | | | | |
| | ASA-42-21-00010-P | 10/20/22 | Provision of problem gambling treatment and recovery services | Identify the requirements for provision of problem gambling services | | | |
| | ASA-52-21-00005-EP | 12/29/22 | Masking requirements in all OASAS certified/ funded/otherwise authorized settings | To prevent the ongoing threat to public health of the spread of COVID-19 in OASAS settings | | | |
| | ASA-33-22-00001-P | 08/17/23 | Requirements for the establishment, incorporation and certification of providers of addiction services | To update outdated and stigmatizing language and to clarify processes of the certification process for providers and applicants | | | |
| | BRIDGE AUTHORI | TY, NEW YORK ST | ATE | | | | |
| | SBA-32-22-00020-P | 08/10/23 | Amend the Authority's rules in relation to the hours of operation for bridge walkways and/or bikeways. | To regulate certain Authority activities on bridge walkways and/or bikeways. | | | |
| | CANNABIS MANA | GEMENT, OFFICE (| DF | | | | |
| | OCM-46-21-00010-RP | 11/17/22 | Part 115 - Personal Cultivation of Cannabis | Regulation to authorize the home cultivation of cannabis for certified medical cannabis patients | | | |
| | OCM-01-22-00026-P | 01/05/23 | Part 114 - Cannabinoid Hemp | To create a licensing framework for cannabinoid hemp processors and cannabinoid hemp retailers | | | |
| | OCM-10-22-00017-RP | 03/09/23 | Part 113 - Medical Cannabis | The proposed rule established the framework for the medical cannabis program in New York State | | | |
| | | | | 79 | | | |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action | | | | |
|--------------------------------|----------|--|--|--|--|--|--|
| CANNABIS MANAGEMENT, OFFICE OF | | | | | | | |
| OCM-24-22-00013-P | 06/15/23 | Packaging, Labeling, Marketing and Advertising of Adult-Use Cannabis | Establishing parameters for the packaging, labeling, marketing, and advertising of adult- use cannabis products, creating requirements for protecting the health and safety of consumers, and preventing targeting cannabis products to youth | | | | |
| OCM-24-22-00014-P | 06/15/23 | Permitting and regulating Cannabis Laboratories | Regulating and permitting laboratories, analyzing adult-use and medical cannabis, providing results to the Office and licensees, and aiding in the determination that cannabis products reflect potency and meet limits for contaminants | | | | |

CHILDREN AND FAMILY SERVICES, OFFICE OF

| CFS-52-21-00003-EP | 12/29/22 | To establish minimum standards to control the spread of COVID-19 at residential congregate programs | To establish minimum standards to control the spread of COVID-19 at residential congregate programs |
|--------------------|----------|---|--|
| CFS-33-22-00003-P | 08/17/23 | Limits on executive compensation | To remove the limits on executive compensation and administrative expenses |
| CFS-33-22-00010-P | 08/17/23 | Direct deposit for child care providers receiving child care assistance | To implement requirements of Section 390-c of the SSL, as amended by Chapter 650 of the Laws of 2021 |
| CFS-36-22-00002-EP | 09/07/23 | Differential Response for Children Under Twelve (12) Years of Age | To establish a differential response program for children under twelve years of age |
| CFS-37-22-00003-EP | 09/14/23 | Updates provisions to reflect the enacted budget regarding child care assistance rates and work requirements. | To update provisions on child care assistance funded under the NYS Child Care Block Grant and Social Services Block Grant. |

CIVIL SERVICE, DEPARTMENT OF

| CVS-23-22-00008-P | | Jurisdictional Classification | To classify positions in the non-competitive class |
|-------------------|----------|-------------------------------|---|
| CVS-23-22-00009-P | 06/08/23 | Jurisdictional Classification | To classify a position in the exempt class |
| CVS-23-22-00010-P | 06/08/23 | Jurisdictional Classification | To classify positions in the exempt class |
| CVS-23-22-00011-P | 06/08/23 | Jurisdictional Classification | To classify a position in the exempt class |
| CVS-23-22-00012-P | 06/08/23 | Jurisdictional Classification | To classify positions in the exempt class |
| CVS-23-22-00013-P | 06/08/23 | Jurisdictional Classification | To classify positions in the exempt class |
| CVS-23-22-00014-P | 06/08/23 | Jurisdictional Classification | To delete a position from and classify a position in the exempt class |
| CVS-23-22-00015-P | 06/08/23 | Jurisdictional Classification | To classify positions in the exempt class |
| CVS-23-22-00016-P | 06/08/23 | Jurisdictional Classification | To classify a position in the non-competitive class |
| CVS-23-22-00017-P | 06/08/23 | Jurisdictional Classification | To delete positions from and to classify positions in the non-competitive class |

Action Pending Index

| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
|-------------------|---------------|-------------------------------|--|
| CIVIL SERVICE, I | DEPARTMENT OF | | |
| CVS-23-22-00018-P | 06/08/23 | Jurisdictional Classification | To classify positions in the exempt class |
| CVS-23-22-00019-P | 06/08/23 | Jurisdictional Classification | To classify positions in the exempt class |
| CVS-23-22-00020-P | 06/08/23 | Jurisdictional Classification | To classify positions in the exempt class |
| CVS-28-22-00001-P | 07/13/23 | Jurisdictional Classification | To classify positions in the non-competitive class |
| CVS-28-22-00002-P | 07/13/23 | Jurisdictional Classification | To classify a position in the exempt class. |
| CVS-28-22-00003-P | 07/13/23 | Jurisdictional Classification | To classify a position in the exempt class. |
| CVS-28-22-00004-P | 07/13/23 | Jurisdictional Classification | To classify a position in the non-competitive class |
| CVS-28-22-00005-P | 07/13/23 | Jurisdictional Classification | To classify positions in the non-competitive class |
| CVS-28-22-00006-P | 07/13/23 | Jurisdictional Classification | To classify positions in the exempt class and to classify a position in the non-competitive class |
| CVS-32-22-00001-P | 08/10/23 | Jurisdictional Classification | To classify a position in the exempt class. |
| CVS-32-22-00002-P | 08/10/23 | Jurisdictional Classification | To delete a position from and to classify positions in the non-competitive class |
| CVS-32-22-00003-P | 08/10/23 | Jurisdictional Classification | To classify positions in the non-competitive class |
| CVS-32-22-00004-P | 08/10/23 | Jurisdictional Classification | To classify positions in the exempt class and the non-competitive classes |
| CVS-32-22-00005-P | 08/10/23 | Jurisdictional Classification | To classify a position in the non-competitive class |
| CVS-32-22-00006-P | 08/10/23 | Jurisdictional Classification | To classify a position in the exempt class and to classify positions in the non-competitive class |
| CVS-32-22-00007-P | 08/10/23 | Jurisdictional Classification | To classify positions in the exempt class and the non-competitive classes |
| CVS-32-22-00008-P | 08/10/23 | Jurisdictional Classification | To classify positions in the exempt class. |
| CVS-32-22-00009-P | 08/10/23 | Jurisdictional Classification | To classify positions in the non-competitive class |
| CVS-32-22-00010-P | 08/10/23 | Jurisdictional Classification | To classify a position in the non-competitive class |
| CVS-32-22-00011-P | 08/10/23 | Jurisdictional Classification | To classify positions in the exempt class and to delete positions from and to classify positions the non-competitive class |
| CVS-32-22-00012-P | 08/10/23 | Jurisdictional Classification | To classify positions in the non-competitive class |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
|-------------------|---------------|-------------------------------|---|
| CIVIL SERVICE, I | DEPARTMENT OF | | |
| CVS-32-22-00013-P | 08/10/23 | Jurisdictional Classification | To classify positions in the non-competitive class |
| CVS-32-22-00014-P | 08/10/23 | Jurisdictional Classification | To classify positions in the non-competitive class |
| CVS-32-22-00015-P | 08/10/23 | Jurisdictional Classification | To classify positions in the exempt class. |
| CVS-32-22-00016-P | 08/10/23 | Jurisdictional Classification | To classify a position in the non-competitive class |
| CVS-32-22-00017-P | 08/10/23 | Jurisdictional Classification | To classify a position in the non-competitive class |
| CVS-32-22-00018-P | 08/10/23 | Jurisdictional Classification | To classify positions in the exempt class and the non-competitive classes |

CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF

| CCS-08-22-00007-EP | 02/23/23 | Disposition for violations of the conditions of release | To bring Board regulations into compliance with recent amendments to the Executive Law |
|--------------------|----------|---|---|
| CCS-16-22-00003-EP | 04/20/23 | Definitions, Standards of Incarcerated Individual Behavior, Special Housing Units, and Institutional Programs | To revise regulations to be in compliance with the new HALT legislation and applicable laws |
| CCS-31-22-00002-P | 08/03/23 | Privileged Correspondence | To update law changes regarding correpsondence from CANY |
| CCS-39-22-00001-P | 09/28/23 | Closed Facilities | To repeal the rules establishing facilities that have closed |

CRIMINAL JUSTICE SERVICES, DIVISION OF

| CJS-42-21-00004-EP | 10/20/22 | Professional Policing Standards | Implementation of the "New York State Professional Policing Act of 2021" |
|--------------------|----------|--|---|
| CJS-32-22-00028-P | 08/10/23 | NYS Forensic Laboratory Accreditation Standards | To add ISO/IEC 17020 as a standard. |

ECONOMIC DEVELOPMENT, DEPARTMENT OF

| EDV-45-21-00001-P | 11/10/22 | Commercial Production Credit Program | Update regulations to include a third party verification process for application submissions |
|--------------------|----------|--|--|
| EDV-32-22-00019-EP | 08/10/23 | Digital Gaming Media Production Tax Credit program | To create the administrative process for the program and conform to statute |
| EDV-37-22-00002-P | 09/14/23 | Empire State Film Production Tax Credit Program | To update the additional administrative process of this tax credit program |

EDUCATION DEPARTMENT

EDU-48-21-00008-P

..... 02/17/23 Special education impartial hearing officers and the special education due process system procedures To address volume of special education due process complaints in the New York City due process system

| Action | Pending | Index |
|--------|---------|-------|
|--------|---------|-------|

| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
|---------------------|----------|---|--|
| EDUCATION DEPA | RTMENT | | |
| EDU-17-22-00005-P | 04/27/23 | Continuing education (CE) requirements for psychologists, social workers and mental health practitioners | To require such professionals to complete three CE credits on issues related to maintaining appropriate professional boundaries |
| EDU-22-22-00008-P | 06/01/23 | Instruction provided to students in a home, hospital, or institutional setting other than a school (homebound instruction) | To provide clarity as to the circumstances under which homebound instruction may be requested and delivered |
| EDU-22-22-00009-ERP | 06/01/23 | Implementing the Dominic Murray Sudden Cardiac Arrest Prevention Act | To implement the Dominic Murray Sudden Cardiac Arrest Prevention Act |
| EDU-26-22-00011-EP | 06/29/23 | Regents Examination in United States History and Government (Framework) for June 2022, August 2022, and January 2023 | Provide flexibility so that students can meet the diploma requirements of the Regents Examination in US History |
| EDU-26-22-00012-EP | 06/29/23 | Providing flexibility regarding the administration of Regents examinations in mathematics and science in certain grades | To secure a waiver extension from the U.S. Department of Education of certain ESSA requirements by providing flexibility to schools and districts for administering Regents examinations in mathematics to grade 6 students and in science to grade 7 students |
| EDU-26-22-00013-EP | 06/29/23 | Requirements for the issuing of a special determination to graduate with a local diploma | To provide regulatory flexibility for students to graduate with a local diploma |
| EDU-26-22-00014-EP | 06/29/23 | Use of restricted local infiltration anesthesia/ nitrus oxide analgesia by dental hygienists | To align the Commissioner's regulations with Chapter 198 of the Laws of 2022, permitting dental hygienists to use local infiltration and nitrus oxide anesthetic modalities |
| EDU-26-22-00015-P | 06/29/23 | Implementation timeline for the Computer Science Statement of Continued Eligibility (SOCE) | To extend the implementation timelines for the Computer Science SOCE in response to the COVID-19 pandemic |
| EDU-26-22-00016-EP | 06/29/23 | Standards for school building leader (SBL)preparation programs, definition of "leadership standards" for Annual Professional Performance Reviews, and safety net for the School Building Leader Assessment | To extend the date when SBL preparation programs must align with the new Professional Standards in Educational Leaders standards, revise the definition of leadership standards and change the deadline for the School Building Leader Assessment safety net |
| EDU-26-22-00017-P | 06/29/23 | Computer science being considered a career and technical education (CTE) subject | To add computer science under the umbrella of CTE subjects |
| EDU-26-22-00018-EP | 06/29/23 | Requirements for school districts to issue diplomas to eligible students confined in certain facilities | To implement Chapter 754 of the Laws of 2021, as amended by Chapter 26 of the Laws of 2022 |
| EDU-30-22-00010-EP | 07/27/23 | Mental health practitioners' diagnosis privilege | To implement Chapter 230 of the Laws of 2022 relating to mental health practitioners' diagnosis privilege |
| EDU-39-22-00010-EP | 09/28/23 | Remote Instruction and its Delivery Under Emergency Conditions and Length of School Day for Approved School-Age and Preschool Programs Serving Students with Disabilities | To permit approved school-age and preschool programs serving students with disabilities to provide remote instruction on days they would otherwise close due to an emergency and to count such instructional days towards minimum requirements, and to amend the definition of length of school day for such schools and programs |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| EDUCATION DEP | ARTMENT | | |
| EDU-39-22-00011-P | 09/28/23 | Appeals to the Commissioner of Education under Education Law § 310 | To amend requirements related to form of pleading and to provide for electronic filing, extensions for filing memoranda of law, and confidential resolution conferences, and repeal the provision providing for oral arguments for Appeals to the Commissioner of Education under Education Law § 310 |
| EDU-39-22-00012-EP | 09/28/23 | Laboratory experience required to take a science Regents examination. | To permit students to satisfy laboratory requirement through a combination of hands-on and simulated laboratory experience. |
| EDU-39-22-00013-P | 09/28/23 | Degree and experience requirements for college professors for the Tran G Certificate and the Individual Evaluation Pathway | To amend degree and experience requirements for college professors for the Transitional G certificate and through the individual evaluation pathway to certification |
| EDU-39-22-00014-EP | 09/28/23 | Independent nurse practitioner practice | To implement Part C of Chapter 57 of the Laws of 2022. |
| EDU-39-22-00015-EP | 09/28/23 | School Safety Plans | To conforms the regulations to the amendments made to Education Law § 2801-a by Chapter 227 of the Laws of 2022. |
| EDU-39-22-00016-EP | 09/28/23 | Universal Prekindergarten Program (UPK) Staffing Qualifications | To conform the Commissioner's regulations to Part A of Chapter 56 of the Laws of 2022. |
| EDU-39-22-00017-EP | 09/28/23 | Execution by registered professional nurses of non-patient specific orders to administer COVID-19 and influenza tests. | To implement Part C of Chapter 57 of the Laws of 20222. |
| ELECTIONS, STAT | TE BOARD OF | | |
| SBE-30-22-00004-EP | 07/27/23 | Providing conforming signature collection requirements in regulation to conform with statute | To conform regulatory provisions to statutory provisions related to signature requirements |
| SBE-30-22-00005-EP | 07/27/23 | Providing revised deadline for designation of poll sites and new thresholds for number of early voting sites requried | To conform regulatory provisions to canvassing provisions provided for by chapter 781 of Laws of 2021 |
| ENERGY RESEAR | CH AND DEVELOP | MENT AUTHORITY, NEW YORK STA | ATE |
| ERD-37-22-00009-P | 09/14/23 | Appliance and Equipment Efficiency Standards | To establish Appliance and Equipment Efficiency Standards for products specified in Energy Law Section 16-104(1). |
| ENVIRONMENTAL | CONSERVATION, | DEPARTMENT OF | |
| *ENV-37-21-00004-P | 09/15/22 | Deer Hunting | This rulemaking will allow counties to annually, by county law, "opt-out" of the late bow and/or muzzleloader deer seasons |

ENV-51-21-00003-P 04/07/23 Environmental Remediation Programs **Remediation Programs**

To amend 6 NYCRR Part 375, Environmental

| ENV-20-22-00003-P | 07/19/23 | Solid Waste Management Regulations | Amend the rules that implement the solid waste program in New York State to incorporate changes in law and implementation |
|-------------------|----------|------------------------------------|---|
| ENV-22-22-00016-P | 06/01/23 | SPDES Incorporation by Reference | Update SPDES Incorporation by Reference |

| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
|--------------------|---------------|--|--|
| ENVIRONMENTAL | CONSERVATION, | DEPARTMENT OF | |
| ENV-23-22-00007-P | 08/17/23 | Prohibition of glyphosate use by state departments, state agencies, and public benefit corporations on state property | Prohibit the use of glyphosate by state agencies, state departments, public benefit corporations unless exempted |
| ENV-27-22-00006-EP | 07/06/23 | Regulations governing recreational fishing of scup and black sea bass | To reduce the recreational harvest of scup and black sea bass in New York |
| ENV-28-22-00010-EP | 07/13/23 | Sanitary Condition of Shellfish Lands | To reclassify underwater shellfish lands to protect public health and general welfare. |
| ENV-28-22-00011-P | 09/13/23 | Forest Tax Law | Improving and sustainably managing New York's forest resources and lessening the administrative burden on participants/DEC staff |
| ENV-29-22-00001-P | 07/20/23 | Special licenses and permits; Marine Resources licenses and permits - Uniform Procedures. | Update regulations to reflect the reestablishment of the Division of Marine Resources and creation of new licenses and permits. |
| ENV-31-22-00001-EP | 08/03/23 | Peekamoose Valley Riparian Corridor | Protect public health, safety and general welfare and natural resources on the Peekamoose Valley Riparian Corridor |
| ENV-32-22-00026-EP | 08/10/23 | To prohibit the possession of shortfin mako | To protect shortfin mako sharks which are overfished and experiencing overfishing |
| ENV-33-22-00004-P | 10/20/23 | Amendments to the regulations (6 NYCRR Part 621) that implement ECL article 70 (Uniform Procedures Act) and related changes | DEC is proposing the amendments as a general update to Part 621, with conforming changes to Parts 421 and 601 |

FINANCIAL SERVICES, DEPARTMENT OF

| *DFS-17-16-00003-P | exempt | Plan of Conversion by Commercial Travelers Mutual Insurance Company | To convert a mutual accident and health insurance company to a stock accident and health insurance company |
|--------------------|----------|---|---|
| *DFS-25-18-00006-P | exempt | Plan of Conversion by Medical Liabilty Mutual Insurance Company | To convert a mutual property and casualty insurance company to a stock property and casualty insurance company |
| DFS-42-21-00011-RP | 01/18/23 | Disclosure requirements for certain providers of commercial fiancing transactions | To provide new disclosure rules for small business financings |
| DFS-44-21-00015-P | 11/03/22 | Compliance With Community Reinvestment Act Requirements | To provide new rules concerning data collection on extension of credit to women-owned and minority-owned businesses |
| DFS-47-21-00006-RP | 11/24/22 | Minimum Standards for the Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure | To hold insurers, plans and HMOs responsible for inaccurate provider directory information and replies to insureds' inquiries |
| DFS-50-21-00016-P | 12/15/22 | Debt Collection by Third-Party Debt Collectors and Debt Buyers | To clarify and modify standards for debt collection practices in New York |
| DFS-24-22-00010-P | 06/15/23 | Licensed Cashers of Checks; Fees | To change the maximum fee that may be charged by licensed check cashers and remove an automatic inflation adjustment |

| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
|-------------------|----------------|--|---|
| GAMING COMMIS | SION, NEW YORK | STATE | |
| SGC-29-22-00010-P | 07/20/23 | Comprehensive regulations for interactive fantasy sports | To regulate interactive fantasy sports in New York. |
| SGC-30-22-00011-P | 07/27/23 | Licensing requirements for jockey's agent. | To align occupational licensing requirements with potential to perform role and align with model rules. |
| SGC-30-22-00012-P | 07/27/23 | Jockey equipment weighing rules for Thoroughbred racing | To enhance the integrity and safety of Thoroughbred racing |
| SGC-36-22-00003-P | 09/07/23 | Designation of substitute stewards. | To conform the substitute stewards rule to the current statute. |

HEALTH, DEPARTMENT OF

| *HLT-14-94-00006-P | exempt | Payment methodology for HIV/AIDS outpatient services | To expand the current payment to incorporate pricing for services |
|--------------------|----------|---|---|
| HLT-46-21-00005-RP | 11/17/22 | Nursing Home Minimum Direct Resident Care Spending | Every RHCF shall spend a minimum of 70% of revenue on direct resident care and 40% of revenue on resident-facing staffing |
| HLT-46-21-00007-RP | 11/17/22 | Minimum Staffing Requirements for Nursing Homes | Requiring minimum staffing levels for nursing homes |
| HLT-50-21-00002-EP | 12/15/22 | Investigation of Communicable Disease; Isolation and Quarantine | Control of communicable disease |
| HLT-50-21-00003-EP | 12/15/22 | Face Coverings for COVID-19 Prevention | To control and promote the control of communicable diseases to reduce their spread |
| HLT-50-21-00004-EP | 12/15/22 | Personal Caregiving and Compassionate Caregiving Visitors in Nursing Homes (NH's) and Adult Care Facilities (ACF's) | To require NH's & ACF's to establish policies & procedures relating to personal caregiving & compassionate caregiving visitors |
| HLT-07-22-00010-P | 02/16/23 | Clinical Staffing in General Hospitals | Requires general hospitals to have clinical staffing committees and create clinical staffing plans |
| HLT-07-22-00011-P | 02/16/23 | Surge and Flex Health Coordination System | Provides authority to the Commissioner to direct certain actions and waive certain regulations in an emergency |
| HLT-10-22-00009-P | 03/09/23 | Updated Retention Standards for Adult Care Facilities | To ensure admission and retention standards for adult care facilities are consistent with the Americans with Disabilities Act |
| HLT-12-22-00001-P | 03/23/23 | Clinical Laboratories and Blood Banks | To allow for remote supervision and updates to provide concordance with NYSED law for qualifications of technical personnel |
| HLT-12-22-00002-P | 03/23/23 | Reporting of Acute HIV Infection | To require clinicians to report any case of acute HIV within 24 hours of diagnoses |
| HLT-23-22-00001-P | 06/08/23 | Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements | To ensure that all general hospitals and nursing homes maintain a 60-day supply of PPE during the COVID-19 emergency |
| HLT-26-22-00003-P | 06/29/23 | Repeal of Limits on Administrative Expenses and Executive Compensation | Repeal of Limits on Administrative Expenses and Executive Compensation |

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|-------------------|-------------------|--|--|
| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| HEALTH, DEPAR | TMENT OF | | |
| HLT-29-22-00003-P | 07/20/23 | Public Water Systems | Correct typographical errors&inconsistencies with the CFRs to obtain primacy enforcement authority under Safe Drinking Water Act |
| HLT-39-22-00004-P | 09/28/23 | Repeal of Collection of Source Plasma | Repeal of Collection of Source Plasma |
| HLT-39-22-00018-P | 09/28/23 | Source Plasma Donation Centers | To distinguish source plasma donation centers as a separate regulatory entity from blood banks. |
| HLT-39-22-00019-P | 09/28/23 | Private Duty Nursing (PDN) Services to Medically Fragile Adults | To increase PDN fee-for-service reimbursement for nursing services provided to medically fragile adults. |
| HLT-39-22-00020-P | 11/07/23 | Early Intervention Program | To conform existing program regulations to federal regulations and state statute, as well as to provide additional clarification |

HOUSING AND COMMUNITY RENEWAL, DIVISION OF

| HCR-35-22-00004-P | 11/15/23 | The City Rent and Eviction Regulations governing rent control in New York City. | To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019. |
|-------------------|----------|---|---|
| HCR-35-22-00005-P | 11/15/23 | The Emergency Tenant Protection Regulations regulating residential rents and evictions. | To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019. |
| HCR-35-22-00006-P | 11/15/23 | The State Rent and Eviction Regulations governing statewide rent control. | To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019. |
| HCR-35-22-00007-P | 11/15/23 | The Rent Stabilization Code regulating residential rents and evictions. | To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019. |

LABOR, DEPARTMENT OF

| *LAB-34-21-00002-ERP | 11/17/22 | New York Health and Essential Rights Act (NY HERO Act) | Airborne Infectious Disease Exposure Prevention Standard |
|----------------------|----------|--|---|
| *LAB-34-21-00002-EP | 11/17/22 | New York Health and Essential Rights Act (NY HERO Act) | Airborne Infectious Disease Exposure Prevention Standard |
| LAB-51-21-00007-P | 02/09/23 | Workplace Safety Committees | To comply with Labor Law 27-d(8) which requires that the Department adopt regulations |
| LAB-37-22-00004-P | 09/14/23 | Prevailing Wage for Aggregate Hauling | To clarify the application Labor Law § 220(3-a)(f) |

LAKE GEORGE PARK COMMISSION

| LGP-36-22-00006-P | |
|-------------------|--|
|-------------------|--|

..... 11/09/23 Addition of Waste Water Management Regulations within the Lake George Park

The proposed regulations are intended to protect the waters of Lake George from wastewater pollution

| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
|-------------------|----------|---|---|
| LAW, DEPARTMEN | NT OF | | |
| LAW-49-21-00016-P | 12/08/22 | Charities regulatory framework and the use of gendered pronouns therein | Removal of all references to gender pronouns and replacing them with the neutral pronoun, "they" or "their" |

LIQUOR AUTHORITY, STATE

| LQR-26-22-00001-P | 09/14/23 | Ensuring smaller retailers are not unlawfully discriminated against through the charging of exorbitant split case fees | To ensure smaller retailers are not unlawfully discriminated against through the charging of exorbitant split case fees |
|-------------------|----------|--|---|
| LQR-36-22-00001-P | 11/22/23 | Minimum curriculum requirements for ATAP schools | To add information regarding human trafficking awareness and prevention to minimum curriculum requirements for ATAP schools |

LONG ISLAND POWER AUTHORITY

| *LPA-08-01-00003-P | exempt | Pole attachments and related matters | To approve revisions to the authority's tariff |
|---------------------|--------|---|--|
| *LPA-41-02-00005-P | exempt | Tariff for electric service | To revise the tariff for electric service |
| *LPA-04-06-00007-P | exempt | Tariff for electric service | To adopt provisions of a ratepayer protection plan |
| *LPA-03-10-00004-P | exempt | Residential late payment charges | To extend the application of late payment charges to residential customers |
| *LPA-15-18-00013-P | exempt | Outdoor area lighting | To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting |
| *LPA-37-18-00013-P | exempt | The net energy metering provisions of the Authority's Tariff for Electric Service | To implement PSC guidance increasing eligibility for value stack compensation to larger projects |
| *LPA-37-18-00017-P | exempt | The treatment of electric vehicle charging in the Authority's Tariff for Electric Service | To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment |
| *LPA-37-18-00018-P | exempt | The treatment of energy storage in the Authority's Tariff for Electric Service | To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap |
| *LPA-09-20-00010-P | exempt | To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory | To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets |
| *LPA-28-20-00033-EP | exempt | LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment | To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts |
| *LPA-37-20-00013-EP | exempt | The terms of deferred payment agreements available to LIPA's commercial customers | To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers |
| *LPA-12-21-00011-P | exempt | LIPA's Long Island Choice (retail choice) tariff | To simplify and improve Long Island Choice based on stakeholder collaborative input |
| LPA-17-22-00012-P | exempt | COVID-19 arrears forgiveness and low- income customer discount eligibility | To implement an arrears forgiveness program and expand low-income customer discount eligibility |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
|-------------------|---------------|--|---|
| LONG ISLAND PO | WER AUTHORITY | | |
| LPA-17-22-00014-P | exempt | LIPA's delivery service adjustment cost recovery rider | To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers |
| LPA-37-22-00010-P | exempt | The Solar Communities Program | To provide bill savings benefits to customers participating in Solar Communities. |
| LPA-37-22-00012-P | exempt | The Authority's Small Generator Interconnection Procedures for Distributed Generators and/or Energy Storage Systems. | Alignment with New York's statewide cost sharing framework |
| LPA-37-22-00013-P | exempt | The Authority's annual budget and retail rates. | Implementation of the Authority's annual budget and corresponding rate adjustments. |
| LPA-37-22-00014-P | exempt | The Large Renewable Host Community Benefit Program. | To share the benefits of large renewable projects with host communities. |
| LPA-37-22-00015-P | exempt | Long Island Choice Program | To eliminate potential barriers to the retail choice market in Long Island. |
| LPA-37-22-00016-P | exempt | Bill credits and food and medicine spoilage reimbursements during widespread prolonged outages | To provide relief to customers who experience prolonged outages |

MEDICAID INSPECTOR GENERAL, OFFICE OF

| MED-28-22-00016-P | 07/13/23 | Medicaid Program Fraud, Waste and Abuse | To establish requirements for providers to |
|-------------------|----------|---|--|
| | | Prevention | detect and prevent fraud, waste and abuse in |
| | | | the Medicaid Program. |

MENTAL HEALTH, OFFICE OF

| OMH-40-21-00007-EP | 10/06/22 | COVID-19 Masking Program | To implement a COVID-19 mask program |
|--------------------|----------|---|--|
| OMH-23-22-00021-P | 06/08/23 | Relating to the certification, operation and reimbursement of clinic treatment programs serving adults and children | To align such program with the State Plan Amendment |

METROPOLITAN TRANSPORTATION AGENCY

| MTA-16-22-00008-EP | 04/20/23 | Requiring mask wearing when mandated for indoor facilities and conveyances of the MTA & ts affiliates and subsidiaries | To safeguard the public health and safety by adding a rule requiring the use of masks in facilities & conveyances when mandated |
|--------------------|----------|--|---|
| | | | |

NIAGARA FALLS WATER BOARD

| *NFW-04-13-00004-EP | exempt | Adoption of Rates, Fees and Charges | To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders |
|---------------------|----------|--------------------------------------|---|
| *NFW-13-14-00006-EP | exempt | Adoption of Rates, Fees and Charges | To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders |
| NFW-49-21-00010-EP | 12/08/22 | Adoption of Rates, Fees, and Charges | To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders |

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|---------------------|-----------------|---|--|
| OGDENSBURG B | RIDGE AND PORT | AUTHORITY | |
| *OBA-33-18-00019-P | exempt | Increase in Bridge Toll Structure | To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit |
| *OBA-07-19-00019-P | exempt | Increase in Bridge Toll Structure | To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit |
| PARKS, RECREAT | ION AND HISTORI | C PRESERVATION, OFFICE OF | |
| PKR-30-22-00001-P | 07/27/23 | Listing of state parks, parkways, recreation facilities and historic sites (facilities) and address/contact updates | To update the listing of state parks, parkways, recreation facilities and historic sites and the address/contact information |
| PEOPLE WITH DE | VELOPMENTAL DI | SABILITIES, OFFICE FOR | |
| PDD-40-21-00002-EP | 10/06/22 | Mandatory Face Coverings in OPWDD Certified Services | To protect public health |
| PDD-43-21-00003-ERP | 10/27/22 | COVID-19 vaccines | To require vaccinations in certain OPWDD settings |
| PDD-07-22-00004-EP | 02/16/23 | Certification of the Facility Class Known as Individualized Residential Alternative | To increase IRA capacity in cases of emergent circumstances |
| PDD-07-22-00005-EP | 02/16/23 | General Purpose | To increase IRA capacity in cases of emergent circumstances |
| PDD-10-22-00010-EP | 03/09/23 | Training Flexibilities | To provide flexibility in training requirements |
| PDD-26-22-00005-P | 06/29/23 | Gender Identity and Expression | To ensure people are treated with dignity and respect |

POWER AUTHORITY OF THE STATE OF NEW YORK

| *PAS-01-10-00010-P | exempt | Rates for the sale of power and energy | Update ECSB Programs customers' service |
|--------------------|--------|--|---|
| | | | tariffs to streamline them/include additional |
| | | | required information |

PUBLIC EMPLOYMENT RELATIONS BOARD

| PRB-30-22-00003-P | Rules and regulations to effectuate the | To enact procedures for the Farm Laborers |
|-------------------|---|--|
| | purposes of the State Employment Relations Act (Labor Law art. 20) | Fair Laborers Practice Act, which amended the State Employment Relations Act |

PUBLIC SERVICE COMMISSION

Action Pending Index

| *PSC-09-99-00012-P | exempt | Transfer of books and records by Citizens Utilities Company | To relocate Ogden Telephone Company's books and records out-of-state |
|--------------------|--------|--|--|
| *PSC-15-99-00011-P | exempt | Electronic tariff by Woodcliff Park Corp. | To replace the company's current tariff with an electronic tariff |
| *PSC-12-00-00001-P | exempt | Winter bundled sales service election date by Central Hudson Gas & Electric Corporation | To revise the date |

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| PUBLIC SERVICE | COMMISSION | | |
| *PSC-44-01-00005-P | exempt | Annual reconciliation of gas costs by Corning Natural Gas Corporation | To authorize the company to include certain gas costs |
| *PSC-07-02-00032-P | exempt | Uniform business practices | To consider modification |
| *PSC-36-03-00010-P | exempt | Performance assurance plan by Verizon New York | To consider changes |
| *PSC-40-03-00015-P | exempt | Receipt of payment of bills by St. Lawrence Gas Company | To revise the process |
| *PSC-41-03-00010-P | exempt | Annual reconciliation of gas expenses and gas cost recoveries | To consider filings of various LDCs and municipalities |
| *PSC-41-03-00011-P | exempt | Annual reconciliation of gas expenses and gas cost recoveries | To consider filings of various LDCs and municipalities |
| *PSC-44-03-00009-P | exempt | Retail access data between jurisdictional utilities | To accommodate changes in retail access market structure or commission mandates |
| *PSC-02-04-00008-P | exempt | Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York | To rehear the Nov. 25, 2003 order |
| *PSC-06-04-00009-P | exempt | Transfer of ownership interest by SCS Energy LLC and AE Investors LLC | To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC |
| *PSC-10-04-00005-P | exempt | Temporary protective order | To consider adopting a protective order |
| *PSC-10-04-00008-P | exempt | Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue | To amend the agreement |
| *PSC-14-04-00008-P | exempt | Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds | To submeter gas service to commercial customers located at the Buffalo Speedway |
| *PSC-15-04-00022-P | exempt | Submetering of electricity by Glenn Gardens Associates, L.P. | To permit submetering at 175 W. 87th St., New York, NY |
| *PSC-21-04-00013-P | exempt | Verizon performance assurance plan by Metropolitan Telecommunications | To clarify the appropriate performance level |
| *PSC-22-04-00010-P | exempt | Approval of new types of electricity meters by Powell Power Electric Company | To permit the use of the PE-1250 electronic meter |
| *PSC-22-04-00013-P | exempt | Major gas rate increase by Consolidated Edison Company of New York, Inc. | To increase annual gas revenues |
| *PSC-22-04-00016-P | exempt | Master metering of water by South Liberty Corporation | To waive the requirement for installation of separate water meters |
| *PSC-25-04-00012-P | exempt | Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P. | To amend the agreement |
| *PSC-27-04-00008-P | exempt | Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates | To amend the agreement |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-27-04-00009-P | exempt | Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates | To amend the agreement |
| *PSC-28-04-00006-P | exempt | Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation | To authorize participation in the parent corporation's line of credit |
| *PSC-31-04-00023-P | exempt | Distributed generation service by Consolidated Edison Company of New York, Inc. | To provide an application form |
| *PSC-34-04-00031-P | exempt | Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc. | To set appropriate level of permanent rates |
| *PSC-35-04-00017-P | exempt | Application form for distributed generation by Orange and Rockland Utilities, Inc. | To establish a new supplementary application form for customers |
| *PSC-43-04-00016-P | exempt | Accounts recievable by Rochester Gas and Electric Corporation | To include in its tariff provisions for the purchase of ESCO accounts recievable |
| *PSC-46-04-00012-P | exempt | Service application form by Consolidated Edison Company of New York, Inc. | To revise the form and make housekeeping changes |
| *PSC-46-04-00013-P | exempt | Rules and guidelines governing installation of metering equipment | To establish uniform statewide business practices |
| *PSC-02-05-00006-P | exempt | Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc. | To consider imposing remedial actions against the company and its owners, officers and directors |
| *PSC-09-05-00009-P | exempt | Submetering of natural gas service by Hamlet on Olde Oyster Bay | To consider submetering of natural gas to a commercial customer |
| *PSC-14-05-00006-P | exempt | Request for deferred accounting authorization by Freeport Electric Inc. | To defer expenses beyond the end of the fiscal year |
| *PSC-18-05-00009-P | exempt | Marketer Assignment Program by Consolidated Edison Company of New York, Inc. | To implement the program |
| *PSC-20-05-00028-P | exempt | Delivery point aggregation fee by Allied Frozen Storage, Inc. | To review the calculation of the fee |
| *PSC-25-05-00011-P | exempt | Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation | To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11 |
| *PSC-27-05-00018-P | exempt | Annual reconciliation of gas costs by New York State Electric & Gas Corporation | To consider the manner in which the gas cost incentive mechanism has been applied |
| *PSC-41-05-00013-P | exempt | Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities | To consider the filings |
| *PSC-45-05-00011-P | exempt | Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation | To defer certain costs |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-46-05-00015-P | exempt | Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC | To consider the sale |
| *PSC-47-05-00009-P | exempt | Transferral of gas supplies by Corning Natural Gas Corporation | To approve the transfer |
| *PSC-50-05-00008-P | exempt | Long-term debt by Saratoga Glen Hollow Water Supply Corp. | To obtain long-term debt |
| *PSC-04-06-00024-P | exempt | Transfer of ownership interests by Mirant NY- Gen LLC and Orange and Rockland Utilities, Inc. | To approve of the transfer |
| *PSC-06-06-00015-P | exempt | Gas curtailment policies and procedures | To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established |
| *PSC-07-06-00009-P | exempt | Modification of the current Environmental Disclosure Program | To include an attributes accounting system |
| *PSC-22-06-00019-P | exempt | Hourly pricing by National Grid | To assess the impacts |
| *PSC-22-06-00020-P | exempt | Hourly pricing by New York State Electric & Gas Corporation | To assess the impacts |
| *PSC-22-06-00021-P | exempt | Hourly pricing by Rochester Gas & Electric Corporation | To assess the impacts |
| *PSC-22-06-00022-P | exempt | Hourly pricing by Consolidated Edison Company of New York, Inc. | To assess the impacts |
| *PSC-22-06-00023-P | exempt | Hourly pricing by Orange and Rockland Utilities, Inc. | To assess the impacts |
| *PSC-24-06-00005-EP | exempt | Supplemental home energy assistance benefits | To extend the deadline to Central Hudson's low-income customers |
| *PSC-25-06-00017-P | exempt | Purchased power adjustment by Massena Electric Department | To revise the method of calculating the purchased power adjustment and update the factor of adjustment |
| *PSC-34-06-00009-P | exempt | Inter-carrier telephone service quality standards and metrics by the Carrier Working Group | To incorporate appropriate modifications |
| *PSC-37-06-00015-P | exempt | Procedures for estimation of customer bills by Rochester Gas and Electric Corporation | To consider estimation procedures |
| *PSC-37-06-00017-P | exempt | Procedures for estimation of customer bills by Rochester Gas and Electric Corporation | To consider estimation procedures |
| *PSC-43-06-00014-P | exempt | Electric delivery services by Strategic Power Management, Inc. | To determine the proper mechanism for the rate-recovery of costs |
| *PSC-04-07-00012-P | exempt | Petition for rehearing by Orange and Rockland Utilities, Inc. | To clarify the order |
| *PSC-06-07-00015-P | exempt | Meter reading and billing practices by Central Hudson Gas & Electric Corporation | To continue current meter reading and billing practices for electric service |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-06-07-00020-P | exempt | Meter reading and billing practices by Central Hudson Gas & Electric Corporation | To continue current meter reading and billing practices for gas service |
| *PSC-11-07-00010-P | exempt | Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc. | To implement the recommendations in the staff's investigation |
| *PSC-11-07-00011-P | exempt | Storm-related power outages by Consolidated Edison Company of New York, Inc. | To modify the company's response to power outages, the timing for any such changes and other related matters |
| *PSC-17-07-00008-P | exempt | Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc. | To amend the agreement |
| *PSC-18-07-00010-P | exempt | Existing electric generating stations by Independent Power Producers of New York, Inc. | To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation |
| *PSC-20-07-00016-P | exempt | Tariff revisions and making rates permanent by New York State Electric & Gas Corporation | To seek rehearing |
| *PSC-21-07-00007-P | exempt | Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation | To revise the rates, charges, rules and regulations for gas service |
| *PSC-22-07-00015-P | exempt | Demand Side Management Program by Consolidated Edison Company of New York, Inc. | To recover incremental program costs and lost revenue |
| *PSC-23-07-00022-P | exempt | Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation | To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity |
| *PSC-24-07-00012-P | exempt | Gas Efficiency Program by the City of New York | To consider rehearing a decision establishing a Gas Efficiency Program |
| *PSC-39-07-00017-P | exempt | Gas bill issuance charge by New York State Electric & Gas Corporation | To create a gas bill issuance charge unbundled from delivery rates |
| *PSC-41-07-00009-P | exempt | Submetering of electricity rehearing | To seek reversal |
| *PSC-42-07-00012-P | exempt | Energy efficiency program by Orange and Rockland Utilities, Inc. | To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service |
| *PSC-42-07-00013-P | exempt | Revenue decoupling by Orange and Rockland Utilities, Inc. | To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc. |
| *PSC-45-07-00005-P | exempt | Customer incentive programs by Orange and Rockland Utilities, Inc. | To establish a tariff provision |
| *PSC-02-08-00006-P | exempt | Additional central office codes in the 315 area code region | To consider options for making additional codes |
| *PSC-03-08-00006-P | exempt | Rehearing of the accounting determinations | To grant or deny a petition for rehearing of the accounting determinations |
| *PSC-04-08-00010-P | exempt | Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation | To grant easement rights to Millennium Pipeline Company, L.L.C. |

| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
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| PUBLIC SERVICE | COMMISSION | | |
| *PSC-04-08-00012-P | exempt | Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs | To consider modifying the commission's regulation over marketing practices of energy service companies |
| *PSC-08-08-00016-P | exempt | Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al. | To consider the transfer |
| *PSC-12-08-00019-P | exempt | Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation | To consider the request |
| *PSC-12-08-00021-P | exempt | Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation | To consider the request |
| *PSC-13-08-00011-P | exempt | Waiver of commission policy and NYSEG tariff by Turner Engineering, PC | To grant or deny Turner's petition |
| *PSC-13-08-00012-P | exempt | Voltage drops by New York State Electric & Gas Corporation | To grant or deny the petition |
| *PSC-23-08-00008-P | exempt | Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project | To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project |
| *PSC-25-08-00007-P | exempt | Policies and procedures regarding the selection of regulatory proposals to meet reliability needs | To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs |
| *PSC-25-08-00008-P | exempt | Report on Callable Load Opportunities | Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years |
| *PSC-28-08-00004-P | exempt | Con Edison's procedure for providing customers access to their account information | To consider Con Edison's implementation plan and timetable for providing customers access to their account information |
| *PSC-31-08-00025-P | exempt | Recovery of reasonable DRS costs from the cost mitigation reserve (CMR) | To authorize recovery of the DRS costs from the CMR |
| *PSC-32-08-00009-P | exempt | The ESCO referral program for KEDNY to be implemented by October 1, 2008 | To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program |
| *PSC-33-08-00008-P | exempt | Noble Allegany's request for lightened regulation | To consider Noble Allegany's request for lightened regulation as an electric corporation |
| *PSC-36-08-00019-P | exempt | Land Transfer in the Borough of Manhattan, New York | To consider petition for transfer of real property to NYPH |
| *PSC-39-08-00010-P | exempt | RG&E's economic development plan and tariffs | Consideration of the approval of RG&E's economic development plan and tariffs |
| *PSC-40-08-00010-P | exempt | Loans from regulated company to its parent | To determine if the cash management program resulting in loans to the parent should be approved |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-41-08-00009-P | exempt | Transfer of control of cable TV franchise | To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved |
| *PSC-43-08-00014-P | exempt | Annual Reconcilliation of Gas Expenses and Gas Cost Recoveries | The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries |
| *PSC-46-08-00008-P | exempt | Property transfer in the Village of Avon, New York | To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York |
| *PSC-46-08-00010-P | exempt | A transfer of indirect ownership interests in nuclear generation facilities | Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities |
| *PSC-46-08-00014-P | exempt | The attachment of cellular antennae to an electric transmission tower | To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower |
| *PSC-48-08-00005-P | exempt | A National Grid high efficiency gas heating equipment rebate program | To expand eligibility to customers converting from oil to natural gas |
| *PSC-48-08-00008-P | exempt | Petition for the master metering and submetering of electricity | To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York |
| *PSC-48-08-00009-P | exempt | Petition for the submetering of electricity | To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York |
| *PSC-50-08-00018-P | exempt | Market Supply Charge | A study on the implementation of a revised Market Supply Charge |
| *PSC-51-08-00006-P | exempt | Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458 | To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458 |
| *PSC-51-08-00007-P | exempt | Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078 | To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078 |
| *PSC-53-08-00011-P | exempt | Use of deferred Rural Telephone Bank funds | To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds |
| *PSC-53-08-00012-P | exempt | Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY | Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY |
| *PSC-53-08-00013-P | exempt | To transfer common stock and ownership | To consider transfer of common stock and ownership |
| *PSC-01-09-00015-P | exempt | FCC decision to redefine service area of Citizens/Frontier | Review and consider FCC proposed redefinition of Citizens/Frontier service area |
| *PSC-02-09-00010-P | exempt | Competitive classification of independent local exchange company, and regulatory relief appropriate thereto | To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2 |
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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
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| PUBLIC SERVICE | COMMISSION | | |
| *PSC-05-09-00008-P | exempt | Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues | To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing |
| *PSC-05-09-00009-P | exempt | Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects | To consider the long term impacts on steam rates and on public policy of various options concerning the steam system |
| *PSC-06-09-00007-P | exempt | Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access | To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm. |
| *PSC-07-09-00015-P | exempt | Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property | To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets |
| *PSC-07-09-00017-P | exempt | Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm | To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm |
| *PSC-07-09-00018-P | exempt | Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY | To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York |
| *PSC-12-09-00010-P | exempt | Charges for commodity | To charge customers for commodity costs |
| *PSC-12-09-00012-P | exempt | Charges for commodity | To charge customers for commodity costs |
| *PSC-13-09-00008-P | exempt | Options for making additional central office codes available in the 718/347 numbering plan area | To consider options for making additional central office codes available in the 718/347 numbering plan area |
| *PSC-14-09-00014-P | exempt | The regulation of revenue requirements for municipal utilities by the Public Service Commission | To determine whether the regulation of revenue requirements for municipal utilities should be modified |
| *PSC-16-09-00010-P | exempt | Petition for the submetering of electricity | To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York |
| *PSC-16-09-00020-P | exempt | Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity | Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity |
| *PSC-17-09-00010-P | exempt | Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commerical accounts | To permit electric utilities in New York State to use the Elster REX2 |
| *PSC-17-09-00011-P | exempt | Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes | Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes |
| *PSC-17-09-00012-P | exempt | Petition for the submetering of gas at commercial property | To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY |
| *PSC-17-09-00014-P | exempt | Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff | To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-17-09-00015-P | exempt | The construction of a tower for wireless antennas on land owned by National Grid | To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga |
| *PSC-18-09-00012-P | exempt | Petition for rehearing of Order approving the submetering of electricity | To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York |
| *PSC-18-09-00013-P | exempt | Petition for the submetering of electricity | To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York |
| *PSC-18-09-00017-P | exempt | Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers | To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower |
| *PSC-20-09-00016-P | exempt | The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc | To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc |
| *PSC-20-09-00017-P | exempt | The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program | To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program |
| *PSC-22-09-00011-P | exempt | Cost allocation for Consolidated Edison's East River Repowering Project | To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project |
| *PSC-25-09-00005-P | exempt | Whether to grant, deny, or modify, in whole or in part, the petition | Whether to grant, deny, or modify, in whole or in part, the petition |
| *PSC-25-09-00006-P | exempt | Electric utility implementation plans for proposed web based SIR application process and project status database | To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation |
| *PSC-25-09-00007-P | exempt | Electric rates for Consolidated Edison Company of New York, Inc | Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc |
| *PSC-27-09-00011-P | exempt | Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access | To review the terms and conditions of the negotiated agreement between Vernon and TW Telecom of New York L.P. |
| *PSC-27-09-00014-P | exempt | Billing and payment for energy efficiency measures through utility bill | To promote energy conservation |
| *PSC-27-09-00015-P | exempt | Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access | To review the terms and conditions of the negotiated agreement between Oriskany and TW Telecom of New York L.P. |
| *PSC-29-09-00011-P | exempt | Consideration of utility compliance filings | Consideration of utility compliance filings |
| *PSC-32-09-00009-P | exempt | Cost allocation for Consolidated Edison's East River Repowering Project | To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project |
| *PSC-34-09-00016-P | exempt | Recommendations made in the Management Audit Final Report | To consider whether to take action or recommendations contained in the Management Audit Final Report |

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| PUBLIC SERVICE | | | |
| *PSC-34-09-00017-P | exempt | To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC | To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC |
| *PSC-36-09-00008-P | exempt | The increase in the non-bypassable charge implemented by RG&E on June 1, 2009 | Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009 |
| *PSC-37-09-00015-P | exempt | Sale of customer-generated steam to the Con Edison steam system | To establish a mechanism for sale of customer- generated steam to the Con Edison steam system |
| *PSC-37-09-00016-P | exempt | Applicability of electronic signatures to Deferred Payment Agreements | To determine whether electronic signatures can be accepted for Deferred Payment Agreements |
| *PSC-39-09-00015-P | exempt | Modifications to the \$5 Bill Credit Program | Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program |
| *PSC-39-09-00018-P | exempt | The offset of deferral balances with Positive Benefit Adjustments | To consider a petition to offset deferral balances with Positive Benefit Adjustments |
| *PSC-40-09-00013-P | exempt | Uniform System of Accounts - request for deferral and amortization of costs | To consider a petition to defer and amortize costs |
| *PSC-51-09-00029-P | exempt | Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs | To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period |
| *PSC-51-09-00030-P | exempt | Waiver or modification of Capital Expenditure condition of merger | To allow the companies to expend less funds for capital improvement than required by the merger |
| *PSC-52-09-00006-P | exempt | ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology | To consider whether to change the Order Prescribing Study Methodology |
| *PSC-52-09-00008-P | exempt | Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000 | To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities |
| *PSC-05-10-00008-P | exempt | Petition for the submetering of electricity | To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY |
| *PSC-05-10-00015-P | exempt | Petition for the submetering of electricity | To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY |
| *PSC-06-10-00022-P | exempt | The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility | To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility |
| *PSC-07-10-00009-P | exempt | Petition to revise the Uniform Business Practices | To consider the RESA petition to allow rescission of a customer request to return to full utility service |
| *PSC-08-10-00007-P | exempt | Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847 | Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847 |

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| Expires | Subject Matter | Purpose of Action |
| COMMISSION | | |
| exempt | Consolidated Edison of New York, Inc. energy efficiency programs | To modify approved energy efficiency programs |
| exempt | Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations | To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations |
| exempt | Petition for the submetering of electricity | To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY |
| exempt | To consider adopting and expanding mobile stray voltage testing requirements | Adopt additional mobile stray voltage testing requirements |
| exempt | Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access | To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications |
| exempt | Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access | To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications |
| exempt | Electric utility transmission right-of-way management practices | To consider electric utility transmission right-of- way management practices |
| exempt | Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York | To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York |
| exempt | Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service | Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service |
| exempt | Petition for the submetering of electricity | To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York |
| exempt | Verizon New York Inc. tariff regulations relating to voice messaging service | To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff |
| exempt | Reassignment of the 2-1-1 abbreviated dialing code | Consideration of petition to reassign the 2-1-1 abbreviated dialing code |
| exempt | Petition for the submetering of electricity | To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York |
| exempt | The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program | The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program |
| exempt | Approval of a contract for \$250,000 in tank repairs that may be a financing | To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs |
| exempt | The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program | The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program |
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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
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| PUBLIC SERVICE | COMMISSION | | |
| *PSC-36-10-00010-P | exempt | Central Hudson's procedures, terms and conditions for an economic development plan | Consideration of Central Hudson's procedures, terms and conditions for an economic development plan |
| *PSC-40-10-00014-P | exempt | Disposition of a state sales tax refund | To determine how much of a state sales tax refund should be retained by National Grid |
| *PSC-40-10-00021-P | exempt | Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall | To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall |
| *PSC-41-10-00018-P | exempt | Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter | Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers |
| *PSC-41-10-00022-P | exempt | Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY | Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY |
| *PSC-42-10-00011-P | exempt | Petition for the submetering of electricity | To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York |
| *PSC-43-10-00016-P | exempt | Utility Access to Ducts, Conduit Facilities and Utility Poles | To review the complaint from Optical Communications Group |
| *PSC-44-10-00003-P | exempt | Third and fourth stage gas rate increase by Corning Natural Gas Corporation | To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase |
| *PSC-51-10-00018-P | exempt | Commission proceeding concerning three- phase electric service by all major electric utilities | Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities |
| *PSC-11-11-00003-P | exempt | The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service | The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service |
| *PSC-13-11-00005-P | exempt | Exclude the minimum monthly bill component from the earnings test calculation | Exclude the minimum monthly bill component from the earnings test calculation |
| *PSC-14-11-00009-P | exempt | Petition for the submetering of electricity | To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York |
| *PSC-19-11-00007-P | exempt | Utility price reporting requirements related to the Commission's "Power to Choose" website | Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website |
| *PSC-20-11-00012-P | exempt | Petition for the submetering of electricity | To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York |
| *PSC-20-11-00013-P | exempt | Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges | To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable |
| *PSC-22-11-00004-P | exempt | Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications | To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-26-11-00007-P | exempt | Water rates and charges | To approve an increase in annual revenues by about \$25,266 or 50% |
| *PSC-26-11-00009-P | exempt | Petition for the submetering of electricity at commercial property | To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York |
| *PSC-26-11-00012-P | exempt | Waiver of generation retirement notice requirements | Consideration of waiver of generation retirement notice requirements |
| *PSC-29-11-00011-P | exempt | Petition requesting the Commssion reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order | To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing |
| *PSC-35-11-00011-P | exempt | Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8 | Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters |
| *PSC-36-11-00006-P | exempt | To consider expanding mobile stray voltage testing requirements | Adopt additional mobile stray voltage testing requirements |
| *PSC-38-11-00002-P | exempt | Operation and maintenance procedures pertaining to steam trap caps | Adopt modified steam operation and maintenance procedures |
| *PSC-38-11-00003-P | exempt | Waiver of certain provisions of the electric service tariffs of Con Edison | Consideration of waiver of certain provisions of the electric service tariffs of Con Edison |
| *PSC-40-11-00010-P | exempt | Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE) | Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE |
| *PSC-40-11-00012-P | exempt | Granting of transfer of plant in-service to a regulatory asset | To approve transfer and recovery of unamortized plant investment |
| *PSC-42-11-00018-P | exempt | Availability of telecommunications services in New York State at just and reasonable rates | Providing funding support to help ensure availability of affordable telecommunications service throughout New York |
| *PSC-43-11-00012-P | exempt | Transfer of outstanding shares of stock | Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC |
| *PSC-47-11-00007-P | exempt | Remedying miscalculations of delivered gas as between two customer classes | Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations |
| *PSC-48-11-00007-P | exempt | Transfer of controlling interests in generation facilities from Dynegy to PSEG | Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG |
| *PSC-48-11-00008-P | exempt | Petition for the submetering of electricity | To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York |
| *PSC-01-12-00007-P | exempt | The New York State Reliability Council's revisions to its rules and measurements | To adopt revisions to various rules and measurements of the New York State Reliability Council |
| *PSC-01-12-00008-P | exempt | Transfer of real property and easements from NMPNS to NMP3 | Consideration of the transfer of real property and easements from NMPNS to NMP3 |

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| PUBLIC SERVICE | COMMISSION | | |
| *PSC-01-12-00009-P | exempt | Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove | To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered |
| *PSC-11-12-00002-P | exempt | Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff | Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff |
| *PSC-11-12-00005-P | exempt | Transfer of land and water supply assets | Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman |
| *PSC-13-12-00005-P | exempt | Authorization to transfer certain real property | To decide whether to approve the transfer of certain real property |
| *PSC-19-12-00023-P | exempt | Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000 | To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc. |
| *PSC-21-12-00006-P | exempt | Tariff filing requirements and refunds | To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted |
| *PSC-21-12-00011-P | exempt | Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47 | Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47 |
| *PSC-23-12-00007-P | exempt | The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility | To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility |
| *PSC-23-12-00009-P | exempt | Over earnings sharing between rate payers and shareholders | To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan |
| *PSC-27-12-00012-P | exempt | Implementation of recommendations made in a Management Audit Report | To consider implementation of recommendations made in a Management Audit Report |
| *PSC-28-12-00013-P | exempt | Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism | Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics |
| *PSC-29-12-00019-P | exempt | Waiver of 16 NYCRR 894.1 through 894.4 | To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process |
| *PSC-30-12-00010-P | exempt | Waiver of 16 NYCRR 894.1 through 894.4 | To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process |
| *PSC-33-12-00009-P | exempt | Telecommunications companies ability to attach to utility company poles | Consideration of Tech Valley's ability to attach to Central Hudson poles |
| *PSC-37-12-00009-P | exempt | Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers | Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers |
| *PSC-42-12-00009-P | exempt | Regulation of Gipsy Trail Club, Inc.'s long- term financing agreements | To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action | |
| PUBLIC SERVICE | COMMISSION | | | |
| *PSC-45-12-00008-P | exempt | Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff | Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff | |
| *PSC-45-12-00010-P | exempt | Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District | Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District | |
| *PSC-50-12-00003-P | exempt | Affiliate standards for Corning Natural Gas Corporation | To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing | |
| *PSC-04-13-00006-P | exempt | Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW | To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW | |
| *PSC-04-13-00007-P | exempt | Authorization to transfer certain real property | To decide whether to approve the transfer of certain real property | |
| *PSC-06-13-00008-P | exempt | Verizon New York Inc.'s retail service quality | To investigate Verizon New York Inc.'s retail service quality | |
| *PSC-08-13-00012-P | exempt | Filing requirements for certain Article VII electric facilities | To ensure that applications for certain electric transmission facilities contain pertinent information | |
| *PSC-08-13-00014-P | exempt | Uniform System of Accounts - Request for Accounting Authorization | To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred | |
| *PSC-12-13-00007-P | exempt | Protecting company water mains | To allow the company to require certain customers to make changes to the electrical grounding system at their homes | |
| *PSC-13-13-00008-P | exempt | The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines | To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted | |
| *PSC-18-13-00007-P | exempt | Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes | Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes | |
| *PSC-21-13-00003-P | exempt | To consider policies that may impact consumer acceptance and use of electric vehicles | To consider and further develop policies that may impact consumer acceptance and use of electric vehicles | |
| *PSC-21-13-00005-P | exempt | To implement an abandonment of Windover's water system | To approve the implementation of abandonment of Windover's water system | |
| *PSC-21-13-00008-P | exempt | Rates of National Fuel Gas Distribution Corporation | To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive | |
| *PSC-21-13-00009-P | exempt | Reporting requirements for natural gas local distribution companies | To help ensure efficient and economic expansion of the natural gas system as appropriate | |
| *PSC-22-13-00009-P | exempt | On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers | On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers | |

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| PUBLIC SERVICE | COMMISSION | | |
| *PSC-23-13-00005-P | exempt | Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations | Equalize regulatory treatment based on level of competition and practical considerations |
| *PSC-25-13-00008-P | exempt | To deny, grant or modify, in whole or in part, Central Hudson's rehearing request | To deny, grant or modify, in whole or in part, Central Hudson's rehearing request |
| *PSC-25-13-00009-P | exempt | Provision by utilities of natural gas main and service lines | To help ensure efficient and economic expansion of the natural gas system as appropriate |
| *PSC-25-13-00012-P | exempt | To deny, grant or modify, in whole or in part, Central Hudson's rehearing request | To deny, grant or modify, in whole or in part, Central Hudson's rehearing request |
| *PSC-27-13-00014-P | exempt | Columbia Gas Transmission Corporation Cost Refund | For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund |
| *PSC-28-13-00014-P | exempt | Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces | To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces |
| *PSC-28-13-00016-P | exempt | The request of NGT for lightened regulation as a gas corporation | To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC |
| *PSC-28-13-00017-P | exempt | The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments | Consider the request by TE for waiver of regulations that gas be odorized in certain lines |
| *PSC-32-13-00009-P | exempt | To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices | To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices |
| *PSC-32-13-00012-P | exempt | To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion | To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion |
| *PSC-33-13-00027-P | exempt | Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines | Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines |
| *PSC-33-13-00029-P | exempt | Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy | To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy |
| *PSC-34-13-00004-P | exempt | Escrow account and surcharge to fund extraordinary repairs | To approve the establishment of an escrow account and surcharge |
| *PSC-42-13-00013-P | exempt | Failure to Provide Escrow Information | The closure of the Escrow Account |
| *PSC-42-13-00015-P | exempt | Failure to Provide Escrow Information | The closure of the Escrow Account |
| *PSC-43-13-00015-P | exempt | Petition for submetering of electricity | To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y. |
| *PSC-45-13-00021-P | exempt | Investigation into effect of bifurcation of gas and electric utility service on Long Island | To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action | |
| PUBLIC SERVICE | COMMISSION | | | |
| *PSC-45-13-00022-P | exempt | Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4) | To consider a waiver of certain regulations relating to the content of an application for transmission line siting | |
| *PSC-45-13-00023-P | exempt | Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4) | To consider a waiver of certain regulations relating to the content of an application for transmission line siting | |
| *PSC-45-13-00024-P | exempt | Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines | To consider a waiver of certain regulations relating to the content of an application for transmission line siting | |
| *PSC-45-13-00025-P | exempt | Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4) | To consider a waiver of certain regulations relating to the content of an application for transmission line siting | |
| *PSC-47-13-00009-P | exempt | Petition for submetering of electricity | To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y | |
| *PSC-47-13-00012-P | exempt | Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates | Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates | |
| *PSC-49-13-00008-P | exempt | Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc. | To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc. | |
| *PSC-51-13-00009-P | exempt | Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing | To ensure there is a reasonable basis for data submitted in support of a request for a change in rates | |
| *PSC-51-13-00010-P | exempt | Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing | To ensure there is a reasonable basis for data submitted in support of a request for a change in rates | |
| *PSC-51-13-00011-P | exempt | Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing | To ensure there is a reasonable basis for data submitted in support of a request for a change in rates | |
| *PSC-52-13-00012-P | exempt | The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC) | To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s) | |
| *PSC-52-13-00015-P | exempt | To enter into a loan agreement with the banks for up to an amount of \$94,000 | To consider allowing Knolls Water Company to enter into a long-term loan agreement | |
| *PSC-05-14-00010-P | exempt | The New York State Reliability Council's revisions to its rules and measurements | To adopt revisions to various rules and measurements of the New York State Reliability Council | |
| *PSC-07-14-00008-P | exempt | Petition for submetering of electricity | To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al. | |
| *PSC-07-14-00012-P | exempt | Water rates and charges | Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project | |
| *PSC-08-14-00015-P | exempt | Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities | To improve Verizon New York Inc.'s service quality andthe Customer Trouble Report Rate levels at certain central office entities | |

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| PUBLIC SERVICE | | | |
| *PSC-10-14-00006-P | exempt | Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance | To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance |
| *PSC-11-14-00003-P | exempt | Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces | To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces |
| *PSC-16-14-00014-P | exempt | Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties | To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties |
| *PSC-16-14-00015-P | exempt | Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336 | Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336 |
| *PSC-17-14-00003-P | exempt | Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism | Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism |
| *PSC-17-14-00004-P | exempt | To consider certain portions of petitions for rehearing, reconsideration and/or clarification | To consider certain portions of petitions for rehearing, reconsideration and/or clarification |
| *PSC-17-14-00007-P | exempt | To consider petitions for rehearing, reconsideration and/or clarification | To consider petitions for rehearing, reconsideration and/or clarification |
| *PSC-17-14-00008-P | exempt | To consider certain portions of petitions for rehearing, reconsideration and/or clarification | To consider certain portions of petitions for rehearing, reconsideration and/or clarification |
| *PSC-19-14-00014-P | exempt | Market Supply Charge | To make tariff revisions to the Market Supply Charge for capacity related costs |
| *PSC-19-14-00015-P | exempt | Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications | To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter |
| *PSC-22-14-00013-P | exempt | Petition to transfer and merge systems, franchises and assets | To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets |
| *PSC-23-14-00010-P | exempt | Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications | To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter |
| *PSC-23-14-00014-P | exempt | Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric | Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric |
| *PSC-24-14-00005-P | exempt | To examine LDC's performance and performance measures | To improve gas safety performance |
| *PSC-26-14-00013-P | exempt | Waiver of RG&E's tariffed definition of emergency generator | To consider waiver of RG&E's tariffed definition of emergency generator |
| *PSC-26-14-00020-P | exempt | New electric utility backup service tariffs and standards for interconnection may be adopted | To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid |
| *PSC-26-14-00021-P | exempt | Consumer protections, standards and protocols pertaining to access to customer data may be established | To balance the need for the information necessary to support a robust market with customer privacy concerns |

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| PUBLIC SERVICE | COMMISSION | | |
| PSC-28-14-00014-P | exempt | Petition to transfer systems, franchises and assets | To consider the Comcast and Charter transfer of systems, franchise and assets |
| PSC-30-14-00023-P | exempt | Whether to permit the use of the Sensus iPERL Fire Flow Meter | Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter |
| PSC-30-14-00026-P | exempt | Petition for a waiver to master meter electricity | Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive, Albany, NY |
| PSC-31-14-00004-P | exempt | To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross | To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross |
| PSC-32-14-00012-P | exempt | Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition | To consider the Connect New York Coalition's petition seeking a formal investigation and hearings |
| PSC-35-14-00004-P | exempt | Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY | To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY |
| PSC-35-14-00005-P | exempt | Whether to permit the use of the Sensus iConA electric meter | Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter |
| PSC-36-14-00009-P | exempt | Modification to the Commission's Electric Safety Standards | To consider revisions to the Commission's Electric Safety Standards |
| PSC-38-14-00003-P | exempt | Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program | Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program |
| PSC-38-14-00004-P | exempt | The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn | The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn |
| PSC-38-14-00005-P | exempt | Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2 | Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2 |
| PSC-38-14-00007-P | exempt | Whether to expand Con Edison's low income program to include Medicaid recipients | Whether to expand Con Edison's low income program to include Medicaid recipients |
| PSC-38-14-00008-P | exempt | The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn | The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn |
| PSC-38-14-00010-P | exempt | Inter-carrier telephone service quality standard and metrics and administrative changes | To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines |
| PSC-38-14-00012-P | exempt | Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2 | Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2 |
| PSC-39-14-00020-P | exempt | Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters | Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters |

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| PUBLIC SERVICE | | | |
| *PSC-40-14-00008-P | exempt | To consider granting authorization for Buy Energy Direct to resume marketing to residential customers | To consider granting authorization for Buy Energy Direct to resume marketing to residential customers |
| *PSC-40-14-00009-P | exempt | Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality | Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 |
| *PSC-40-14-00011-P | exempt | Late Payment Charge | To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due |
| *PSC-40-14-00013-P | exempt | Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY | To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY |
| *PSC-40-14-00014-P | exempt | Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2) | To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process |
| *PSC-40-14-00015-P | exempt | Late Payment Charge | To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due |
| *PSC-42-14-00003-P | exempt | Annual Reconciliation of Gas Expenses and Gas Cost Recoveries | The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries |
| *PSC-42-14-00004-P | exempt | Winter Bundled Sales Service Option | To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge |
| *PSC-48-14-00014-P | exempt | Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line | To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line |
| *PSC-52-14-00019-P | exempt | Petition for a waiver to master meter electricity | Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY |
| *PSC-01-15-00014-P | exempt | State Universal Service Fund Disbursements | To consider Edwards Telephone Company's request for State Universal Service Fund disbursements |
| *PSC-08-15-00010-P | exempt | Request pertaining to the lawfulness of National Grid USA continuing its summary billing program | To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program |
| *PSC-10-15-00007-P | exempt | Notification concerning tax refunds | To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds |
| *PSC-10-15-00008-P | exempt | Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes | Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes |
| *PSC-13-15-00024-P | exempt | Whether Leatherstocking should be permitted to recover a shortfall in earnings | To decide whether to approve Leatherstocking's request to recover a shortfall in earnings |
| *PSC-13-15-00026-P | exempt | Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product | To permit the use of the Sensus Smart Point Gas AMR/AMI product |

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| PUBLIC SERVICE | COMMISSION | | |
| *PSC-13-15-00027-P | exempt | Whether to permit the use of the Measurlogic DTS 310 electric submeter | To permit the use of the Measurlogic DTS 310 submeter |
| *PSC-13-15-00028-P | exempt | Whether to permit the use of the SATEC EM920 electric meter | To permit necessary to permit the use of the SATEC EM920 electric meter |
| *PSC-13-15-00029-P | exempt | Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters | To permit the use of the Triacta submeters |
| *PSC-17-15-00007-P | exempt | To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million | To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long- term debt of \$2.75 million |
| *PSC-18-15-00005-P | exempt | Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism | Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism |
| *PSC-19-15-00011-P | exempt | Gas Safety Performance Measures and associated negative revenue adjustments | To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid |
| *PSC-22-15-00015-P | exempt | To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a) | To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a) |
| *PSC-23-15-00005-P | exempt | The modification of New York American Water's current rate plan | Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff |
| *PSC-23-15-00006-P | exempt | The modification of New York American Water's current rate plan | Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff |
| *PSC-25-15-00008-P | exempt | Notice of Intent to Submeter electricity | To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York |
| *PSC-29-15-00025-P | exempt | Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY | Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY |
| *PSC-32-15-00006-P | exempt | Development of a Community Solar Demonstration Project | To approve the development of a Community Solar Demonstration Project |
| *PSC-33-15-00009-P | exempt | Remote net metering of a demonstration community net metering program | To consider approval of remote net metering of a demonstration community net metering program |
| *PSC-33-15-00012-P | exempt | Remote net metering of a Community Solar Demonstration Project | To consider approval of remote net metering of a Community Solar Demonstration Project |
| *PSC-34-15-00021-P | exempt | Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs | To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs |
| *PSC-35-15-00014-P | exempt | Consideration of consequences against Light Power & Gas, LLC for violations of the UBP | To consider consequences against Light Power & Gas, LLC for violations of the UBP |
| *PSC-37-15-00007-P | exempt | Submetered electricity | To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007 |
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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-40-15-00014-P | exempt | Whether to permit the use of the Open Way 3.5 with cellular communications | To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93 |
| *PSC-42-15-00006-P | exempt | Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC | Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements |
| *PSC-44-15-00028-P | exempt | Deferral of incremental expenses associated with new compliance requirements | Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements |
| *PSC-47-15-00013-P | exempt | Whitepaper on Implementing Lightened Ratemaking Regulation | Consider Whitepaper on Implementing Lightened Ratemaking Regulation |
| *PSC-48-15-00011-P | exempt | Proposal to retire Huntley Units 67 and 68 on March 1, 2016 | Consider the proposed retirement of Huntley Units 67 and 68 |
| *PSC-50-15-00006-P | exempt | The reduction of rates | To consider the reduction of rates charged by Independent Water Works, Inc. |
| *PSC-50-15-00009-P | exempt | Notice of Intent to submeter electricity | To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York |
| *PSC-51-15-00010-P | exempt | Modification of the EDP | To consider modifying the EDP |
| *PSC-01-16-00005-P | exempt | Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices | To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices |
| *PSC-04-16-00007-P | exempt | Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility | Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility |
| *PSC-04-16-00012-P | exempt | Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station | Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station |
| *PSC-04-16-00013-P | exempt | Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic | Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic |
| *PSC-06-16-00013-P | exempt | Continued deferral of approximately \$16,000,000 in site investigation and remediation costs | To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs |
| *PSC-06-16-00014-P | exempt | MEGA's proposed demonstration CCA program | To consider MEGA's proposed demonstration CCA program |
| *PSC-14-16-00008-P | exempt | Resetting retail markets for ESCO mass market customers | To ensure consumer protections with respect to residential and small non-residential ESCO customers |
| *PSC-18-16-00013-P | exempt | Amendments to the Uniform Business Practices of ESCOs | To ensure consumer protection for ESCO customers |
| *PSC-18-16-00014-P | exempt | Amendments to the Uniform Business Practices of ESCOs | To ensure consumer protection for ESCO customers |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-18-16-00015-P | exempt | Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process | To ensure consumer protections for ESCO customers |
| *PSC-18-16-00016-P | exempt | Amendments to the Uniform Business Practices of ESCOs | To ensure consumer protection for ESCO customers |
| *PSC-18-16-00018-P | exempt | Amendments to the Uniform Business Practices of ESCOs | To ensure consumer protection for ESCO customers |
| *PSC-20-16-00008-P | exempt | Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP) | To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP) |
| *PSC-20-16-00010-P | exempt | Deferral and recovery of incremental expense | To consider deferring costs of conducting leak survey and repairs for subsequent recovery |
| *PSC-20-16-00011-P | exempt | Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study | To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device |
| *PSC-25-16-00009-P | exempt | To delay Companies' third-party assessments of customer personally identifiable information until 2018 | To extend the time period between the Companies' third-party assessments of customer personally identifiable information |
| *PSC-25-16-00025-P | exempt | Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel | To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel |
| *PSC-25-16-00026-P | exempt | Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications | To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications |
| *PSC-28-16-00017-P | exempt | A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework | To determine appropriate rules for and calculation of the distributed generation reliability credit |
| *PSC-29-16-00024-P | exempt | Participation of NYPA customers in surcharge-funded clean energy programs | To consider participation of NYPA customers in surcharge-funded clean energy programs |
| *PSC-32-16-00012-P | exempt | Benefit-Cost Analysis Handbooks | To evaluate proposed methodologies of benefit cost evaluation |
| *PSC-33-16-00001-EP | exempt | Use of escrow funds for repairs | To authorize the use of escrow account funds for repairs |
| *PSC-33-16-00005-P | exempt | Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility | Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges |
| *PSC-35-16-00015-P | exempt | NYSRC's revisions to its rules and measurements | To consider revisions to various rules and measurements of the NYSRC |
| *PSC-36-16-00004-P | exempt | Recovery of costs for installation of electric service | To consider the recovery of costs for installation of electric service |
| *PSC-40-16-00025-P | exempt | Consequences pursuant to the Commission's Uniform Business Practices (UBP) | To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements |
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NYS Register/September 28, 2022 **Action Pending Index** Agency I.D. No. Expires Subject Matter Purpose of Action PUBLIC SERVICE COMMISSION *PSC-47-16-00009-P Petition to use commercial electric meters To consider the petition of Itron, Inc. to use the exempt Itron CP2SO and CP2SOA in commercial electric meter applications To consider the report filed and the *PSC-47-16-00010-P exempt Standby Service rate design recommendations therein *PSC-47-16-00013-P exempt Standby Service rate design To consider the report filed and the recommendations therein To consider the report filed and the *PSC-47-16-00014-P Standby Service rate design exempt recommendations therein *PSC-47-16-00016-P exempt Standby Service rate design To consider the report filed and the recommendations therein To consider the implementation of EAMs for *PSC-02-17-00010-P exempt Implementation of the four EAMs RG&E To consider the implementation of EAMs for Implementation of the four EAMs *PSC-02-17-00012-P exempt NYSEG *PSC-18-17-00024-P To determine whether Public Policy exempt A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need/Public Policy Requirements Transmission Need for AC Transmission continue to exist Upgrades Revisions to the Dynamic Load Management To consider revisions to the Dynamic Load *PSC-18-17-00026-P exempt Management surcharge surcharge Consideration of NYAW's petition to defer and NYAW's request to defer and amortize, for *PSC-19-17-00004-P exempt future rate recognition, pension settlement amortize, for future rate recognition, pension payout losses incurred in 2016 payour losses incurred in 2016 exempt Compressed natural gas as a motor fuel for To consider a report filed by National Grid NY *PSC-20-17-00008-P diesel fueled vehicles regarding the potential for adoption of compressed natural gas as a motor fuel Compressed natural gas as a motor fuel for To consider a report filed by National Grid *PSC-20-17-00010-P exempt diesel fueled vehicles regarding the potential for adoption of compressed natural gas as a motor fuel The establishment and implementation of To consider the establishment and *PSC-21-17-00013-P exempt Earnings Adjustment Mechanisms implementation of Earnings Adjustment Mechanisms *PSC-21-17-00018-P exempt Proposed agreement for the provision of To consider a waiver and approval of terms of water service by Saratoga Water Services, a service agreement Inc. *PSC-22-17-00004-P exempt Financial incentives to create customer To consider the proposed Interconnection savings and develop market-enabling tools, Survey Process and Earnings Adjustment with a focus on outcomes and incentives Mechanisms Development of the Utility Energy Registry Improved data access *PSC-24-17-00006-P exempt *PSC-26-17-00005-P Notice of Intent to submeter electricity To consider the Notice of Intent to submeter exempt

To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-34-17-00011-P | exempt | Waiver to permit Energy Cooperative of America to serve low-income customers | To consider the petition for a waiver |
| *PSC-37-17-00005-P | exempt | Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives | To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms |
| *PSC-39-17-00011-P | exempt | Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan | To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan |
| *PSC-42-17-00010-P | exempt | Petition for rehearing of negative revenue adjustment and contents of annual Performance Report | To consider NFGD's petition for rehearing |
| *PSC-48-17-00015-P | exempt | Low Income customer options for affordable water bills | To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs |
| *PSC-50-17-00017-P | exempt | New Wave Energy Corp.'s petition for rehearing | To consider the petition for rehearing filed by New Wave Energy Corp. |
| *PSC-50-17-00018-P | exempt | Application of the Public Service Law to DER suppliers | To determine the appropriate regulatory framework for DER suppliers |
| *PSC-50-17-00019-P | exempt | Transfer of utility property | To consider the transfer of utility property |
| *PSC-50-17-00021-P | exempt | Disposition of tax refunds and other related matters | To consider the disposition of tax refunds and other related matters |
| *PSC-51-17-00011-P | exempt | Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project | To consider Con Edison's petition for the recovery of costs for implementing the JFK Project |
| *PSC-04-18-00005-P | exempt | Notice of intent to submeter electricity | To consider the notice of intent of Montante/ Morgan Gates Circle LLC to submeter electricity |
| *PSC-05-18-00004-P | exempt | Lexington Power's ZEC compliance obligation | To promote and maintain renewable and zero- emission electric energy resources |
| *PSC-06-18-00012-P | exempt | To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan | To modify grandfathering criteria |
| *PSC-06-18-00017-P | exempt | Merger of NYAW and Whitlock Farms Water Corp. | To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity |
| *PSC-07-18-00015-P | exempt | The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades | To consider AEC's petition requesting resolution of their billing dispute with National Grid |
| *PSC-11-18-00004-P | exempt | New York State Lifeline Program | To consider TracFone's petition seeking approval to participate in Lifeline |
| *PSC-13-18-00015-P | exempt | Eligibility of an ESCO to market to and enroll residential customers | To consider whether Astral should be allowed to market to and enroll residential customers following a suspension |
| *PSC-13-18-00023-P | exempt | Reconciliation of property taxes | To consider NYAW's request to reconcile property taxes |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-14-18-00006-P | exempt | Petition for abandonment | To consider the abandonment of Willsboro Bay Water Company's water system |
| *PSC-17-18-00010-P | exempt | Petition for use of gas metering equipment | To ensure that consumer bills are based on accurate measurements of gas usage |
| *PSC-18-18-00009-P | exempt | Transfer of control of Keene Valley Video Inc. | To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest |
| *PSC-23-18-00006-P | exempt | Whether to impose consequences on Aspirity for its non-compliance with Commission requirements | To ensure the provision of safe and adequate energy service at just and reasonable rates |
| *PSC-24-18-00013-P | exempt | Implementation of program rules for Renewable Energy Standard and ZEC requirements | To promote and maintain renewable and zero- emission electric energy resources |
| *PSC-28-18-00011-P | exempt | Storm Hardening Collaborative Report | To ensure safe and adequate gas service |
| *PSC-29-18-00008-P | exempt | Participation in Targeted Accessibility Fund | To encourage enhanced services for low- income consumers |
| *PSC-29-18-00009-P | exempt | Overvaluing real property tax expense recovery in water rates | To prevent unjust and unreasonable water rates |
| *PSC-34-18-00015-P | exempt | Petition to submeter electricity | To ensure adequate submetering equipment and energy efficiency protections are in place |
| *PSC-34-18-00016-P | exempt | Deferral of pre-staging and mobilization storm costs | To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs |
| *PSC-35-18-00003-P | exempt | Con Edison's 2018 DSIP and BCA Handbook Update | To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider |
| *PSC-35-18-00005-P | exempt | NYSEG and RG&E's 2018 DSIP and BCA Handbook Update | To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers |
| *PSC-35-18-00006-P | exempt | National Grid's 2018 DSIP and BCA Handbook Update | To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider |
| *PSC-35-18-00008-P | exempt | Central Hudson's 2018 DSIP and BCA Handbook Update | To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider |
| *PSC-35-18-00010-P | exempt | O&R's 2018 DSIP and BCA Handbook Update | To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider |
| *PSC-39-18-00005-P | exempt | Participation in New York State Lifeline Program | To encourage enhanced services for low- income customers |
| *PSC-40-18-00014-P | exempt | Annual Reconciliation of Gas Expenses and Gas Cost Recoveries | To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018 |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-42-18-00011-P | exempt | Voluntary residential beneficial electrification rate design | To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers |
| *PSC-42-18-00013-P | exempt | Petition for clarification and rehearing of the Smart Solutions Program Order | To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity |
| *PSC-44-18-00016-P | exempt | Petition for approval of gas metering equipment | To ensure that customer bills are based on accurate measurements of gas usage |
| *PSC-45-18-00005-P | exempt | Notice of intent to submeter electricity and waiver of energy audit | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place |
| *PSC-01-19-00013-P | exempt | Order of the Commission related to caller ID unblocking | To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County |
| *PSC-03-19-00002-P | exempt | DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings | To reduce damage to underground utility facilities by requiring certain training and approving training curricula |
| *PSC-04-19-00004-P | exempt | Con Edison's petition for the Gas Innovation Program and associated budget | To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals |
| *PSC-04-19-00011-P | exempt | Update of revenue targets | To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues |
| *PSC-06-19-00005-P | exempt | Consideration of the Joint Utilities' proposed BDP Program | To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects |
| *PSC-07-19-00009-P | exempt | Whether to impose consequences on AAA for its non-compliance with Commission requirements | To insure the provision of safe and adequate energy service at just and reasonable rates |
| *PSC-07-19-00016-P | exempt | Participation in New York State Lifeline Program | To encourage enhanced services for low- income customers |
| *PSC-09-19-00010-P | exempt | Non-pipeline alternatives report recommendations | To consider the terms and conditions applicable to gas service |
| *PSC-13-19-00010-P | exempt | New Commission requirements for gas company operator qualification programs | To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities |
| *PSC-19-19-00013-P | exempt | Proposed merger of three water utilities into one corporation | To determine if the proposed merger is in the public interest |
| *PSC-20-19-00008-P | exempt | Reporting on energy sources | To ensure accurate reporting and encourage clean energy purchases |
| *PSC-20-19-00010-P | exempt | Compensation policies for certain CHP projects | To consider appropriate rules for compensation of certain CHP resources |
| *PSC-31-19-00013-P | exempt | Implementation of Statewide Energy Benchmarking | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences |

| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
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| PUBLIC SERVICE | COMMISSION | | |
| *PSC-32-19-00012-P | exempt | Standby Service Rates and Buyback Service Rates | To ensure just and reasonable rates, including compensation, for distributed energy resources |
| *PSC-38-19-00002-P | exempt | Petition to submeter electricity | To ensure adequate submetering equipment and consumer protections are in place |
| *PSC-39-19-00018-P | exempt | Petition to submeter electricity | To ensure adequate submetering equipment and consumer protections are in place |
| *PSC-41-19-00003-P | exempt | A voluntary residential three-part rate that would include fixed, usage and demand charges | To provide qualifying residential customers with an optional three-part rate |
| *PSC-46-19-00008-P | exempt | Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York | To promote and maintain renewable electric energy resources |
| *PSC-08-20-00003-P | exempt | PSC regulation 16 NYCRR §§ 86.3(a)(2) and 86.3(b)(2) | To consider a waiver of certain regulations relating to the content of an application for transmission line siting |
| *PSC-10-20-00003-P | exempt | The Commission's statewide low-income discount policy | To consider modifications to certain conditions regarding utility low-income discount programs |
| *PSC-12-20-00008-P | exempt | Delivery rates of Corning Natural Gas Corporation | Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020 |
| *PSC-15-20-00011-P | exempt | To modify the terms and conditions under which gas utilities provide service to electric generators | To provide clarity and uniformity to the provision of gas service to electric generators |
| *PSC-16-20-00004-P | exempt | Disposition of a state sales tax refund | To determine how much of a state sales tax refund should be retained by Central Hudson |
| *PSC-18-20-00015-P | exempt | Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program | Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program |
| *PSC-19-20-00004-P | exempt | Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process | To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements |
| *PSC-19-20-00005-P | exempt | Cost recovery associated with Day-Ahead- DLM and Auto-DLM programs, and elimination of double compensation | To provide cost recovery for new DLM programs and prevent double compensation to participating customers |
| *PSC-19-20-00009-P | exempt | Cost recovery associated with Day-Ahead- DLM and Auto-DLM programs, and elimination of double compensation | To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity |
| *PSC-25-20-00010-P | exempt | Whitepaper regarding energy service company financial assurance requirements | To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies |
| *PSC-25-20-00016-P | exempt | Modifications to the Low-Income Affordability program | To address the economic impacts of the COVID-19 pandemic |
| *PSC-27-20-00003-P | exempt | To make the uniform statewide customer satisfaction survey permanent | To encourage consumer protections and safe and adequate service |
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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-28-20-00022-P | exempt | Compensation of distributed energy resources | To ensure just and reasonable rates, including compensation, for distributed energy resources |
| *PSC-28-20-00034-P | exempt | Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act | To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals |
| *PSC-34-20-00005-P | exempt | Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers | To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory |
| *PSC-38-20-00004-P | exempt | The annual Reconciliation of Gas Expenses and Gas Cost Recoveries | To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries |
| *PSC-42-20-00008-P | exempt | Availability of gas leak information to the public safety officials. | Facilitate availability of gas leak information to public safety officials by gas corporations |
| *PSC-45-20-00003-P | exempt | Petition to submeter electricity | To ensure adequate submetering equipment and consumer protections are in place |
| *PSC-46-20-00005-P | exempt | The recommendations of the DPS Staff report to improve Hudson Valley Water's service | To determine if approving the DPS Staff's recommendations is in the public interest |
| *PSC-48-20-00005-P | exempt | Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process | To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers |
| *PSC-48-20-00007-P | exempt | Tariff modifications to change National Fuel Gas Distribution Corporation's Monthly Gas Supply Charge provisions | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences |
| *PSC-51-20-00009-P | exempt | Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process | To consider whether petitioner should be permitted to offer its "Energy Savings Program" to mass market customers |
| *PSC-51-20-00014-P | exempt | Electric system needs and compensation for distributed energy resources | To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources |
| *PSC-01-21-00004-P | exempt | Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process | To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers |
| *PSC-02-21-00006-P | exempt | Disposition of a sales tax refund received by New York American Water, Inc | To determine the disposition of tax refunds and other related matters |
| *PSC-04-21-00016-P | exempt | Request for a waiver | To consider whether good cause exists to support a waiver of the Commission's Test Period Policy Statement |
| *PSC-06-21-00009-P | exempt | Disposition of a property tax refund received by New York American Water, Inc. | To determine the disposition of tax refunds and other related matters |
| *PSC-09-21-00005-P | exempt | Utility capital expenditure proposal | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences |
| *PSC-13-21-00016-P | exempt | Revised distribution strategies and reallocation of remaining funding | To ensure the appropriate use of funding reserved for gas safety programs |

| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
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| PUBLIC SERVICE | E COMMISSION | | |
| *PSC-16-21-00007-P | exempt | Accounting-related rules for utilities implementing the Integrated Energy Data Resource | To consider cost recovery of capital expenditures and budget allocations of costs between affiliated companies |
| *PSC-17-21-00005-P | exempt | Submetering equipment | To consider use of submetering equipment and if it is in the public interest |
| *PSC-17-21-00006-P | exempt | Community Choice Aggregation and Community Distributed Generation | To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation |
| *PSC-17-21-00007-P | exempt | Utility studies of climate change vulnerabilities | To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities |
| *PSC-18-21-00004-P | exempt | Community Choice Aggregation programs | To modify and improve Community Choice Aggregation programs in New York State |
| *PSC-18-21-00006-P | exempt | Community Choice Aggregation renewable products | To consider waiving the locational and delivery requirements for RECs purchased to support renewable CCA products |
| *PSC-18-21-00008-P | exempt | RG&E's Economic Development Programs and exemption from funding limits | To consider RG&E to grant up to \$5.25 million in ED funding to Project Block to the benefit of ratepayers |
| *PSC-19-21-00008-P | exempt | Community Choice Aggregation (CCA) and Community Distributed Generation (CDG) | To consider permitting Upstate Power, LLC to serve as a CCA administrator offering an opt- out CDG focused program |
| *PSC-20-21-00004-P | exempt | Regulatory approvals in connection with a 437 MW electric generating facility | To ensure appropriate regulatory review, oversight, and action, consistent with the public interest |
| *PSC-21-21-00012-P | exempt | Petition for the use of gas metering equipment | To ensure that consumer bills are based on accurate measurements of gas usage |
| *PSC-21-21-00015-P | exempt | Notice of intent to submeter electricity | To ensure adequate submetering equipment and consumer protections are in place |
| *PSC-21-21-00019-P | exempt | Utility capital expenditure proposal | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences |
| *PSC-25-21-00005-P | exempt | Transfer of Penelec assets and franchise rights | To consider the transfer of utility assets and franchise to be in Waverly ratepayer and public interest |
| *PSC-26-21-00011-P | exempt | Notice of intent to submeter electricity | To ensure adequate submetering equipment and consumer protections are in place |
| *PSC-28-21-00012-P | exempt | Transfer of ownership interests in a 55 megawatt natural gas-fired cogeneration facility located in North Tonawanda, NY | To address the proposed transfer and any matters within the public interest |
| *PSC-28-21-00013-P | exempt | Elimination of internal audits of wholesale performance metrics | To consider Verizon New York Inc.'s petition to eliminate requirements for certain internal audits |
| *PSC-29-21-00009-P | exempt | Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies | To study the efficacy of using AMI to disconnect electric service during gas system emergencies |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| *PSC-30-21-00006-P | exempt | NYSERDA proposal regarding Clean Energy Standard backstop collection processes | To ensure that NYSERDA has sufficient funds to make timely payments to generators pursuant to the Clean Energy Standard |
| *PSC-32-21-00002-P | exempt | The prohibition on ESCO service to low- income customers | To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers |
| *PSC-32-21-00003-P | exempt | Exemptions from utility standby rates for certain designated or environmentally advantageous technologies | To harmonize standby rate exemptions statewide |
| *PSC-35-21-00009-P | exempt | To modify the terms and conditions under which gas utilities provide service to electric generators | To provide clarity and uniformity to the provision of gas service to electric generators in New York State |
| *PSC-36-21-00006-P | exempt | The Westchester Power Program | To consider integration of Opt-out Community Distributed Generation into the Westchester Power program |
| *PSC-36-21-00007-P | exempt | Pension settlement payout losses incurred in 2020 | Consideration of NYAW's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2020 |
| *PSC-37-21-00009-P | exempt | Procedures necessary to implement Tax Law Section 187-q | To establish procedures by which eligible utility- taxpayers can have the amounts of certain waived customer arrears certified |
| *PSC-37-21-00010-P | exempt | Zero emitting electric generating facilities that are not renewable energy systems | To consider modifications to the Clean Energy Standard |
| *PSC-37-21-00011-P | exempt | Green Button Connect implementation | To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document |
| *PSC-37-21-00012-P | exempt | Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process | To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers |
| *PSC-38-21-00006-P | exempt | Annual Reconciliation of Gas Expenses and Gas Cost Recoveries | To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries |
| *PSC-38-21-00007-P | exempt | Electric metering equipment | To consider use of electric submeter and ensure that consumer bills will be based on accurate measurements of electric usage |
| PSC-39-21-00007-P | exempt | The proposed alternative method of account identification | To facilitate secure customer data exchanges between the utility or provider and energy service entities |
| PSC-44-21-00010-P | exempt | Petition to enter a long term loan agreement and to institute a surcharge for recovery | To determine if the issuance of long term debt and a surcharge mechanism for recovery is in the public interest |
| PSC-44-21-00012-P | exempt | Disposition of a New York State tax refund | To determine the disposition of a tax refund obtained by New York American Water Company, Inc. |
| PSC-46-21-00014-P | exempt | Waiver of tariff rules and a related Commission regulation | To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest |

| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
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| PUBLIC SERVICE | COMMISSION | | |
| PSC-47-21-00003-P | exempt | Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated | To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access |
| PSC-47-21-00005-P | exempt | Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated | To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access |
| PSC-48-21-00007-P | exempt | Verizon's Performance Assurance Plan | To consider whether to retire the Performance Assurance Plan |
| PSC-50-21-00005-P | exempt | Notice of intent to submeter electricity and request for waiver | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place |
| PSC-50-21-00006-P | exempt | Implementation of the Host Community Benefit Program | To consider the proposed administration and implementation related to disbursement of customer bill credits |
| PSC-50-21-00008-P | exempt | Implementation of the Host Community Benefit Program | To consider the proposed administration and implementation related to disbursement of customer bill credits |
| PSC-50-21-00011-P | exempt | Implementation of the Host Community Benefit Program | To consider the proposed administration and implementation related to disbursement of customer bill credits |
| PSC-50-21-00012-P | exempt | Implementation of the Host Community Benefit Program | To consider the proposed administration and implementation related to disbursement of customer bill credits |
| PSC-52-21-00006-P | exempt | Proposed tariff revisions to the Companies firm demand response programs for the 2021- 2022 season | To effectuate more efficient firm gas demand response programs to gain operational efficiency and shave peak demand |
| PSC-01-22-00013-P | exempt | Interconnection costs | To consider a petition requesting relief from interconnection costs assigned by the interconnecting utility |
| PSC-01-22-00015-P | exempt | Petition to enter into a lease agreement and impose a surcharge | To consider entry into a lease agreement and to impose a surcharge |
| PSC-01-22-00017-P | exempt | Establishment of the regulatory regime applicable to a renewable natural gas project | To ensure appropriate regulation of a new gas corporation |
| PSC-03-22-00004-P | exempt | Proposal by electric utilities on a coordinated electric grid planning process | To support distribution and local transmission investments necessary to achieve the the State's clean energy and climate goals |
| PSC-04-22-00004-P | exempt | Extension of the State Universal Service Fund | To continue to provide universal service at a reasonable rate in certain service territories |
| PSC-04-22-00005-P | exempt | Petition to continue development and recover the costs of 23 local transmission projects | To ensure safe and adequate service at just and reasonable rates and to support the State's clean energy and climate goals |
| PSC-05-22-00001-P | exempt | Green gas products | To consider an extension of the waiver permitting energy service companies to serve existing customers on green gas products |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | E COMMISSION | | |
| PSC-05-22-00004-P | exempt | Initial Tariff Schedule | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences |
| PSC-05-22-00005-P | exempt | Disposition of a garbage and refuse tax refund | To determine the disposition of tax refunds and other related matters |
| PSC-06-22-00009-P | exempt | Waiver of tariff rules and a related Commission regulation | To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest |
| PSC-10-22-00014-P | exempt | Amendments to Outdoor Gas Lighting tariff provisions | To eliminate the outdated provisions concerning the use of natural gas for decorative outdoor lighting |
| PSC-10-22-00016-P | exempt | Amendments to Outdoor Gas Lighting tariff provisions | To eliminate the outdated provisions concerning the use of natural gas for decorative outdoor lighting |
| PSC-12-22-00007-P | exempt | Expanded Solar For All Program for low- income customers | To consider the appropriate design of an opt- out community solar program for low-income customers |
| PSC-12-22-00010-P | exempt | Proposed major rate increase in Liberty SLG's gas revenues | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences |
| PSC-13-22-00006-P | exempt | Proposed major rate increase in Con Edison's delivery revenues of approximately \$500 million (or 18.2% in total revenues) | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences |
| PSC-13-22-00009-P | exempt | Proposed major rate increase in Con Edison's delivery revenues of approximately \$1.2 billion (or 11.2% in total revenues) | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences |
| PSC-13-22-00011-P | exempt | Positive revenue adjustments associated with emergency response, damage prevention and leak management for 2020 | To consider a rehearing petition |
| PSC-13-22-00014-P | exempt | Petition to develop and construct local transmission projects and to allocate and defer associated costs | To ensure safe and adequate service at just and reasonable rates and to support the State's clean energy and climate goals |
| PSC-14-22-00008-P | exempt | An opt-out community distributed generation program | To establish the program rules for offering community distributed generation on and opt- out basis in New York State |
| PSC-15-22-00005-P | exempt | Transfer of street lighting facilities | To consider the transfer of street lighting facilities to the Town of Wallkill |
| PSC-18-22-00002-P | exempt | NYSEG and RG&E's petition for a waiver of its 2021 customer service quality performance | To determine if NYSEG and RG&E's petition for waiver is in the public interest |
| PSC-18-22-00007-P | exempt | Extension of deadline | Whether it is in the public interest to extend the deadline to allow the developer more time to energize residential units |
| PSC-19-22-00021-P | exempt | Brooklyn Clean Energy Hub and cost recovery | To meet the Climate Leadership and Community Protection Act's goal of 9,000 megawatts of offshore wind generation |

| | eptember 20, 2022 | | Action Fending Index |
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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | E COMMISSION | | |
| PSC-19-22-00022-P | exempt | Modification of Con Edison's electric tariff | To either eliminate or waive a provision of the Standby Service Offset Tariff |
| PSC-19-22-00025-P | exempt | Application of PSL provisions to Xerox as an electric corporation and water-works corporation | To consider whether Xerox should be exempt from PSL provisions, including requirements for full reports and keeping accounts |
| PSC-20-22-00004-P | exempt | Notice of intent to submeter electricity | To ensure adequate submetering equipment and consumer protections are in place |
| PSC-20-22-00006-P | exempt | Electric metering equipment | To consider use of electric meter and ensure that consumer bills will be based on accurate measurements of electric usage |
| PSC-20-22-00008-P | exempt | Petition to submeter electricity | To ensure adequate submetering equipment and consumer protections are in place |
| PSC-20-22-00009-P | exempt | Modify lease of utility property | To determine whether to authorize the extension and amendment of the lease of the Volney-Marcy transmission line |
| PSC-20-22-00010-P | exempt | Waiver of 16 NYCRR Sections 86.3(a)(1), 86.3(a)(2), 86.3(b)(2), 86.4(b) | To consider a waiver of certain regulations relating to the content of an application for transmission line siting |
| PSC-20-22-00011-P | exempt | Establishment of the regulatory regime applicable to a wind electric generating facility | To ensure appropriate regulation of a new electric corporation |
| PSC-20-22-00012-P | exempt | Electric metering equipment | To consider use of electric submeter and ensure that consumer bills will be based on accurate measurements of electric usage |
| PSC-21-22-00005-P | exempt | To implement the non-pipe alternative factor to recover the costs of approved alternative infrastructure projects | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences |
| PSC-21-22-00006-P | exempt | Joint petition for a transfer of certain real and personal property | To consider the transfer of certain real and personal property from O&R to Transco |
| PSC-21-22-00007-P | exempt | Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process | To consider whether Atlantic Energy, LLC should be permitted to offer its LED Lighting product to mass market customers |
| PSC-21-22-00008-P | exempt | Cybersecurity requirements | Modify the framework to ensure the protection of utility systems and customer data from cyber events |
| PSC-21-22-00009-P | exempt | Initial Tariff Schedule, P.S.C. No. 1 - Water and waiver of rate setting authority | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences |
| PSC-21-22-00010-P | exempt | Transfer of control of cable television franchises and systems | To consider whether the transfer of control of cable franchises is in the public interest |
| PSC-21-22-00011-P | exempt | Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process | To consider whether Atlantic Energy, LLC should be permitted to offer its Smart Home Program product to mass market customers |
| PSC-22-22-00013-P | exempt | National Grid' s proposed gas demand response program | To determine if National Grid's proposed gas demand response program is in the public interest |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action | |
| PUBLIC SERVICE | COMMISSION | | | |
| PSC-22-22-00014-P | exempt | Amendments to the Standardized Interconnection Requirements | To consider changes to accommodate the interconnection of distributed energy resources by governmental entities | |
| PSC-22-22-00015-P | exempt | Proposal to make an adjustment to its URD surcharge | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences | |
| PSC-23-22-00022-P | exempt | Transfer of Arbor Hills' assets and a rate proposal regarding investments made by Liberty in the Arbor Hills system | To determine if the transfer of Arbor Hills' assets and a rate proposal is in the public interest | |
| PSC-23-22-00023-P | exempt | 16 NYCRR Article VII waiver | To consider a waiver of certain regulations relating to the content of an application for transmission line siting | |
| PSC-23-22-00024-P | exempt | Minor rate filing | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences | |
| PSC-24-22-00004-P | exempt | Waiver of tariff rules and a related Commission regulation | To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest | |
| PSC-24-22-00005-P | exempt | Petition to submeter electricity | To ensure adequate submetering equipment and consumer protections are in place | |
| PSC-24-22-00006-P | exempt | The repalcement of existing cellular antennas on a transmission tower | Whether authorizing the petition is in the public interest | |
| PSC-24-22-00007-P | exempt | St. Lawrence Gas' petition for a waiver of its 2021 service quality performance | To determine if St. Lawrence Gas' petition for waiver is in the public interest | |
| PSC-24-22-00008-P | exempt | Waiver of tariff rules and a related Commission regulation | To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest | |
| PSC-24-22-00009-P | exempt | The repalcement of existing cellular antennas on a transmission tower | Whether authorizing the petition is in the public interest | |
| PSC-25-22-00004-P | exempt | Electric metering equipment | To ensure that consumer bills are based on accurate measurements of electric usage | |
| PSC-25-22-00005-P | exempt | Notice of intent to submeter electricity and waiver request | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place | |
| PSC-25-22-00006-P | exempt | The financial impacts of the COVID-19 pandemic | To consider measures to provide relief to those financially impacted by the COVID-19 pandemic | |
| PSC-25-22-00007-P | exempt | Notice of intent to submeter electricity and waiver request | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place | |
| PSC-26-22-00008-P | exempt | Compensation under the Value of Distributed Energy Resources tariff | To consider compensation mechanisms for legacy baseline hydroelectric and other renewable energy resources | |
| PSC-26-22-00009-P | exempt | Minor rate filing | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences | |

| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
|--------------------|------------|--|--|
| PUBLIC SERVICE | COMMISSION | | |
| PSC-26-22-00010-P | exempt | Notice of intent to submeter electricity and request for waiver | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place |
| PSC-27-22-00004-P | exempt | Establishment of the regulatory regime applicable to a solar electric generating facility | To ensure appropriate regulation of a new electric corporation |
| PSC-27-22-00005-P | exempt | Proposed revisions to the Companies' firm gas demand response programs for the 2022 - 2023 Winter season and going forward | To determine whether to authorize the Companies' proposed modifications to their firm gas demand response programs |
| PSC-28-22-00007-EP | 07/13/23 | Modify lease of utility property. | To determine whether to authorize the extension and amendment of the lease of the Volney-Marcy transmission line. |
| PSC-28-22-00012-P | exempt | Transfer of real property. | To determine whether to authorize the transfer of real property. |
| PSC-28-22-00013-P | exempt | Tariff modifications to create a new surcredit and housekeeping changes. | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences. |
| PSC-28-22-00014-P | exempt | A debt financing arrangement with respect to an electric transmission line under development. | To review the proposed financing and consider whether it is within the public interest. |
| PSC-28-22-00015-P | exempt | Conditions for mitigating potential vertical market power risk. | To reconsider conditions imposed on the ownership of transmission and generation assets to mitigate vertical market power risk. |
| PSC-29-22-00005-P | exempt | Notice of intent to submeter electricity and request for waiver. | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place. |
| PSC-29-22-00006-P | exempt | Minor rate filing. | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences. |
| PSC-29-22-00007-P | exempt | Notice of intent to submeter electricity. | To ensure adequate submetering equipment and consumer protections are in place. |
| PSC-29-22-00008-P | exempt | The repalcement of existing cellular antennas on a transmission tower. | Whether authorizing the petition is in the public interest. |
| PSC-29-22-00009-P | exempt | Area code overlay as relief of the exhausting 716 area code. | To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest. |
| PSC-30-22-00008-P | exempt | Green gas products. | To consider whether the proposed green gas products should be offered to mass-market customers by ESCOs. |
| PSC-30-22-00009-P | exempt | Establishment of the regulatory regime applicable to a battery storage project. | To ensure appropriate regulation of an electric corporation. |
| PSC-31-22-00003-P | exempt | Petition to submeter electricity. | To ensure adequate submetering equipment and consumer protections are in place. |
| PSC-31-22-00004-P | exempt | Joint petition for an order authorizing the transfer of certain real and personal property. | To consider the transfer of certain real and personal property from Con Edison to Transco. |

| Action Pending Index | | | NYS Register/September 28, 2022 | | |
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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action | | |
| PUBLIC SERVICE COMMISSION | | | | | |
| PSC-31-22-00005-P | exempt | Proposed major rate increase in NYSEG's electric delivery revenues of approximately \$274 million (or 16.8% in total revenues). | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences. | | |
| PSC-31-22-00006-P | exempt | Proposed major rate increase in NYSEG's gas delivery revenues of approximately \$43.4 million (or 9.8% in total revenues). | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences. | | |
| PSC-31-22-00007-P | exempt | Proposed major rate increase in RG&E's gas delivery revenues of approximately \$37.7 million (or 9.7% in total revenues). | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences. | | |
| PSC-31-22-00008-P | exempt | Pension settlement payout losses incurred in 2021. | Consideration of Liberty's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2021. | | |
| PSC-31-22-00009-P | exempt | Proposed major rate increase in RG&E's electric delivery revenues of approximately \$93.8 million (or 11.3% in total revenues). | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences. | | |
| PSC-32-22-00021-P | exempt | The proposed transfer of facilities and real property interests associated with an electric corporation. | Consideration of whether the proposed transfer is in the public interest. | | |
| PSC-32-22-00022-P | exempt | Establishment of the regulatory regime applicable to a wind electric generating facility. | To ensure appropriate regulation of a new electric corporation. | | |
| PSC-32-22-00023-P | exempt | Bioenergy generation in New York. | To consider compensation for bioenergy generation. | | |
| PSC-32-22-00024-P | exempt | The proposed transfer of real property interests associated with an electric corporation. | Consideration of whether the proposed transfer is in the public interest. | | |
| PSC-32-22-00025-P | exempt | Petition to submeter electricity. | To ensure adequate submetering equipment and consumer protections are in place. | | |
| PSC-32-22-00027-P | 08/10/23 | Use of preferred name and pronouns. | To provide residential applicants and customers of utilities the option to use their preferred name and/or pronouns. | | |
| PSC-33-22-00005-P | exempt | Agreement for the provision of water service and waivers. | To consider whether the terms of a service agreement and requested waivers are in the public interest. | | |
| PSC-33-22-00006-P | exempt | Use of gas metering equipment. | To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage. | | |
| PSC-33-22-00007-P | exempt | PSC Regulations 16 NYCRR 86.3(a)(2) and 86.3(b)(2). | To consider a waiver of certain regulations relating to the content of an application for transmission line siting. | | |
| PSC-33-22-00008-P | exempt | Gas moratorium consumer protections. | To consider protections for existing and prospective customers should a utility institutes a moratorium on new gas service. | | |
| PSC-33-22-00009-P | exempt | Use of electric metering equipment. | To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage. | | |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| PUBLIC SERVICE | COMMISSION | | |
| PSC-34-22-00003-P | exempt | Notice of intent to submeter electricity. | To ensure adequate submetering equipment and consumer protections are in place. |
| PSC-34-22-00004-P | exempt | Clean Energy Standard administration. | To authorize the funding necessary for continued implementation of the Clean Energy Standard. |
| PSC-34-22-00005-P | exempt | Transfer of a Certificate of Environmental Compatibility and Public Need. | Consideration of whether the proposed transfer is in the public interest. |
| PSC-34-22-00006-P | exempt | Pole attachment rates. | To provide just and reasonable pole attachment rates. |
| PSC-34-22-00007-P | exempt | Use of electric metering equipment. | To consider use of an electric meter, and ensure consumer bills are based on accurate measurements of electric usage. |
| PSC-34-22-00008-P | exempt | Petition to submeter electricity. | To ensure adequate submetering equipment and consumer protections are in place. |
| PSC-36-22-00004-P | exempt | A petition for the transfer of utility property, granting of a CPCN, and lightened regulation. | To determine if it is in the public interest. |
| PSC-36-22-00005-P | exempt | Notice of intent to submeter electricity. | To ensure adequate submetering equipment and consumer protections are in place. |
| PSC-37-22-00005-P | exempt | Annual Reconciliation of Gas Expenses and Gas Cost Recoveries. | To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries. |
| PSC-37-22-00006-P | exempt | Assessment of the need of the project for the provision of safe and adequate service at just and reasonable rates. | To determine whether the project is necessary and whether the utility can begin cost recovery through a surcharge mechanism. |
| PSC-37-22-00007-P | 09/14/23 | Implementation of enhanced emergency contingency plans by telephone and cable companies, including storm response and credits. | To implement enhanced storm readiness and response by telephone and cable companies. |
| PSC-37-22-00008-P | 09/14/23 | Technical amendments of state regulations and administrative corrections. | To make the provisions of natural gas service safer in New York State. |
| PSC-38-22-00002-P | exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates. | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates. |
| PSC-38-22-00003-P | exempt | A debt financing arrangement with respect to a proposed solar generation project. | To consider the requested financing arrangement, and if approved, what regulatory conditions should apply. |
| PSC-38-22-00004-P | exempt | Establishment of the regulatory regime applicable to a battery storage project. | To ensure appropriate regulation of an electric corporation. |
| PSC-38-22-00005-P | exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates. | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates. |
| PSC-38-22-00006-P | exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates. | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates. |
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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action | |
| PUBLIC SERVICE | E COMMISSION | | | |
| PSC-38-22-00007-P | exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates. | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates. | |
| PSC-38-22-00008-P | exempt | Consideration of a Long Island Offshore Wind Export PPTN under the NYISO's planning process. | To determine whether the NYISO should proceed to select a solution to the identified Long Island Offshore Wind Export PPTN. | |
| PSC-38-22-00009-P | exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates. | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates. | |
| PSC-38-22-00010-P | exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates. | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates. | |
| PSC-39-22-00006-P | exempt | Petition to submeter electricity. | To ensure adequate submetering equipment and consumer protections are in place. | |
| PSC-39-22-00007-P | exempt | Transfer of indirect ownership of cable television facilities and 27 municipal franchises. | To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest. | |
| PSC-39-22-00008-P | exempt | Proposed service territory extension, waiver, and tariff revisions. | To determine if proposed territory extension, waiver, and tariff revisions are in the public interest. | |

STATE, DEPARTMENT OF

| DOS-28-22-00009-P | 07/13/23 | Definition of a "Qualifying 501(c)(4) entity" for the purposes of Part 146 of Title 19 of NYCRR | To correct a technical error regarding Charitable and Non-Charitable Non-Profit Organization Filings with this Department |
|--------------------|----------|---|---|
| DOS-29-22-00004-P | 09/21/23 | Updates to educational standards. | Conform existing regulations to changes required relating to fair housing education. |
| DOS-30-22-00002-EP | 07/27/23 | Eligible professions for the purchase, sale and delivery of body armor | Establish criteria for professions requiring the use of body armor and processes for body armor purchase, sale or delivery |
| DOS-30-22-00007-P | 07/27/23 | Notaries public | To set standards relating to the performance of notarial acts, including electronic notarial acts |
| DOS-39-22-00009-P | 11/30/23 | Administration and enforcement of the Uniform Code and Energy Code by the Department of State | To ensure the Department's administration and enforcement of the Uniform Code and Energy Code satisfies the minimum standards |

STATE UNIVERSITY OF NEW YORK

| SUN-21-22-00003-EP | 05/25/23 | State basic financial assistance for the operating expenses of community colleges under the programs of SUNY and CUNY | To modify limitations formula for basic State financial assistance and modify the funding floor |
|--------------------|----------|---|---|
| SUN-34-22-00002-EP | 08/24/23 | State University of New York Tuition and Fee Schedule | To amend the Tuition and Fees Schedule effective for the Fall 2022 semester. |

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| Agency I.D. No. | Expires | Subject Matter | Purpose of Action |
| | INANCE, DEPARTM | ENT OF | |
| *TAF-46-20-00003-P | exempt | Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith | To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021 |
| TAF-34-22-00001-P | exempt | Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith. | To set the sales tax component and the composite rate per gallon for the period October 1, 2022 through December 31, 2022. |
| TEMPORARY AND | | STANCE, OFFICE OF | |
| TDA-01-22-00001-EP | 01/05/23 | 2019 Novel Coronavirus (COVID-19) masking requirements in congregate shelters | Protect the well-being of shelter staff and persons staying in congregate shelters |
| TDA-39-22-00005-EP | 09/28/23 | Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP) | These regulatory amendments set forth the federally-approved SUAs as of 10/1/22 |
| TRANSPORTATIO | N, DEPARTMENT C | F | |
| TRN-18-22-00001-P | 05/04/23 | Regulation of commercial motor carriers in New York State | To repeal or modify obsolete provisions, make technical changes, and implement non- discretionary statutory provisions |
| VICTIM SERVICES | S, OFFICE OF | | |
| OVS-31-22-00010-P | 08/03/23 | Office of Victim Services direct reimbursement to medical providers for services to sexual assault survivors | To ensure OVS' related regulations reflected the current law and to provide guidance to the medical providers |
| OVS-31-22-00011-P | 08/03/23 | Office of Victim Services reimbursement for items of essential personal property | To define and establish reasonable reimbursement amounts for items of EPP related to welfare |
| WORKERS' COMF | PENSATION BOARD |) | |
| WCB-09-22-00002-P | 03/02/23 | Intraoperative Neurophysiological Monitoring | To define IOM and clarify that remote IOM is prohibited except in very limited circumstances |

| WCB-26-22-00002-P | 06/29/23 | Pharmacy networks | To require carriers to notify pharmacies when there is a network |
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ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE UNDERGROUND STEAM/CONDENSATE Albion, Orleans County

Sealed bids for Project No. M3170-H for HVAC Work, Replace Underground Steam & Condensate, Buildings 2 & 5 (Orleans County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, October 19, 2022 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond) in the amount of \$39,300 for H.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$500,000 and \$1,000,000 for H.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Jessica Cook, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: https://ogs.ny.gov/ ACPL/

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm mets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

___ Project commenced design before January 1, 2020. Not subject to provision.

XX Project commenced design on or after January 1, 2020. Subject to provision.

The substantial completion date for this project is 359 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on October 6th, Albion Correctional Facility in Albion, NY 14411. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Kathryn Manfre, (585-589-4854) a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 72 hours in advance will be allowed to participate in the pre-bid site visit.

No pre-bid site visits have been scheduled for this project and prospective bidders are not allowed to visit the project site or facility buildings and grounds to take measurements or examine existing conditions.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs' participation under this contract as follows: 6% for the H trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available for viewing and downloading from OGS Design & Construction's plan room hosting service, Bid Express. Vendors wishing to view and/or download bid documents must complete a one-time registration for the Bid Express service. There is no cost to register for Bid Express. Registration along with viewing and downloading of documents can be accessed at the following link: http://www.bidexpress.com

For questions about downloading of bid documents, please send an e-mail to support@bidexpress.com, or call the Bid Express toll-free number at (888) 352-2439.

For all other questions, please send an email to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: https://online.ogs.ny.gov/dnc/ contractorConsultant/esb/ESBPlansAvailableIndex.asp

By OGS - Design & Construction Group

REPLACE INDUCTION UNITS Sagamore Children's Psychiatric Center Dix Hills, Suffolk County

Sealed bids for Project Nos. 47045-C, 47045-H, 47045-N and 47045-E, comprising separate contracts for Construction Work, HVAC Work, Fire Protection/Sprinkler Work, and Electrical Work, Replace Induction Units, Building 80, Sagamore Children's Psychiatric Center, 197 Half Hollow Rd (Suffolk County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the New York State Office of Mental Health (OMH), until 2:00 p.m. on Wednesday, October 5th, 2022, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond) in the amount of \$39,100 for C, \$62,700 for H, \$6,500 for N, and \$15,300 for E.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for C, between \$1,000,000 and \$2,000,000 for H, between \$50,000 and \$100,000 for N, and between \$100,000 and \$250,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Jessica Cook, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: https://ogs.ny.gov/ ACPL/

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or

Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

___ Project commenced design before January 1, 2020. Not subject to provision.

 \underline{XX} Project commenced design on or after January 1, 2020. Subject to provision.

The substantial completion date for this project is 696 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on September 22, 2022, at Front Entrance Lobby Area, Building 80, Sagamore CPC, 197 Half Hollow Road, Dix Hills, NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Bibi Bacchus, (718) 776-4441, a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Construction Work and HVAC Work, an overall goal of 6% for MWBE participation, 3% for Minority-Owned Business Enterprises ("MBE") participation and 3% for Women-Owned Business Enterprises ("WBE") participation for Electrical Work. The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs' participation under this contract as follows: 6% for the C trade contractor, 6% for the E trade contractor, 6% for the H trade contractor, and 0% for the N trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available for viewing and downloading from OGS Design & Construction's plan room hosting service, Bid Express. Vendors wishing to view and/or download bid documents must complete a one-time registration for the Bid Express service. There is no cost to register for Bid Express. Registration along with viewing and downloading of documents can be accessed at the following link: http:// www.bidexpress.com For questions about downloading of bid documents, please send an e-mail to support@bidexpress.com, or call the Bid Express toll-free number at (888) 352-2439.

For all other questions, please send an email to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: https://online.ogs.ny.gov/dnc/ contractorConsultant/esb/ESBPlansAvailableIndex.asp

By OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Department of Environmental Conservation 625 Broadway Albany, NY 12233-2560

FIRE DEPARTMENTS

Rural Volunteer Fire Assistance

Pursuant to the Agriculture Appropriations Act, Section 7(b)3 of P.L. 95-313 (Cooperative Forestry Assistance Act of 1978), the New York State Department of Environmental Conservation hereby gives notice of the following:

The New York State Department of Environmental Conservation (The Department) will administer the 2022 Volunteer Fire Assistance (VFA) Grant program to assist eligible rural fire departments in the purchase of eligible wildland fire suppression equipment. VFA applications will be accepted through November 15, 2022.

A federal appropriation of \$639,585 was awarded for fire assistance grants in NYS. Fire departments eligible to apply may receive grant funding up to \$1,500 for the purchase of eligible wildland fire suppression equipment. Fire departments are required to equally match (50/50) the amount of the award. Grant funding is based on federal guidelines for use in fire districts serving a rural area or a rural community with a population of 10,000 or less. A fire department serving a population greater than 10,000 and not providing protection to a rural area or rural community is not eligible for VFA financial assistance.

Applications are scored based on established rating criteria including: population, the I.S.O. Fire Prevention Insurance rating, the presence of Native American communities in the district and the date of the last VFA grant received.

Applications are available on-line at: http://www.dec.ny.gov/ regulations/2364.html. *For further information, contact*: Lynne Korona, DEC Division of Forest Protection, 625 Broadway, 3rd Fl., Albany, NY 12233-2560, (518) 402-8835 or email questions to e-mail: vfagrant@dec.ny.gov

Division of Homeland Security and Emergency Services

FY 2022 Federal Emergency Management Agency (FEMA) Hazard Mitigation Assistance (HMA) Funding Opportunities

Key Dates and Deadlines

| 5 | |
|---|--------------------|
| FEMA GO Application Period Opens | September 30, 2022 |
| SUBAPPLICATION SUBMISSION DEADLINE (thru FEMA GO): | November 9, 2022 |
| DHSES Submission deadline to FEMA: | January 27, 2023 |

For more information and upcoming webinars visit our website at: https://www.dhses.ny.gov/hazard-mitigation

Building Resilient Infrastructure and Communities (BRIC): BRIC Notice of Funding Opportunity (NOFO) BRIC NOFO Fact Sheet Flood Mitigation Assistance (FMA): FMA Notice of Funding Opportunity (NOFO) FMA NOFO Fact Sheet PLEASE NOTE:

Subapplicants are to proceed directly to subapplication development in FEMA GO upon commencement of FEMA's Application Period on September 30, 2022. FEMA's NOFOs need to be thoroughly reviewed by subapplicants. Contact DHSES if you have any questions about project eligibility or requirements at: HazardMitigation@dhses.ny.gov or contact (518) 292-2304

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311

or visit our web site at: www.osc.state.ny.us

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

PUBLIC NOTICE

Department of Civil Service

PURSUANT to the Open Meetings Law, the New York State Civil Service Commission hereby gives public notice of the following:

Please take notice that the regular monthly meeting of the State Civil Service Commission for October 2022 will be conducted on October 12 and October 13 commencing at 10:00 a.m. This meeting will be conducted at NYS Media Services Center, Suite 146, South Concourse, Empire State Plaza, Albany, NY with live coverage available at https://www.cs.ny.gov/commission/

For further information, contact: Office of Commission Operations, Department of Civil Service, Empire State Plaza, Agency Bldg. One, Albany, NY 12239, (518) 473-6598

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 1915(c) Consolidated Children's waiver permitting the State to make several substantive changes on or after March 1, 2023 and to apply for a 1915(b)(4) waiver to establish and authorize limited contracting for Financial Management of some of the new waiver services that are proposed. The following changes are proposed:

The Children's Waiver will be amended to establish and authorize payment for Financial Management Services (FMS) provided to children/youth in the Medicaid fee for service delivery system requiring Adaptive and Assistive Technology, Environmental Modifications, and Vehicle Modifications, and also Transitional Services and Goods and Services, which are newly proposed. The FMS will be provided by designated Lead Health Homes Serving Children under a 1915(b)(4) waiver.

The 1915(c) Children's Waiver will additionally be amended to add:

1. Transitional Care Coordination Service,

2. Enhance Respite services by adding a medical component

3. Updates will be made to Vehicle Modifications provisions relating to modification costs and payment for driver modifications,

4. Update rates for new respite group sizes and planned respite changes to align with the Home and Community-Based Settings Final Rule requirements,

5. Update rate reimbursement methodology including allowances for rural rates. The new methodology will allow for rate adjustment changes, subject to state budget requirements and legislative approval.

6. Expand palliative care provider qualifications to improve workforce availability and remove "life threatening illness by age 21" language in the definition of these services, and;

7. Update the qualifications of professionals permitted to perform HCBS Level of Care evaluations to include Local Counties of Mental Health Single Points of Access (SPOAs) staff for children/youth being discharged from institutional levels of care.

The public is invited to review and comment on this proposed waiver amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/ state_plans/status. Individuals without Internet access may view the proposed waiver at any 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

For further information and to review and comment, please contact: Department of Health, Children's Health Home Team, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, HHSC@health.ny.gov

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 to comply with enacted statutory provisions. The following changes are proposed:

Non-Institutional Services

The following is a clarification to the June 29, 2022, noticed provision for Home Care Wage increase.

With clarification, the estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2022-23 is \$41.3 million.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/ state_plans/status. Individuals without Internet access may view the State Plan Amendments at any 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

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

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 long term care services to comply with enacted statutory provisions. The following changes are proposed:

Long Term Care Services

Effective on or after October 1, 2022, a Nursing Home Vital Access Provider program shall be instituted to support ongoing workforce challenges in order to provide stronger staff continuity and quality of care to residents. Eligible facilities must demonstrate both financial challenges and participation in a comprehensive health, retirement and training benefit fund.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2022/2023 is \$85 million.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/ state_plans/status. Individuals without Internet access may view the State Plan Amendments at any 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

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

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 consistent with New York State Mental Hygiene Laws § 7.15 and § 43.02. The following changes are proposed:

Non-Institutional Services

Effective on or after October 1, 2022, the New York State Office of Mental Health will amend the New York Medicaid State Plan for rehabilitation services provided in Community Residence (CR) programs. The amendments are intended to codify and comprehensively describe existing service coverage, eligibility and reimbursement standards.

There is no estimated change to gross Medicaid expenditures as a result of this proposed amendment.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/ state_plans/status. Individuals without Internet access may view the State Plan Amendments at any 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 For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

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 to comply with recently enacted statutory provisions in § 365-g of the Social Services Law with regards to certain prospective utilization thresholds.

The following changes are proposed:

Non-Institutional Services

Effective on or after October 1, 2022, this notice proposes to decrease an administrative burden on enrolled fee-for-service Medicaid members and providers by eliminating the requirement for provider submitted benefit increase requests for certain services. The current regulatory thresholds established pursuant to the statutory authority of § 365-g are physician and clinic services (excluding anesthesiology and psychiatric services, mental health clinic services; and article 28 ambulatory clinic services ordered to test, diagnose, or treat a member); laboratory services, and dental clinic services. This proposal does not affect drug utilization review. The Department will continue to meet the federal regulatory requirements at 42 CFR Part 456, Subparts A and B, through continued utilization monitoring, in a post-payment review process, with referral to the Department's prepayment Provider on Review Program, and to the Office of the Medicaid Inspector General (OMIG) where suspected fraud, waste or abuse are identified in the unnecessary or inappropriate use of care, services or supplies by members or providers.

The estimated net aggregate decrease in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2022/2023 is (\$23,100).

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/ state_plans/status. Individuals without Internet access may view the State Plan Amendments at any 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

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

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.

Non-Institutional Services

State established rates for state-plan approved Children and Family Treatment and Support Services (CFTSS) will continue the additional 25 percent enhancement initially authorized as a temporary increase under provisions of Section 9817 of the American Rescue Plan Act of 2021 (ARPA). Effective on or after October 1, 2022, the following CFTSS rate enhancements will continue under the state-plan: Other Licensed Practitioners (OLP), Community Psychiatric Supports and Treatment (CPST), Psychosocial Rehabilitation (PSR), Youth Peer Support (YPS), Crisis Intervention (CI) and Family Peer Support Services (FPSS).

The estimated net aggregate increase in gross Medicaid expenditures as a result of the proposed amendments for CFTSS services is \$1,167,032.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/ state_plans/status. Individuals without Internet access may view the State Plan Amendments at any 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

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

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 to comply with 1945 of the Social Security Act and other enacted statutory provisions. The following changes are proposed:

Non-Institutional Services

Effective on or after October 1, 2022, the proposed amendment adds an annual assessment fee to the Health Home program to ensure that any child eligible for Home and Community-Based Services (HCBS) under a waiver, demonstration, or State Plan authority will be eligible to receive an annual HCBS Eligibility Determination assessment under the Health Home program.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative is approximately \$2,000,000. All children receiving HCBS already receive care management under the existing authorities.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/ state_plans/status. Individuals without Internet access may view the State Plan Amendments at any 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

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

New York State Homes and Community Renewal Plus One ADU Program For the creation and improvement of Accessory Dwelling Units

Purpose

The Housing Trust Fund Corporation ("HTFC") as part of New York State Homes and Community Renewal ("HCR") invites eligible applicants to apply to administer the Plus One ADU Program, an initiative to create and improve Accessory Dwelling Units (ADUs). This RFP describes the purpose for which the available funds are to be used and the methodology for disbursing those funds.

Through this RFP, HTFC plans to make up to twenty million dollars (\$20,000,000) available to ten (10) eligible applicants for the administration of the Plus One ADU Program. As such, ten million dollars (\$10,000,000) shall be available to applicants within New York City and Long Island and ten million dollars (\$10,000,000) for the rest of the state. Eligible applicants are invited to submit applications for funding to cover grants to eligible homeowners and for the anticipated costs associated with program delivery.

Applications must be submitted via email to NOFA_Applications@hcr.ny.gov no later than 3:00 PM (EST) on October 28, 2022. The initial contract shall be for two (2) years, with the potential for an extension depending on the need and at the discretion of HCR staff.

Program Overview

By working with units of local government and community development partners, Plus One ADU will provide a full-service program to support low- and middle-income single-family homeowner occupants who wish to build a new ADU on their property or improve an existing ADUs that needs to be brought into compliance with local and state code requirements. Depending on the property and what the locality permits, ADU's may be small, stand-alone (detached) units on single-family lots, basement apartments, garage conversions, or other permitted units.

Background

The 2022-2023 NYS Capital Budget made available \$85,000,000 for the purposes of creating and upgrading accessory dwelling units across the state, as part of a five (5) year Housing Plan. Since each community's need for ADUs are different, HTFC is initially making funding available, to select awardees, with the aim of crafting community-specific programs for generating safe, quality ADUs. HCR anticipates subsequent opportunities for ADU funding.

Eligible Applicants

Competitive applications must include partnerships between a nonprofit housing organization and a municipal or county government. Either the governmental or non-profit entity may serve in the role of the lead Applicant and the proposal should specify which entity is the lead.

Eligible Activities

Applicants selected by HTFC to administer the Plus One ADU Program (the "Awardees") will be expected to work with HCR staff to create a work plan, which shall include, pre-development activities, construction oversight and post construction monitoring.

1. Pre-development Activities:

Awardees will identify low- and moderate-income homeowner occupants who wish to add an ADU to their property or make capital repairs to an existing ADU. In all cases, awardees will be required to cap participation of homeowners with household income of no more than one hundred percent (100%) AMI for the County or MSA, adjusted for family size and all ADUs must be permitted by the locality.

Awardees will establish standards for eligibility and perform assessments of potential homeowner participants to include current mortgage debt and affordability, building violation searches, documentation of good standing for any existing mortgages, and other due diligence to determine the likelihood that the homeowner participant will maintain the property in good financial and physical health.

Awardees will oversee the pre-development process including design, budgeting, permitting, environmental assessment, appraisals, and other required due diligence to secure funding from HTFC or other needed sources.

Awardees will secure the services of appropriate design professional(s). Each property must have plans and an identified scope, which complies with design standards approved by HCR staff.

Prior to the formal commitment or expenditure funds, the environmental effects of each program activity must be assessed in accordance with the State Environmental Quality Review Act ("SEQRA") at 6 NYCRR Part 617.

2. Construction Oversight:

Awardees will oversee all aspects of the construction process from contractor bidding and selection, compliance with MWBE utilization standards, general construction oversight and coordination between property owners and contractors, preparation of payment requests and other essential activities to ensure efficient construction for each ADU.

3. Post-Construction Monitoring:

Awardees are required to enter a Regulatory Agreement, and associated declining balance enforcement documents, with the participating homeowners for the Regulatory Period which shall not be less ten (10) years.

Compliance monitoring will include the collection of annual compliance certifications including confirmation that the ADU is being used as permanent housing rather than as a short-term rental', and site visits every two years to ensure appropriate property maintenance and quality housing standards, among other standards. The Awardee is expected to assist with the completion of the compliance documentation from homeowners as needed.

Eligible Costs

Applicants are required to provide a program budget in their application. Proposed budgets should consider:

Award requests should not exceed \$2,000,000. HTFC will not consider applications with a request of over \$125,000 per unit, including program delivery costs.

Up to ten percent (10%) of the requested award may be budgeted for program delivery, including costs such as staff time and materials for program management, legal, accounting and auditing expenses, insurance, marketing and outreach expenses, and a compliance monitoring fee.

Funds will be paid as Awardees achieve milestones in the program delivery. Disbursement schedules will be determined by HCR staff prior to the execution of a program Agreement.

Proposal Costs and Materials

HTFC nor HCR will not be held liable for any cost incurred by the applicant for work performed in the preparation, production, or submission of a proposal in response to this RFP. All proposal materials and information submitted as part of the application shall become the property of HTFC. No materials, curricula, media or other content will be returned to the applicant.

Evaluation and Selection Criteria

Applicant proposals will be examined for completeness and eligibility. Incomplete proposals and those that do not meet eligibility requirements may be rejected as ineligible. Complete proposals and those that meet eligibility requirements will be reviewed and rated.

Applications should include a PDF attachment that responds to the following criteria. This PDF should not exceed eight (8) pages in length. After initial scoring, supplemental information may be requested by HCR staff for tie-breaking purposes, if necessary.

In addition, eligible applications must contain a letter or resolution from the non-profit organization and from the municipal or county government in the partnership reflecting support for the proposed undertaking, and the proposed roles and responsibilities for each.

The maximum rating is 100 points.

1. Capacity & Experience: (maximum of 25 points)

• Applicant demonstrates a strong record of success in project development and managing construction/rehabilitation of singlefamily homes.

· Applicant demonstrates a strong record of success in providing homeownership counseling and technical assistance to low- and moderate-income homeowners, including the capacity to monitor homeowner compliance throughout the Regulatory Period.

2. Feasibility of Proposal: (maximum of 25 points)

· Applicant outlines the goals for ADUs in the subject community (legalizing existing ADUs, multi-generational housing, workforce rental housing, bolstering financial stability for low-income homeowners, etc.).

• Applicant identifies and explained target neighborhood(s).

• Applicant demonstrates that existing zoning and other applicable building codes allow for ADUs.

· Applicant presents a proposed project budget that clearly enumerates expected pre-development, development, and compliance monitoring expenses.

• Applicant demonstrates that the community has committed to facilitating a RP-421-f property tax exemption for any increase in value from the ADU improvement or creation, where applicable.

3. Cost-Effectiveness of Proposal: (maximum of 25 points)

• Applicant demonstrates the availability of other resources to supplement the cost of creating or improving ADUs. Where affordable and feasible for target communities and homeowners, HTFC would consider the development of concepts to leverage dollars through repayable loans.

· Applicant outlines a realistic process for undertaking a cost efficient, comprehensive, and supportive process for building or improving ADUs in cooperation with homeowner participants.

4. Ability to Generate Demand: (maximum of 25 points)

• Applicant presents a marketing plan and strategy for identifying participating homeowners;

· Applicant demonstrates an existing inventory of potential homeowner participants.

All completed applications will be reviewed and scored. HTFC reserves the right to:

· Award all, a portion of, or none of the program funds based upon funding availability, competitiveness of applications received, feasibility of achieving project goals and objectives and completing proposed activities.

• To change or disallow aspects of the applications and may make such changes conditions of its commitment to provide funding.

• To recommend funding in an amount less than requested.

• To not issue an award or grant agreement to any applicant if it has been determined that the applicant is not in compliance with existing state contracts and has not taken satisfactory steps to remedy such non-compliance.

- Waive any requirement contained in this RFP.
- Revise this RFP from time to time.
- Extend the submission due date.

Application and Award Timeline

HTFC reserves the right to modify this schedule, at its discretion. Notification of changes in connection with this RFP will be posted and made available to all interested parties via https://hcr.ny.gov/fundingopportunities

| Issuance of RFP | Wednesday September 14, 2022 | |
|--|---|--|
| Deadline for Submission of Proposals | Friday, October 28, 2022 at 3:00 PM (EST) | |
| Revised Proposal Period and Interview(s) (if applicable) | Monday November 21, 2022 – Friday December 2, 2022 | |
| Anticipated Preliminary Award Selection (award(s) will be contingent on HCR Board approval, which may occur after this date) | Monday, December 19, 2022 | |
| Award Recommendations and Board Approval | | |

Awards are recommended based on available funding, proposal quality and project feasibility as determined by the review and rating of an application. The evaluation and selection criteria are detailed in the RFP. Recommendations are advanced to the appropriate HCR Board for consideration and the award must be approved by that Board

prior to the execution of a grant agreement. Application Status and Notification

Applicants will receive one of the notifications below in response to their application:

• Incomplete: Application presents potentially eligible project but provides insufficient information. Applicant will be provided an opportunity to submit additional documentation.

• Non-Award Notification: Application presents an incomplete, non-competitive, not viable project and will not receive an award under this RFP.

• Preliminary Award Notification: Application presents a complete, eligible, competitive and feasible project. The project has been recommended to and approved by HTFC Board of Directors for funding.

Program Grant Agreements

Awardees may be asked to revise parts of their proposal prior to entering into a program grant agreement. After any required revisions are submitted and approved, a final program grant agreement will be executed. The program grant agreement will require that Awardees expend all funds and meet all program goals within a two-year (2) term with the possibility for an extension, at the discretion of HCR staff.

An applicant should not apply if the project will not begin within a reasonable time after receiving an executed grant agreement or will not be able to complete the project within the term. Funds remaining at the end of the term are subject to de-obligation and reallocation.

Equal Employment Opportunity/Minority and Women Owned Business and Affirmative Action

Under Article 15A of the New York State Executive Law, all award recipients and their contractors are required to comply with the equal employment opportunity provisions of Section 312 of that Article. Also, all contractors and awardees are required to make affirmative efforts to ensure that New York State Certified Minority and Women-Owned Business Enterprises are afforded opportunities for meaning-ful participation in projects funded by HTFC pursuant to Section 313 of the Article.

All MWBE firms used to satisfy this requirement must be certified as such with the State's Empire State Development ("ESD"). All SDVOB firms used to satisfy this requirement must be certified as such with the State's Office of General Services.

Affirmative Action Policy Statement: It is the policy of the HCR to provide equal opportunity to all people without regard to race, color, sex, religion, age, national origin, disability, or sexual orientation.

Questions

Any questions regarding this RFP or the application process should be directed to: NOFA_Applications@hcr.ny.gov

PUBLIC NOTICE

Department of State

Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2022-0308 Matter of Angela Zielinski, 29 Joellen Drive, Rochester, NY 14626, for a variance concerning safety requirements, including permanent barriers. Involved is an existing one family dwelling located at 29 Joellen Drive, Town of Greece, County of Monroe, State of New York.

2022-0382 Matter of Hanlon Architects, 1300 University Avenue, Rochester, NY 14607, for a variance concerning minimum number of plumbing fixtures. Involved is an existing building located at 360 Elm Ridge Drive, Town of Greece, County of Monroe, State of New York.

2022-0398 Matter of Architectural Resources, 505 Franklin Street, Buffalo, NY 14202, for a variance concerning safety requirements, including door opening protectives. Involved is an existing building, known as the Capital District Psychiatric Center, located at 75 New Scotland Avenue, City of Albany, County of Albany, State of New York.

2022-0456 Matter of Ania Busza and Ralf Haefner, 334 Avalon Drive, Rochester, NY 14618, for a variance concerning safety requirements, including window openings. Involved is an existing one family dwelling located at 334 Avalon Drive, Town of Brighton, County of Monroe, State of New York.

2022-0494 Matter of Sunil Prasad, 60 Mitchell Road, Pittsford, NY 14534, for a variance concerning safety requirements, including distance from a hydrant. Involved is a one family dwelling, located at 640 Mendon Center Road, Town of Pittsford, County of Monroe, State of New York.

2022-0497 Matter of Architectural Resources, 505 Franklin Street, Buffalo, NY 14202, for a variance concerning safety requirements, including emergency power. Involved is an existing building, known as the Upstate Correctional Facility, located at 309 Bare Hill Road, Town of Malone, County of Franklin, State of New York.

2022-0502 Matter of Thomas Suhr, 537 Brixton Trail, Webster, NY 14580, for a variance concerning safety requirements, including permanent barriers. Involved is an existing one family dwelling located at 537 Brixton Trail, Town of Webster, County of Monroe, State of New York.

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2022-0484 Matter of Arroyo Enterprise, Inc., Jorge Arroyo, 197 Twin Lawns Avenue, Brentwood, NY 11717, for a variance concerning safety requirements, including height under projections. Involved is an existing dwelling located at 133 Baldwin Road, Village of Hempstead, NY 11550, County of Nassau, State of New York.

2022-0487 Matter of Wagner Architecture & Design, Michele Wagner-Nebbia, 57 Rollstone Ave., West Sayville, NY 11796-1309, for a variance concerning safety requirements, including height under a projection. Involved is an existing dwelling located at 17 Howard Drive, Town of Huntington, NY 11743, County of Suffolk, State of New York.

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2022-0491 in the Matter of Joseph R. Crocco Architects, Joseph Crocco, Four Macdonald Avenue, Suite 5, Armonk, NY 10504, for a variance concerning safety requirements, including handrail size. Involved is a one family dwelling located at 26 Guion Street, Village of Pleasantville, NY 10570, County of Westchester, State of New York.

2022-0492 in the Matter of RFMCH Huguenot Property Owner II, LLC, Louis R. Cappelli, Seven Renaissance Square, White Plains, NY 10601, for a variance concerning safety requirements, including allowable openings. Involved is a 29 story residential building located at 327 Huguenot Street, City of New Rochelle, NY 10801, County of Westchester, State of New York.

2022-0499 in the Matter of RD Studio Inc., Rocco Dileo, 363 Westchester Ave., Port Chester, NY 10573, for a variance concerning safety requirements, including fire resistance rating. Involved is a one family dwelling located at 62 Nethermont Avenue, Town of North Castle, NY 10603, County of Westchester, State of New York.

2022-0500 in the Matter of VKS Architects, Victor Solarik, PO Box 696, Katonah, NY 10536, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at Three Baldwin Road, Town of La Grange, NY 12603, County of Dutchess, State of New York.

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2022-0498 Matter of Nassau Expeditors Inc., Scott Tirone, 75 Albertson Avenue, Albertson, NY 11507, for a variance concerning safety requirements, including ceiling heights and height under a girder. Involved is an existing dwelling located at Six Gerard Avenue, New Hyde Park, Town of North Hempstead, NY 11040, County of Nassau, State of New York.

2022-0505 Matter of James J. Stout Architect and Associates, James J. Stout, 2 Greg Lane, East Northport, NY 11731, for a variance concerning safety requirements, including height under projections. Involved is an existing dwelling located at 24 W. 16th Street, Huntington Station, Town of Huntington, NY 11746, County of Suffolk, State of New York.

2022-0506 Matter of Maria J. Miro Design and Drafting, Maria J. Miro, 1002 Merrick Avenue, N. Merrick, NY 11566, for a variance concerning safety requirements, including ceiling heights and height under projection. Involved is an existing dwelling located at 417 Myrtle Avenue, West Islip, Town of Islip, NY 11795, County of Suffolk, State of New York.

2022-0507 Matter of Yoon Jung Bae, 38 Baxter Avenue, New Hyde Park, NY 11040, for a variance concerning safety requirements, including Ceiling Heights. Involved is an existing dwelling located at 38 Baxter Avenue, New Hyde Park, Town of North Hempstead, NY 11040, County of Nassau, State of New York.

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2022-0508 in the Matter of Get My Co Corp., Timothy P. Lener, 57 Wheeler Ave., Suite 203, Pleasantville, NY 10570, for a variance concerning safety requirements, including duct height. Involved is a one family dwelling located at 1502 Hanover Street, Town of Yorktown, NY 10598, County of Westchester, State of New York.

2022-0510 in the Matter of Town of Somers, Nick Devito, 335 Route 202, Somers, NY 10589, for a variance concerning safety requirements, including membrane and interior liners. Involved is one storie utility building located at 250 Route 100, Town of Somers, NY 10589, County of Westchester, State of New York.

PUBLIC NOTICE

Susquehanna River Basin Commission

Projects Approved for Consumptive Uses of Water

SUMMARY: This notice lists Approvals by Rule for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: August 1-31, 2022.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR § 806.22 (e) and 18 CFR § 806.22 (f) for the time period specified above: Water Source Approval - Issued Under 18 CFR 806.22 e):

1. LSC Communications US, LLC; Pad ID: Lancaster West Plant; ABR-202208003; City of Lancaster, Lancaster County, Pa..; Con-

sumptive Use of Up to 0.099 mgd; Approval Date: August 26, 2022.

Water Source Approval – Issued Under 18 CFR 806.22(f):

1. Chesapeake Appalachia, L.L.C.; Pad ID: Champluvier; ABR-201007105.R2; Tuscarora Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 22, 2022.

2. Chesapeake Appalachia, L.L.C.; Pad ID: Dewees; ABR-201007063.R2; Rome Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 22, 2022.

3. Chesapeake Appalachia, L.L.C.; Pad ID: Kenyon; ABR-20100557.R2; Overton Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 22, 2022.

4. Chesapeake Appalachia, L.L.C.; Pad ID: Lopatofsky NEW; ABR-201007100.R2; Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 22, 2022.

5. Chesapeake Appalachia, L.L.C.; Pad ID: Ruth; ABR-201507008.R1; Meshoppen Township, Wyoming County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 22, 2022.

6. Coterra Energy Inc.; Pad ID: DeckerT P1; ABR-201504005.R1; Harford Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 22, 2022.

7. Coterra Energy Inc.; Pad ID: Dobrosielski P1; ABR-201107051.R2; Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 22, 2022.

8. Coterra Energy Inc.; Pad ID: Rayias P1; ABR-20100432.R2; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 22, 2022.

9. Coterra Energy Inc.; Pad ID: ReillyJ P1; ABR-201207017.R2; Gibson Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 22, 2022.

10. Inflection Energy (PA) LLC; Pad ID: Converse Well Site; ABR-201707001.R1; Mill Creek Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 22, 2022.

11. Repsol Oil & Gas USA, LLC; Pad ID: Clegg 722; ABR-201007119.R2; McNett Township, Lycoming County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 22, 2022.

12. Repsol Oil & Gas USA, LLC; Pad ID: CRANK (03 067) O; ABR-20100430.R2; Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 22, 2022.

13. Repsol Oil & Gas USA, LLC; Pad ID: FEUSNER (03 045) J; ABR-201007095.R2; Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 22, 2022.

14. Repsol Oil & Gas USA, LLC; Pad ID: KIRKOWSKI (01 066) J; ABR-201007091.R2; Canton Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 22, 2022.

15. Repsol Oil & Gas USA, LLC; Pad ID: MCMURRAY (01 031) C; ABR-201007054.R2; Canton Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 22, 2022.

16. Seneca Resources Company, LLC; Pad ID: Baldwin 881; ABR-201007068.R2; Farmington Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 22, 2022.

17. Seneca Resources Company, LLC; Pad ID: Cleveland 616; ABR-201007089.R2; Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 22, 2022.

18. Seneca Resources Company, LLC; Pad ID: Lehmann Pad K; ABR-201007115.R2; Covington Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 22, 2022.

19. Seneca Resources Company, LLC; Pad ID: Reese 289; ABR-201007057.R2; Charleston Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 22, 2022.

20. Seneca Resources Company, LLC; Pad ID: Seeley 524; ABR-201007122.R2; Rutland Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 22, 2022.

21. Seneca Resources Company, LLC; Pad ID: Wolfe 1114; ABR-201007098.R2; Nelson Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 22, 2022.

22. BKV Operating, LLC; Pad ID: Ruark East 1 1H; ABR-201008001.R2; Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 26, 2022.

23. Chesapeake Appalachia, L.L.C.; Pad ID: Boy Scouts Drilling Pad; ABR-201207023.R2; Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: August 26, 2022.

24. Chesapeake Appalachia, L.L.C.; Pad ID: EDF NEW; ABR-201007125.R2; Mehoopany Township, Wyoming County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 26, 2022.

25. Chesapeake Appalachia, L.L.C.; Pad ID: Petty; ABR-201007126.R2; Leroy Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 26, 2022.

26. EQT ARO LLC; Pad ID: COP Tr 285 Pad F; ABR-201008007.R2; Chapman Township, Clinton County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 26, 2022.

27. EQT ARO LLC; Pad ID: COP Tr 356 Pad A; ABR-201007073.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 26, 2022.

28. EQT ARO LLC; Pad ID: COP Tr 356 Pad I; ABR-201007114.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 26, 2022.

29. Chesapeake Appalachia, L.L.C.; Pad ID: Felter-NEW; ABR-201008026.R2; Wyalusing Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 30, 2022.

30. Chesapeake Appalachia, L.L.C.; Pad ID: Joanclark; ABR-201008025.R2; Fox Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 30, 2022.

31. Coterra Energy Inc.; Pad ID: BusikJ P1; ABR-201206001.R2; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 30, 2022.

32. Coterra Energy Inc.; Pad ID: ForwoodE P1; ABR-201506002.R1; Lenox Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 30, 2022.

33. EQT ARO LLC; Pad ID: Charles J McNamee Pad B; ABR-201008016.R2; Cascade Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 30, 2022.

34. EQT ARO LLC; Pad ID: Elbow Pad C; ABR-201008017.R2; Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 30, 2022.

35. EQT ARO LLC; Pad ID: Jack L Hipple Pad A; ABR-201008021.R2; Gamble Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 30, 2022.

36. Repsol Oil & Gas USA, LLC; Pad ID: ALDERSON (05 009) V; ABR-201008022.R2; Pike Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 30, 2022.

37. Repsol Oil & Gas USA, LLC; Pad ID: McNett 708; ABR-201008003.R2; Liberty Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 30, 2022.

38. Seneca Resources Company, LLC; Pad ID: Miller 394; ABR-201008005.R2; Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 30, 2022.

39. EQT ARO LLC; Pad ID: Don J Davis Pad A; ABR-201008028.R2; Gamble Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 31, 2022.

40. Seneca Resources Company, LLC; Pad ID: DCNR Tract 595 Pad I; ABR-201008043.R2; Bloss Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 31, 2022.

41. Seneca Resources Company, LLC; Pad ID: Hazelton 424; ABR-20100626.R2; Shippen Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 31, 2022.

Authority: Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

Jason E. Oyler,

General Counsel and Secretary to the Commission. Dated: September 9, 2022.

PUBLIC NOTICE

Susquehanna River Basin Commission

Projects Approved for Consumptive Uses of Water

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DATES: July 1-31, 2022.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR § 806.22 (e) and 18 CFR § 806.22 (f) for the time period specified above:

Water Source Approval - Issued Under 18 CFR 806.22(f):

1. Inflection Energy (PA), LLC; Pad ID: Reynolds; ABR-202207001; Gamble Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 2, 2022.

2. Seneca Resources Company, LLC; Pad ID: Cruttenden 846; ABR-20100685.R2; Middlebury Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 21, 2022.

3. Chesapeake Appalachia, L.L.C.; Pad ID: Arnold A Drilling Pad; ABR-201207004.R2; Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 21, 2022.

4. Chesapeake Appalachia, L.L.C.; Pad ID: Coveytown; ABR-201007024.R2; Cherry Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 21, 2022.

5. Chesapeake Appalachia, L.L.C.; Pad ID: Forbes NEW; ABR-201007022.R2; Asylum Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 21, 2022.

6. Chesapeake Appalachia, L.L.C.; Pad ID: Insinger; ABR-201007023.R2; Forks and Cherry Townships, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 21, 2022.

7. Seneca Resources Company, LLC; Pad ID: Synnestvedt 878; ABR-201007009.R2; Osceola Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 21, 2022.

8. Seneca Resources Company, LLC; Pad ID: Murdock 862; ABR-201007015.R2; Deerfield Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 21, 2022.

9. Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 293 Pad B; ABR-201206006.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.5000 mgd; Approval Date: July 21, 2022.

10. Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 726 Pad B; ABR-201706002.R1; Plunkett's Creek Township, Lycoming County, Pa.; Consumptive Use of Up to 4.5000 mgd; Approval Date: July 21, 2022.

11. EXCO Resources (PA), LLC; Pad ID: Poor Shot East Drilling Pad #2; ABR-20100681.R2; Anthony Township, Lycoming County, Pa.; Consumptive Use of Up to 8.0000 mgd; Approval Date: July 21, 2022.

12. BKV Operating, LLC; Pad ID: Solanick 5H; ABR-201007007.R2; Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 21, 2022.

13. Repsol Oil & Gas USA, LLC; Pad ID: Cochran 705; ABR-201007012.R2; Union Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 21, 2022.

14. Chesapeake Appalachia, L.L.C.; Pad ID: Cranrun; ABR-20100680.R2; Leroy Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 24, 2022.

15. Chesapeake Appalachia, L.L.C.; Pad ID: Curtain NEW; ABR-201006110.R2; Windham Township, Wyoming County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 24, 2022.

16. Chesapeake Appalachia, L.L.C.; Pad ID: Henderson; ABR-201006103.R2; Fox Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 24, 2022.

17. Chesapeake Appalachia, L.L.C.; Pad ID: Kipar NEW; ABR-201006107.R2; Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 24, 2022.

18. Seneca Resources Company, LLC; Pad ID: Broadbent 466; ABR-20100673.R2; Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 24, 2022.

19. Seneca Resources Company, LLC; Pad ID: PHC Pad R; ABR-20100690.R2; Lawrence Township, Clearfield County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 24, 2022.

20. Seneca Resources Company, LLC; Pad ID: Camp Never Too Late 521; ABR-20100683.R2; Rutland Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 24, 2022.

21. Chesapeake Appalachia, L.L.C.; Pad ID: Postell A Drilling Pad; ABR-201207003.R2; Franklin and Leroy Townships, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 24, 2022.

22. Chesapeake Appalachia, L.L.C.; Pad ID: Barnes; ABR-201007048.R2; Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 24, 2022.

23. Chesapeake Appalachia, L.L.C.; Pad ID: Katzenstein NEW; ABR-201007029.R2; Wysox Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 24, 2022.

24. Chesapeake Appalachia, L.L.C.; Pad ID: Milochik; ABR-201007034.R2; Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 24, 2022.

25. Chesapeake Appalachia, L.L.C.; Pad ID: Pa's Farm Family A Drilling Pad; ABR-201207013.R2; Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 24, 2022.

26. SWN Production Company, LLC; Pad ID: Blaine Hoyd (M Pad); ABR-201207006.R2; Stevens Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 24, 2022.

27. SWN Production Company, LLC; Pad ID: Beaumont Schaunt (GU U); ABR-201207007.R2; Stevens Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 24, 2022.

28. Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 293 Pad C; ABR-201207010.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.5000 mgd; Approval Date: July 24, 2022.

29. Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 293 Pad E; ABR-201207011.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.5000 mgd; Approval Date: July 24, 2022.

30. Repsol Oil & Gas USA, LLC; Pad ID: Westerbaan 723; ABR-201007038.R2; Union Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 24, 2022.

31. Range Resources – Appalachia, LLC; Pad ID: State Game Lands 075A – West Pad; ABR-201207002.R1; Pine Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 24, 2022.

32. Chesapeake Appalachia, L.L.C.; Pad ID: Jacobs; ABR-201007028.R2; Rome Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 26, 2022.

33. Seneca Resources Company, LLC; Pad ID: Maneval 296; ABR-201007046.R2; Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 26, 2022.

34. Seneca Resources Company, LLC; Pad ID: Taft 851; ABR-

201007047.R2; Middlebury Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 26, 2022.

35. EQT ARO LLC; Pad ID: COP Tr 356 Pad D; ABR-201007052.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 26, 2022.

36. Coterra Energy LLC; Pad ID: Rag Apple LLC P1; ABR-201207015.R2; Jessup Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 26, 2022.

37. Coterra Energy LLC; Pad ID: FlowerT P1; ABR-201207016.R2; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 26, 2022.

Authority: Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

Dated: August 3, 2022.

PUBLIC NOTICE

Susquehanna River Basin Commission

Grandfathering (GF) Registration Notice

SUMMARY: This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: July 1-31, 2022.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists GF Registration for projects, described below, pursuant to 18 CFR Part 806, Subpart E, for the time period specified above:

1. Cargill Meat Solutions Corporation – Cargill Meat Solutions, GF Certificate No. GF-202207222, Wyalusing Township, Bradford County, Pa.; Wells 1 and 3; Issue Date: July 12, 2022.

2. Pine Hills Country Club, Ltd. – Pine Hills Country Club, GF Certificate No. GF-202207223, Taylor Borough, Lackawanna County, Pa.; Well 1; Issue Date: July 12, 2022.

3. Union Deposit Corp. – Sportsman's Golf Course, GF Certificate No. GF-202207224, Lower Paxton Township, Dauphin County, Pa.; Wells 1, 2, and 3; Issue Date: July 12, 2022.

4. Middleburg Municipal Authority – Public Water Supply System, GF Certificate No. GF-202207225, Middleburg Borough and Franklin Township, Snyder County, Pa.; Well 1, Erb Run, West Branch Bowersox Run, and East Branch Bowersox Run; Issue Date: July 27, 2022.

Authority: Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

Dated: August 3, 2022.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

PUBLIC NOTICE

Susquehanna River Basin Commission

Projects Approved for Minor Modifications

SUMMARY: This notice lists the minor modifications approved for a previously approved project by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: July 1-31, 2022

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address. SUPPLEMENTARY INFORMATION: This notice lists previously approved projects, receiving approval of minor modifications, described below, pursuant to 18 CFR § 806.18 or to Commission Resolution Nos. 2013-11 and 2015-06 for the time period specified above.

1. Chesapeake Appalachia, L.L.C., Docket No. 20220623, Terry Township, Bradford County, Pa.; approval to change intake design and location; Approval Date: July 13, 2022.

Authority: Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

Dated: August 3, 2022.

Jason E. Oyler,

General Counsel and Secretary to the Commission.



AMENDMENT OF RULE

Uniform Rules for the Supreme and County Courts Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby amend Rule 6 of section 202.70(g) of the Uniform Rules for the Supreme and County Courts (Rules of Practice for the Commercial Division), effective September 12, 2022, to add a new section (d) as follows:

Rule 6. Form of Papers.

* * *

(d) Interlineation of Responsive Pleadings

(1) For every responsive pleading, the party preparing the responsive pleading shall interlineate each allegation of the pleading to which it is responding with the party's response to that allegation, and in doing so, shall preserve the content and numbering of the allegation.

(2) The party who prepared a pleading to which a responsive pleading is required shall, upon request, promptly provide a copy of its pleading in the same word processing software application in which the pleading was prepared to the party preparing the responsive pleading.

FINANCIAL REPORTS



Depositories for the Funds of the State of New York

Month End: August 31, 2022

Prepared by the Division of the Treasury Investments, Cash Management and Accounting Operations

A1 ...

Amanda Hiller Acting Commissioner

| ACCOUNTS HELD IN JOINT CUSTODY BY THE COMMISSIONER OF | | |
|---|--|--------------------------|
| TAXATION FINANCE AND THE NEW YORK STATE COMPTROLLER Unemployment Insurance Funding Account | Key Bank | 10,585,927.57 |
| Occupational Training Act Funding Account | Key Bank | 29,523.77 |
| General Checking | Key Bank | (1,388,743,160.75) |
| Direct Deposit Account | Wells Fargo | (19,368,855.55) |
| 01000 - EXECUTIVE CHAMBER | | |
| Executive Chamber Advance Account | Key Bank | No report received |
| 01010 - DIVISION OF BUDGET | Dauly of Averaging ALA | F 000 00 |
| Advance Account 01030 - DIVISION OF ALCOHOLIC BEVERAGE CONTROL | Bank of America, N.A. | 5,000.00 |
| Albany | | |
| SLA Investigations Account | Key Bank | 2,000.00 |
| 01050 - OFFICE OF GENERAL SERVICES | | , |
| Exec Mansion Official Function | Key Bank | 24,772.55 |
| NY ISO Account | Key Bank | 7,638,405.20 |
| SNY Office of General Services | JPMorgan Chase Bank, N.A. | 0.00 |
| State of New York Elicensing | Key Bank | 26,302.01 |
| State of New York OGS Petty Cash State of New Your OGS Escrow | Key Bank Key Bank | 238,120.81 126,697.61 |
| 01060 - DIVISION OF STATE POLICE | Rey bank | 120,057.01 |
| Div Headquarters - Petty Cash | Key Bank | 1,757.00 |
| Key Advantage Account | Key Bank | 1,440.82 |
| Manhattan Office-confidential | JPMorgan Chase Bank, N.A. | 500.00 |
| NYS Police Special Account | Key Bank | 2,262,905.20 |
| NYSP CTIU Confidential Fund | Key Bank | 4,500.00 |
| SIU Confidential Fund Account | Key Bank | 12,209.16 |
| Special Fund State Police Receipts Account | Key Bank Bank of America, N.A. | 48,444.05 230,931.11 |
| Troop A Batavia - Petty Cash | Bank of America, N.A. | 1,000.00 |
| Troop A Batavia-Confidential | Bank of America, N.A. | 3,500.00 |
| Troop B Confidential | Key Bank | 6,500.00 |
| Troop B Petty Cash | Community Bank | 1,000.00 |
| Troop C Confidential Fund | NBT Bank | 4,300.00 |
| Troop C Petty Cash | NBT Bank | 1,000.00 |
| Troop D Oneida - Confidential Troop D Oneida Petty Cash | Alliance Bank Alliance Bank | 2,700.00 1,000.00 |
| Troop E Canandaigua Confidential | Canandaigua National Bank | 2,000.00 |
| Troop E Petty Cash | Canandaigua National Bank | 1,000.00 |
| Troop F Confidential | JPMorgan Chase Bank, N.A. | 2,500.00 |
| Troop F Petty Cash | JPMorgan Chase Bank, N.A. | 1,000.00 |
| Troop G Loudonville Conf | Bank of America, N.A. | 7,459.07 |
| Troop G Petty Cash | Bank of America, N.A. | 1,000.00 |
| Troop K Petty Cash | Bank of Millbrook | 1,030.00 |
| Troop K Poughkeepsie-Confidential Troop L Confidential Fund | Bank of Millbrook Bank of America, N.A. | 1,530.67 7,048.61 |
| 01070 - DIVISION OF MILITARY & NAVAL AFFAIRS | bank of America, N.A. | 7,010.01 |
| Advance For Travel | Key Bank | 109,517.61 |
| SNY Camp Smith Billeting Fund | JPMorgan Chase Bank, N.A. | 7,468.34 |
| 01077 - OFFICE OF HOMELAND SECURITY | | |
| Academy Of Fire Science | Chemung Canal Trust | 46,557.00 |
| 01080 - DIVISION OF HOUSING & COMMUNITY RENEWAL | | |
| Albany Office Of Financial Administration Maximum Base Rent Fee Account | JPMorgan Chase Bank, N.A. | 23,975.13 |
| Revenue Account | JPMorgan Chase Bank, N.A. | 431,441.00 |
| 01090 - DIVISION OF HUMAN RIGHTS | Stridigan ended barry har a | 101,111.00 |
| Petty Cash Fund Account | JPMorgan Chase Bank, N.A. | No report received |
| 01150 - OFFICE OF EMPLOYEE RELATIONS | | |
| GOER Panel Administration Escrow Account | Key Bank | 11,230.07 |
| NYS Flex Spending | Key Bank | 2,078,848.67 |
| State of New York LMC Petty Cash Account | Key Bank | 2,000.00 |
| 01160 - JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS | I/a Davis | 1 070 00 |
| Agency Advance Account 01300 - ADIRONDACK PARK AGENCY | Key Bank | 1,970.00 |
| General Fund | Community Bank | 752.00 |
| Petty Cash | Community Bank | 3,861.23 |
| 01400 - CRIME VICTIMS COMPENSATION BOARD | ······, -···· | -, |
| Crime Victims | JPMorgan Chase Bank, N.A. | 149,340.00 |
| Emergency Claims | Key Bank | 1,743.54 |
| | | |

| Petty Cash Account Key Bank REST/SUBROG Escrow Account Key Bank 01490 - DIVISION OF CRIMINAL JUSTICE SERVICES | 1,550.00 389.66 |
|---|------------------------------|
| | 389.66 |
| 01490 - DIVISION OF CRIMINAL JUSTICE SERVICES | |
| | |
| Advance Account Bank of America, N.A. | 2,753.00 |
| Fingerprint Fee Account Bank of America, N.A. | 81,871.00 |
| 01530 - STATE COMMISSION OF CORRECTION | |
| Advance Account Bank of America, N.A. | 2,000.00 |
| 01540 - STATE BOARD OF ELECTIONS | |
| Revenue Account Key Bank | No report received |
| 01620 - OFFICE FOR PREVENTION OF DOMESTIC VIOLENCE | |
| NYS Prevention Domestic Violence Bank of America, N.A. | No report received |
| 02000 - OFFICE OF THE STATE COMPTROLLER | 0.00 |
| Admissions Bank of America, N.A. | 0.00 |
| Adult-Use Cannabis Wells Fargo Bank Advance for Travel Account Key Bank | 600.00 No report received |
| Advance for Haver Account Rey Bank Alcohol Beverage Bank of America, N.A. | 54,285.76 |
| Alcoholic Bev Control License Wells Fargo Bank | 123,755.63 |
| Alcoholic Beverage Control License Weits rango Dank | 122,964.22 |
| Alcoholic Beverage Tax Collections Wells Fargo Bank | 17,693.94 |
| Assessments Bulk JPM organ Chase Bank, N.A. | 123,768.88 |
| Assessments Receivable JPMorgan Chase Bank, N.A. | 2,226,936.49 |
| Assessments Receivable (EFT) Wells Fargo Bank | 466,693.27 |
| Boxing And Wrestling Tax Bank of America, N.A. | 4,349.67 |
| Check 21 Corporation Tax JPMorgan Chase Bank, N.A. | 533,369.54 |
| Check 21 Estate Tax JPMorgan Chase Bank, N.A. | 10,655,931.48 |
| Check 21 Highway Use JPMorgan Chase Bank, N.A. | 320,188.91 |
| Check 21 PIT JPMorgan Chase Bank, N.A. | 359,443.16 |
| Check 21 Real Estate Transfer JPMorgan Chase Bank, N.A. | 3,040,683.66 |
| Check Sales Tax JPMorgan Chase Bank, N.A. | 4,997,921.44 |
| Cigarette Stamp Tax (EFT) Wells Fargo Bank | 300,961.06 |
| Cigarette Stamp Tax Split JPMorgan Chase Bank, N.A. | 268,944.88 |
| Cigarette Tax Tobacco Products Bank of America, N.A. | 82,956.01 |
| Congestion Surcharge Wells Fargo Bank | 57,245.95 |
| Corporation Tax Wells Fargo Bank | 4,570.95 |
| Corporation Tax - Coupon Acct. JPMorgan Chase Bank, N.A. | 75,845.00 |
| Employer Compensation Expense Wells Fargo Bank | 2,762.58 |
| Encon Beverage Container Deposit/Bottle Bill (EFT) Wells Fargo Bank | 202,488.18 |
| ERS Petty Cash Acct Key Bank Key Bank | No report received |
| Estimated Tax JPMorgan Chase Bank, N.A. Gift Tax Bank of America, N.A. | 1,608,351.25 |
| | 0.00 |
| Hazardous Waste Key Bank Highway Use - Permits & Reg. Bank of America, N.A. | 12,896.37 35,285.30 |
| Highway Use Truck Mileage Tax (EFT) Wells Fargo Bank | 371,293.82 |
| Highway osci hardige tax (a 1) Version State and a second stat | 584,901.04 |
| Hudson River-Black River Community Bank | 219,246.09 |
| Hut/Josar Registrations & Renewals (EFT) Wells Fargo Bank | 67,125.00 |
| IFTA Fuel Use Tax (EFT) Wells Fargo Bank | 93,381.53 |
| IFTA/Oscar Renewals (EFT) Wells Fargo Bank | , 0.00 |
| IFTA-Decal/Permit Fee Acct. Bank of America, N.A. | 51,537.50 |
| IFTA-Fuel Use Bank of America, N.A. | 39,130.66 |
| Justice Court Key Bank | 245,151.85 |
| Mac #847 NYS T&F Pari Mutuel Key Bank | 917.35 |
| Mac #848 NYS T&F Off Track Key Bank | 1,872,433.40 |
| Medallion Taxicab Trip Tax (EFT) Wells Fargo Bank | 1,597.50 |
| Medical Marijuana Tax Collections Bank of America, N.A. | 40,023.34 |
| Metro Commuter Trans. Mobility JPMorgan Chase Bank, N.A. | 34,875.50 |
| Ogdensburg Bridge & Port Community Bank | 129,864.54 |
| Opioid Excise Tax Wells Fargo Bank | 97,891.65 |
| Pass-Through Entity Tax Wells Fargo Bank | 8,836,337.68 |
| Personal Income Tax Wells Fargo Bank | 105,107.45 |
| Petroleum Business Tax (EFT) Wells Fargo Bank | 315,279.07 |
| Petroleum Products Tax Bank of America, N.A. | 3,124,852.46 |
| Petty Cash Account Key Bank | No report received |
| PIT Bulk JPMorgan Chase Bank, N.A. | 2,824.17 |
| Port Of Oswego Key Bank Promptax - MCTMT Wells Fargo Bank | 11,740.17 9,469,098.05 |
| Promptax - Petroleum Business Tax Wells Fargo Bank | 9,409,090.03 196.97 |
| Promptax - Sales Tax/Sales Tax Prepaid Fuel Wells Fargo Bank Wells Fargo Bank | 982.19 |
| Promptax - Vithholding Wells Fargo Bank | 212,829,517.71 |
| Real Estate Transfer Tax Key Bank | 2,300.31 |
| Revenue Holding First Nagara Bank | 3,149,000.00 |
| | |
| | 0.00 |
| | 0.00 1,749.93 |
| Sales Tax JPMorgan Chase Bank, N.A. | |

| State of New York PIT Refund Acct |
|--|
| SUNY Concentration |
| TNC Assessment (EFT) |
| Troy Debt Service Reserve Fund |
| Uncashed Winning Tickets |
| Withholding |
| Withholding Tax |
| Cash Advance Accounts |
| Advance For Travel Account |
| ERS Petty Cash Acct |
| Petty Cash Account |
| Common Retirement Fund Common Retirement Fund - Depository |
| NYS Common Retirement Fund |
| NYS Employer Contributions |
| Employees Retirement System |
| Employees Retirement System - EFT |
| Employees Retirement System - General |
| Employees Retirement System - Pension |
| Group Term Life |
| Group Term Life - General |
| Municipal Assistance Corporation Accounts |
| City Of Troy - MAC |
| Police and Fire |
| Retirement Police & Firemen's - EFT |
| Retirement Police & Firemen's - General |
| Retirement Police & Firemen's - Pension |
| 03000 - DEPARTMENT OF LAW |
| Albany Filing Fees Account |
| Albany Petty Cash |
| Albany Revenue Account |
| Assessment Account |
| Attorney General Account Civil Recoveries Account |
| Dept Of Law Controlled Disb |
| Marie Roberts |
| NYC Filing Fees Account |
| NYC Petty Cash Account |
| NYC Revenue Account |
| Restitution Account |
| Special Account |
| US Justice Dept - Shared Forfeiture |
| US Treas Dept - Shared Forfeiture |
| 03010 - OFFICE OF THE ATTORNEY GENERAL |
| OCTF - Confidential Fund Checking |
| OCTF - Confidential Fund Checking |
| 03020 - MEDICAID FRAUD CONTROL |
| dept atty gen vs john doe |
| National Global Settlement |
| NYS Department Of Law Confidential Account |
| NYS Department of Law Petty Cash Account 04020 - NYS ASSEMBLY |
| Advance For Travel |
| Petty Cash Account Dist Off |
| Petty Cash New York City |
| Public Information Office |
| 04030 - ASSEMBLY WAYS & MEANS COMMITTEE |
| Advance For Travel |

04030 - ASSEMBLY WAYS & MEANS COMMITTEE Advance For Travel Petty Cash 04040 - LEGISLATIVE BILL DRAFTING COMMISSION

NY LBDC - Legislative Computer Services Fund NYS Leg Bill Drafting Comm-Petty Cash Acct 04250 - REAPPORTIONMENT

NYS Taskforce On Demo Res & Reapp **05000 - OFFICE OF COURT ADMINISTRATION** Attorney Registration Fees - Revenue Criminal Records Search Acct - Revenue Finger Print Account

05005 - OCA OFFICE OF BUDGET & FINANCE Petty Cash Account

05008 - LAWYERS FUND FOR CLIENT PROTECTION Client Security Fund - Bail Lawyers Fund For Client Protection - Bail Petty Cash

NYS Register/September 28, 2022

| 8 | I ' |
|-------------------------------|--------------------|
| | |
| JPMorgan Chase Bank, N.A. | 4,816.79 |
| First Niagara Bank | 8,768,000.00 |
| Wells Fargo Bank | 1,289.71 |
| Bank of America, N.A. | 139,155.26 |
| Bank of America, N.A. | 26,317.74 |
| Wells Fargo Bank | 5,472.22 |
| JPMorgan Chase Bank, N.A. | 10,441,458.39 |
| of the gain chase barrie that | 10,111,100.05 |
| Key Bank | 800.00 |
| Key Bank | 5,000.00 |
| Key Bank | 840.94 |
| Rey Dalik | 010.91 |
| JPMorgan Chase Bank, N.A. | (1,186.04) |
| JPMorgan Chase Bank, N.A. | |
| - | 155,724.46 |
| JPMorgan Chase Bank, N.A. | 380,000.00 |
| IDM Chass Davis N.A. | 207.02 |
| JPMorgan Chase Bank, N.A. | 307.03 |
| JPMorgan Chase Bank, N.A. | 0.00 |
| JPMorgan Chase Bank, N.A. | 1,529.60 |
| | |
| JPMorgan Chase Bank, N.A. | 0.00 |
| 10Mercen Chase Deuly N.A. | 0.00 |
| JPMorgan Chase Bank, N.A. | 0.00 |
| JPMorgan Chase Bank, N.A. | 15.19 |
| | |
| JPMorgan Chase Bank, N.A. | 0.00 |
| JPMorgan Chase Bank, N.A. | 0.00 |
| Key Bards | No |
| Key Bank | No report received |
| Bank of America, N.A. | No report received |
| Key Bank | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| Key Bank | No report received |
| Key Bank | No report received |
| M&T Bank | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| M&T Bank | No report received |
| Key Bank | No report received |
| Key Bank | No report received |
| | |
| Key Bank | No report received |
| 10Morgan Chase Pank N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| Key Baals | 4 120 002 01 |
| Key Bank | 4,136,863.81 |
| JPMorgan Chase Bank, N.A. | 6,301,079.16 |
| JPMorgan Chase Bank, N.A. | 39,625.00 |
| JPMorgan Chase Bank, N.A. | 4,713.54 |
| | |
| Bank of America, N.A. | 4,000.00 |
| Bank of America, N.A. | 20,670.06 |
| JPMorgan Chase Bank, N.A. | 706.52 |
| Key Bank | 33.25 |
| | |
| Key Bank | No report received |
| Key Bank | No report received |
| | |
| Key Bank | 35,339.64 |
| Key Bank | 2,000.00 |
| | |
| JPMorgan Chase Bank, N.A. | 125.00 |
| | |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| = , | |
| Key Bank | No report received |
| | |
| Key Bank | 1,234,954.39 |
| Key Bank | 702.22 |
| Key Bank | 4,792.52 |
| | .p. 52.62 |

| 05071 - COURT OF APPEALS | | |
|--|--|-------------------------|
| Chief Judge Advance | Key Bank | 15.07 |
| Clerk Of The Court Of Appeals | Key Bank | 2,233.01 |
| 05072 - STATE BOARD OF LAW EXAMINERS State Board Of Law Examiners Fee | Key Bank | 44,150.00 |
| 05081 - APPELLATE DIVISION - 1ST JUDICIAL DEPARTMENT | | 11,150.00 |
| 1st Appellate Division Supreme Ct | JPMorgan Chase Bank, N.A. | 41,322.00 |
| 05082 - APPELLATE DIVISION - 2ND JUDICIAL DEPARTMENT | | |
| Appellate Div 2nd Dept Revenue 05083 - APPELLATE DIVISION - 3RD JUDICIAL DEPARTMENT | JPMorgan Chase Bank, N.A. | 75,269.00 |
| Third Dept Civil Fees Acct - Revenue | Key Bank | 14,310.00 |
| 05084 - APPELLATE DIVISION - 4TH JUDICIAL DEPARTMENT | , | - , |
| 4th Dept Appellate Div Civil Fees - Revenue | JPMorgan Chase Bank, N.A. | 15,131.00 |
| 05090 - COURT OF CLAIMS | K D I | 4 500 00 |
| Court Of Claims Revenue Account 05111 - 10TH JUDICIAL DISTRICT NASSAU COUNTY ADMINISTRATION | Key Bank | 4,620.00 |
| Glen Cove City Court | | |
| Glen Cove City Court Bail | Wells Fargo Bank | 14,004.51 |
| Glen Cove City Court Revenue | Wells Fargo Bank | 34,226.00 |
| Long Beach City Court | Malla France Brack | (22,200,02 |
| Long Beach City Court Revenue Long Beach Court Bail | Wells Fargo Bank Wells Fargo Bank | 122,280.02 44,565.17 |
| Nassau County Court | Weis rungo bunk | 11,505.17 |
| Nassau County Assessment | Wells Fargo Bank | 26,972.15 |
| Nassau District Court - Criminal | | |
| Nassau Dist Ct Criminal Revenue | Wells Fargo Bank | 193,448.46 |
| Nassau District Court-Civil Nassau County Dist Ct- Civil Revenue | Wells Fargo Bank | 24,265.48 |
| Nassau Surrogate | Weis raigo bank | 24,205.40 |
| Nassau County Surrogate Court-Revenue | Wells Fargo Bank | 260,330.75 |
| 05112 - 10TH JUDICIAL DISTRICT SUFFOLK COUNTY ADMINISTRATION | | |
| 10th Judicial District Suffolk County Admin | | |
| Suffolk County Court -Court Fund Suffolk County Surrogate | People's United Bank | 217,845.00 |
| Surrogate Court Of Suffolk County | People's United Bank | 133,559.75 |
| Suffolk District Court Civil Fees | | , |
| Suffolk County District Court Civil Fees | Citibank | 261,132.37 |
| Suffolk District Court Criminal Fines | 2 111 | |
| Suffolk County District Court Criminal Fines Suffolk District Court Trust Acct | Citibank | 162,742.40 |
| Suffolk County District Court Trust Account | Citibank | 28,005.00 |
| 05210 - NYC-CIVIL COURT | | , |
| Bronx Civil Court - Civil | | |
| Bronx Civil Court - Revenue | JPMorgan Chase Bank, N.A. | 3,642,693.58 |
| Harlem Community Justice Court Harlem Community Justice - Revenue Account | JPMorgan Chase Bank, N.A. | 7,414.40 |
| Kings Civil Court- Civil | Si Horgan Chase Dank, N.A. | 7,111.10 |
| Kings Civil Court- Civil Revenue | JPMorgan Chase Bank, N.A. | 681,282.58 |
| New York Civil Court - Civil | | |
| New York Civil Court Revenue Acct | JPMorgan Chase Bank, N.A. | 136,264.16 |
| Queens Civil Court - Civil Queens Civil - Revenue | JPMorgan Chase Bank, N.A. | 2,194,258.70 |
| Richmond Civil Court - Civil | Si Hoigan chuse buniç hist. | 2,131,230.70 |
| Richmond Civil Ct Revenue Acct | JPMorgan Chase Bank, N.A. | 157,650.04 |
| 05215 - NYC-CRIMINAL COURT | | |
| Bronx Criminal Court- Criminal Court Bronx Criminal Division- Criminal Bail | IDMorgan Chase Bank, N.A. | E9 60E 00 |
| Bronx Criminal Division- Criminal Bail Bronx Criminal Court- Criminal Court | JPMorgan Chase Bank, N.A. | 58,605.00 |
| Bronx Criminal Division- Criminal Revenue | JPMorgan Chase Bank, N.A. | 4,978.00 |
| Kings County Criminal Court | | |
| Kings Criminal Court | Citibank | 133,237.00 |
| New York County Criminal Court New York Criminal Court | JPMorgan Chase Bank, N.A. | 167,488.00 |
| New York Criminal Court New York Criminal Court- State Funds | JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | 17,789.00 |
| Queens County Criminal Court | g 9 wang nu a | 2, ,, 00,000 |
| Queens Criminal Court | JPMorgan Chase Bank, N.A. | 65,088.00 |
| Queens Criminal Court - State Funds | JPMorgan Chase Bank, N.A. | 51,377.00 |
| Richmond County Criminal Court Richard Criminal Court-City Funde | JPMorgan Chase Bank, N.A. | 0 070 C |
| Richard Criminal Court-City Funds Richmond Criminal Court-State Funds | JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | 2,273.00 22,738.00 |
| 05231 - SUPREME COURT - BRONX COUNTY | stringen ender burry in t | 22,, 55.00 |
| Bronx County Supreme - NYS OCA | JPMorgan Chase Bank, N.A. | 1,825.00 |
| 05235 - SUPREME COURT - KINGS COUNTY | | |
| Kings Co Supreme | | |

Kings Co Supreme

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| Supreme Court Kings County-Revenue 05240 - SUPREME COURT - QUEENS COUNTY | JPMorgan Chase Bank, N.A. | 4,171.75 |
|--|---------------------------|--------------|
| Queens Co Supreme | | |
| Queens County Supreme Court | JPMorgan Chase Bank, N.A. | 0.00 |
| Queens County Supreme Court | JPMorgan Chase Bank, N.A. | 11,567.05 |
| 05250 - NEW YORK COUNTY CLERK | | |
| New York Co Clerk Revenue Account | JPMorgan Chase Bank, N.A. | 994,177.10 |
| 05255 - BRONX COUNTY CLERK | | |
| Bronx County Clerk | JPMorgan Chase Bank, N.A. | 723,786.15 |
| Bronx Cnty Clerk Revenue Acct 05260 - KINGS COUNTY CLERK | JEMOIGAN CHASE BAIK, N.A. | /23,/00.13 |
| Kings County Clerk | | |
| Kings County Clerk Revenue Account | Flushing Commercial Bank | 1,450,538.55 |
| 05265 - QUEENS COUNTY CLERK | 2 | , , |
| Queens County Clerk-Revenue Acct | Sterling Bank | 1,010,969.17 |
| 05270 - RICHMOND COUNTY CLERK | | |
| Richmond Co Clerk State Fees Account | JPMorgan Chase Bank, N.A. | 9,771,855.02 |
| Richmond County Clerk DEC | JPMorgan Chase Bank, N.A. | 78.93 |
| 05275 - NEW YORK COUNTY SURROGATES COURT | | |
| New York Surrogate | JDM-sees Chass David N A | 120 505 00 |
| New York Surrogate Court 05280 - BRONX COUNTY SURROGATES COURT | JPMorgan Chase Bank, N.A. | 129,595.00 |
| Bronx Surrogate | | |
| Bronx Surrogate Court Revenue Acct | JPMorgan Chase Bank, N.A. | 127,020.50 |
| 05285 - KINGS COUNTY SURROGATES COURT | | , |
| Kings County Surrogate | | |
| Kings Co. Surrogate Revenue Acct | Bank of America, N.A. | 658,127.00 |
| 05290 - QUEENS COUNTY SURROGATES COURT | | |
| Queens surrogate | | |
| Queens Co Revenue Acct Surrogate | Signature Bank | 178,317.00 |
| 05295 - RICHMOND COUNTY SURROGATES COURT | | |
| Richmond County Surrogate Court Revenue Account | Victory State Bank | 8,199.00 |
| 05360 - 3RD JUDICIAL DISTRICT ADMINISTRATION | | |
| Albany City Court - (Civil) Albany City Civil - Revenue | Wells Fargo Bank | 3,322.83 |
| Albany City Court - (Crim-Bail) | Weis Fargo Dank | 5,522.05 |
| Albany City Criminal - Bail | Wells Fargo Bank | 9,054.78 |
| Albany City Court - (Traffic) | 5 | , |
| Albany City Traffic-Revenue | Wells Fargo Bank | 36,508.00 |
| Albany Traffic Court - Bail | Bank of America, N.A. | 0.00 |
| Albany City Court - Civil Part | | |
| Albany City Court Civil - Revenue | Trustco Bank | 0.00 |
| Albany City Court - Crim | | 6.046.00 |
| Albany City Court-Crim | Wells Fargo Bank | 6,946.22 |
| Albany City Court - Traffic-Bail Albany City Traffic - Bail | Wells Fargo Bank | 1,300.45 |
| Albany Police Court | Weis Fargo Darik | 1,500.45 |
| Albany Police Court Bail Account | Key Bank | 0.00 |
| Albany Surrogates Court | , | |
| Albany County Surrogates Court Revenue | Wells Fargo Bank | 12,686.00 |
| Cohoes City Court | | |
| Cohoes City Court Bail | Key Bank | 2,510.00 |
| Cohoes City Court Fees/Fines Account | Key Bank | 7,452.00 |
| Columbia County Surrogate | | |
| Columbia Co Surrogate Ct Fees - Revenue | Key Bank | 1,511.00 |
| Greene Surrogate Greene Surrogate-Revenue | Wells Fargo Bank | 3,605.00 |
| Hudson City Court | Weis Largo Bark | 3,003.00 |
| Hudson City Bail | Wells Fargo Bank | 26,577.62 |
| Hudson City Revenue | Wells Fargo Bank | 5,828.00 |
| Kingston City Court | - | |
| Kingston City Court Bail | Wells Fargo Bank | 0.00 |
| Kingston City Court Revenue | Wells Fargo Bank | 29,676.89 |
| Rensselaer City Court | | |
| Rensselaer City Court - Bail | Wells Fargo Bank | 2.48 |
| Rensselaer City Court - Revenue | Wells Fargo Bank | 2,605.39 |
| Rensselaer County Surrogate | Key Bank | D4 EE1 00 |
| Rensselaer Co Surrogate Ct Fees - Revenue Schoharie Surrogate Court | Key Bank | 24,551.00 |
| Schoharie Surrogates Court Schoharie Surrogates Court Revenue | NBT Bank | 1,175.00 |
| Sullivan Surrogate | Her Burn | 1,17 5.00 |
| Sullivan Surrogate-Revenue | Wells Fargo Bank | 5,504.84 |
| Troy City Court | | -, |
| Troy City Court- Revenue Acct - Revenue | Bank of America, N.A. | 44,165.30 |
| | | |

| Troy Police Court Bail Account | Bank of America, N.A. | 6,575.58 |
|--|--|----------------------|
| Ulster County Surrogate Ulster County Surrogate Court - Revenue | Wells Fargo Bank | 9,767.75 |
| Watervliet City Court | Weis Faigo Bank | 5,707.75 |
| Watervliet City Court - Bail | Wells Fargo Bank | 37,856.59 |
| Watervliet City Court - Revenue | Wells Fargo Bank | 17,026.00 |
| 05460 - 4TH JUDICIAL DISTRICT ADMINISTRATION | | |
| Amsterdam City Court | | |
| Amsterdam City Court - Bail | Key Bank | 21,101.14 |
| Amsterdam City Court - Revenue | Key Bank | 17,490.79 |
| Clinton County Surrogates | | |
| Clinton County Surrogates - Revenue | NBT Bank | 1,342.50 |
| Essex County Surrogate | Champlein National | 2 462 00 |
| Essex Co Surrogate Clerk - Revenue Franklin County Surrogate | Champlain National | 3,463.00 |
| Franklin Co Surrogate Court - Revenue | Key Bank | 664.00 |
| Fulton County Surrogate | | 001.00 |
| Fulton County Surrogate's Court | Key Bank | 1,731.25 |
| Glens Falls City Court | , | , |
| Glens Falls City Court Account - Revenue | Glens Falls National | 15,712.00 |
| Glens Falls City Court Bail Acct | Glens Falls National | 11,677.28 |
| Gloversville City Court | | |
| Gloversville City Court Bail | NBT Bank | 67,002.14 |
| Gloversville City Court Revenue | NBT Bank | 5,000.50 |
| Hamilton Surrogate | | |
| Hamilton Surrogate - Revenue | Community Bank | 24.00 |
| Johnstown City Court | Key Bards | F 277 07 |
| City Of Johnstown Bail Account - Bail Johnstown City Court Fines/Fees - Revenue | Key Bank | 5,277.07 8,171.00 |
| Mechanicville City Court | Key Bank | 0,171.00 |
| Mechanicville City Court Bail | TD Bank | 4,502.26 |
| Mechanicville City Ct Revenue Acct | TD Bank | 2,695.17 |
| Montgomery County Surrogate | | 2,00012 |
| Montgomery County Surrogates Court - Revenue | NBT Bank | 290.25 |
| Ogdensburg City Court | | |
| Ogdensburg City Court Int Bail | Community Bank | 10,004.09 |
| Ogdensburg City Court Revenue | Community Bank | 1,778.04 |
| Plattsburgh City Court | | |
| Plattsburgh City Court - Bail | Glens Falls National | 20,906.54 |
| State Of NY Plattsburgh City Court - Revenue | Glens Falls National | 8,067.00 |
| Saratoga County Surrogate | | |
| Saratoga County Surrogate - Revenue | Ballston Spa National Bank | 3,877.00 |
| Saratoga Springs City Court | The Adirendeels Trust Company | 35,160.18 |
| Saratoga Springs Bail Account Saratoga Springs City Revenue Acct | The Adirondack Trust Company The Adirondack Trust Company | 10,235.00 |
| Schenectady City Court | The Adionadek Trust company | 10,200.00 |
| Schenectady City Court- Bail | Bank of America, N.A. | 99,239.04 |
| Schenectady City Court Revenue | Bank of America, N.A. | 23,482.08 |
| Schenectady Surrogate | , | , |
| Schenectady Surrogate Court - Revenue | Key Bank | 6,351.00 |
| St. Lawrence Co Surrogate | | |
| St. Lawrence County Surrogate - Revenue | Community Bank | 1,248.00 |
| Warren County Surrogate | | |
| Warren County Surrogate Court - Revenue | TD Bank | 2,159.00 |
| Washington Surrogates | | |
| Washington Surrogate Revenue | TD Bank | 957.00 |
| 05560 - 5TH JUDICIAL DISTRICT ADMINISTRATION | | |
| Fulton City Court Fulton City Court Bail Acct | Key Bank | No report received |
| Fulton City Court Ban Acc | Key Bank | No report received |
| Herkimer Surrogate | Ney Bank | no report received |
| Herkimer Surrogate - Revenue | Partners Trust | No report received |
| Jefferson Surrogates | | |
| Jefferson Co Surrogate Revenue | Key Bank | No report received |
| Lewis County | | |
| Lewis County Clerk | Community Bank | No report received |
| Lewis County Surrogates | | |
| Lewis County Surrogate Court - Revenue | Key Bank | No report received |
| Little Falls City Court | MOT Develo | No |
| Little Falls City Court Bail | M&T Bank | No report received |
| Little Falls City Court Revenue Oneida County Surrogates | M&T Bank | No report received |
| Oneida County Surrogate Court Revenue | The Adirondack Trust Company | No report received |
| Onondaga County Surrogates | The Adironadok Trube company | no report received |
| Unondada County Surrodates | | |

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| Onondaga Surrogate Court - Revenue | Alliance Bank | No report received |
|--|--|--|
| Oswego City Court | | |
| Oswego City Court Bail Acct | JPMorgan Chase Bank, N.A. | No report received |
| Oswego City Court Revenue Oswego Surrogate Court | JPMorgan Chase Bank, N.A. | No report received |
| Oswego County Surrogate Court - Revenue | Key Bank | No report received |
| Rome City Court | , | |
| City Court Of Rome Bail Account - Bail | NBT Bank | No report received |
| Rome City Court - Revenue | NBT Bank | No report received |
| Sherrill City Court | | |
| Sherrill City Court 5th Jud Dist - Bail Sherrill City Court Fees - Revenue | NBT Bank NBT Bank | No report received |
| Syracuse City Court | INDT Dalik | No report received |
| Syracuse City Court - Bail | NBT Bank | No report received |
| Syracuse City Court - Fees - Revenue | NBT Bank | No report received |
| Utica City Court | | |
| Utica City Court Criminal Bail | Bank of Utica | No report received |
| Utica City Court Revenue Account | Key Bank | No report received |
| Watertown City Court | Key Bank | No report resolved |
| Watertown City Court Bail Watertown City Court Fees & Fines - Revenue | Key Bank Key Bank | No report received No report received |
| 05661 - 6TH JUDICIAL DISTRICT ADMINISTRATION | | |
| Binghamton City Court | | |
| Binghamton City Court Bail | M&T Bank | 51,052.00 |
| Binghamton City Court Revenue | M&T Bank | 13,793.96 |
| Broome Surrogates | | |
| SNY UCS Broome County Surrogates Court | Wells Fargo Bank | 3,642.75 |
| Chemung County Surrogates SNY UCS Chemung County Surrogates Court | Wells Fargo Bank | 3,668.25 |
| Chenango County Surrogates | Weis Furge Burk | 5,000.25 |
| SNY UCS Chenango County Surrogates Court | Wells Fargo Bank | 626.25 |
| Cortland City Court | | |
| Court City Court Bail | NBT Bank | 32,229.00 |
| Court City Court- Revenue | NBT Bank | 8,651.00 |
| Cortland County Surrogates | Molla France Brack | 2 152 00 |
| SNY UCS Cortland County Surrogates Court Delaware County Surrogates | Wells Fargo Bank | 2,152.00 |
| Delaware County Surrogate - Revenue | Delaware National Bank | 4,453.75 |
| Elmira City Court | | , |
| Elmira City Court - Revenue Account | Chemung Canal Trust | 8,628.63 |
| Elmira City Court Bail | Chemung Canal Trust | 30,045.05 |
| Ithaca City Court | | 6 570 00 |
| Ithaca City Court Ithaca City Court Revenue | Tompkins Community Bank Tompkins Community Bank | 6,578.00 6,317.57 |
| Madison County Surrogates | Tompkins community bank | 0,517.57 |
| SNY UCS Madison County Surrogates Court | Wells Fargo Bank | 1,212.00 |
| Norwich City Court | | |
| Norwich City Court Bail Acct | NBT Bank | 16,293.00 |
| Norwich City Court Revenue Acct | NBT Bank | 2,499.00 |
| Oneida City Court | IDMorgan Chase Bank, N.A. | 10 010 50 |
| Oneida City Court Bail Account Oneida City Court Fee & Fine - Revenue | JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | 12,318.50 12,226.80 |
| Oneonta City Court | station gain on doo barny m.e. | 12,220.00 |
| Oneonta City Court - Revenue | Community Bank | 8,110.09 |
| Oneonta City Court Bail Account | Community Bank | 450.00 |
| Otsego County Surrogates | | |
| Otsego County Surrogates Court - Revenue | Key Bank | 33.25 |
| Schuyler County Surrogates | Community Bank | 7.25 |
| Schuyler County Surrogates Court Tioga County Surrogates | | 7.25 |
| Tioga Surrogates Court - Revenue | M&T Bank | 854.50 |
| Tompkins County Surrogates | | |
| SNY UCS Tompkins County Surrogates Court | Wells Fargo Bank | 6,650.75 |
| 05761 - 7TH JUDICIAL DISTRICT ADMINISTRATION | | |
| Auburn City Court | | |
| Ashum City Court Bail Ash | Key Brok | 25 500 85 |
| Auburn City Court Bail Acct | Key Bank Key Bank | 25,529.00 |
| Auburn City Court Fees & Fines - Revenue | Key Bank Key Bank | 25,529.00 12,559.50 |
| Auburn City Court Fees & Fines - Revenue Canandaigua City Court | | |
| Auburn City Court Fees & Fines - Revenue | Key Bank | 12,559.50 |
| Auburn City Court Fees & Fines - Revenue Canandaigua City Court Canandaigua City Court Bail Acct Canandaigua City Court Revenue Cayuga County Surrogates | Key Bank Canandaigua National Bank Canandaigua National Bank | 12,559.50 12,761.38 13,229.00 |
| Auburn City Court Fees & Fines - Revenue Canandaigua City Court Canandaigua City Court Bail Acct Canandaigua City Court Revenue Cayuga County Surrogates Cayuga Surrogate Court | Key Bank Canandaigua National Bank | 12,559.50 12,761.38 |
| Auburn City Court Fees & Fines - Revenue Canandaigua City Court Canandaigua City Court Bail Acct Canandaigua City Court Revenue Cayuga County Surrogates | Key Bank Canandaigua National Bank Canandaigua National Bank | 12,559.50 12,761.38 13,229.00 |

| Corning City Court - Revenue | Wells Fargo Bank | 2,301.12 |
|---|--------------------------------------|--|
| Geneva City Court | | |
| Geneva City Court Bail Account | Wells Fargo Bank | 18,555.05 |
| Geneva City Court Revenue Account | Wells Fargo Bank | 3,714.00 |
| Hornell City Court Hornell City Court Bail Account | Community Bank | 5,343.04 |
| Hornell City Court Ban Account | Community Bank | 2,451.00 |
| Livingston County Surrogates | community bank | 2,101.00 |
| Livingston Surrogate Court | Wells Fargo Bank | 1,811.00 |
| Monroe County Surrogates | | |
| 7th District Monroe Surrogate | Wells Fargo Bank | 21,107.00 |
| Ontario County Surrogates | | |
| Ontario Surrogate Court | Wells Fargo Bank | 3,202.00 |
| Rochester City Court | MOT Deals | F42 (17 42 |
| Rochester City Court Bail Account Rochester City Revenue | M&T Bank M&T Bank | 542,617.42 19,271.35 |
| Seneca County Surrogates | Pier bank | 19,271.55 |
| Seneca Surrogate Court | Wells Fargo Bank | 965.00 |
| Steuben County Surrogates | - | |
| 7th District Steuben Surrogate | Wells Fargo Bank | 3,457.00 |
| Wayne County Surrogates | | |
| Wayne Surrogate Court | Wells Fargo Bank | 803.25 |
| Yates County Surrogates | | |
| Yates Surrogate Court | Wells Fargo Bank | 63.00 |
| 05860 - 8TH JUDICIAL DISTRICT ADMINISTRATION ALLEGANY COUNTY SURROGATES COURT | | |
| ST of NY Office of The State Comptroller State of New York Unified Courts Allegany Surrogate Court | Wells Fargo Bank | No report received |
| Batavia City Court | tions range bank | |
| ST of NY Office of The State Comptroller Batavia City Court Bail | Wells Fargo Bank | No report received |
| ST of NY Office of The State Comptroller Batavia City Court REVENUE | Wells Fargo Bank | No report received |
| BUFFALO CITY COURT | | |
| ST of NY Office of The State Comptroller Buffalo City Court Bail Account | Wells Fargo Bank | No report received |
| ST of NY OFFICE OF THE STATE COMPTROLLER BUFFALO CITY COURT REVENUE ACCOUNT | Wells Fargo Bank | No report received |
| Cattaraugus County Surrogates | Malla Causa Daula | No. was and we associated |
| ST of NY Office of the State Comptroller State of New York Unified Courts Cattaraugus Surrogate Court Chautauqua County Surrogates Court | Wells Fargo Bank | No report received |
| ST of NY Office of the State Comptroller State of New York Unified Courts Chautauqua Surrogate Court | Wells Fargo Bank | No report received |
| Dunkirk City Court | | |
| ST of NY Office of The State Comptroller Dunkirk Bail Account | Wells Fargo Bank | No report received |
| ST of NY Office of The State Comptroller Dunkirk Revenue Account | Wells Fargo Bank | No report received |
| Erie - Buffalo County Law Library | | |
| Sur Ct Lib At Buffalo - Revenue | M&T Bank | No report received |
| Erie County Surrogates | | N |
| ST of NY Office of the State Comptroller State of New York Unified Courts Erie Surrogate Court Genesee County Surrogates | Wells Fargo Bank | No report received |
| ST of NY Office of the State Comptroller State of New York Unified Courts Genesee Surrogate Court | Wells Fargo Bank | No report received |
| Jamestown City Court | Weis Furge Burk | no report received |
| St of NY Office of the State Comptroller Jamestown City Court Bail Account | Wells Fargo Bank | No report received |
| St of NY Office of the State Comptroller Jamestown City Court Revenue Account | Wells Fargo Bank | No report received |
| Lackawanna City Court | | |
| Lackawanna City Court Bail Account | Key Bank | No report received |
| Lackawanna City Court Revenue Account | Key Bank | No report received |
| Lockport City Court | Malla Fanas Bank | No. or or other and the |
| St of NY Office of the State Comptroller Lockport City Court Bail Account St of NY Office of the State Comptroller Lockport City Court Revenue Account | Wells Fargo Bank Wells Fargo Bank | No report received No report received |
| Niagara County Surrogates | Weis Largo Dank | No report received |
| ST of NY Office of the State Comptroller State of New York Unified Courts Niagara Surrogate Court | Wells Fargo Bank | No report received |
| Niagara Falls City Court | J | |
| ST of NY OFFICE OF THE STATE COMPTROLLER NIAGARA FALLS BAIL ACCOUNT | Wells Fargo Bank | No report received |
| ST of NY OFFICE OF THE STATE COMPTROLLER NIAGARA FALLS REVENUE ACCOUNT | Wells Fargo Bank | No report received |
| No. Tonawanda City Court | | |
| ST of NY Office of The State Comptroller No. Tonawanda City Court Bail | Wells Fargo Bank | No report received |
| ST of NY Office of The State Comptroller No. Tonawanda Revenue Olean City Court | Wells Fargo Bank | No report received |
| ST of NY Office of The State Comptroller Olean City Court Bail | Wells Fargo Bank | No report received |
| ST of NY Office of The State Comptoller Olean City Court Revenue | Wells Fargo Bank | No report received |
| Orleans County Surrogates | trone range bann | |
| ST of NY Office of The State Comptroller State of New York Unified Courts Orleans Surrogate Court | Wells Fargo Bank | No report received |
| Salamanca City Court | - | |
| St of NY Office of the State Comptroller Salamanca City Court Bail Account | Wells Fargo Bank | No report received |
| St of NY Office of the State Comptroller Salamanca City Court Revenue Account | Wells Fargo Bank | No report received |
| Tonawanda City Court | | . |
| ST of NY Office of The State Comptroller Tonawanda City Court Bail | Wells Fargo Bank | No report received |
| ST of NY Office of The State Comptroller Tonawanda City Court Revenue | Wells Fargo Bank | No report received |
| | | |

| Wyoming County Surrogates | | |
|---|--|------------------------|
| ST of NY Office of the State Comptroller State of New York Unified Courts Wyoming Surrogate Court | Wells Fargo Bank | No report received |
| 05960 - 9TH JUDICIAL DISTRICT ADMINISTRATION | - | |
| Beacon City Court | | |
| Beacon City Court Bail Account - Bail | JPMorgan Chase Bank, N.A. | 4,178.85 |
| Beacon City Fines Account - Revenue | JPMorgan Chase Bank, N.A. | 5,037.00 |
| Dutchess County Surrogates Court | IDMorgon Chase Depty N A | 45 992 00 |
| Dutchess County Surrogate Court - Revenue Middletown City Court | JPMorgan Chase Bank, N.A. | 45,883.00 |
| Middletown City Bail Escrow - Bail | Wells Fargo Bank | 108,077.08 |
| Middletown City Court Revenue | JPMorgan Chase Bank, N.A. | 0.00 |
| Middletown City Court Revenue | Wells Fargo Bank | 49,849.99 |
| Mt Vernon City Court | J | , |
| Mt Vernon City Court State Bail | Wells Fargo Bank | 127,847.77 |
| Mt Vernon City Court State Revenue | Wells Fargo Bank | 23,882.48 |
| New Rochelle City Court | | |
| New Rochelle City Court Bail | JPMorgan Chase Bank, N.A. | 307,319.65 |
| New Rochelle City Court Revenue | JPMorgan Chase Bank, N.A. | 40,804.34 |
| Newburgh City Court | | |
| Newburgh Bail Account | Wells Fargo Bank | 70,042.27 |
| Newburgh City Court Revenue | Wells Fargo Bank | 47,044.98 |
| Orange County Surrogates Court | JPMorgan Chase Bank, N.A. | 14,042.50 |
| Orange Co Surrogates Court - Revenue Peekskill City Court | JPMOIGHT CHASE BAIK, N.A. | 14,042.50 |
| Peekskill City Court Revenue | JPMorgan Chase Bank, N.A. | 113,763.12 |
| Peekskill City Court | St Horgan endee banky N.R. | 115,705.12 |
| Peekskill City Court - Bail | JPMorgan Chase Bank, N.A. | 85,099.98 |
| Port Jervis City Court | | , |
| Port Jervis Bail Account - Bail | JPMorgan Chase Bank, N.A. | 8,661.94 |
| Port Jervis Revenue Account - Revenue | JPMorgan Chase Bank, N.A. | 10,486.00 |
| Poughkeepsie | | |
| Poughkeepsie City Court -Bail | Wells Fargo Bank | 13,282.50 |
| Poughkeepsie City Court -Revenue | Wells Fargo Bank | 25,027.46 |
| Putnam Co Surrogate's Court | | |
| Putnam Co Surrogates Court | Putnam County National Bank | 17,253.75 |
| Rockland County Surrogates Court | | 10.016.01 |
| Rockland Co Surrogates Court - Revenue | JPMorgan Chase Bank, N.A. | 13,246.84 |
| Rye City Court | IDMergen Chase Depty N.A. | 2 001 66 |
| City Of Rye Bail Account City Of Rye Fines And Fees - Revenue | JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | 2,901.66 33,726.00 |
| Westchester County Surrogates Court | Jenoigan Chase Bank, N.A. | 55,720.00 |
| Westchester Co Surrogates Fees - Revenue | Wells Fargo Bank | 61,016.34 |
| White Plains City Court | | |
| White Plains City Court Bail Account | Sterling Bank | 0.00 |
| White Plains City Court Bail Account | Wells Fargo Bank | 81,006.83 |
| White Plains City Court Vehicle And Traffic Acct - Revenue | Sterling Bank | 0.00 |
| White Plains City Court Vehicle And Traffic Acct - Revenue | Wells Fargo Bank | 118,551.01 |
| Yonkers City Court | | |
| Yonkers City Bail Account - Bail | Wells Fargo Bank | 501,380.64 |
| Yonkers City Revenue Account - Revenue | Wells Fargo Bank | 92,896.58 |
| 06000 - AGRICULTURE & MARKETS | K D I | 50.004.74 |
| Administration Account | Key Bank | 50,204.74 |
| Agency Advance Account | Key Bank | 9,103.47 |
| Agriculture Producers Sec Fund Animal Population Control Account | Key Bank | 46,687.68 27,618.81 |
| Apple Marketing Order Fund | Key Bank Key Bank | 0.00 |
| Consumer Food Industry Account | Key Bank | 32,709.35 |
| Dairy Industry Services Account | Key Bank | 35,674.51 |
| Dairy Promotion Order Fund | Key Bank | 0.00 |
| Milk Producers Security Fund | Key Bank | 18,838.18 |
| NYS Farmers Market Program | Key Bank | 416,445.82 |
| NYS WNY Milk Mktg Area Administration Fund | M&T Bank | 124.63 |
| NYS WNY Milk Mktg Area Equalization Fund | M&T Bank | 13,078.52 |
| NYS WNY Milk Mktg Area Equalization Fund Savings | M&T Bank | 319.51 |
| Plants Industry Account | Key Bank | 44,185.04 |
| Pride of NY | Key Bank | 6,266.98 |
| Weights & Measures Account | Key Bank | 1,343.97 |
| NYS Dept Agriculture & Markets | Koy Pank | 0.00 |
| Apple Marketing Order Fund | Key Bank | 0.00 |
| Dairy Promotion Order Fund Farm Products | Key Bank Key Bank | 0.00 13,096.12 |
| State Fair | NCY Dallk | 15,090.12 |
| NYS Fair Operating Account | Solvay Bank | 179,403.76 |
| NYS Fair Special Account | Solvay Bank | 232.33 |
| | | |

| 08000 - DEPARTMENT OF CIVIL SERVICE | | |
|--|--|-----------------------|
| Agency Advance Account | Bank of America, N.A. | 3,000.00 |
| Examination Application Fees Account | Bank of America, N.A. | 533.00 |
| Examination Application Fees Account | Key Bank | 8,857.00 |
| NYS Affirmative Action Advisory Account | Bank of America, N.A. | 5,063.06 |
| NYS Department of Civil Service | US Bank | 154,440,321.24 |
| 08010 - PUBLIC EMPLOYEE RELATIONS BOARD | | 000 75 |
| Petty Cash And Travel Advance Account | Key Bank | 209.75 |
| 09000 - DEPARTMENT OF ENVIRONMENTAL CONSERVATION | | |
| Albany | | C F10.00 |
| Conservation Petty Cash Account | M&T Bank | 6,518.00 |
| DEC/Exchange Account ENCON License Issuing Office | M&T Bank M&T Bank | 11,808.63 1,654.00 |
| ENCON/License issuing on the Encony Encony Montauk Point Feasibility Study | JPMorgan Chase Bank, N.A. | 7,209.39 |
| Hunting Trapping & Fishing Account | M&T Bank | 22,365.39 |
| Lockbox Account | Wells Fargo Bank | 258,009.86 |
| NY Conservationist | Bank of America, N.A. | 18,109.70 |
| Program Fee | JPMorgan Chase Bank, N.A. | 67,334.45 |
| Revenue Account | Bank of America, N.A. | 432,114.32 |
| Rockaway Beach Study & Project | JPMorgan Chase Bank, N.A. | 1,267,080.83 |
| State of New York | Key Bank | 195,086.08 |
| Region 1 | | |
| Marine Permit Account | People's United Bank | 20,686.72 |
| Region 3 | | |
| Beaverkill & Mongaup Pond | Jeff Bank | 11,998.38 |
| Revenue Region 3 Account | Bank of America, N.A. | 7,964.80 |
| Region 4 | | |
| Bear Spring Revenue Account | Wayne Bank | 0.00 |
| Region 4 | Greene County Commercial Bank | 0.00 |
| Region 4 Camping | NBT Bank | 0.00 |
| Region 5 | | |
| Campsite Revenue Account | Glens Falls National | 439.10 |
| Land & Forest Region 5W | TD Bank | 18,242.48 |
| NYS Conservation | Glens Falls National | 26.00 |
| Recreation (Warrensburg) Region 5 | City National Bank & Trust Citizens Bank | 315.66 38.03 |
| Region 5 | NBT Bank | 1,090.55 |
| Tree Nursery | Bank of America, N.A. | 0.00 |
| Region 6 | bank of America, N.A. | 0.00 |
| Fish & Wildlife Watertown | Key Bank | 126.92 |
| Lands & Forest District #7 | Community Bank | 0.00 |
| Lands & Forests District #6 | Community Bank | 50.00 |
| Lands And Forests District 10 | M&T Bank | 2,443.76 |
| SNY Dept Of Environmental Conserv | Community Bank | , 14.04 |
| 10000 - ATTICA CORRECTIONAL FACILITY | , | |
| Agency Advance Account | Five Star Bank | 1,208.79 |
| Employee Benefit Fund | Five Star Bank | 11,342.25 |
| General Cash Fund | Five Star Bank | 3,036.49 |
| Inmate Occupational Therapy Fund | Five Star Bank | 135,436.56 |
| Spendable Fund | Five Star Bank | 561,067.14 |
| 10010 - AUBURN CORRECTIONAL FACILITY | | |
| Advance Account | Key Bank | 3,171.13 |
| Certificate of Deposit | Bank of America, N.A. | 15,021.20 |
| Inmate Occupational Therapy Fund | Key Bank | 31,414.96 |
| Inmate Spendable Account | Key Bank | 207,707.11 |
| Misc Revenue | Key Bank | 54,983.66 |
| 10020 - CLINTON CORRECTIONAL FACILITY | | |
| Advance Account | Key Bank | 6,114.29 |
| Employee Benefit Fund | Key Bank | 7,746.64 |
| General Fund | Key Bank | 11,745.10 |
| Inmate Funds | Key Bank | 73,015.37 |
| Inmate Occupational Therapy Acct | Key Bank | 106,578.59 |
| 10040 - GREAT MEADOW CORRECTIONAL FACILITY | Clana Falla National | 100 000 00 |
| Certificate of Deposit | Glens Falls National Glens Falls National | 100,000.00 |
| Certificate of Deposit Facility Advance | Giens Fails National Key Bank | 25,000.00 4,362.17 |
| General Fund | Key Bank | 4,362.17 |
| Inmate Fund | Key Bank | 356,063.30 |
| Miscellaneous Account | Key Bank | 26,404.32 |
| Occupational Therapy | Key Bank | 83,475.47 |
| 10050 - FISHKILL CORRECTIONAL FACILITY | noy barne | 55, 17 5. 17 |
| Agency Advance | M&T Bank | No report received |
| Employee Benefits | M&T Bank | No report received |
| Inmate Spending Account | M&T Bank | No report received |
| | | |

| м | /lisc Receipts | M&T Bank | No report received |
|---|--|---|--|
| | Decupational Therapy Account | M&T Bank | No report received |
| | VALLKILL CORRECTIONAL FACILITY | | |
| A | Advance Account | Key Bank | 1,307.86 |
| E | Imployee Benefit | Key Bank | 2,880.85 |
| II | nmate Occupational Therapy Fund | Key Bank | 33,119.55 |
| II | nmates Fund Account | Key Bank | 296,936.47 |
| | /isc. Receipts | Key Bank | 15,787.59 |
| 10070 - SI | ING SING CORRECTIONAL FACILITY | | |
| | Cash Advance | JPMorgan Chase Bank, N.A. | No report received |
| | nmate Funds | JPMorgan Chase Bank, N.A. | No report received |
| | nmate Interest Funds | JPMorgan Chase Bank, N.A. | No report received |
| | /isc Receipts | JPMorgan Chase Bank, N.A. | No report received |
| | Decupational Therapy | JPMorgan Chase Bank, N.A. | No report received |
| - | Quality Work Life IREEN HAVEN CORRECTIONAL FACILITY | JPMorgan Chase Bank, N.A. | No report received |
| | Advance Account | Kov Bank | 1 705 22 |
| | Seneral Fund | Key Bank Key Bank | 1,795.33 35,357.46 |
| | nmates Now Checking | Key Bank | 1,108,439.75 |
| | Decupational Therapy Fund | Key Bank | 171,778.95 |
| | LBION CORRECTIONAL FACILITY | Key Balik | 1/1,//0.55 |
| | Albion Advance Account | Bank of America, N.A. | 3,773.42 |
| | Employee Benefit Fund | Bank of America, N.A. | 13,860.62 |
| | nmate Funds | Bank of America, N.A. | 19,185.51 |
| | /isc Receipts | Bank of America, N.A. | 7,490.90 |
| | Decupational Therapy | Bank of America, N.A. | 27,176.73 |
| | ASTERN NEW YORK CORRECTIONAL FACILITY | , | |
| | Agency Advance Account | Webster Bank | 439.16 |
| | imployee Benefit Fund | Webster Bank | 19,454.61 |
| | nmate Deposit Now Account | Webster Bank | 387,503.96 |
| Ir | nmate Occupational Therapy Account | Webster Bank | 53,466.34 |
| Μ | /lisc. Receipts | Webster Bank | 8,874.36 |
| 10110 - El | LMIRA CORRECTIONAL & RECEPTION CENTER | | |
| A | Agency Advance Account | Chemung Canal Trust | 2,163.81 |
| E | mployee Benefit Fund | Chemung Canal Trust | 36,775.61 |
| I | nmates Fund | Chemung Canal Trust | 522,325.86 |
| М | Aiscellaneous Receipts | Chemung Canal Trust | 356.00 |
| C | Occupational Therapy Fund | Chemung Canal Trust | 44,137.10 |
| | EDFORD HILLS CORRECTIONAL FACILITY | | |
| | Advance Account | JPMorgan Chase Bank, N.A. | 5,043.06 |
| | imployee Benefit Fund | JPMorgan Chase Bank, N.A. | 2,984.10 |
| | nmate Funds | JPMorgan Chase Bank, N.A. | 190,112.32 |
| | /lisc. Receipts | JPMorgan Chase Bank, N.A. | 261.53 |
| | Decupational Therapy | JPMorgan Chase Bank, N.A. | 74,380.12 |
| | OXSACKIE CORRECTIONAL FACILITY | | |
| | Agency Advance Account | National Bank of Coxsackie | 1,069.64 |
| | imployee Benefits Fund | National Bank of Coxsackie | 36,272.56 |
| | nmates Fund ⁄lisc. Revenue | National Bank of Coxsackie National Bank of Coxsackie | 121,215.74 |
| | Decupational Therapy Acct | National Bank of Coxsackie | 4,411.36 |
| | VOODBOURNE CORRECTIONAL FACILITY | National Bank of Coxsackie | 57,795.71 |
| | VCF Agency Advance | Jeff Bank | 1,239.33 |
| | VCF General Fund | Jeff Bank | 14,405.27 |
| | VCF Inmate Fund | Jeff Bank | 151,695.88 |
| | WCF Occupational Therapy Fund | Jeff Bank | 82,952.54 |
| | EPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION | | , |
| | | Key Bank | No report received |
| | Agency Advance Account | | |
| | Agency Advance Account Employee Benefit Fund | | |
| | mployee Benefit Fund | Key Bank | No report received |
| II | mployee Benefit Fund nmate Escrow Account | Key Bank Key Bank | No report received No report received |
| Ir M | mployee Benefit Fund | Key Bank | No report received |
| Ir M S | mployee Benefit Fund nmate Escrow Account Iisc. Receipts Account | Key Bank Key Bank Key Bank | No report received No report received No report received |
| ۲۱ ۸ ۲ ۱ ۵۱۲۵ - Q | imployee Benefit Fund nmate Escrow Account Aisc. Receipts Account Special Account | Key Bank Key Bank Key Bank | No report received No report received No report received No report received |
| Ir M S 10170 - Q A | mployee Benefit Fund nmate Escrow Account disc. Receipts Account Special Account JUEENSBORO CORRECTIONAL FACILITY | Key Bank Key Bank Key Bank Key Bank | No report received No report received No report received No report received |
| Ir M S 10170 - Q A E | mployee Benefit Fund nmate Escrow Account Alisc, Receipts Account Special Account U LENSBORO CORRECTIONAL FACILITY Agency Advance Account | Key Bank Key Bank Key Bank Key Bank JPMorgan Chase Bank, N.A. | No report received No report received No report received No report received 4,169.25 |
| Ir M S 10170 - Q A E Ir | Imployee Benefit Fund nmate Escrow Account Alsc. Receipts Account Special Account U ZEENSBORO CORRECTIONAL FACILITY Agency Advance Account Imployee Benefit Fund | Key Bank Key Bank Key Bank Key Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | No report received No report received No report received No report received 4,169.25 5,729.99 |
| Ir S 10170 - Q A E Ir M | Imployee Benefit Fund nmate Escrow Account Also: Receipts Account Bipecial Account IVEENSBORD CORRECTIONAL FACILITY Ggency Advance Account Imployee Benefit Fund nmate Funds Account | Key Bank Key Bank Key Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | No report received No report received No report received No report received 4,169.25 5,729.99 494,623.38 |
| In S 10170 - Q A E In M C | Imployee Benefit Fund nmate Escrow Account Aisc. Receipts Account IgeENSBORO CORECTIONAL FACILITY Agency Advance Account Imployee Benefit Fund nmate Funds Account Aiscellaneous Receipts Account | Key Bank Key Bank Key Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | No report received No report received No report received 4,169.25 5,729.99 494,623.38 865.79 |
| In M S 10170 - Q A E In M C 10230 - A | Imployee Benefit Fund nmate Escrow Account disc. Receipts Account gecial Account gecial Account gecory Advance Account imployee Benefit Fund mmate Fund mmate Funds Account discellaneous Receipts Account Decupational Therapy Fund | Key Bank Key Bank Key Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | No report received No report received No report received 4,169.25 5,729.99 494,623.38 865.79 |
| In M S 10170 - Q A E In M C 10230 - A A | Imployee Benefit Fund nmate Escrow Account lisc. Receipts Account Special Account UPLENSBORO CORRECTIONAL FACILITY Agency Advance Account Imployee Benefit Fund nmate Funds Account Liscellaneous Receipts Account DIRONDACK CORRECTIONAL FACILITY | Key Bank Key Bank Key Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | No report received No report received No report received No report received 4,169.25 5,729.99 494,623.38 865.79 1,561.97 |
| In M S 10170 - Q A E In M C 10230 - AI A A A E | The power Benefit Fund nmate Escrow Account lisc. Receipts Account Special Account UEENSBORO CORRECTIONAL FACILITY Ugency Advance Account imployee Benefit Fund nmate Funds Account liscellaneous Receipts Account Dicoupational Therapy Fund DIRONDACK CORRECTIONAL FACILITY DATA DIRONDACK CORRECTIONAL FACILITY DATA DIRONDACK CORRECTIONAL FACILITY DATA DIRONDACK CORRECTIONAL FACILITY DATA DIRONDACK CORRECTIONAL FACILITY DIRONDACK CORRECTIONAL FACIL | Key Bank Key Bank Key Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. Community Bank Community Bank Community Bank | No report received No report received No report received 4,169.25 5,729.99 494,623.38 865.79 1,561.97 5,209.24 470.00 4,799.50 |
| In M S 10170 - Q A E In M C 10230 - A A A A E G G | Imployee Benefit Fund Immate Escrow Account Imployee Benefit Fund Immate Escrow Account Imployee Benefit Fund Immate Funds Account Imployee Benefit Fund Immate Funds Account Imployee Benefit Fund DIRONDACK CORRECTIONAL FACILITY UNK QWL Imployee Benefit Fund Employee Benefit Fund | Key Bank Key Bank Key Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. Community Bank Community Bank Community Bank | No report received No report received No report received 4,169.25 5,729.99 494,623.38 865.79 1,561.97 5,209.24 470.00 4,799.50 126.00 |
| II M S 10170 - Q A E II M C 10230 - AI A A A G G G II | The power Benefit Fund nmate Escrow Account lisc. Receipts Account Special Account UEENSBORO CORRECTIONAL FACILITY Ugency Advance Account imployee Benefit Fund nmate Funds Account liscellaneous Receipts Account Dicoupational Therapy Fund DIRONDACK CORRECTIONAL FACILITY DATA DIRONDACK CORRECTIONAL FACILITY DATA DIRONDACK CORRECTIONAL FACILITY DATA DIRONDACK CORRECTIONAL FACILITY DATA DIRONDACK CORRECTIONAL FACILITY DIRONDACK CORRECTIONAL FACIL | Key Bank Key Bank Key Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. Community Bank Community Bank Community Bank | No report received No report received No report received No report received 4,169.25 5,729.99 494,623.38 865.79 1,561.97 5,209.24 470.00 4,799.50 |

| 10250 - | TACONIC CORRECTIONAL FACILITY | | |
|---------|--|---------------------------|------------|
| | Employee Benefit Fund | JPMorgan Chase Bank, N.A. | 4,691.90 |
| | Inmate Funds | JPMorgan Chase Bank, N.A. | 139,608.37 |
| | Misc. Revenue | JPMorgan Chase Bank, N.A. | 1,089.99 |
| | Occupational Therapy Fund | JPMorgan Chase Bank, N.A. | 21,182.67 |
| | Taconic Advance Account | JPMorgan Chase Bank, N.A. | 2,901.32 |
| 10270 - | HUDSON CORRECTIONAL FACILITY | | |
| | Advance Account | Key Bank | 3,932.51 |
| | Employee Benefit Fund Account | Key Bank | 2,922.00 |
| | Inmate Funds account | Key Bank | 74,133.08 |
| | Inmate Occupational Therapy Account | Key Bank | 10,994.09 |
| | Miscellaneous Receipts Account | Key Bank | 7,326.99 |
| 10290 - | OTISVILLE CORRECTIONAL FACILITY | | |
| | Cash Advance | Jeff Bank | 568.40 |
| | General Fund | Jeff Bank | 10,026.83 |
| | Inmate Funds | Jeff Bank | 182,755.71 |
| | Inmate Occupational Therapy | Jeff Bank | 65,978.61 |
| 10320 - | EDGECOMBE CORRECTIONAL FACILITY | | |
| | Agency Advance | JPMorgan Chase Bank, N.A. | 1,876.95 |
| | Employee Benefit Account | JPMorgan Chase Bank, N.A. | 693.80 |
| | Inmate Cash Account | JPMorgan Chase Bank, N.A. | 39,755.67 |
| | Misc. Receipts Account | JPMorgan Chase Bank, N.A. | 0.00 |
| | Occupational Therapy Acct | JPMorgan Chase Bank, N.A. | 327.67 |
| 10370 - | FIVE POINTS CORRECTIONAL FACILITY | | |
| | Consolidated Advance | M&T Bank | 1,250.00 |
| | EBF Checking | M&T Bank | 77,284.47 |
| | Inmate Spendable | Five Star Bank | 23,953.55 |
| | Inmate Spendable | M&T Bank | 246,615.68 |
| | Misc Receipts | M&T Bank | 724.77 |
| | Occupational Therapy | M&T Bank | 65,446.12 |
| 10390 - | MOHAWK CORRECTIONAL FACILITY | | |
| | Agency Advance | Key Bank | 1,214.26 |
| | Employee Benefit Fund Checking | Bank of America, N.A. | 40,419.47 |
| | Inmate Funds Checking | Key Bank | 255,594.33 |
| | Miscellaneous Revenue | Key Bank | 10,467.95 |
| | Occupational Therapy | Key Bank | 25,249.06 |
| 10430 - | WENDE CORRECTIONAL FACILITY | | |
| | Consolidated Advance | Alden State Bank | 3,842.13 |
| | Employee Benefit Account | Alden State Bank | 33,371.19 |
| | Inmates Funds | Alden State Bank | 97,785.16 |
| | Misc. Receipts | Alden State Bank | 6,158.40 |
| | Occupational Therapy | Alden State Bank | 59,632.09 |
| 10441 - | DEPARTMENT OF CORRECTIONAL SERVICES-FOOD PRODUCTION CENTER | | |
| Off | ce of Nutritional Services | | |
| | Miscellaneous Receipts | Key Bank | 25,149.29 |
| 10460 - | GROVELAND CORRECTIONAL FACILITY | | |
| | Agency Advance Account | Five Star Bank | 785.34 |
| | Employee Commission Account | Five Star Bank | 8,635.60 |
| | Inmate Funds Account | Five Star Bank | 166,299.86 |
| | Miscellaneous Receipts Account | Five Star Bank | 1,385.36 |
| | Occupational Therapy Account | Five Star Bank | 22,487.95 |
| 10470 - | COLLINS CORRECTIONAL FACILITY | | |
| | Agency Advance | Community Bank | 4,227.03 |
| | Employee Activities | Community Bank | 42,484.57 |
| | Inmate Fund Checking | Community Bank | 483,174.19 |
| | Miscellaneous Revenue | Community Bank | 8,168.85 |
| | Occupational Therapy | Community Bank | 23,045.57 |
| 10480 - | MID-STATE CORRECTIONAL FACILITY | | |
| | Agency Advance | Key Bank | 797.25 |
| | Employee Benefit Fund | Bank of America, N.A. | 35,232.27 |
| | Inmate Funds | Key Bank | 243,629.18 |
| | Misc. Revenue | Key Bank | 5,325.70 |
| | Occupational Therapy | Key Bank | 48,272.86 |
| 10490 - | MARCY CORRECTIONAL FACILITY | | |
| | Agency Advance Account | Key Bank | 36.43 |
| | Employee Benefit Fund Account | Bank of America, N.A. | 44,827.61 |
| | Inmate Fund Account | Key Bank | 61,409.02 |
| | Misc receipts Acct | Key Bank | 117.50 |
| | Occupational Therapy fund Acct | Key Bank | 41,488.78 |
| 10501 - | CENTRAL PHARMACY | | |
| | NYS Docs Central Pharmacy Advance Acct | Bank of America, N.A. | 1,000.00 |
| 10530 - | FRANKLIN CORRECTIONAL FACILITY | | |
| | Advance Account | Key Bank | 4,676.64 |
| | Employee Benefit Account | Key Bank | 17,257.31 |
| | | | |

| Inmate Funds | Key Bank | 96,067.69 |
|--|--|-------------------------|
| Inmate Occupational Therapy | Key Bank | 16,698.68 |
| Misc. Receipts | Key Bank | 795.17 |
| 10540 - ALTONA CORRECTIONAL FACILITY | | |
| Cons Adv Travel Petty Cash | NBT Bank | 3,292.70 |
| Employees Vending Benefit Inmates Funds | NBT Bank | 7,709.60 |
| Misc Revenues General Fund | NBT Bank NBT Bank | 35,667.24 229.93 |
| Occupational Therapy | NBT Bank | 4,621.33 |
| 10550 - CAYUGA CORRECTIONAL FACILITY | | ., |
| Agency Advance | First National Bank of Groton | 1,817.00 |
| Employee Benefit Fund | First National Bank of Groton | 5,183.25 |
| Inmate Occupational Therapy Account | First National Bank of Groton | 38,895.45 |
| Inmate Spendable | First National Bank of Groton | 218,738.45 |
| Misc Receipts 10560 - BARE HILL CORRECTIONAL FACILITY | First National Bank of Groton | 684.33 |
| Agency Advance | Key Bank | 1,844.03 |
| Employee Benefit Fund | Key Bank | 6,783.43 |
| Inmate Spendable Funds | Key Bank | 144,206.94 |
| Miscellaneous Receipts | Key Bank | 1,148.00 |
| Occupational Therapy | Key Bank | 11,752.74 |
| 10570 - RIVERVIEW CORRECTIONAL FACILITY | | |
| Agency Advance Account | Key Bank | 1,500.00 |
| Inmate Accounts | Key Bank | 87,429.02 |
| Miscellaneous Receipts Account | Key Bank | 24,399.20 |
| Occupational Therapy 10580 - CAPE VINCENT CORRECTIONAL FACILITY | Key Bank | 8,216.45 |
| Advance Account | Community Bank | 1,900.00 |
| Employee Benefit Fund | Community Bank | 45,661.13 |
| Inmate Occupation Therapy Acct | Community Bank | 35,014.29 |
| Inmate Spendable Account | Community Bank | 68,791.90 |
| Miscellaneous Receipts Account | Community Bank | 5,879.69 |
| 10600 - LAKEVIEW SHOCK INCARCERATION CORRECTIONAL FACILITY | | |
| Agency Advance | Community Bank | 3,700.00 |
| Employee Benefit Fund | Community Bank | 13,268.16 |
| Inmate Funds | Community Bank | 91,864.74 |
| Inmate Funds - Sav Miscellaneous Revenue | Community Bank | 84,678.32 |
| Occupational Therapy | Community Bank Community Bank | 2,599.49 14,468.42 |
| 10610 - ULSTER CORRECTIONAL FACILITY | community bank | 11,100.12 |
| Agency Advance | M&T Bank | 1,473.21 |
| Employee Benefit Fund | M&T Bank | 7,923.15 |
| Inmate Fund | M&T Bank | 165,443.96 |
| Misc Receipts | M&T Bank | 139.97 |
| Occupational Therapy | M&T Bank | 16,994.74 |
| 10640 - ORLEANS CORRECTIONAL FACILITY | Deals of Associate ALA | 4 400 04 |
| Agency Advance Employee Benefit Fund | Bank of America, N.A. | 1,123.04 |
| Inmate Funds | Bank of America, N.A. Bank of America, N.A. | 12,628.00 296,563.14 |
| Miscellaneous Receipts | Bank of America, N.A. | 23,988.60 |
| Occupational Therapy | Bank of America, N.A. | 20,553.09 |
| 10650 - WASHINGTON CORRECTIONAL FACILITY | | , |
| Advance Account | Key Bank | 2,416.79 |
| EBF Account | Key Bank | 20,432.39 |
| General Account | Key Bank | 56.14 |
| Inmate Account | Key Bank | 87,752.17 |
| | Key Bank | 22,967.42 |
| 10660 - WYOMING CORRECTIONAL FACILITY Agency Advance | Five Star Bank | 6,300.00 |
| Employee Benefit Fund | Five Star Bank | 17,190.14 |
| Inmate Occupational Therapy | Five Star Bank | 55,666.23 |
| Inmate Spendable | Five Star Bank | 335,723.23 |
| Misc. Receipts Account | Five Star Bank | 9,193.12 |
| 10670 - GREENE CORRECTIONAL FACILITY | | |
| Consolidated Advance | National Bank of Coxsackie | 1,959.42 |
| Employee Benefit Fund | National Bank of Coxsackie | 34,053.49 |
| Inmate Accounts | National Bank of Coxsackie | 83,977.00 |
| Misc. Receipts | National Bank of Coxsackie | 0.00 |
| Occupational Therapy 10680 - SHAWANGUNK CORRECTIONAL FACILITY | National Bank of Coxsackie | 38,884.27 |
| Consolidated Advance Account | Key Bank | 1,138.79 |
| Inmates Funds Account | Key Bank | 282,382.18 |
| Misc. Receipts Account | Key Bank | 12,792.11 |
| Occupational Therapy Acct | Key Bank | 58,425.29 |
| | | , |

| 10690 - | SULLIVAN CORRECTIONAL FACILITY | | |
|---------|--|-----------------------------|------------------------|
| | Consolidated Advance | Key Bank | 2,149.00 |
| | Inmate Checking | Key Bank | 204,421.28 |
| | Miscellaneous | Key Bank | 14,628.87 |
| | Occupational Therapy | Key Bank | 34,687.77 |
| 10810 - | GOUVERNEUR CORRECTIONAL FACILITY | | |
| | Agency Advance | Community Bank | 1,600.23 |
| | Inmate Occupational Therapy | Community Bank | 20,290.91 |
| | Inmate Spendable Fund | Community Bank | 156,893.88 |
| | Misc Receipts | Community Bank | 15,779.48 |
| 10840 - | UPSTATE CORRECTIONAL FACILITY-AUDIT 1 Advance Account | Key Bergle | 1 756 20 |
| | Facility Committees | Key Bank | 1,756.39 15,662.17 |
| | Inmate Fund | Key Bank Key Bank | 156,035.94 |
| | Inmate Occupational Therapy Fund | Key Bank | 27,017.36 |
| | Minace Coccupational menapy Fund Miscellaneous Account | Key Bank | 572.50 |
| 10850 - | HALE CREEK ASACTC | | 3, 2.00 |
| 10000 | Consolidated Advance | Key Bank | 560.00 |
| | Employee Benefit Fund | Bank of America, N.A. | 0.00 |
| | Employee Benefit Fund | , Key Bank | 10,570.40 |
| | Inmate Funds | Key Bank | 26,297.57 |
| | Misc Receipts | Key Bank | 80.00 |
| | Occupational Therapy | Key Bank | 15,171.78 |
| 10890 - | CORRECTIONS AND COMMUNITY SUPERVISION | | |
| | Asset Forfeiture Special Rev Acct | Bank of America, N.A. | 18,908.69 |
| 10916 - | CENTRAL OFFICE - INDUSTRIES | | |
| | Div of Ind Petty Cash Acct | Key Bank | 4,000.00 |
| | Div of Ind Revenue Acct | Key Bank | 298,455.55 |
| 11000 - | EDUCATION DEPARTMENT | | |
| | Consolidated Advance Account | Key Bank | No report received |
| | Consolidated Advance Account (Control Disbursement) | Key Bank | No report received |
| 11100 | Revenue Account | Key Bank | No report received |
| 11100 - | NYS HIGHER EDUCATION SERVICES CORPORATION | | 15.00 |
| | Federal Student Loan Suspense | US Bank | 15.00 0.00 |
| | NYS HESC-Federal Student Loan Suspense | Key Bank Key Bank | 642,726.46 |
| | Operating Operating | US Bank | 1,218,148.79 |
| 11260 - | BATAVIA SCHOOL FOR THE BLIND | 05 Dank | 1,210,140.75 |
| 11200 | Misc. Receipts | M&T Bank | 51,173.09 |
| | Petty Cash | M&T Bank | 3,327.00 |
| | Student Spending Account | Bank of America, N.A. | 9,801.33 |
| 11270 - | ROME SCHOOL FOR THE DEAF | , | , |
| | Miscellaneous Receipts | NBT Bank | No report received |
| | Petty Cash | NBT Bank | No report received |
| | Student Activity Fund | NBT Bank | No report received |
| 11280 - | ARCHIVES PARTNERSHIP TRUST | | |
| | Endowment | Janney Montgomery Scott LLC | 4,883,736.91 |
| | Endowment - Special Account | Janney Montgomery Scott LLC | No report received |
| | Trust's Board Project Account | Key Bank | 128,492.60 |
| 12000 - | DEPARTMENT OF HEALTH CENTRAL ADMINISTRATION | | |
| | CSA Rebate Account | Bank of America, N.A. | 0.00 |
| | DOH EPIC Lockbox Acct | Wells Fargo Bank | 8,854.47 |
| | DOH Main Cash Advance | Key Bank | 15,704.40 |
| | Early Intervention - Municipal Deposits for Provider Pymts Early Intervention - Revider Payments Economy | Key Bank | 0.00 |
| | Early Intervention - Provider Payments Escrow Early Intervention - State Funds | Key Bank Key Bank | 26,951.36 15,211.46 |
| | EPIC Co Pay Account | Bank of America, N.A. | 0.00 |
| | Epic Drug Manufacturer Rebate Account | Bank of America, N.A. | 1,845.40 |
| | EPIC EFT Acct | Bank of America, N.A. | 0.00 |
| | EPIC Master Funding Acct | Bank of America, N.A. | 390,071.23 |
| | EPIC Provider Receipt Account | Bank of America, N.A. | 0.00 |
| | EPIC Refund Acct | Bank of America, N.A. | 0.00 |
| | eWIC | Wells Fargo Bank | 3,020.44 |
| | ICR Audit Fees Account | Bank of America, N.A. | 10,058.82 |
| | Indian Health Disbursement Account | Bank of America, N.A. | , 0.00 |
| | Indian Health-Master Acct | Bank of America, N.A. | 6,114.66 |
| | Medicaid | Key Bank | 314.77 |
| | Medicaid Audit Recoveries Acct | Key Bank | 0.00 |
| | Medicaid Insurance Recoveries Acct | Bank of America, N.A. | 677,834.49 |
| | Nurses Aide Fees (Prometric) | Bank of America, N.A. | 58,786.21 |
| | Nursing Home Fees Account | Bank of America, N.A. | No report received |
| | NYS DOH CLEP Revenue | Key Bank | 1,871.12 |
| | OBRA Drug Rebate Program Acct | Bank of America, N.A. | 216,420.81 |
| | SPARCS | Key Bank | 51,791.25 |
| | | | |

| 12010 - ROSWELL PARK MEMORIAL INSTITUTE | | |
|--|-----------------------------------|---------------------------|
| Office Of Patient Accounts | M&T Bank | 4,818,164.19 |
| 12030 - HELEN HAYES HOSPITAL | | |
| Misc. Receipts | JPMorgan Chase Bank, N.A. | 916,354.40 |
| Petty Cash Account | JPMorgan Chase Bank, N.A. | 13,102.56 |
| Rental Deposit Acct 12120 - NYS VETERANS HOME-OXFORD | JPMorgan Chase Bank, N.A. | 5,666.10 |
| Agency Advance | NBT Bank | 8,382.83 |
| Exchange Account | NBT Bank | 35,422.84 |
| Maintenance Fund | NBT Bank | 88,653.95 |
| NYS Veterans Home-Oxford (Resident Account, Custodial Account) | NBT Bank | 536,863.38 |
| Resident Custodial Account | NBT Bank | 7,790.44 |
| Resident Custodial Account | NBT Bank | 8,919.92 |
| Resident Custodial Account | NBT Bank | 1,558.02 |
| Resident Custodial Account | NBT Bank | , 0.00 |
| Resident Custodial Account | NBT Bank | 17,113.01 |
| Resident Custodial Account | NBT Bank | 15,969.76 |
| Resident Custodial Account | NBT Bank | 2,552.78 |
| 2150 - NYS VETERANS HOME-ST ALBANS | | |
| NYC Veteran Home Agency Advance | JPMorgan Chase Bank, N.A. | 111,493.30 |
| St Albans NYC Vet Home Resid Funds | JPMorgan Chase Bank, N.A. | 532,392.17 |
| St Albans Vet Home Maintenance Acct | NBT Bank | 198,819.46 |
| 12180 - WESTERN NEW YORK VETERANS HOME | | |
| Advance Account | Bank of America, N.A. | 4,800.46 |
| Exchange Account | Bank of America, N.A. | 3,199.62 |
| Maintenance Account | NBT Bank | 110,196.09 |
| Resident Funds | Bank of America, N.A. | 55,449.57 |
| 12190 - VETERANS HOME AT MONTROSE | | |
| Agency Advance Account | Bank of America, N.A. | No report received |
| Maintenance Acct | NBT Bank | 122,815.94 |
| Residence Account | Bank of America, N.A. | No report received |
| 12200 - OFFICE OF MEDICAID INSPECTOR GENERAL | 14 D L | 222.50 |
| Albany Confidential Account | Key Bank | 229.59 271.00 |
| Albany Petty Cash Account | Key Bank | 166.00 |
| NYC Confidential Account 14000 - DEPARTMENT OF LABOR | JPMorgan Chase Bank, N.A. | 166.00 |
| Agency Advance Account | Key Bank | 27,886.00 |
| Exchange Account | Bank of America, N.A. | 169,059.02 |
| Fee And Permit Account | Key Bank | 687,452.28 |
| Min Wage & Claim Funding Acct | Key Bank | 101,569.89 |
| Minimum Wage & Wage Claim Acct | Key Bank | 787,990.52 |
| Misc Receipts | Bank of America, N.A. | 163,180.45 |
| U.I. Fund Clearing Account | JPMorgan Chase Bank, N.A. | 10,617,720.79 |
| UI Fund ACH Transactions | Wells Fargo Bank | 4,000,000.00 |
| 14010 - WORKERS COMPENSATION BOARD | - | |
| DTF/WCB MAC 14 | JPMorgan Chase Bank, N.A. | 222,205,333.21 |
| 16000 - PUBLIC SERVICE COMMISSION | | |
| Cable Account | Key Bank | 5,551.93 |
| Petty Cash Account | Key Bank | 3,840.00 |
| Special Fee Account | Key Bank | 537,007.82 |
| 17000 - NYS DEPARTMENT OF TRANSPORTATION | | |
| Main Office Advance For Travel | Key Bank | No report received |
| Republic Airport, Long Island | | |
| Republic Airport Revenue Acct | JPMorgan Chase Bank, N.A. | No report received |
| 19000 - DEPARTMENT OF STATE | | |
| Atheltic | M&T Bank | 27,070.00 |
| Licensing Revenue Account | JPMorgan Chase Bank, N.A. | 524,238.65 |
| Main | M&T Bank | 129,691.25 |
| Petty Cash Account | Key Bank | 19,054.00 |
| Summons | M&T Bank | 1,001,640.55 |
| 19001 - TUG HILL COMMISSION | | |
| Agency Advance Account | Key Bank | No report received |
| 19002 - LAKE GEORGE PARK COMMISSION | | |
| Petty Cash Account | Glens Falls National | No report received |
| Revenue Transfer Account | Glens Falls National | No report received |
| 19005 - COMMISSION ON PUBLIC INTEGRITY | Double - 6 Annamical MLA | E00.00 |
| JCOPE Petty Cash Account | Bank of America, N.A. | 500.00 |
| JCOPE Revenue Account | Bank of America, N.A. | 14,394.67 |
| 20000 - DEPARTMENT OF TAXATION & FINANCE | IDM Chass Bank M A | 000.00 |
| IFTA Funding Mice Tax Account - Exchange | JPMorgan Chase Bank, N.A. | 286.33 |
| Misc Tax Account - Exchange Off Track Betting Tax (MAC 848) | Bank of America, N.A. | 51,736.19 1 872 433 40 |
| | Key Bank | 1,872,433.40 917.35 |
| Pari Mutuel Betting Tax (MAC 847) Petty Cash | Key Bank Bank of America, N.A. | 917.35 14,898.25 |
| i duy cash | Dailk OF America, N.A. | 14,096.23 |
| | | |

| Tax Preparer Registration Fee (EFT) | Wells Fargo Bank | 50,100.00 |
|---|--|--|
| Waste Tire Fee (EFT) | Wells Fargo Bank | 30,737.68 |
| Waste Tire Tax | JPMorgan Chase Bank, N.A. | 14,272.50 |
| 20050 - NEW YORK STATE GAMING COMMISSION | | |
| Charitable Gaming Account | Key Bank | 168,871.79 |
| Commercial Gaming Revenue Account | Key Bank | 98.96 |
| Custody Account | US Bank Key Bank | 12,900.88 |
| Fingerprint Concentration Account | , | 13,005.86 |
| License Revenue Account | Bank of America, N.A. | 13,363.56 |
| Lottery Concentration Account | Key Bank | 64,942.29 |
| Lottery Prize Payment Account Lottery Subscriptions Account | Key Bank Key Bank | 2,500.00 |
| Petty Cash Account | | 606,590.70 809.67 |
| , | Key Bank | 1,152,704.77 |
| Racing Refund Account Video Gaming Revenue Account | Key Bank Key Bank | 6,481,354.09 |
| 21012 - WELFARE INSPECTOR GENERAL | Key balk | 0,401,334.09 |
| Confidential Fund | Bank of America, N.A. | 15,000.00 |
| Confidential Fund | JPMorgan Chase Bank, N.A. | No report received |
| Petty Cash | JPMorgan Chase Bank, N.A. | No report received |
| 21110 - OFFICE OF REGULATORY REFORM | Si Hoigan Ghabe Baing Hala | |
| Petty Cash | Key Bank | No report received |
| 21190 - NYS ENERGY RESEARCH & DEVELOPMENT AUTHORITY | noy bank | |
| NYSERDA Greenbank MAC 26 | JPMorgan Chase Bank, N.A. | No report received |
| NYSERDA Main Checking MAC 30 | JPMorgan Chase Bank, N.A. | No report received |
| 21290 - HUDSON RIVER-BLACK RIVER REGULATING DISTRICT | 5, | |
| Checking- General Fund Acct. | Community Bank | 219,246.09 |
| Checking- Petty Cash Fund | Community Bank | 5,000.00 |
| Hudson River General Acct | Bank of America, N.A. | 601,467.06 |
| Money Market | Bank of America, N.A. | 0.50 |
| Petty Cash Fund | Bank of America, N.A. | 6,500.00 |
| 21700 - OFFICE OF THE STATE INSPECTOR GENERAL | | |
| Office Of The State Inspector General Pass Thru Account | Key Bank | 0.00 |
| OSIG Petty Cash Account | Key Bank | 2,007.01 |
| Albany | | |
| Office of the Inspector General Confidential | Bank of America, N.A. | 30,000.00 |
| 21820 - STATE COMMISSION ON JUDICIAL CONDUCT | | |
| Petty Cash Account | JPMorgan Chase Bank, N.A. | 363.75 |
| Petty Cash Account | Key Bank | 990.50 |
| Petty Cash Fund | JPMorgan Chase Bank, N.A. | 1,460.44 |
| 21940 - NYS FINANCIAL CONTROL BOARD | | |
| Agency Advance Acct | JPMorgan Chase Bank, N.A. | No report received |
| 23000 - DEPARTMENT OF MOTOR VEHICLES | | |
| Abany Central Main Acct | | |
| Albany Central Main Acct | Wells Fargo Bank | 357,036.08 |
| Albany Central Main Exchange | Molle Ferrer Devel | 50.076.40 |
| Exchange Albany Central Office | Wells Fargo Bank | 50,076.48 |
| Title Escrow Exchange (Albany Central Office) | Wells Fargo Bank | 19,764.95 |
| Albany TVB Sub (Albany Central Office) | Weis Laigo Dalik | 19,704.95 |
| Adjudication Account | Wells Fargo Bank | 43,455.56 |
| | Weis Faigo Darik | 45,455.56 |
| | | |
| Albany-Region 3 | Key Bank | 1.500.00 |
| Albany-Region 3 Confidential Inv Subpoena - Albany | Key Bank | 1,500.00 |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont | | |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany | Key Bank Steuben Trust Co. | 1,500.00 No report received |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains | Steuben Trust Co. | No report received |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany | | |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account | Steuben Trust Co. | No report received |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 | Steuben Trust Co. JPMorgan Chase Bank, N.A. | No report received 130,791.52 |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena | Steuben Trust Co. JPMorgan Chase Bank, N.A. | No report received 130,791.52 |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank | No report received 130,791.52 1,500.00 |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank | No report received 130,791.52 1,500.00 |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. | No report received 130,791.52 1,500.00 151,024.92 |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. | No report received 130,791.52 1,500.00 151,024.92 |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account Central Leatherstocking County Fee Account Chautaqua-Steuben | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | No report received 130,791.52 1,500.00 151,024.92 115,893.71 63,587.40 |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account Central Leatherstocking County Fee Account Chautaqua-Steuben County Fee Account | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | No report received 130,791.52 1,500.00 151,024.92 115,893.71 |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account Central Leatherstocking County Fee Account Chautaqua-Steuben County Fee Acct | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | No report received 130,791.52 1,500.00 151,024.92 115,893.71 63,587.40 81,820.66 |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account Central Leatherstocking County Fee Account Chautaqua-Steuben County Fee Acct Chautaqua County Holding Acct-Chautauqua County | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. Community Bank | No report received 130,791.52 1,500.00 151,024.92 115,893.71 63,587.40 81,820.66 No report received |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account Central Leatherstocking County Fee Account Chautaqua-Steuben County Fee Account Chautaqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. Community Bank Key Bank | No report received 130,791.52 1,500.00 151,024.92 115,893.71 63,587.40 81,820.66 No report received No report received |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account Central Leatherstocking County Fee Account Chautaqua-Steuben County Fee Account Chautaqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. Community Bank | No report received 130,791.52 1,500.00 151,024.92 115,893.71 63,587.40 81,820.66 No report received |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account Catskill Mountains County Fee Account Chautaqua-Steuben County Fee Account Chautaqua-Steuben County Fee Account Chautaqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Concentration (CTY)(OSC) | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. Community Bank Key Bank M&T Bank | No report received 130,791.52 1,500.00 151,024.92 115,893.71 63,587.40 81,820.66 No report received No report received No report received |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account Catskill Mountains County Fee Account Central Leatherstocking County Fee Account Chautaqua-Steuben County Fee Acct Chautaqua-Steuben County Fee Acct Chautaqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Concentration (CTY)(OSC) | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. Community Bank Key Bank | No report received 130,791.52 1,500.00 151,024.92 115,893.71 63,587.40 81,820.66 No report received No report received |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Alegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account Central Leatherstocking County Fee Account Chautaqua-Steuben County Fee Account Chautaqua-Steuben County Fee Acct Chautauqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Concentration (CTY)(OSC) Concentration (DO)(OSC) | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. Community Bank Key Bank M&T Bank Key Bank | No report received 130,791.52 1,500.00 151,024.92 115,893.71 63,587.40 81,820.66 No report received No report received No report received No report received No report received No report received No report received |
| Albany-Region 3 Confidential Inv Subpoena - Albany Allegany-Belmont County Clerk Fee Allegany Andirondack Mountains County Fee Account Buffalo-Region 5 MV- Buffalo Investigator & Subpoena Capital Saratoga Revenue County Fee Account Catskill Mountains County Fee Account Catskill Mountains County Fee Account Central Leatherstocking County Fee Account Chautaqua-Steuben County Fee Acct Chautaqua-Steuben County Fee Acct Chautaqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Holding Acct-Chautauqua County Concentration (CTY)(OSC) | Steuben Trust Co. JPMorgan Chase Bank, N.A. M&T Bank JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. Community Bank Key Bank M&T Bank | No report received 130,791.52 1,500.00 151,024.92 115,893.71 63,587.40 81,820.66 No report received No report received No report received |

Confidential Fund (Albany Central Office) Confidential Fund CTY Credit Card (Albany Central Office) County Office Credit Card Account Customer Service Counter (Albany) NYS DMV CSC D.O. Credit Card (Albany Central Office) District Office Credit Card Account DMV Division Of Field Investigations - Albany Central Office Field Investigation Downstate Revenue Account - Downstate Eric County Revenue County Fee Account Finger Lakes First County Fee Acct Finger Lakes Second County Fee Acct Genesee County Genesee County Clerk - DMV Greene County Fee Account - Greene Hudson Valley County Fee Acct IRP (Albany Central Office) International Registration International Registration IRP Exchange (Albany Central Office) Irp Internet Office - Dept. MV Kiosk Kiosk Account Long Island/Staten Island DO Long Island/Staten Island DO Long Island/Staten Island JP Long Island/Staten Island (Mass/Med) Nassau Region 1 Div. of Vehicle Safety Niagara Frontier County Fee Acct Oneida County DMV Oneida County Fee Account Oneida County Fee Account Petty Cash (Albany Central Office) Petty Cash Queens-Region 6 Confidential - Queens Rockland/Westchester DO Rockland/Westchester DO Search Exchange (Albany Central Office) MV Search Search Exchange (Albany Central Office) MV Search Syracuse-Region 4 Confidential - Syracuse Thousand Island Seaway County Fee Acct TLC/DOCCS TLC/DOCCS Travel Advance (Albany Central Office) Travel Advance TVB Acct TVB Acct TVB Credit Card (Albany Central Office) TVB Credit Card Receipts Upstate DO Upstate District Offices (ALB, SYD, SYS, UTD) Utica D.O. Exchange Account Revenue Utica Yonkers-Region 2 Safety Sup Automotive FAC INSP 25000 - OFFICE OF CHILDREN & FAMILY SERVICES Brentwood Resid Center Cash Advance Brentwood Residents' Account

| Bank of America, N.A. | 8,339.98 |
|--|--|
| JPMorgan Chase Bank, N.A. | 904,385.34 |
| Wells Fargo Bank | 50,210.00 |
| JPMorgan Chase Bank, N.A. | 3,604,394.32 |
| M&T Bank | No report received |
| Wells Fargo Bank | 281,404.60 |
| JPMorgan Chase Bank, N.A. | 50,000.00 |
| JPMorgan Chase Bank, N.A. | 50,000.00 |
| JPMorgan Chase Bank, N.A. | 62,456.10 |
| Bank of Castile | No report received |
| Greene County Commercial Bank | No report received |
| JPMorgan Chase Bank, N.A. | 78,535.23 |
| M&T Bank Wells Fargo Bank | 1,193,984.51 295,366.90 |
| M&T Bank | 506,322.06 |
| JPMorgan Chase Bank, N.A. | 132,806.00 |
| Wells Fargo Bank | 587,743.31 |
| JPMorgan Chase Bank, N.A. | 50,000.00 |
| Citibank | No report received |
| JPMorgan Chase Bank, N.A. | 81,864.81 |
| Bank of Utica NBT Bank | 258,799.78 43,126.01 |
| Bank of America, N.A. | 25,297.11 |
| JPMorgan Chase Bank, N.A. | 3,202.00 |
| Wells Fargo Bank | 106,276.85 |
| Key Bank | 447,011.61 |
| Wells Fargo Bank | 89,508.49 |
| Key Bank | No report received |
| JPMorgan Chase Bank, N.A. | 247,507.87 |
| JPMorgan Chase Bank, N.A. | 13,834.37 |
| Bank of America, N.A. | 1,000.00 |
| Wells Fargo Bank | 381,662.18 |
| JPMorgan Chase Bank, N.A. | 428,700.65 |
| Wells Fargo Bank | 141,093.90 |
| Bank of Utica Bank of Utica | 0.00 1,803,130.58 |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | No report received No report received |

| | Brookwood Cash Advance | Key Bank | No report received |
|----------------|--|---------------------------|--------------------|
| | Brookwood Resid Residential Cash | Key Bank | No report received |
| | Check Exchange | Bank of America, N.A. | No report received |
| | CO Independent Living Acct | Bank of America, N.A. | No report received |
| | Co. Training Employment Dev (Youth Stipend) | Bank of America, N.A. | No report received |
| | Finger Lakes Res Ctr Residents Cash | , Key Bank | No report received |
| | Fingerlakes Res Ctr Cash Advance | Key Bank | No report received |
| | Goshen Cash Advance | Bank of America, N.A. | No report received |
| | Goshen Residents Account | Bank of America, N.A. | No report received |
| | Harriet Tubman Advance Account | Key Bank | No report received |
| | | | |
| | Harriet Tubman Residents' Account | Key Bank | No report received |
| | Highland Res Ctr Petty Cash Account | Bank of America, N.A. | No report received |
| | Highland Res Ctr Residents Acct | Bank of America, N.A. | No report received |
| | Industry Advance Account | JPMorgan Chase Bank, N.A. | No report received |
| | Industry Res Account | JPMorgan Chase Bank, N.A. | No report received |
| | Industry School Dug-Out | JPMorgan Chase Bank, N.A. | No report received |
| | MacCormick Cash Advance | Key Bank | No report received |
| | MacCormick Residents' Account | Key Bank | No report received |
| | Medicaid Reimbursement Exchange | Bank of America, N.A. | No report received |
| | NYS OCFS Advance Acct (Travel & Misc P.C.) | Bank of America, N.A. | No report received |
| | NYS OCFS Salary Advance Account | Bank of America, N.A. | No report received |
| | Queens-Long Island Aftercare | JPMorgan Chase Bank, N.A. | No report received |
| | SCR Credit Card Revenue Account | Bank of America, N.A. | No report received |
| | State Central Register | Bank of America, N.A. | No report received |
| | Taberg Cash Advance | NBT Bank | No report received |
| | | NBT Bank | |
| | Taberg Residents Account | INBT Bank | No report received |
| 2/000 - | OFFICE OF TEMPORARY & DISABILITY ASSISTANCE | | |
| | Exchange Account | Key Bank | 420.70 |
| | Title IV D Of Social Security | Key Bank | 326,975.16 |
| | Travel Advance | Key Bank | 7,652.14 |
| 28010 · | SUNY ALBANY | | |
| | Fee Account | Key Bank | 5,365,448.28 |
| | Loan Services Center Account | Key Bank | 109,827.01 |
| | Petty Cash/Travel Advance | Key Bank | 0.00 |
| 28020 - | SUNY BINGHAMTON | | |
| | SUNY Binghamton | Key Bank | 1,259,562.18 |
| | SUNY Binghamton | M&T Bank | 9,134,154.76 |
| | SUNY Binghamton - Controlled Disb | Key Bank | 0.00 |
| | SUNY Binghamton - Controlled Disb | M&T Bank | 0.00 |
| 28030 - | SUNY BURFALO | Pict Bank | 0.00 |
| 20030 | Controlled Disbursement Account | Bank of America, N.A. | 0.00 |
| | General Revenue Account | | 0.00 |
| | | Bank of America, N.A. | |
| | General Revenue Account | Key Bank | 3,653,758.31 |
| | Imprest Account | Key Bank | 0.00 |
| 28050 - | SUNY STONY BROOK | | |
| | Central Funding | JPMorgan Chase Bank, N.A. | 3,919,505.50 |
| | Controlled Disbursement | JPMorgan Chase Bank, N.A. | 0.00 |
| | Fees Depository | JPMorgan Chase Bank, N.A. | 22,496,156.02 |
| | LISVH Fees Depository | JPMorgan Chase Bank, N.A. | 1,387,284.60 |
| | LISVH Fees Depository | Sterling Bank | 498,424.68 |
| | LISVH Residence Fund | Sterling Bank | 546,877.72 |
| | Payroll Advance | JPMorgan Chase Bank, N.A. | 2,884.54 |
| | SBU Student Refunds Cont Disb Acct | JPMorgan Chase Bank, N.A. | 0.00 |
| | Student ACH Refunds Account | JPMorgan Chase Bank, N.A. | 46.601.67 |
| | SUNY Eastern Long Island Hospital Depository | JPMorgan Chase Bank, N.A. | 679,766.85 |
| | SUNY Edition Long Island Hospital Depository | JPMorgan Chase Bank, N.A. | 1,329,819.33 |
| | University Hosp Fees Depository | JPMorgan Chase Bank, N.A. | 28,036,795.39 |
| | | | |
| | University Hospital Petty Cash | JPMorgan Chase Bank, N.A. | 1,528.46 |
| 28100 - | SUNY HEALTH SCIENCE CENTER AT BROOKLYN | | 700 000 57 |
| | Center Revenue | JPMorgan Chase Bank, N.A. | 739,626.57 |
| | EFT Federal Deposits Acct | JPMorgan Chase Bank, N.A. | 0.00 |
| | Hospital Controlled Disbursement | JPMorgan Chase Bank, N.A. | 0.00 |
| | Hospital Revenue | JPMorgan Chase Bank, N.A. | 3,041,917.93 |
| | LICH Controlled Disbursement | JPMorgan Chase Bank, N.A. | 0.00 |
| | LICH Depository | JPMorgan Chase Bank, N.A. | 43,466.79 |
| | Student Refunds | JPMorgan Chase Bank, N.A. | 0.00 |
| 28110 - | SUNY HEALTH SCIENCE CENTER AT SYRACUSE | | |
| - | College Revenue | Key Bank | (203,149.55) |
| | Controlled Disbursement | Key Bank | (61,049.05) |
| | Hospital Revenue | Key Bank | 8,813,299.75 |
| | Parking | Key Bank | 237,585.15 |
| 28150 | SUNY BROCKPORT | nay burn | 237,303.13 |
| 20120. | | Kow Bank | 2 776 25 |
| | Brockport-REOC Account | Key Bank | 3,776.25 |
| | Concentration Acct | M&T Bank | 618,636.45 |
| | | | |

| Controlled Disb | M&T Bank | 0.00 |
|--|--|-------------------------|
| Special Account | M&T Bank | 1,000.00 |
| 28160 - SUNY BUFFALO STATE COLLEGE Controlled Disb | MOT Dask | 0.00 |
| Special Grant Account | M&T Bank M&T Bank | 3,423.14 |
| Students Acct Office | M&T Bank | 6,995,756.72 |
| 28170 - SUNY CORTLAND | | -,, |
| General Checking Account | Key Bank | 579,202.02 |
| 28180 - SUNY FREDONIA | | |
| Controlled Disb | M&T Bank | 0.00 |
| Depository Account | M&T Bank | 160,478.07 |
| 28190 - SUNY GENESEO Controlled Disbursement Account | Key Bank | 0.00 |
| State Fees | Key Bank | 964,914.49 |
| 28200 - SUNY OLD WESTBURY | Key Dank | 507,517.75 |
| Local Depository | JPMorgan Chase Bank, N.A. | 205,741.77 |
| 28210 - SUNY NEW PALTZ | | |
| Disbursement Account | Key Bank | 0.00 |
| State Revenue | Key Bank | 523,375.15 |
| 28220 - SUNY ONEONTA | | 0.00 |
| Petty Cash Advance Account Revenue Account | NBT Bank NBT Bank | 0.00 8,262,099.27 |
| 28230 - SUNY OSWEGO | NDT Dalik | 0,202,099.2/ |
| Controlled Disbursement | Key Bank | 0.00 |
| General Revenue | Key Bank | 260,762.42 |
| Imprest Account | Key Bank | 0.00 |
| 28240 - SUNY PLATTSBURGH | | |
| General Revenue | TD Bank | 5,194,930.93 |
| 28250 - SUNY POTSDAM | | |
| Control Disbursement Account State Fee Reconciliation Account | Key Bank Key Bank | 0.00 462,586.94 |
| 28260 - SUNY PURCHASE | Key Bank | 402,000.94 |
| General Income Fund | Key Bank | 423,611.73 |
| 28270 - SUNY INSTITUTE OF TECHNOLOGY UTICA/ROME | | , |
| Advance Account | Bank of America, N.A. | 0.00 |
| Controlled Disbursement Account | Bank of America, N.A. | 0.00 |
| Revenue | Bank of America, N.A. | 203,712.77 |
| 28280 - SUNY EMPIRE STATE COLLEGE | | |
| Concentration Account | Key Bank | 269,452.66 |
| Distribution Center Account International Wire Account | Key Bank Key Bank | 123,936.72 5,522.55 |
| Zero Balance Controlled Disbursement Account | Key Bank | 0.00 |
| 28350 - SUNY COLLEGE OF TECHNOLOGY AT ALFRED | | 0.00 |
| Fees Account | Community Bank | 5,041,666.11 |
| 28360 - SUNY COLLEGE OF TECHNOLOGY AT CANTON | | |
| Community Cash Deposits | NBT Bank | 126,702.58 |
| Income Fund | Key Bank | 275,186.24 |
| International Program Account 28370 - SUNY AGRICULTURAL & TECHNICAL COLLEGE AT COBLESKILL | Key Bank | 37,521.36 |
| Income Fund | Key Bank | 272,588.11 |
| 28380 - SUNY COLLEGE OF TECHNOLOGY AT DELHI | Noy built | 2,2,000.11 |
| General Revenue | Delaware National Bank | 221,294.39 |
| Petty Cash Fund | Delaware National Bank | 0.00 |
| 28390 - SUNY COLLEGE OF TECHNOLOGY AT FARMINGDALE | | |
| Income Fund | Citibank | 3,147,570.33 |
| 28400 - SUNY AGRICULTURAL & TECHNICAL COLLEGE AT MORRISVILLE | Key Den' | 0 566 450 70 |
| Income Fund 28550 - SUNY COLLEGE OF ENVIRONMENTAL SCIENCE & FORESTRY | Key Bank | 2,566,158.79 |
| Agency Advance | Key Bank | 0.00 |
| Controlled Disb | Key Bank | 0.00 |
| ESF/GSA | Key Bank | 0.00 |
| Forestry | Community Bank | 180.78 |
| Regular Account | Key Bank | 216,115.36 |
| Student Government | Key Bank | 0.00 |
| 28570 - SUNY MARITIME COLLEGE | | |
| Controlled Disbursement Account | JPMorgan Chase Bank, N.A. | 0.00 |
| Cruise Account Revenue Deposit Account | JPMorgan Chase Bank, N.A. | 35,000.00 188,569.42 |
| Revenue Deposit Account Revenue EFT Account | JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | 188,569.42 66,724.00 |
| 28580 - SUNY COLLEGE OF OPTOMETRY | Si thoigen chube builty him. | 00,721.00 |
| General Revenue | JPMorgan Chase Bank, N.A. | 107,269.51 |
| Medical Transportation | JPMorgan Chase Bank, N.A. | 23.38 |
| 28650 - SUNY CENTRAL SYSTEM ADMINISTRATION | | |
| ASC | Key Bank | 10,000.00 |
| | | |

| | NYS Iso | Key Bank | 5,400,000.00 |
|---------|--|--|-------------------------|
| 27000 | Revenue DEPARTMENT OF FINANCIAL SERVICES | Key Bank | 453,305.08 |
| 37000 - | Confidential Investigations | JPMorgan Chase Bank, N.A. | 9,201.21 |
| | Confidential Investigations | JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | 9,201.21 |
| | Fire Tax Account (Main) | Key Bank | 40,361.10 |
| | Fire Tax Payment | Key Bank | 0.00 |
| | General Assessment Account | JPMorgan Chase Bank, N.A. | 1,368,842.85 |
| | General Fund | Key Bank | 3,784,459.98 |
| | Market Stabilization Pool Account | JPMorgan Chase Bank, N.A. | 2,698,940.84 |
| | Miscellaneous Account | JPMorgan Chase Bank, N.A. | 61,896.95 |
| | Paid Family Leave | JPMorgan Chase Bank, N.A. | 90,074,817.10 |
| | Petty Cash | Key Bank | 5,424.12 |
| 4004.0 | Workers Comp Insurance Sec Fund Pymnt | JPMorgan Chase Bank, N.A. | 100,039.46 |
| 49010 - | SARATOGA-CAPITAL DISTRICT STATE PARK COMMISSION Revenue (SA) | Glens Falls National | 32,591.11 |
| 49020 - | LONG ISLAND STATE PARK COMMISSION | | 52,551.11 |
| 45020 | Regional Account 2 (LI) | JPMorgan Chase Bank, N.A. | 205,393.49 |
| | Revenue (LI) | People's United Bank | 59,026.60 |
| 49030 - | GENESEE STATE PARK COMMISSION | | |
| | Contractors Bid (GE) | Bank of Castile | 67,254.30 |
| | Revenue (GE) | Bank of Castile | 174,215.60 |
| 49040 - | NIAGARA FRONTIER STATE PARK COMMISSION | | |
| | Contractors Bid (NIA) | Key Bank | 68.40 |
| 40050 | Revenue (NIA) | Evans National Bank | 77,313.98 |
| 49050 - | PALISADES INTERSTATE STATE PARK COMMISSION Contractors Bid (PA) | JPMorgan Chase Bank, N.A. | 6,401.67 |
| 49070 - | OFFICE OF PARKS & RECREATION | SPHolgan chase bank, N.A. | 0,401.0/ |
| 45070 | Main Office - Change Fund | Key Bank | 18,665.00 |
| | Main Office Account (ALB) | Key Bank | 1,500.00 |
| | OPRHP Concentration Account | Key Bank | 845,387.29 |
| | Petty Cash (ALB) | Key Bank | 29,800.00 |
| | Revenue (NI, GE, AL, CE, TA) | M&T Bank | 57,431.14 |
| | Revenue (NYC, CE, LI, PA, TA) | JPMorgan Chase Bank, N.A. | 347,548.62 |
| | Revenue (SA, LI, GE, NI, CE, TA) | Bank of America, N.A. | 35,302.02 |
| | Revenue (SA, NI, PA, CE, TA, TI) | Key Bank | 19,979.19 |
| | Revenue (various) | Wells Fargo Bank | 76,583.28 1,100.76 |
| | Statewide Campsite/Cabin Revenue Statewide Credit Card Revenue, Revenue (ALB, FL, LI, PA, TI) | JPMorgan Chase Bank, N.A. Key Bank | 545,912.96 |
| | Statewide Clean Call Call Caller (ALD, FL, LI, FA, FI) Statewide Housing Security Deposits | Key Bank | 152,660.76 |
| 49090 - | FINGER LAKES STATE PARK COMMISSION | Noy bank | 102,000170 |
| | Revenue (FL) | Savannah Bank | 109,412.91 |
| | Revenue (FL-Multi) | Community Bank | 54,339.57 |
| | Revenue (FL-Multi-Facilities) | Tompkins County Trust | 243,167.88 |
| 49100 - | ALLEGANY STATE PARK COMMISSION | | |
| | Contractors Bid (AL) | Five Star Bank | 2,015.00 |
| | Regional Account (AL) | Five Star Bank Five Star Bank | 128,083.45 |
| 49120 - | Revenue (AL) CENTRAL NEW YORK STATE PARK COMMISSION | | 84,274.82 |
| 49120 | Revenue (CE, SA, TI) | NBT Bank | 154,370.43 |
| 49140 - | THOUSAND ISLANDS STATE PARK COMMISSION | | |
| | Revenue (TI) | Citizens Bank | 33,557.05 |
| | Revenue (TI-Multi) | Community Bank | 19,895.16 |
| 50000 - | OFFICE OF MENTAL HEALTH | | |
| | Consolidated Advance | Bank of America, N.A. | 17,989.14 |
| | Iterim Assistance Agreement | Bank of America, N.A. | 0.00 |
| | OMH Medication Grant Program Acct Reimbursement Account | Bank of America, N.A. | 3,618.20 |
| 50010 - | GREATER BINGHAMTON HEALTH CENTER | Bank of America, N.A. | 343,783.56 |
| 50010 - | Agency Advance Account | JPMorgan Chase Bank, N.A. | 9,066.39 |
| | Facility Holding Account | JPMorgan Chase Bank, N.A. | 9,999.11 |
| | Patient Cash Funds | JPMorgan Chase Bank, N.A. | 451,392.95 |
| | Patients Cash Account | JPMorgan Chase Bank, N.A. | 479,635.05 |
| | Security Deposit | JPMorgan Chase Bank, N.A. | 3,518.39 |
| 50020 - | KINGSBORO PSYCHIATRIC CENTER | | |
| | Advance Account | Banco Popular | 1,681.71 |
| | Family Care | Banco Popular Banco Popular | 14,290.87 |
| | Holding Account Medicaid Outpatient Travel | Banco Popular Banco Popular | 285,405.86 11,575.50 |
| | Patient Cash Acct (MM) | Banco Popular | 443,718.59 |
| | Patient Checking Account | Citibank | 11,349.59 |
| | Patient Savings Account | Banco Popular | 335,278.56 |
| | Security Deposit | Banco Popular | 2,489.70 |
| | Urban Oasis/EBT | Banco Popular | 61,601.32 |
| | | | |

50030 - BUFFALO PSYCHIATRIC CENTER Advance Account Faciity Holding Patient Cash Checking 50080 - MANHATTAN PSYCHIATRIC CENTER Advance Account General fund Patient Cash Account Token Account 50110 - ROCHESTER PSYCHIATRIC CENTER Agency Advance Facility Holding Patients Cash Account Patients Fund Savings 50120 - ST LAWRENCE PSYCHIATRIC CENTER Facility Advance Account Facility Holding Account Patients Cash Account Patients Cash Savings 50150 - CREEDMOOR PSYCHIATRIC CENTER Advance Account Certificate Of Deposit Certificate Of Deposit Holding Account Medicaid Travel Account Money Management Account Patient Cash Account Rent Holding Account 50170 - ROCKLAND PSYCHIATRIC CENTER Exchange Holding Account Investment CD A Investment CD B Investment CD B Investment CD C Investment CD D Investment CD G Investment CD I Patient Cash Account Patient Cash Checking Account Patient Cash Savings Account 50180 - NYS PSYCHIATRIC INSTITUTE Donation & Gift Acct/Patient Fund Acct General Petty Cash 50190 - RICHARD H HUTCHINGS PSYCHIATRIC CENTER Advance Account Clients Count Holding Account 50200 - PILGRIM PSYCHIATRIC CENTER Facility Advance Account Facility Holding Acct Patient Cash 50210 - MOHAWK VALLEY PSYCHIATRIC CENTER Advance Fund Facility Holding Patient Cash Checking Patient Cash Savings Security Deposit 50310 - BRONX PSYCHIATRIC CENTER CD Consolidated Advance Misc. Receipts Patients Cash MM Patients Checking Acct 50340 - NATHAN KLINE INSTITUTE Petty Cash Account 50350 - KIRBY FORENSIC PSYCHIATRIC CENTER Advance Account Holding Account Patient Cash Account 50390 - CENTRAL NY PSYCHIATRIC CENTER Agency Advance Account

| Key Bank | 40,211.05 |
|---|----------------------------------|
| Key Bank Key Bank | 1,265.03 132,090.36 |
| | 102,050.00 |
| Bank of America, N.A. | 14,498.11 |
| Bank of America, N.A. | 3,957.81 |
| Bank of America, N.A. | 1,258,951.31 |
| Bank of America, N.A. | 33,974.80 |
| Key Bank | 14,864.89 |
| Key Bank | 9,334.53 |
| Key Bank | 286,810.10 |
| Key Bank | 174,120.84 |
| Community Bank | 15,414.75 |
| Community Bank | 21,209.07 |
| Community Bank | 81,377.34 |
| Community Bank | 256,493.25 |
| HSBC | 68,784.27 |
| HSBC | 0.00 |
| HSBC | 0.00 |
| HSBC | 21,022.43 |
| HSBC | 0.00 |
| HSBC HSBC | 1,073,716.74 89,802.31 |
| HSBC | 10,460.00 |
| libbe | 10,400.00 |
| JPMorgan Chase Bank, N.A. | 125,190.81 |
| JPMorgan Chase Bank, N.A. Webster Bank | 754,195.35 |
| Sterling Bank | 100,000.00 No report received |
| Webster Bank | 100,000.00 |
| JPMorgan Chase Bank, N.A. | 47,323.33 |
| JPMorgan Chase Bank, N.A. | 1,941,245.08 |
| JPMorgan Chase Bank, N.A. | 126,386.02 |
| JPMorgan Chase Bank, N.A. | 14,768.68 |
| JPMorgan Chase Bank, N.A. | 96,068.60 |
| JPMorgan Chase Bank, N.A. | 1,848.50 |
| Key Bank | No report received |
| Key Bank | No report received |
| Key Bank | No report received |
| JPMorgan Chase Bank, N.A. | 48,555.20 |
| JPMorgan Chase Bank, N.A. | 178,780.24 |
| JPMorgan Chase Bank, N.A. | 1,005,752.57 |
| Key Bank | 10,265.55 |
| Key Bank | 7,064.37 |
| Key Bank | 40,997.83 |
| Key Bank | 28,935.88 |
| Key Bank | 6,774.39 |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | No report received |
| JPMorgan Chase Bank, N.A. | 1,300.00 |
| Bank of America, N.A. | 14,208.56 |
| Bank of America, N.A. | 28,273.46 |
| Bank of America, N.A. | 137,439.42 |
| Key Bank | 10,533.93 |
| Key Bank | 0.00 |
| | |

General Fund

| in A bank Surg ¹ Sard F BOAT Sard F BOAT Sard F BOAT Sard F BOAT Sard F A BOAT Sard F A BOAT SARD F A SARD F A | | | | |
|---|----------------|---|------------------------------|--|
| in bert storg ¹ Saute J. United Saute Saute J. Saute J | | Patient Checking | Key Bank | 41,565.12 |
| be short / Second Person (Provide Provide Prov | | | | 311,561.20 |
| 9404NUL HUDGON FORMER CANTER CANTERNo Ko BinkNoParth Hilling AccountNo Ko BinkNo9609Septime Cana Bank, NA.1Septime Cana Bank, NA.1Septim | | | | 2,743.66 |
| Indity Alsons AcountOp Jack MonINath AcountOp DesOp DesOp DesOp DesOp DesNath AcountOp DesOp DesOp DesOp DesOp DesNath AcountOp DesOp DesOp DesOp DesOp DesOp DesNath AcountOp Op DesOp Des | 50440 | | , | _, |
| Interf. AccountHort, ScouttHort, Scout | | | Key Bank | 11,728.43 |
| 97078- SOUTH EACH SYNCHATEC CENTERPHopse Class East, NA1Agency AdvancesPhotogen Class East, NA29709- BERDER COLSPANS PSYCHATEC CENTERPhotogen Class East, NA29709- SEGUE COLSPANS PSYCHATEC CENTERPer East, NA29709- SEGUE COLSPANS PSYCHATEC CENTERPer East, NA29709- SEGUE COLLEDES PSYCHATEC CENTERPer East, NA29709- COLLEDES PSYCHATEC CENTERPer East, NA19709- COLLEDES PSYCHATEC CENTER | | Facility Holding Account | Key Bank | 810.50 |
| Approx Advance Cleasing (MA 2009)PAPPoge Clease Jam, MA 2009)Parters Cach Cleasing (MA 2009)PAPPOge Clease Jam, MA 2009)PADDE DATA DATA DATA DATA DATA DATA DATA | | Patients Account | Key Bank | 262,454.55 |
| Interior Control JPMorgan Conse Bank, NA. 3.5 Second Account Margan Conse Bank, NA. 3.6 Margan Conse Bank, NA. 3.6 3.6 Second Account Margan Conse Bank, NA. 3.6 Second Collogents Second National Control Account Margan Conse Bank, NA. Not regan Second Collogents Second National Control Account Margan Conse Bank, NA. Not regan Second Collogents Second National Control Account Margan Conse Bank, NA. Not regan Second Collogents Second National Control Account Margan Conse Bank, NA. Not regan Second Collogents Second National Control Account Margan Conse Bank, NA. Not regan Second Collogents Second National Control Account Margan Conse Bank, NA. Not regan Second Collogent Second National Control Account Margan Conse Bank, NA. Not regan Second Collogent Second National Control National Control Nation | 50790 · | - SOUTH BEACH PSYCHIATRIC CENTER | | |
| Parties Last CascingParties Last Cascing <th< td=""><td></td><td>Agency Advance Checking</td><td>JPMorgan Chase Bank, N.A.</td><td>15,068.78</td></th<> | | Agency Advance Checking | JPMorgan Chase Bank, N.A. | 15,068.78 |
| Seeden Second Culticates Psychiatrica Centre Wargen Chare Ban, N.A. I Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Chare Ban, N.A. Margen Chare Ban, N.A. Seeden Margen Chare Ban, N.A. Margen Ch | | Facility Holding Checking | JPMorgan Chase Bank, N.A. | 21,505.13 |
| Brond Find Marga Abana | | | JPMorgan Chase Bank, N.A. | 674,394.05 |
| SolitWith Streke WY CHARGE CENTERMy BakAgain y AvanceMy BakBotter CabMy BakBotter CabMy BakSolitSolitSolitSolitSolitMy BakSolitMy Bak | 50800 · | | | |
| Abron Advance May Bank Market May Bank Market May Bank Market May Bank Market M | | | JPMorgan Chase Bank, N.A. | 10,162.79 |
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| Clients AccountKey Bank19Consumer Cash - SavingsAdirondack Bank, 02,22Consumer Cash - SavingsKey Bank2,22S1250 - TACONTC DDS0Key Bank3,31Agency Advance AccountM&T Bank4General FundM&T Bank4Patient Fund CDJPMorgan Chase Bank, N.A.1,52Patient Fund CDM&T Bank25S00 Baltown Rd Schenectady, NYM&T Bank25S1250 - STATEN ISLAND DDS0The Adirondack Trust Company1,82S1270 - STATEN TSLAND AccountJPMorgan Chase Bank, N.A.No reportClients Cash AccountJPMorgan Chase Bank, N.A.No reportMorey Market AccountJPMorgan Chase Bank, N.A.No reportS1290 - CAPTIAL ISTRICT DDSOHe Adirondack Trust CompanyNo reportS1290 - CAPTIAL DISTRICT DOSOKey BankNo reportAgency Advance AccountKey BankNo r | 512.10 | | Kev Bank | 34,713.00 |
| Consumer Cash - SavingsAdirondack Bank2,22Consumer Cash - SavingsKey Bank3,3351250 - TACONIC DDSOM&T Bank4Agency Advance AccountM&T Bank4General FundM&T Bank1,50Patient Fund CDJPMorgan Chase Bank, N.A.1,50Patient Cash CheckingM&T Bank1,80500 Balltown Rd Schenectady, NYThe Adirondack Trust Company1,8851270 - STATEN ISLAND DDSOThe Adirondack Trust Company1,8851280 - Cash AccountJPMorgan Chase Bank, N.A.No reportGeneral Fund AccountJPMorgan Chase Bank, N.A.No reportMoney Market AccountJPMorgan Chase Bank, N.A.No reportGeneral Fund AccountJPMorgan Chase Bank, N.A.No reportAgency Advance AccountJPMorgan Chase Bank, N.A.No reportAgency Advance AccountKey BankNo reportAgency Advance Account <td></td> <td></td> <td></td> <td>190,767.02</td> | | | | 190,767.02 |
| Consumer Cash - SavingsKey Bank3,3151250 - TACONIC DDSOAgency Advance AccountM&T BankGeneral FundM&T BankPatient Fund CDJPMorgan Chase Bank, N.A.1,50Patient Scah CheckingM&T Bank22500 Baltown Rd Schenectady, NYT1TDDSO Representative Payee Savings AcctThe Adirondack Trust Company1,8651270 - STATEN ISLAND DDSOJPMorgan Chase Bank, N.A.No reportClients Cash AccountJPMorgan Chase Bank, N.A.No reportGeneral Fund AccountJPMorgan Chase Bank, N.A.No reportMoney Market AccountJPMorgan Chase Bank, N.A.No reportMoney Market AccountJPMorgan Chase Bank, N.A.No reportAgency Advance AccountKey BankNo repo | | | | 2,226,732.90 |
| 51250 - TACONIC DDSO Agency Advance Account M&T Bank Agency Advance Account M&T Bank Agency Advance Account M&T Bank Agency Advance Account 1,5C General Fund JPMorgan Chase Bank, N.A. 1,5C 25 | | - | | 3,318,901.95 |
| Agency Advance AccountM&T BankAGeneral FundM&T Bank1,500Patient Fund CDJPMorgan Chase Bank, N.A.1,500Patient Scals CheckingM&T Bank290500 Baltown Rd Schenectady, NYTTTDDSO Representative Payee Savings AcctThe Adirondack Trust Company1,88051270 - STATEN ISLAND DDSOJPMorgan Chase Bank, N.A.No reportGieneral Fund AccountJPMorgan Chase Bank, N.A.No reportMoney Market AccountJPMorgan Chase Bank, N.A.No reportMoney Market AccountJPMorgan Chase Bank, N.A.No reportPetty Cash AccountJPMorgan Chase Bank, N.A.No reportMoney Market AccountJPMorgan Chase Bank, N.A.No reportPetty Cash AccountJPMorgan Chase Bank, N.A.No reportMoney Market AccountJPMorgan Chase Bank, N.A.No reportAgency Advance AccountKey BankNo reportAgency Advance AccountKey BankNo reportAgency Advance AccountKey BankNo reportConsumer FBT Fund / Fiduciary AccountKey BankNo reportConsumers Fund / Fiduciary AccountKey BankNo reportPatients Account Direct Deposit / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo | 51250 · | | | , , |
| Patient Fund CDJPMorgan Chase Bank, N.A.1,50Patients Cash CheckingM&T Bank29500 Balltown Rd Schenectady, NYThe Adirondack Trust Company1,88TDDSO Representative Payee Savings AcctThe Adirondack Trust Company1,8851270 - STATEN ISLAND DDSOJPMorgan Chase Bank, N.A.No reportClients Cash AccountJPMorgan Chase Bank, N.A.No reportGeneral Fund AccountJPMorgan Chase Bank, N.A.No reportMoney Market AccountJPMorgan Chase Bank, N.A.No reportPetty Cash AccountJPMorgan Chase Bank, N.A.No reportPatients Cash AccountMoney Market AccountNo reportPatient Advance AccountMorgan Chase Bank, N.A.No reportAgency Advance AccountKey BankNo reportAgency Advance AccountKey BankNo reportAgency Advance AccountKey BankNo reportConsumer EBT Fund / Fiduciary AccountKey BankNo reportPatients Account Direct Deposit / Fiduciary AccountKey BankNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduc | | | M&T Bank | 47,961.51 |
| Patients Cash CheckingM&T Bank25500 Balltown Rd Schenectady, NYTTDDSO Representative Payee Savings AcctThe Adirondack Trust Company51270 - STATEN ISLAND DDSOJPMorgan Chase Bank, N.A.No reportClients Cash AccountJPMorgan Chase Bank, N.A.No reportGeneral Fund AccountJPMorgan Chase Bank, N.A.No reportMoney Market AccountJPMorgan Chase Bank, N.A.No reportPetty Cash AccountJPMorgan Chase Bank, N.A.No reportPatients Cash AccountStateNo reportPatients Cash AccountKey BankNo reportS1290 - CAPTTAL DISTRICT DDSOKey BankNo reportAgency Advance AccountKey BankNo reportAgency Advance Account Direct Deposit / Fiduciary AcctKey BankNo reportPatients Account Direct Deposit / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / F | | General Fund | M&T Bank | 6,441.39 |
| 500 Balltown Rd Schenectady, NY The Adirondack Trust Company 1,86 51270 - STATE ISLAND DDSO JPMorgan Chase Bank, N.A. No report Clients Cash Account JPMorgan Chase Bank, N.A. No report General Fund Account JPMorgan Chase Bank, N.A. No report Money Market Account JPMorgan Chase Bank, N.A. No report Petty Cash Account JPMorgan Chase Bank, N.A. No report 51290 - CAPITAL DISTRICT DDSO JPMorgan Chase Bank, N.A. No report 51290 - CAPITAL DISTRICT DDSO Key Bank No report Agency Advance Account Key Bank No report Agency Advance Account Key Bank No report Consumer EBT Fund / Fiduciary Account Key Bank No report Consumers Fund / Fiduciary Account Key Bank No report Patients Account Direct Deposit / Fiduciary Account Key Bank No report Patients Fund Operating Acct / Fiduciary Account Key Bank No report Patients Fund Operating Acct / Fiduciary Account Key Bank No report Patients Fund Operating Acct / Fiduciary Account Key Bank No report Patients Fund Operating Acct / Fiduciary Acct | | Patient Fund CD | JPMorgan Chase Bank, N.A. | 1,500,000.00 |
| TDDSO Representative Payee Savings Acct The Adirondack Trust Company 1,88 51270 - STATEN ISLAND DDSO JPMorgan Chase Bank, N.A. No report Clients Cash Account JPMorgan Chase Bank, N.A. No report General Fund Account JPMorgan Chase Bank, N.A. No report Money Market Account JPMorgan Chase Bank, N.A. No report Petty Cash Account JPMorgan Chase Bank, N.A. No report S1290 - CAPITAL DISTRICT DDSO JPMorgan Chase Bank, N.A. No report Agency Advance Account Key Bank No report Agency Advance Account Key Bank No report Consumer EBT Fund / Fiduciary Account Key Bank No report Consumers Fund / Fiduciary Account Key Bank No report Patients Account Direct Deposit / Fiduciary Acct The Adirondack Trust Company No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report | | Patients Cash Checking | M&T Bank | 291,110.65 |
| 51270 - STATEN ISLAND DDSO JPMorgan Chase Bank, N.A. No report Clients Cash Account JPMorgan Chase Bank, N.A. No report General Fund Account JPMorgan Chase Bank, N.A. No report Money Market Account JPMorgan Chase Bank, N.A. No report Petty Cash Account JPMorgan Chase Bank, N.A. No report Petty Cash Account JPMorgan Chase Bank, N.A. No report 51290 - CAPITAL DISTRICT DDSO Key Bank No report Agency Advance Account Key Bank No report Agency Advance Account Key Bank No report Consumer EBT Fund / Fiduciary Account Key Bank No report Consumers Fund / Fiduciary Account Key Bank No report Patients Account Direct Deposit / Fiduciary Account Key Bank No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report | 50 | 0 Balltown Rd Schenectady, NY | | |
| Clients Cash Account JPMorgan Chase Bank, N.A. No report General Fund Account JPMorgan Chase Bank, N.A. No report Money Market Account JPMorgan Chase Bank, N.A. No report Petty Cash Account JPMorgan Chase Bank, N.A. No report Petty Cash Account JPMorgan Chase Bank, N.A. No report S1290 - CAPTTAL DISTRICT DDSO Money Advance Account No report Agency Advance Account Key Bank No report Agency Advance Account Key Bank No report Consumer EBT Fund / Fiduciary Account Key Bank No report Consumers Fund / Fiduciary Account Key Bank No report Patients Account Direct Deposit / Fiduciary Accot Key Bank No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report | | TDDSO Representative Payee Savings Acct | The Adirondack Trust Company | 1,889,324.24 |
| General Fund Account JPMorgan Chase Bank, N.A. No report Money Market Account JPMorgan Chase Bank, N.A. No report Petty Cash Account JPMorgan Chase Bank, N.A. No report 51290 - CAPITAL DISTRICT DDSO JPMorgan Chase Bank, N.A. No report Agency Advance Account Key Bank No report Agency Advance Account Key Bank No report Consumer EBT Fund / Fiduciary Account Key Bank No report Consumers Fund / Fiduciary Account Key Bank No report Patients Account Direct Deposit / Fiduciary Acct The Adirondack Trust Company No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report | 51270 · | - STATEN ISLAND DDSO | | |
| Money Market Account JPMorgan Chase Bank, N.A. No report Petty Cash Account JPMorgan Chase Bank, N.A. No report 51290 - CAPITAL DISTRICT DDSO Key Bank No report Agency Advance Account Key Bank No report Agency Advance Account Key Bank No report Consumer EBT Fund / Fiduciary Account Key Bank No report Consumers Fund / Fiduciary Account Key Bank No report Patients Account Direct Deposit / Fiduciary Acct The Adirondack Trust Company No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report | | Clients Cash Account | | No report received |
| Petty Cash Account JPMorgan Chase Bank, N.A. No report 51290 - CAPITAL DISTRICT DDSO Key Bank No report Agency Advance Account Key Bank No report Agency Advance Account The Adirondack Trust Company No report Consumer EBT Fund / Fiduciary Account Key Bank No report Consumers Fund / Fiduciary Account Key Bank No report Patients Account Direct Deposit / Fiduciary Acct The Adirondack Trust Company No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report | | | | No report received |
| 51290 - CAPITAL DISTRICT DDSO Key Bank No report Agency Advance Account Key Bank No report Agency Advance Account The Adirondack Trust Company No report Consumer EBT Fund / Fiduciary Account Key Bank No report Consumers Fund / Fiduciary Account Key Bank No report Patients Account Direct Deposit / Fiduciary Acct The Adirondack Trust Company No report Patients Account Direct Deposit / Fiduciary Acct The Adirondack Trust Company No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report | | | | No report received |
| Agency Advance Account Key Bank No report Agency Advance Account The Adirondack Trust Company No report Consumer EBT Fund / Fiduciary Account Key Bank No report Consumers Fund / Fiduciary Account Key Bank No report Patients Account Direct Deposit / Fiduciary Acct The Adirondack Trust Company No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report | | • | JPMorgan Chase Bank, N.A. | No report received |
| Agency Advance AccountThe Adirondack Trust CompanyNo reportConsumer EBT Fund / Fiduciary AccountKey BankNo reportConsumers Fund / Fiduciary AccountKey BankNo reportPatients Account Direct Deposit / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportNo reportThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo report | 51290 | | Key Davis | N |
| Consumer EBT Fund / Fiduciary AccountKey BankNo reportConsumers Fund / Fiduciary AccountKey BankNo reportPatients Account Direct Deposit / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportNo reportThe Adirondack Trust CompanyNo report | | | | No report received |
| Consumers Fund / Fiduciary AccountKey BankNo reportPatients Account Direct Deposit / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo reportPatients Fund Operating Acct / Fiduciary AcctThe Adirondack Trust CompanyNo report | | | | No report received |
| Patients Account Direct Deposit / Fiduciary Acct The Adirondack Trust Company No report Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report | | | | No report received |
| Patients Fund Operating Acct / Fiduciary Acct The Adirondack Trust Company No report | | | | No report received |
| | | | | No report received |
| Summer Camp - Frauciary Accu Ine Adironaack Trust Company No report | | | | No report received |
| 51330 - WESTEDN NY DDSO | E1 334 | | The Adirondack Trust Company | No report received |
| 51330 - WESTERN NY DDSO | 21220 - | | | |

| | Agency Advance Account | M&T Bank | 68,374.30 |
|---------|---|--|--|
| | CD-Patient Property Funds | Key Bank | 3,386,554.10 |
| | Exchange Account | M&T Bank | 80,267.10 |
| | General Account | Community Bank | 15,581.48 |
| | Patient Property Funds | Adirondack Bank | 1,688,051.03 |
| 51.050 | Patient Property Funds | M&T Bank | 380,200.38 |
| 51350 - | LONG ISLAND DDSO Consolidated Advance | IDMergen Chase Benk N A | No construction |
| | EBT Checking Account | JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. | No report received No report received |
| | General Fund | JPMorgan Chase Bank, N.A. | No report received |
| | Patient Cash | JPMorgan Chase Bank, N.A. | No report received |
| 51380 - | BROOKLYN DDSO | Stridigan chace barry that | |
| | CD | Banco Popular | No report received |
| | Consumers Fund | JPMorgan Chase Bank, N.A. | 363,641.11 |
| | Consumers Money Management | JPMorgan Chase Bank, N.A. | 687,966.31 |
| | Miscellaneous Receipts | JPMorgan Chase Bank, N.A. | 176,182.88 |
| | Thomas Shirtz Community Service | JPMorgan Chase Bank, N.A. | 8,965.62 |
| 51420 - | SUNMOUNT DDSO | | |
| | Certificate of Deposit | Community Bank | 850,000.00 |
| | Residents Fund | Community Bank | 680,591.05 |
| E1 420 | Sunmount Advance Account | Community Bank | 28,605.94 |
| 51450 - | INSTITUTE FOR BASIC RESEARCH IN DEVELOPMENTAL DISABILITIES Petty Cash | JPMorgan Chase Bank, N.A. | No report received |
| 51450 - | METRO NY DDSO | JEHOIGAN CHASE BANK, N.A. | No report received |
| 51450 | Consolidated Acct | JPMorgan Chase Bank, N.A. | 26,588.72 |
| | Manhattan DDSO Client Cash | JPMorgan Chase Bank, N.A. | 26,040.04 |
| | Metro NY DDSOO REP PAYEE ACCOUNT | JPMorgan Chase Bank, N.A. | 434,485.91 |
| | Patients Cash Account | JPMorgan Chase Bank, N.A. | 18,798.32 |
| | Patients Money Market Account | JPMorgan Chase Bank, N.A. | 0.10 |
| 51470 - | BERNARD M FINESON DDSO | | |
| | Money Market Account | JPMorgan Chase Bank, N.A. | 307,402.09 |
| | Patient Fund Account | JPMorgan Chase Bank, N.A. | 149,944.11 |
| | Petty Cash Fund | JPMorgan Chase Bank, N.A. | 8,828.68 |
| 51780 - | FINGER LAKES DDSO | IDMessen Chase Bank N.A. | No warent waren of |
| | Advance Account F.L. Newark Resident Checking | JPMorgan Chase Bank, N.A. Community Bank | No report received No report received |
| | Finger Lakes Resident Checking | JPMorgan Chase Bank, N.A. | No report received |
| | FL Vending Machine Account | Community Bank | No report received |
| | General Account | JPMorgan Chase Bank, N.A. | No report received |
| | Geneseo Client Cash | Bank of America, N.A. | No report received |
| | Kelsey Trust Fund | Bank of America, N.A. | No report received |
| | Mary Moore Trust Fund | Bank of America, N.A. | No report received |
| | Monroe Resident Checking | JPMorgan Chase Bank, N.A. | No report received |
| | Monroe Resident Savings | JPMorgan Chase Bank, N.A. | No report received |
| | Patient Food Stamp Account | JPMorgan Chase Bank, N.A. | No report received |
| 51940 - | BROOME DDSO | | No |
| | Broome DDSO Broome DDSO - Advance Account | M&T Bank M&T Bank | No report received No report received |
| | Broome DDSO - General Fund | M&T Bank | No report received |
| | Disabled Individuals Savings | Key Bank | No report received |
| | Disabled Individuals Savings | M&T Bank | No report received |
| | OMRDD Broome DDSO EBT Checking | M&T Bank | No report received |
| 53000 - | OFFICE OF ALCOHOLISM & SUBSTANCE ABUSE SERVICES | | |
| | Agency Advance Acct | Key Bank | 2,800.00 |
| | Patient Fees | Bank of America, N.A. | 656,342.10 |
| | Revenue Account | Bank of America, N.A. | 16,362.06 |
| 53020 - | KINGSBORO ALCOHOLISM TREATMENT CENTER | | |
| | Petty Cash Advance Account | Bank of America, N.A. | No report received |
| /0000 - | CUNY UNIVERSITY MANAGEMENT & PROGRAM BOARD OF HIGHER EDUCATION CUNY Admin Imprest Cash Account | Citibank | 10,675.80 |
| 70030 - | CUNY HUNTER COLLEGE | CICIDATIK | 10,675.60 |
| 70050 | Travel Petty Cash Account | Citibank | 46,618.45 |
| 70060 - | CUNY JOHN JAY COLLEGE | Skibunk | 10,010110 |
| | CUNY JOHN JAY COLLEGE IMPREST FUND | Citibank | 15,449.85 |
| 70070 - | CUNY LEHMAN COLLEGE | | |
| | Lehman College | Citibank | 4,345.50 |
| 70080 - | CUNY YORK COLLEGE | | |
| | York College Imprest Funds | Citibank | 11,288.64 |
| | York College Travel Advance Fund | Citibank | 817.00 |
| 70100 - | CUNY COLLEGE OF STATEN ISLAND | | |
| 70150 | CSI Imprest Cash | TD Bank | 4,799.82 |
| 70120 - | CUNY SCHOOL OF LAW CUNY School Of Law | TD Bank | 24,162.57 |
| | | 10 Dank | 27,102.3/ |

The above balances represent funds deposited in various banking institutions as reported by the State department and agencies, and published in accordance with Section 107 of the State Finance Law.

Division of the Treasury, Department of Taxation and Finance Christopher Curtis Deputy Commissioner and State Treasurer

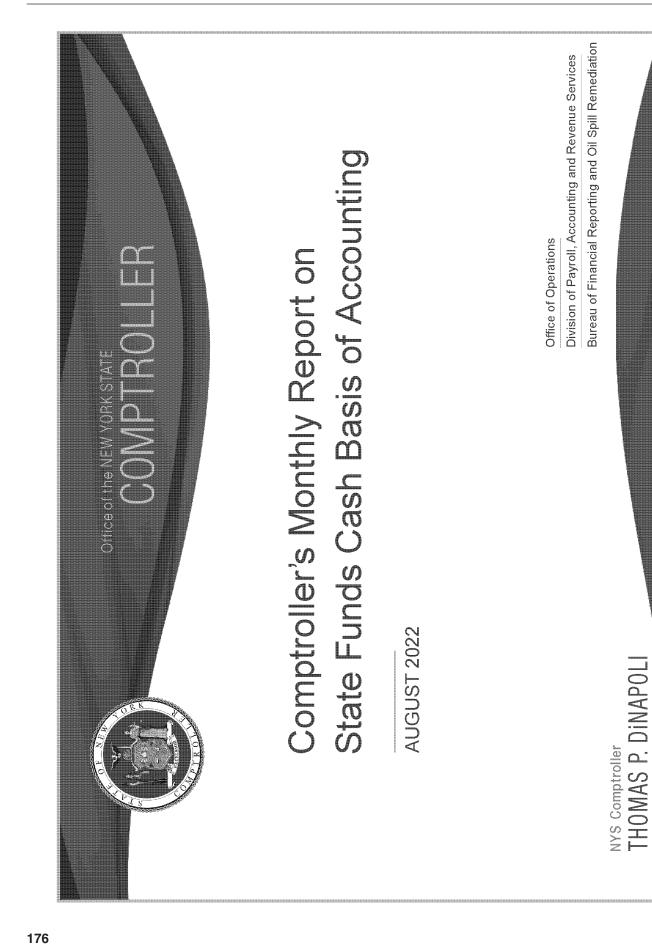
FUNDS OF THE DIVISION OF THE TREASURY OF WHICH THE COMMISSIONER OF TAXATION AND FINANCE IS THE SOLE CUSTODIAN WITH BALANCES AS OF 08/31/2022

| ACCOUNT | DESCRIPTION | DEPOSITORY | BALANCE AS OF 8/31/2022 |
|--------------|---|---------------------------------------|----------------------------|
| соммии | ITY COLLEGE TUITION AND INSTRUCTIONAL INCOME FUND | | |
| 0232 | Upstate Community Colleges, Series 2005B | Key Bank | 4,498,250.75 |
| | IENT OF FINANCIAL SERVICES | | |
| 0001 | Property/Casualty Insurance Security Fund | Key Bank | 1,209,683.74 |
| 0002 | Public Motor Vehicle Security Fund | JPMorgan Chase Bank, N.A. | 494,688.14 |
| 0003 | Workers' Compensation Security Fund | JPMorgan Chase Bank, N.A. | 505,562.70 |
| DODMITC | | | |
| 0039 | DRY AUTHORITY OF THE STATE OF NEW YORK Mental Hygiene Facilities Improvement Fund Income Account | Bank of America, N.A. | 0.00 |
| 0104 | Lincoln Medical and Mental Health Center Project Construction Account | Key Bank | 9,834.7 |
| 0105 | Greenpoint Medical and Mental Health Center Project Construction Account | Key Bank | 300,162.66 |
| 0149 | State Advances Repayment Account | Bank of America, N.A. | (1,761.84 |
| | SS HOUSING ASSISTANCE CORPORATION | | |
| 0320 | Social Services Homeless Housing and Assistance Corporation Operating Account | Key Bank | 867,305.27 |
| 0520 | Social Services non-seas notability and Assistance corporation operating Account | Key built | 007,303.27 |
| | A. ROCKEFELLER EMPIRE STATE PLAZA PERFORMING ARTS CENTER CORPORATION | | |
| 0315 | The Egg | Key Bank | 50,075.73 |
| NEW YOR | RK CONVENTION CENTER | | |
| 0300 | Operating Fund | JPMorgan Chase Bank, N.A. | 12,754,299.96 |
| | RK JOB DEVELOPMENT AUTHORITY | | |
| 0036 | Special Purpose Fund | Bank of America, N.A. | 1,457,271.36 |
| 0371 | Series H Commercial Paper | Bank of America, N.A. | 786,841.08 |
| 0389 | Daily Demand Special Purpose Bonds Series 1992A-B | JPMorgan Chase Bank, N.A. | 364,800.47 |
| 0423 | Escrow Account for USA Industries Inc. | Key Bank | 37,274.67 |
| 0424 | Escrow Account for Pluritec USA Inc. | Key Bank | 19,782.38 |
| 0426 | Agriculture Loan Program | Key Bank | 444,623.60 |
| | | | |
| 0491 | DRDABLE HOUSING CORPORATION | 10Morgan Chaco Bank, N.A. | 263,790.09 |
| 0520 | Disbursement Account Development Account | JPMorgan Chase Bank, N.A. Key Bank | 992,686.00 |
| 0520 | Repayment Account | Key Bank | 605,686.44 |
| 0523 | Recapture Account | Key Bank | 98,467.10 |
| 0525 | Payroll Account | JPMorgan Chase Bank, N.A. | 0.00 |
| | | | |
| 0004 | ARTMENT OF HEALTH Medical Indemnity Fund | JPMorgan Chase Bank, N.A. | (2,070,874.51) |
| 0004 | Healcal Indennity Fund | SPHOIgan Chase Bank, N.A. | (2,070,074.31) |
| | ARTMENT OF TAXATION AND FINANCE | | |
| 0510 | Excelsior Linked Deposit Fund | Key Bank | 0.00 |
| 0600 | World Trade Center Memorial Foundation Fund Account | Bank of America, N.A. | 198,781.66 |
| 0625 | Advance Acct/Imprest Confidential Fund | Bank of America, N.A. | 27,054.80 |
| 0626 | Criminal Investigation Division | Key Bank | 214,446.97 |
| 0778 | PIT Exchange | Wells Fargo | 0.00 |
| 0778 | PIT/STAR Rebate Exchange Account | JPMorgan Chase Bank, N.A. | 0.00 |
| 0800 0827 | NYS IRS PIT offset account Stock Transfer Incentive Fund | Key Bank Key Bank | 0.00 4.14 |
| | | noy bank | |
| | SING FINANCE AGENCY | JDM-serve Change Damle NLA | 216 000 02 |
| 0252 | Energy Conservation/Tenant Health & Safety Improvement Account | JPMorgan Chase Bank, N.A. | 216,098.82 |
| 0254 | Agency Assisted Housing Operation Fund | JPMorgan Chase Bank, N.A. | 9,916,076.03 |
| 0267 | Neighborhood Stabilization Program - Round 1 | JPMorgan Chase Bank, N.A. | 101,054.92 |
| 0274 | NYSHFA Special Reserve Fund | JPMorgan Chase Bank, N.A. | 143,069.79 |
| 0283 | Small Owner's Assistance Program Account | Key Bank | 88,038.32 |
| 0285 | Public Purpose Account | Key Bank | 9,790,175.26 |
| 0286 | Disbursement Account | Key Bank | 2,550,011.86 |
| 0287 | Infrastructure Development Fund | Key Bank | 197,817.52 |
| 0288 | Mobile Home Cooperative Fund | Key Bank | 28,822.51 |
| 0292 | Homeless Housing Initiatives Housing Plan Fund | Key Bank | 516,136.06 |
| 0294 | 5 | Key Bank | 16,894,224.97 |
| 0301 0305 | HFA - Subsidy Repayment Account | Key Bank | 5,746,706.63 |
| 0305 | HPD Disbursement Fund Payroll Account | Key Bank JPMorgan Chase Bank, N.A. | 999,684.19 156,111.72 |
| | | or Horgan Chabe banky h.A. | 150,111.72 |
| | SING TRUST FUND CORPORATION | | |
| 0458 | Section 8 Housing Assistance Payment Account | JPMorgan Chase Bank, N.A. | 1,143,095.60 |
| 0460 | Escrow Account | M&T Bank | 1,125,999.45 |
| 0461 | Housing Modernization Account | M&T Bank | 770,401.95 |
| 0462 | General Custodial Account | M&T Bank | 68,375,030.86 |

| 0465 | Home Program Account | M&T Bank | 10,345,035.21 |
|----------|---|-------------------------------|---------------|
| 0466 | Homes for Working Families Account | M&T Bank | 8,905,367.34 |
| 0467 | Section 8 Administrative Account | M&T Bank | 9,087,527.85 |
| 0469 | OCR Community Miscellaneous Programs Account | M&T Bank | 8,131,144.83 |
| 0470 | HCV Main Account | Bank of America, N.A. | 71,611,604.57 |
| 0471 | Empire State Relief Fund | M&T Bank | 472,816.46 |
| 0472 | Master Escrow Account | Bank of America, N.A. | 8,281.02 |
| 0473 | Family Self-Sufficiency Account | Bank of America, N.A. | 4,222,868.15 |
| 0475 | Reserve Account | Bank of America, N.A. | 107,444.90 |
| 0480 | OHP Miscellaneous Programs Account | Bank of America, N.A. | 9,924,437.75 |
| 0891 | Small Cities Community Development Block Grant Program | M&T Bank | 8,365.10 |
| 0892 | Disaster Recovery Initiative Account | M&T Bank | 326,858.18 |
| 0893 | Payroll Account for Small Cities CDBG Program | M&T Bank | 158.69 |
| 0895 | HTFC Storm Recovery Payment | M&T Bank | 2,385,893.08 |
| 0899 | HTFC Storm Recovery Lockbox | US Bank | 40,968.71 |
| NYS TEA | CHERS RETIREMENT SYSTEM | | |
| 0052 | Master Funding Account | State Street Bank & Trust Co. | 0.00 |
| 0052 | Main Account | JPMorgan Chase Bank, N.A. | 3,119,296.39 |
| 0853 | Excess Benefit Fund | JPMorgan Chase Bank, N.A. | 2,726,051.26 |
| STATE IN | ISURANCE FUND | | |
| 0053 | State Insurance Fund | Bank of America, N.A. | 11,673,170.23 |
| 0053 | SIF - WCF | JPMorgan Chase Bank, N.A. | 53,851,682.84 |
| 0054 | State Insurance Fund | Bank of America, N.A. | 460,857.75 |
| 0054 | SIF - DBF | JPMorgan Chase Bank, N.A. | 13,173,061.90 |
| 0055 | State Insurance Fund - ATF | JPMorgan Chase Bank, N.A. | 13,508,993.67 |
| 0055 | State Insurance Fund | Bank of America, N.A. | 463,867.08 |
| 0861 | SIF - DBF Tax Escrow | JPMorgan Chase Bank, N.A. | 27,895.27 |
| 0861 | Disability Benefits Fund Tax Escrow Account | Bank of America, N.A. | 0.00 |
| STATE UI | NIVERSITY CONSTRUCTION FUND | | |
| 0034 | Income Fund | Key Bank | 1,744,040.68 |
| 0075 | Educational Facilities Revenue Bonds Debt Service Account | Key Bank | 31,806.05 |
| 0870 | Deductions Account | Key Bank | 297,306.39 |
| | | | |

The above balances represent funds deposited in various banking institutions per the records of the Department of Taxation and Finance, Division of Treasury, and published in accordance with Section 107 of the State Finance Law.

Division of the Treasury, Department of Taxation and Finance Christopher Curtis Deputy Commissioner and State Treasurer



| THOMAS P. DINAPOLI STATE COMPTROLLER | ACCOUNTING | | 2 4 4 5 5 5 6 6 6 6 6 6 7 7 7 7 7 10 10 11 11 12 6 6 6 10 11 12 6 11 12 6 11 12 12 12 12 12 12 12 12 12 | | 33333258 | | a8 a1 is in Fund Balances 41 in Fund Balances 41 in Fund Balances 42 in Fund Balances 42 isbursements 44 out 46 Unt 46 Solution 46 Cont 47 Cont 47 Cont 48 Cont |
|--|--|--|--|--|--|-------------------------|---|
| STATE OF NEW YORK OFFICE OF OPERATIONS DIVISION OF PAYROLL, ACCOUNTING AND REVENUE SERVICES BUREAU OF FINANCIAL REPORTING AND OIL SPILL REMEDIATION | COMPTROLLER'S MONTHLY REPORT TO THE LEGISLATURE ON STATE FUNDS - CASH BASIS OF ACCOUNTING August 31, 2022 | TABLE OF CONTENTS 3. Disbursements and Changes in Fund Balances | Exhibit A Exhibit A Supplemental Exhibit A Notes Exhibit A Notes Exhibit B Exhibit D Governmental Funds Footnotes Exhibit D State Operating Exhibit D Debt Exhibit D Debt Exhibit D State Operating Exhibit D Debt Exhibit D Debt Exhibit D Debt Governmental Funds - Budgetary Basis - Financial Plan and Actual - Special Revenue Governmental Funds - Budgetary Basis - Financial Plan and Actual - Special Revenue Governmental Funds - Budgetary Basis - Financial Plan and Actual - Capital Projects State and Federal Governmental Funds - Budgetary Basis - Financial Plan and Actual - Capital Projects State and Federal Governmental Funds - Budgetary Basis - Financial Plan and Actual - Capital Projects State and Federal Governmental Funds - Governmental Governmental Funds - Governmental | ts, Disbursements and Changes in Fund Balances | General Fund - Statement of Cash Flow Special Revenue Funds Combined - Statement of Cash Flow Special Revenue Funds State - Statement of Cash Flow Det Service Funds - Statement of Cash Flow Dett Service Funds - Statement of Cash Flow Capital Projects Funds State - Statement of Cash Flow Capital Projects Funds State - Statement of Cash Flow Capital Projects Funds State - Statement of Cash Flow Intermise Funds - Statement of Cash Flow | | riments and Change riments and Changes tents and Changes tash Receipts and D vity vity vity vity vity vity vity vity |
| | COMPTROLLER'S MO | Combined Statements of Cash Receip | Exhibit A Supplemental Exhibit A Supplemental Exhibit A Notes Exhibit D Governmental Exhibit D State Operating Exhibit D State Operating Exhibit D Special Revenue Exhibit D Debt Exhibit D Debt Exhibit D Debt Exhibit D Debt Exhibit D Debt Capital Projects Exhibit D Capital Projects State/Fede Cash Flow - Governmental Cash Flow - State Operating | Combining Statements of Cash Recei | Exhibit F Exhibit G State Exhibit G State Exhibit J Exhibit J Exhibit J Exhibit J Exhibit J Exhibit L Exhibit L Exhibit L | Supplementary Schedules | Schedule 1 Schedule 2 Schedule 3 Schedule 4 Schedule 4 Schedule 6 Schedule 6 Schedule 6 Schedule 6 Appendix D Appendix D Appendix D Appendix D Appendix D Appendix D Appendix D |
| | | | | | | | |

| | GENI | GENERAL | SPECIAL | SPECIAL REVENUE | DEBT \$ | DEBT SERVICE | CAPITAL PROJECTS | ROJECTS | • | TOTAL GOVERNMENTAL FUNDS | NTAL FUNDS | | YEAR OVER YEAR | EAR |
|---|-----------------------|-------------------------------|-----------------------|-------------------------------|-----------------------|-------------------------------|-----------------------|-------------------------------|-----------------------|-------------------------------|-----------------------|-------------------------------|----------------------------|-------------------------|
| | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2021 | 5 MOS. ENDED AUG. 31, 2021 | \$ Increase/ (Decrease) | % Increase/ Decrease |
| RECEIPTS: | | | | | | | | | | | | | | |
| Personal Income Tax | \$ 1.794.4 | \$ 14,159.7 | , \$ | ۰ ج | \$ 1,794.4 | \$ 14,159.7 | , 69 | ' s | \$ 3,588.8 | \$ 28,319.4 | \$ 3,801.4 | \$ 29,345.4 | \$ (1,026.0) | -3.5% |
| Consumption/Use Taxes | 382.8 | 2,020.8 | 149.3 | 848.4 | 1,004.0 | 5,268.3 | 10.8 | 150.2 | 1,546.9 | 8,287.7 | 1,506.2 | 7,871.6 | 416.1 | 5.3% |
| Business Taxes | (34.4) | 4,702.2 | 74.2 | 919.7 | 43.9 | 1,476.0 | 52.8 | 257.6 | 136.5 | 7,355.5 | 176.1 | 3,773.1 | 3,582.4 | 94.9% |
| Other Taxes | 159.3 | 675.0 | 1 | • | 116.2 | 661.6 | 25.7 | 77.2 | 301.2 | 1,413.8 | 255.0 | 1,187.7 | 226.1 | 19.0% |
| Miscellaneous Receipts | 188.5 | 7.87.7 | 1,743.8 | 7,774.6 | 26.2 | 202.3 | 356.2 | 3,154.0 | 2,314.7 | 11,918.6 | 1.784.3 | 8,876.5 | 3,042.1 | 34.3% |
| Federal Receipts | • | 0.2 | 5,878.5 | 33,338.2 | 36.5 | 40.8 | 288.5 | 987.1 | 6,203.5 | 34,366.3 | 5,986.7 | 44,762.7 | (10,396.4) | -23.2% |
| Total Receipts | 2,490.6 | 22,345.6 | 7,845.8 | 42,880.9 | 3,021.2 | 21,808.7 | 734.0 | 4,626.1 | 14,091.6 | 91,661.3 | 13,509.7 | 95,817.0 | (4,155.7) | 4.3% |
| DISBURSEMENTS: | | | | | | | | | | | | | | |
| Local Assistance Grants: | | | | | | | | | | | | | | |
| Education | 753.0 | 9,788.4 | 489.6 | 3,148.5 | | • | 8.6 | 59.9 | 1,251.2 | 12,996.8 | 1,418.3 | 12,610.0 | 386.8 | 3.1% |
| Environment and Recreation | 0.2 | 0.4 | 0.1 | 2.2 | | | 147.9 | 185.5 | 148.2 | 188.1 | 32.7 | 107.5 | 80.6 | 75.0% |
| General Government | 61.5 | 555.4 | 28.4 | 654.5 | | | 46.6 | 232.8 | 136.5 | 1,442.7 | 100.8 | 1,212.7 | 230.0 | 19.0% |
| Public Health: | | | | | | | | | | | | | | |
| Medicaid | 1.782.5 | 9,135.1 | 4,985.2 | 24,007.8 | • | • | ' | 1 | 6.767.7 | 33,142.9 | 5,876.2 | 29,319.4 | 3,823.5 | 13.0% |
| Other Public Health | 161.8 | 854.8 | 734.8 | 3,671.8 | , | • | 35.0 | 194.1 | 931.6 | 4,720.7 | 906.7 | 4,548.8 | 171.9 | 3.8% |
| Public Safety | 22.7 | 56.5 | 243.9 | 739.7 | • | • | 3.0 | 42.4 | 269.6 | 838.6 | 98.0 | 782.2 | 56.4 | 7.2% |
| Public Welfare | 396.8 | 1,427.7 | 329.2 | 2,737.0 | | | 83.8 | 241.5 | 809.8 | 4,406.2 | 1,046.7 | 3,544.1 | 862.1 | 24.3% |
| Support and Regulate Business | 246.2 | 423.0 | 1.7 | 7.9 | • | • | 26.1 | 247.2 | 274.0 | 678.1 | 50.2 | 568.2 | 109.9 | 19.3% |
| Transportation | 32.3 | 84.3 | 504.8 | 1,804.2 | , | | 45.0 | 283.9 | 582.1 | 2,172.4 | 654.1 | 2,660.0 | (487.6) | -18.3% |
| Total Local Assistance Grants | 3,457.0 | 22,325.6 | 7,317.7 | 36,773.6 | | | 396.0 | 1,487.3 | 11,170.7 | 60,586.5 | 10,183.7 | 55,352.9 | 5,233.6 | 9.5% |
| Departmental Operations: | | | | | | | | | | | | | | |
| Personal Service | 904.9 | 3,921.2 | 674.1 | 2,507.6 | | | | | 1,579.0 | 6,428.8 | 1,113.3 | 5,958.0 | 470.8 | 7.9% |
| Non-Personal Service | 225.6 | 1,007.0 | 447.7 | 1,837.8 | 5.3 | 24.4 | ' | | 678.6 | 2,869.2 | 726.9 | 3,177.4 | (308.2) | -9.7% |
| General State Charges | 488.0 | 4,067.6 | 155.5 | 610.3 | | • | | | 643.5 | 4,677.9 | 508.5 | 5,042.1 | (364.2) | -7.2% |
| Debt Service, Including Payments on | | | | | | | | | | | | | | |
| ements | • | • | • | • | 164.3 | 364.3 | ' | | 164.3 | 364.3 | 307.7 | 498.3 | (134.0) | -26.9% |
| Capital Projects (1) | | | | • | • | | 779.9 | 3,159.5 | 779.9 | 3,159.5 | 699.6 | 2,797.5 | 362.0 | 12.9% |
| Total Disbursements | 5,075.5 | 31,321.4 | 8,595.0 | 41,729.3 | 169.6 | 388.7 | 1,175.9 | 4,646.8 | 15,016.0 | 78,086.2 | 13,539.7 | 72,826.2 | 5,260.0 | 7.2% |
| Excess (Deficiency) of Receipts over Disbursements | (2,584.9) | (8,975.8) | (749.2) | 1,151.6 | 2,851.6 | 21,420.0 | (441.9) | (20.7) | (924.4) | 13,575.1 | (30.0) | 22,990.8 | (9,415.7) | -41.0% |
| OTHER FINANCING SOURCES (USES): | | | | | | | | | | | | | | |
| Bond and Note Proceeds (net) | • | | | • | • | | ' | | • | ı | • | ' | | 0.0% |
| Transfers from Other Funds (2) | 2,194.8 | 20,770.6 | 157.9 | 1,797.6 | 80 90 | 704.2 | 224.9 | 6.8 | 2,586.4 | 23,279.2 | 3,037.4 | 24,568.7 | (1,289.5) | -5.2% |
| Transfers to Other Funds (2) | (378.2) | (1.917.2) | (10.3) | (626.8) | (2,205.7) | (20.725.4) | (2.7) | (65.3) | (2.596.9) | (23,334.7) | (3.056.6) | (24,637.8) | (1,303.1) | -5.3% |
| Total Other Financing Sources (Uses) | 1,816.6 | 18,853.4 | 147.6 | 1,170.8 | (2,196.9) | (20,021.2) | 222.2 | (58.5) | (10.5) | (55.5) | (19.2) | (69.1) | 13.6 | 19.7% |
| Excess (Deficiency) of Receipts and Other Financing Sources over | | | | | | | | | | | | | | |
| Disbursements and Other Financing Uses | (768.3) | 9,877.6 | (601.6) | 2,322.4 | 654.7 | 1,398.8 | (219.7) | (79.2) | (934.9) | 13,519.6 | (49.2) | 22,921.7 | (9,402.1) | -41.0% |
| Beginning Fund Balances (Deficits) | 43,698.6 | 33,052.7 | 24,862.2 | 21,938.2 | 846.1 | 102.0 | (1,403.4) | (1,543.9) | 68,003.5 | 53,549.0 | 41,722.0 | 18,751.1 | 34,797.9 | 185.6% |
| Ending Fund Balances (Deficits) | \$ 42,930.3 | \$ 42,930.3 | \$ 24,260.6 | \$ 24,260.6 | \$ 1,500.8 | \$ 1,500.8 | \$ (1,623.1) | \$ (1,623.1) | \$ 67,068.6 | \$ 67,068.6 | \$ 41,672.8 | \$ 41,672.8 | \$ 25,395.8 | 60.9% |
| | | | | | | | | | | | | | | |

EXHIBIT A

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STATE OF NEW YORK GOVERNMENTAL FUNDS COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES (amounts in millions)

STATE OF NEW YORK GOVERNMENTAL FUNDS-STATE OPERATING (*) COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES (amounts in millions)

NYS Register/September 28, 2022

| | GENI | GENERAL | STATE SPECIA | STATE SPECIAL REVENUE (**) | DEBTS | DEBT SERVICE | | TOTAL STATE | TOTAL STATE OPERATING FUNDS | NDS | | |
|---|-----------------------|-------------------------------|-----------------------|-------------------------------|-----------------------|-------------------------------|-----------------------|-------------------------------|-----------------------------|-------------------------------|----------------------------|-------------------------|
| | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31. 2022 | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31. 2022 | MONTH OF AUG. 2021 | 5 MOS. ENDED AUG. 31. 2021 | \$ Increase/ (Decrease) | % Increase/ Decrease |
| RECEIPTS: | | | | | | | | | | | | |
| Personal Income Tax | \$ 1,794.4 | \$ 14,159.7 | ' \$ | ۰ ج | \$ 1,794.4 | \$ 14,159.7 | \$ 3,588.8 | \$ 28,319.4 | \$ 3,801.4 | \$ 29,345.4 | \$ (1,026.0) | -3.5% |
| Consumption/Use Taxes | 382.8 | 2,020.8 | 149.3 | 848.4 | 1,004.0 | 5,268.3 | 1,536.1 | 8, 137.5 | 1,456.6 | 7,623.3 | 514.2 | 6.7% |
| Business Taxes | (34.4) | 4,702.2 | 74.2 | 919.7 | 43.9 | 1,476.0 | 83.7 | 6.790,7 | 122.6 | 3,520.7 | 3,577.2 | 101.6% |
| Other Taxes | 159.3 | 675.0 | I | ı | 116.2 | 661.6 | 275.5 | 1,336.6 | 243.1 | 1,152.0 | 184.6 | 16.0% |
| Miscellaneous Receipts | 188.5 | 7.87.7 | 1,703.9 | 7,618.3 | 26.2 | 202.3 | 1,918.6 | 8,608.3 | 1,648.8 | 7,951.0 | 657.3 | 8.3% |
| Federal Receipts | | 0.2 | 1 | 11.0 | 36.5 | 40.8 | 36.5 | 52.0 | 28.8 | 30.6 | 21.4 | 69.9% |
| Total Receipts | 2,490.6 | 22,345.6 | 1,927.4 | 9,397.4 | 3,021.2 | 21,808.7 | 7,439.2 | 53,551.7 | 7,301.3 | 49,623.0 | 3,928.7 | 7.9% |
| DISBURSEMENTS: | | | | | | | | | | | | |
| Local Assistance Grants: | | | | | | | | | | | | |
| Education | 753.0 | 9,788.4 | 0.4 | 324.5 | I | I | 753.4 | 10,112.9 | 723.5 | 9,812.9 | 300.0 | 3.1% |
| Environment and Recreation | 0.2 | 0.4 | 0.1 | 1.9 | 1 | | 0.3 | 2.3 | 0.8 | 7.5 | (5.2) | -69.3% |
| General Government | 61.5 | 555.4 | 23.1 | 221.1 | | | 84.6 | 776.5 | 59.3 | 575.1 | 201.4 | 35.0% |
| Public Health: | | | | | | | | | | | | |
| Medicaid | 1,782.5 | 9,135.1 | 604.5 | 2,536.7 | 1 | | 2,387.0 | 11,671.8 | 1,895.5 | 10,635.9 | 1,035.9 | 9.7% |
| Other Public Health | 161.8 | 854.8 | 66.1 | 434.3 | • | | 227.9 | 1,289.1 | 244.3 | 1,278.8 | 10.3 | 0.8% |
| Public Safety | 22.7 | 56.5 | 16.8 | 97.5 | | , | 39.5 | 154.0 | 33.4 | 164.2 | (10.2) | -6.2% |
| Public Welfare | 396.8 | 1,427.7 | 1 | 2.3 | ı | 1 | 396.8 | 1,430.0 | 343.4 | 1,090.5 | 339.5 | 31.1% |
| Support and Regulate Business | 246.2 | 423.0 | 0.7 | 5.0 | , | | 246.9 | 428.0 | 13.8 | 266.8 | 161.2 | 60.4% |
| Transportation | 32.3 | 84.3 | 499.9 | 1,789.3 | | | 532.2 | 1,873.6 | 434.9 | 1,671.9 | 201.7 | 12.1% |
| Total Local Assistance Grants | 3,457.0 | 22,325.6 | 1,211.6 | 5,412.6 | | | 4,668.6 | 27,738.2 | 3,748.9 | 25,503.6 | 2,234.6 | 8.8% |
| Departmental Operations: | | | | | | | | | | | | |
| Personal Service | 904.9 | 3,921.2 | 591.1 | 2,210.8 | ı | | 1,496.0 | 6,132.0 | 1,060.8 | 5,281.8 | 850.2 | 16.1% |
| Non-Personal Service | 225.6 | 1,007.0 | 309.9 | 1,219.0 | 5.3 | 24.4 | 540.8 | 2,250.4 | 511.8 | 2,083.5 | 166.9 | 8.0% |
| General State Charges | 488.0 | 4,067.6 | 123.1 | 453.7 | | | 611.1 | 4,521.3 | 468.4 | 4,684.6 | (163.3) | -3.5% |
| Debt Service, Including Payments on | | | | | | | | | | | | |
| Financing Agreements | | | 1 | | 164.3 | 364.3 | 164.3 | 364.3 | 307.7 | 456.0 | (91.7) | -20.1% |
| Capital Projects | | ' | 1 | 1 | ' | 1 | ' | | ' | • | • | 0.0% |
| Total Disbursements | 5,075.5 | 31,321.4 | 2,235.7 | 9,296.1 | 169.6 | 388.7 | 7,480.8 | 41,006.2 | 6,097.6 | 38,009.5 | 2,996.7 | 7.9% |
| Excess (Deficiency) of Receipts over Disbursements | (2,584.9) | (8,975.8) | (308.3) | 101.3 | 2,851.6 | 21,420.0 | (41.6) | 12,545.5 | 1,203.7 | 11,613.5 | 932.0 | 8.0% |
| ES (USES): | | | | | : | | | | | | | |
| Transfers from Other Funds (2) | 2,194.8 | 20///02 | 18/.4 | / 7291 '72 | 8.8 (7.306.7) | 7.96 7.04.2 | 2,391.0 | C.120,52 | 2,4/5.6 | 22,424.2 | 1,203.3 | 0.4% 7.7% |
| t Sources (Uses) | 1,816.6 | 18,853.4 | 184.0 | 2,068.9 | (2,196.9) | (20,021.2) | (196.3) | 901.1 | (520.6) | (1,668.2) | 2,569.3 | 154.0% |
| | | - - - | | | | () | | | | (| | |
| Excess (Deficiency) of Receipts and Other Financing Sources over | | | | | | | | | | | | |
| Disbursements and Other Financing Uses | (768.3) | 9,877.6 | (124.3) | 2,170.2 | 654.7 | 1,398.8 | (237.9) | 13,446.6 | 683.1 | 9,945.3 | 3,501.3 | 35.2% |
| Beginning Fund Balances (Deficits) | 43,698.6 | 33,052.7 | 9,907.0 | 7,612.5 | 846.1 | 102.0 | 54,451.7 | 40,767.2 | 24,196.6 | 14,934.4 | 25,832.8 | 173.0% |
| Ending Fund Balances (Deficits) | \$ 42,930.3 | \$ 42,930.3 | \$ 9,782.7 | \$ 9,782.7 | \$ 1,500.8 | \$ 1,500.8 | \$ 54,213.8 | \$ 54,213.8 | \$ 24,879.7 | \$ 24,879.7 | \$ 29,334.1 | 117.9% |
| | | | | | | | | | | | | |

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 Certain disbursements from Capital Projects funds are financed by operating transfers from other funds, proceeds of State bonds and notes, and reimbursements received from Public Authorities and the Federal Government. The amounts shown below represent disbursements to be reimbursed in future months from the sources indicated:

| Urban Development | Urban Development Corporation (Correctional Facilities) | \$356.2 r |
|--------------------------------------|---|-----------|
| Urban Development | Urban Development Corporation (Youth Facilities) | 20.1 |
| Housing Finance Agency (HFA) | gency (HFA) | 627.9 |
| Housing Assistance Fund | Fund | 12.9 |
| Dormitory Authority (Mental Hygiene) | (Mental Hygiene) | 510.5 |
| Dormitory Authority : | Jormitory Authority and State University Income Fund | 976.3 |
| Federal Capital Projects | jects | 552.1 |
| State bond and note proceeds | e proceeds | 242.3 |

million

Operating Transfers constitute legally authorized transfers from a fund receiving revenues to a fund through which disbursements will ultimately be made. The more significant transfers include:

General Fund "Transfers to Other Funds" are as follows:

| olale Capital Projects Fund | 101111111 (8:525¢) |
|---|--------------------|
| General Debt Service Fund | 155.5 |
| Banking Services Account | 13.2 |
| Business Services Center | 30.0 |
| Centralized Tech Services | 11.5 |
| Court Facilities Incentive Aid Fund | 60.2 |
| Dedicated Highway & Bridge Trust Fund | 118.6 |
| Dedicated Infrastructure Investment Fund | 110.0 |
| Dedicated Mass Transportation (Non MTA) | 3.5 |
| Dedicated Mass Transportation - Railroad Account | 6.1 |
| Dedicated Mass Transportation - Transit Authority Account | 34.1 |
| Environmental Protection Fund | 48.1 |
| Mass Transportation Financial Assistance | 146.6 |
| Mass Transportation Operating Assistance Fund | 22.8 |
| Medical Cannabis Health Operation and Oversight | 5.5 |
| New York Central Business District Trust Fund | 63.8 |
| New York City County Clerks' Operations Offset | 2.4 |
| New York State Cannabis Revenue | 50.0 |
| Recruitment Incentive | 2.6 |
| State Fair Receipts | 5.0 |
| State University Income Fund | 1,108.3 |

Also included in the General Fund are transfers representing payments for patients residing in Stateoperated health, mental hygiene and State University facilities to Debt Service funds (\$2.5m), and the State University Income Fund (\$240.8m). §72(4)(b) was added to the State Finance Law in 2010 to permit the State's General Debt Service Fund to maintain a cash reserve for the payment of debt service, and related expenses, during the current fiscal quarter. As of August 31, 2022 - pursuant to a certification of the Budget Director the reserve amount is (SiOm), which was funded by a transfer from the General Fund.

Special Revenue Funds. "Transfers To Other Funds" includes transfers to Mental Health Services Fund and Department of Health Income Fund (\$514.0m) representing the federal share of Medicaid payments for patients residing in State-operated Health and Mental Hygiene facilities, SUNY Capital Projects Fund (\$11.7m) and All Other Capital Projects (\$42.3m).

Also included in Special Revenue funds are transfers to the General Fund from the following:

| Business & Licensing Services Account | \$2.3 million | |
|---|---------------|--|
| Encon Special Revenue | 6.1 C | |
| Federal Health and Human Services Fund | 12.2 | |
| Federal USDA/Food and Nutrition | 2.5 | |
| Fingerprint Identification Technology Account | 3.5 | |
| HESC Insurance Premium Account | 4.1 | |
| Miscellaneous State Special Revenue Fund | 4.8 | |
| Public Service Account | 2.3 | |
| State Lottery Fund | 1.0 | |
| System and Technology Account | 2.4 | |
| Training and Education Program on OSHA | 1.3 | |
| Unemployment Insurance Administration | 13.4 | |
| Workers' Compensation Board | 5.6 | |
| | | |

Debt Service Funds "Transfers To Other Funds" includes transfers to the General Fund from the following:

| \$14,663.6 million | 1,756.1 | 2,906.0 | 646.2 | 703.8 |
|-----------------------|--------------------------------------|---------------------------------|----------------------------|-----------------------------|
| Revenue Bond Tax Fund | Local Government Assistance Tax Fund | Sales Tax Revenue Bond Tax Fund | Clean Water/Clean Air Fund | Mental Health Services Fund |

Also included in Debt Service funds are transfers to Special Revenue funds representing receipts in excess of lease-purchase obligations that are used to finance a portion of the operating expenses for the Department of Health (\$49.8m).

Capital Projects Funds "Transfers To Other Funds" includes transfers to the General Fund (\$32.0m) and the General Debt Service Fund - Lease Purchase (\$33.2m).

| | ENTE | ENTERPRISE | INTER | INTERNAL SERVICE | | TOTAL PROPRI | TOTAL PROPRIETARY FUNDS | | YEAR OVER YEAR | R YEAR |
|--|-----------------------|-------------------------------|---------------------------|------------------|-----------------------|-------------------------------|-------------------------|-------------------------------|----------------------------|-------------------------|
| | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | D MONTH OF 2 AUG. 2022 | 5 MOS. ENDED | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2021 | 5 MOS. ENDED AUG. 31, 2021 | \$ Increase/ (Decrease) | % Increase/ Decrease |
| RECEIPTS: Miscellaneous Receipts | \$ 325.9 | \$ 1,269.6 | 6 \$ 43.7 | .7 \$ 183.9 | 369.6 | \$ 1,453.5 | \$ 227.5 | \$ | \$ 131.2 | %6 [.] 6 |
| Federal Receipts | 7.2 | 50.1 | - | • | 7.2 | 50.1 | 4,570.9 | | (22,457.6) | -99.8% |
| Unemployment Taxes | 202.7 | 474.2 | | | 202.7 | 474.2 | 350.5 | 1,588.4 | (1,114.2) | -70.1% |
| Total Receipts | 535.8 | 1,793.9 | 9 43.7 | .7 183.9 | 579.5 | 1,977.8 | 5,148.9 | | (23,440.6) | -92.2% |
| DISBURSEMENTS: Departmental Operations: | | | | | | | | | | |
| Personal Service | 123.3 | 698.3 | | | 138.4 | 753.7 | 123.4 | 714.4 | 39.3 | 5.5% |
| Non-Personal Service | 38.6 | 173.8 | 8 68.2 | .2 242.3 | 106.8 | 416.1 | 79.0 | 320.8 | 95.3 | 29.7% |
| General State Charges | 63.6 | 291.6 | | 4.7 24.6 | | 316.2 | 98.3 | 328.9 | (12.7) | -3.9% |
| Unemployment Benefits | 209.4 | 523.8 | 8 | • | 209.4 | 523.8 | 4,926.5 | 24,204.2 | (23,680.4) | -97.8% |
| Total Disbursements | 434.9 | 1,687.5 | 88.0 | .0 322.3 | 522.9 | 2,009.8 | 5,227.2 | 25,568.3 | (23,558.5) | -92.1% |
| Excess (Deficiency) of Receipts Over Disbursements | 100.9 | 106.4 | 4 (44.3) | .3) (138.4) | 56.6 | (32.0) | (78.3) | (149.9) | 117.9 | 78.7% |
| OTHER FINANCING SOURCES (USES): Transfers from Other Funds | 2.0 | 5.0 | | 8.5 54.5 | 10.5 | 59.5 | 30.4 | 84.3 | (24.8) | -29.4% |
| Transfers to Other Funds | | ļ | - | - (4.2) | • | (4.2) | | (4.5) | (0.3) | -6.7% |
| Total Other Financing Sources (Uses) | 2.0 | 5.0 | | 8.5 50.3 | 10.5 | 55.3 | 30.4 | 79.8 | (24.5) | -30.7% |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other | | | | | | | | | | |
| Financing Uses | 102.9 | 111.4 | 4 (35.8) | .8) (88.1) | 67.1 | 23.3 | (47.9) | (70.1) | 93.4 | 133.2% |
| Beginning Fund Balances (Deficits) | 366.2 | | | | | 221.0 | (57.7) | (35.5) | | 722.5% |
| Ending Fund Balances (Deficits) | \$ 469.1 | \$ 469.1 | 1 \$ (224.8) | .8) \$ (224.8) | \$ 244.3 | \$ 244.3 | \$ (105.6) | ÷ | \$ 349.9 | 331.3% |

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EXHIBIT B

STATE OF NEW YORK PROPRIETARY FUNDS COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES (amounts in millions)

| | TRI | TRUST ⁽¹⁾ | PRIVATE | PRIVATE PURPOSE | | TOTAL TRUST FUNDS | IST FUNDS | | YEAR OV | YEAR OVER YEAR |
|--|---------------------------|--|---------------------------|-------------------------------|----------------------------------|------------------------------------|-----------------------|-------------------------------|-----------------------------------|---|
| | MONTH OF AUG. 31, 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 31, 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 31, 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2021 | 5 MOS. ENDED AUG. 31, 2021 | \$ Increase/ (Decrease) | % Increase/ Decrease |
| RECEIPTS: Miscellaneous Receipts Total Receipts | \$ 10.0 10.0 | \$ 55.3 55.3 | \$ 0.6 | \$ 3.7 3.7 | \$ 10.6 10.6 | \$ 59.0 59.0 | \$ 12.8 12.8 | \$ 54.6 54.6 | \$ 4.4 4.4 | 8.1% 8.1% |
| DISBURSEMENTS: Departmental Operations: Personal Service Non-Personal Service General State Charges Total Disbursements | 9.6 3.8 14.2 | 33.7 4.9 2 1.0 59.6 | 0.1 - 0.1 | 0.2 - 0.1 | 9.7 0.8 3.8 14.3 | 33.9 4.9 21.1 59.9 | 5.6 9.3 9.9 | 29.0 5.5 54.4 | 4.9 (0.6) 1.2 5.5 | 16.9% -10.9% 6.0% 10.1% |
| Excess (Deficiency) of Receipts Over Disbursements | (4.2) | (4.3) | 0.5 | 3.4 | (3.7) | (6.0) | 2.9 | 0.2 | (1.1) | -550.0% |
| OTHER FINANCING SOURCES (USES): Transfers from Other Funds Transfers to Other Funds Total Other Financing Sources (Uses) | | | | | | | • • • • • | | . | %0.0 %0.0 |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | (4.2) | (4.3) | 0.5 | 3.4 | (3.7) | (6.0) | 2.9 | 0.2 | (1.1) | -550.0% |
| Beginning Fund Balances (Deficits) Ending Fund Balances (Deficits) | 318.8 \$ 314.6 | 318.9 \$ 314.6 | 48.8 \$ 49.3 | 45.9 \$ 49.3 | 367.6 \$ 363.9 | 364.8 \$ 363.9 | 37.5 \$ 40.4 | 40.2 \$ 40.4 | 324.6 \$ 323.5 | 807.5% 800.7% |
| () Includes Common Betizement Administration and Betized Heelth Benefit Tr | In and Dotized Look | b Donofit Truct | | | | | | | | |

 $^{(\prime)}$ Includes Common Retirement Administration and Retiree Health Benefit Trust.

EXHIBIT C

STATE OF NEW YORK TRUST FUNDS COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES (amounts in millions)

| BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL FISCAL YEAR 2022-2023 FOR FIVE MONTHS ENDED AUGUST 31, 2022 (amounts in millions) | ACTUAL | | | | | | | |
|--|----------------------------------|-----------------------------------|-----------------------------|-------------------------|--------------|---|------------------|---|
| | | | ALL G | ALL GOVERNMENTAL FUNDS | L FUNDS | | | |
| | Enacted Financial Plan (*) | Updated Financial Plan (**) | * * | Actual | | Actual Over/ (Under) Enacted Financial Plan | Financ Financ | Actual Over/ (Under) Updated Financial Plan |
| RECEIPTS: Taxes: Personal Income | \$ 25,853.0 | \$ 28, | 28,097.0 | \$ 28,319 | 4. \$ | 2,466.4 | ÷ | 222.4 |
| Consumption/Use Business | 8,184.0 7,660.0 | 8 M | 8,300.0 7,515.0 | 8,287.7 7,355.5 | 5 | 103.7 (304.5) | | (12.3) (159.5) |
| Other Miscellaneous Receipts | 1,255.0 12,212.0 | 12, 12 | 1,307.0 12,778.0 | 1,413.8 11,918.6 | 8 9 | 158.8 (293.4) | | 106.8 (859.4) |
| Federal Receipts Total Receipts | 35,481.0 90,645.0 | 92° | 34,444.0 92,441.0 | 34,366.3 91,661.3 | ບີ[ມ] | (1,114.7) 1,016.3 | | (7.77) (7.9.7) |
| DISBURSEMENTS | | i | | | I | | | Í |
| Local Assistance Grants Departmental Operations | 65,201.0 9.662.0 | 61, 9, | 61,449.0 9.450.0 | 60,586.5 9.298.0 | υÖ | (4,614.5) (364.0) | | (862.5) (152.0) |
| General State Charges Deht Service | 4,808.0 416.0 | 4 | 4,682.0 357.0 | 4,677.9 364.3 | 6 , 6 | (130.1) (51.7) | | (4.1) 7.3 |
| Capital Projects | 4,682.0 | 3. | 3,608.0 | 3,159.5 | <u> </u> | (1,522.5) | | (448.5) |
| Total Disbursements | 84,769.0 | .62 | 79,546.0 | 78,086.2 | 9 2 | (6,682.8) | | (1,459.8) |
| Excess (Deficiency) of Receipts over Disbursements | 5,876.0 | 12, | 12,895.0 | 13,575.1 | 2 | 7,699.1 | | 680.1 |
| OTHER FINANCING SOURCES (USES): Bond and Note Proceeds, net | · | | | | | | | |
| Transfers from Other Funds Transfers to Other Funds | 22,577.0 (22,637,0) | 52.5 | 22,872.0 (22,927.0) | 23,279.2 (23,334.7) | 2 6 | 702.2 (697.7) | | 407.2 (407.7) |
| Total Other Financing Sources (Uses) | (60.0) | | (55.0) | (55.5) | | 4.5 | | (0.5) |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | 5,816.0 | 12, | 12,840.0 | 13,519.6 | .6 | 7,703.6 | | 679.6 |
| Fund Balances (Deficits) at April 1 Fund Balances (Deficits) at August 31, 2022 | 53,549.0 \$ 59,365.0 | 5 3, 6 6, | 53,549.0 66,389.0 | 53,549.0 \$ 67,068.6 | ابو ان | 7,703.6 | о | - - |
| (*) Source: 2022-23 Enacted Financial Plan dated May 20, 2022 (**) Source: 2022-23 First Quarter Update dated August 1, 2022. | 20, 2022. 1, 2022. | | | | | | | |

EXHIBIT D

STATE OF NEW YORK

Financial Reports

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| | | τs | STATE OPERATING FIINDS (****) |)C (***) | |
|--|----------------------|----------------------|-------------------------------|---|---------------------------------------|
| | Enacted Financial | Updated Einancial | | Actual Actual Over/ (Under) Enacted | Actual Over/ (Under) Undared |
| | Plan (*) | Plan (**) | Actual | Financial Plan | Financial Plan |
| RECEIPTS: | | | | | |
| Taxes: | | | | | |
| Personal Income | \$ 25,853.0 | \$ 28,097.0 | \$ 28,319.4 | \$ 2,466.4 | \$ 222.4 |
| Consumption/Use | 8,001.0 | 8,144.0 | 8,137.5 | 136.5 | (6. |
| Business | /,401.0 | 1,259.0 | 6.760,7 | (303.1) | (161.1) |
| Other Missellander Bossinte | 0.7/1/,0 | 1,229.0 | 1,336.6 | 159.6 | 10/.6 |
| Miscellaneous Receipts | 8,4U3.U | 0.786,8 | 8,0U0.3 | 200.3 ED 0 | 21.3 |
| Federal Receipts Total Receipts | 50 835 0 | 12.0 | 52.U | 0.20 7.317 C | 40.0 |
| | 0.000,000 | 0.020,00 | 1.100,000 | 2,110.1 | .077 |
| DISBURSEMENTS: | | | | | |
| Local Assistance Grants | 30,087.0 | 28,111.0 | 27,738.2 | (2,348.8) | (372.8) |
| Departmental Operations | 8,422.0 | 8,456.0 | 8,382.4 | (39.6) | (73.6) |
| General State Charges | 4,650.0 | 4,516.0 | 4,521.3 | (128.7) | 0.0 1 |
| Debt Selvice Capital Projects | | n: / n: | 0. 1 00 | (///n) - | |
| Total Disbursements | 43,575.0 | 41,440.0 | 41,006.2 | (2,568.8) | (433.8) |
| Excess (Deficiency) of Receipts | | | | | |
| over Disbursements | 7,260.0 | 11,888.0 | 12,545.5 | 5,285.5 | 657.5 |
| OTHER FINANCING SOURCES (USES): | | | | | |
| Transfers from Other Funds | 21,597.0 | 23,292.0 | 23,627.5 (****) | 2 | 335.5 |
| Transfers to Other Funds | (21,861.0) | (21,874.0) | (22,726.4) (****) | | (852.4) |
| Total Other Financing Sources (Uses) | (264.0) | 1,418.0 | 901.1 | 1,165.1 | (516.9 |
| Excess (Deficiency) of Receipts and Other | | | | | |
| Financing Sources over Disbursements and Other Financing Uses | 6.996.0 | 13.306.0 | 13.446.6 | 6.450.6 | 140.6 |
| | | | | 5 | |
| Fund Balances (Deficits) at April 1 | | | 40,767.2 | | |
| Fund Balances (Deficits) at August 31, 2022 | \$ 47,763.0 | \$ 54,073.0 | \$ 54,213.8 | \$ 6,450.8 | \$ 140.8 |

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| | ш ш | | | | GENE | GENERAL FUND | | | | |
|---|----------|---|-----------|---|---------|--|-----|---|-------------|---|
| | | Enacted Financial Plan (*) | 걸뜯린 | Updated Financial Plan (**) | × | Actual | L L | Actual Over/ (Under) Enacted Financial Plan | Finan U Q A | Actual Over/ (Under) Updated Financial Plan |
| RECEIPTS: | | | | | | | | | | |
| raxes. Personal Income Consumption/Use Business Other Miscellaneous Receipts Federal Receipts | \$ | 12,926.0 1,981.0 4,789.0 579.0 598.0 | φ | 14,048.0 2,023.0 4,861.0 600.0 633.0 | \$ | 14, 159.7 2,020.8 4,702.2 675.0 787.7 0.2 | \$ | 1,233.7 39.8 (86.8) 96.0 189.7 0.2 | ф | 111.7 (2.2) (158.8) 75.0 154.7 0.2 |
| Inditaters From. Revenue Bond Tax Fund Reales Tax in excess of LGAC / STRBF Debt Service Real Estate Taxes in excess of CW/CA Debt Service All Other Total Receipts and Other Financing Sources | | 13,575.0 4,561.0 575.0 347.0 39 331.0 | | 14,570.0 4,658.0 612.0 567.0 42,572.0 | | 14,663.6 4,662.1 646.2 798.7 43,116.2 | | 1,088.6 101.1 71.2 451.7 3185.2 | | 93.6 4.1 34.2 231.7 544.2 |
| | | 0.100,00 | | 0.1.011+ | | | | 2,001,0 | | |
| DISBURSEMENTS: Local Assistance Grants Departmental Operations General State Charges | | 24,300.0 4,990.0 4,256.0 | | 22,577.0 5,052.0 4,075.0 | | 22,325.6 4,928.2 4,067.6 | | (1,974.4) (61.8) (188.4) | | (251.4) (123.8) (7.4) |
| Iransrers Io: Debt Service Capital Projects | | 157.0 975.0 | | 157.0 (469.0) | | 155.5 (47.2) | 4 | (1.5) (1,022.2) | | (1.5) 421.8 |
| State Share Medicaid SUNY Operations Other Purposes | | - 1,160.0 509.0 | | - 1,063.0 691.0 | | - | C | 243.3 (51.7) (51.7) | | 243.3 45.3 (233.7) |
| Total Disbursements and Other Financing Uses | | 36,347.0 | | 33,146.0 | | 33,238.6 | | (3,108.4) | | 92.6 |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | | 3,584.0 | | 9,426.0 | | 9,877.6 | | 6,293.6 | | 451.6 |
| Fund Balances (Deficits) at April 1 Fund Balances (Deficits) at August 31, 2022 | ⇔ | 33,053.0 36,637.0 | φ | 33,053.0 42,479.0 | ÷ | 33,052.7 42,930.3 | ŝ | (0.3) 6,293.3 | ŝ | (0.3) 451.3 |
| (*) Source: 2022-23 Enacted Financial Plan dated May 20, 2022. (**) Source: 2022-23 First Quarter Update dated August 1, 2022. (***) Includes transfers to the Department of Health Income Fund and the State University Income Fund representing payments for patients residing in State-Operated Health and State University facilities | State Un | iversity Income | e Fund re | epresenting pa | ayments | | | | | |

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| | | | IdS | SPECIAL REVENUE FLINDS | SUN | | |
|---|----------------------------------|-----------------------------------|------------------|------------------------|---------------------|---|---|
| | Enacted Financial Plan (*) | Updated Financial Plan (**) | Actual | Eliminations | Total | Actual Over/ (Under) Enacted Financial Plan | Actual Over/ (Under) Updated Financial Plan |
| RECEIPTS: Taxes: | | | | | | | |
| Personal Income | ' ج | ' \$ | ۰ ج | م | ' \$ | ۔ ج | ، م |
| Consumption/Use | 876.0 | 855.0 | 848.4 | • | 848.4 | (27.6) | (6.6) |
| Business | 930.0 | 911.0 | 919.7 | • | 919.7 | (10.3) | 8.7 |
| Miscellaneous Receipts | 7,716.0 | 7,889.0 | 7,774.6 | | 7,774.6 | 58.6 | (114.4) |
| Federal Receipts Transfore from Othor Eurole (***) | 34,477.0 | 33,483.0 | 33,338.2 | - (366 1) | 33,338.2 1 707 6 | (1,138.8) 51.6 | (144.8) |
| Total Receipts and Other Financing Sources | 45,745.0 | 45,204.0 | 45,033.6 | (355.1) | 44,678.5 | (1,066.5) | (525.5) |
| DISBURSEMENTS: Local Assistance Grants | 38 820 0 | 37 381 0 | 36 773 G | | 36 773 6 | (2 106 d) | (EU7 4) |
| Domortemental Omorations | 0.000,000 | 0.100,100 | A 245 A | I | A 245 A | (2) (2) (2) (2) | |
| Departmental Operations General State Charges | 4,647.0 552.0 | 4,5/5.0 607.0 | 4,040.4 610.3 | | 4,343.4 610.3 | (201.0) 58.3 | (27.0) 3.3 |
| Debt Service | | | | | ' | | ' |
| Capital Projects Transfers to Other Flinds (***) | - 744 N | - 1 048 0 | - 981 9 | - (355 1) | - 676.8 | - (117.2) | - |
| Total Disbursements and Other Financing Uses | 44,823.0 | 43,409.0 | 42,711.2 | (355.1) | 42,356.1 | (2,466.9) | (1,052.9) |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | 922.0 | 1,795.0 | 2,322.4 | | 2,322.4 | 1,400.4 | 527.4 |
| Fund Balances (Deficits) at April 1 | 21,938.0 | 21,938.0 | 21,938.2 | | 21,938.2 | 0.2 | 0.2 |
| Fund Balances (Deficits) at August 31, 2022 | \$ 22,860.0 | \$ 23,733.0 | \$ 24,260.6 | \$ | \$ 24,260.6 | \$ 1,400.6 | \$ 527.6 |

| STATE OF NEW YORK | BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL | FISCAL YEAR 2022-2023 | FOR FIVE MONTHS ENDED AUGUST 31, 2022 | (amounts in millions) |
|-------------------|--|-----------------------|---------------------------------------|-----------------------|
| STATE | BUDGE | FISCAL | FOR FI | (amoun |

| Netroit Interclet Financial F | Financial Financi Financi Final Financial Financial Financial Financial Financial F | | | STATE SPECIA | STATE SPECIAL REVENUE FUNDS | S | | | FEDERAL SPEC | FEDERAL SPECIAL REVENUE FUNDS | NDS | |
|--|--|---|----------------------|----------------------|-----------------------------|-------------------------|--------------------|----------------------|----------------------|-------------------------------|--------------------|--------------------|
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | | | | | | Actual Over <i>i</i> | Actual Over/ | | | | Actual Over/ | Actual Over/ |
| rant() | Fail () < | | Enacted Financial | Updated Financial | 1011 10 | (Under) Enacted | (Under) Updated | Enacted Financial | Updated Financial | Louide A | (Under) Enacted | (Under) Updated |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | 5 | | | | Actual | | | | | Actual | | |
| 5 | 8 5 | RECEIPTS: | | | | | | | | | | |
| 5 | 5 8 6 6 6 6 6 6 6 7 6 7 6 7 6 7 6 7 6 7 6 7 6 7 6 7 6 7 6 7 6 7 6 7 6 7 6 7 | Taxes: | | | | | | | | | | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | 876 855 864 (7.5) (6) (10.3) (7.6) (6.1) (7.6) <td>Personal Income</td> <td>ه</td> <td></td> <td></td> <td></td> <td>' ج</td> <td>' \$</td> <td>, \$</td> <td>' \$</td> <td>ج</td> <td>' 69</td> | Personal Income | ه | | | | ' ج | ' \$ | , \$ | ' \$ | ج | ' 69 |
| (10) (10) (10) (10) (10) (10) (10) (11) (10) (11) (10) (11) (10) (11) </td <td></td> <td>Consumption/Use</td> <td>876.0</td> <td>855.0</td> <td>848.4</td> <td>(27.6)</td> <td>(6.6)</td> <td>•</td> <td></td> <td></td> <td></td> <td>'</td> | | Consumption/Use | 876.0 | 855.0 | 848.4 | (27.6) | (6.6) | • | | | | ' |
| 78170 7,7690 7,6133 1,3 (150.7) (110.7) (110. | $ \begin{array}{c c c c c c c c c c c c c c c c c c c $ | Business | 930.0 | 911.0 | 919.7 | (10.3) | 8.7 | | | | | |
| 1/106 $1/106$ $1/10$ $1/10$ $1/10$ $3/170$ $33,4720$ $33,3272$ $(1,148.6)$ ces $1/1690$ $1/1690$ $1/1690$ $1/1690$ $33,4720$ $33,4720$ $33,3272$ $(1,148.6)$ 5/700 55340 54126 3744 $(1/214)$ $34,5760$ $33,4326$ $33,4326$ $(1,3)201$ <t< td=""><td>$\begin{array}{ c c c c c c c c c c c c c c c c c c c$</td><td>Miscellaneous Receipts</td><td>7,617.0</td><td>7,769.0</td><td>7,618.3</td><td>1.3</td><td>(150.7)</td><td><u> 89.0</u></td><td>120.0</td><td>156.3</td><td></td><td></td></t<> | $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Miscellaneous Receipts | 7,617.0 | 7,769.0 | 7,618.3 | 1.3 | (150.7) | <u> 89.0</u> | 120.0 | 156.3 | | |
| 1.146.0 $2.066.0$ $2.15.7$ 406.7 86.7 $3.592.0$ $3.487.0$ $3.184.7$ $3.369.0$ $3.1361.0$ $1.1732.0$ $3.161.0$ $1.732.0$ $3.184.7$ $3.369.0$ $3.184.7$ $3.369.0$ $3.184.7$ $3.369.0$ $3.184.7$ $3.369.0$ $3.184.7$ $3.1861.0$ $(1.732.0)$ $3.467.6$ $3.3463.5$ $5.74.4$ (121.4) $3.369.0$ $3.184.7$ $3.1861.0$ $(1.732.0)$ $3.467.6$ $3.467.6$ $3.467.6$ $3.369.0$ $3.184.7$ $3.184.7$ $3.1861.0$ $(1.732.0)$ $3.407.0$ $3.379.0$ $3.429.6$ $5.374.4$ (121.4) $3.3693.0$ $31.847.0$ $31.861.0$ $(1.732.0)$ $9.430.0$ $9.333.0$ $9.160.0$ $9.333.0$ $3.184.7$ $9.3361.3$ $(1.96.7)$ $(1.97.1)$ $9.160.0$ $9.333.0$ $9.14.32.6$ $9.14.32.6$ $9.14.32.6$ $9.14.37.6$ $9.14.37.6$ $9.14.37.6$ $9.14.37.6$ $9.14.37.6$ $9.14.37.6$ $9.14.37.6$ $9.14.37.6$ $9.14.37.6$ $9.14.37.6$ | $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Federal Receipts | | 11.0 | 11.0 | 11.0 | | 34,477.0 | 33,472.0 | 33,327.2 | | |
| cs 11,1630 11,6120 11,6120 31,50.1 38,1.1 (61.3) 34,57.0 33,582.0 33,483.5 (1,022.5) | 11,1600 11,1610 11,560.1 381,0 (1,092.6) 33,483.6 (1,092.6) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092.7) (1,092. | Transfers from Other Funds | 1,746.0 | 2,066.0 | 2,152.7 | 406.7 | 86.7 | | | | • | |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | Total Receipts and Other Financing Sources | 11,169.0 | 11,612.0 | 11,550.1 | 381.1 | (61.9) | 34,576.0 | 33,592.0 | 33,483.5 | (1,092.5) | |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | DISBURSEMENTS: | | | | | | | | | | |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | Local Assistance Grants | 5,787.0 | 5,534.0 | 5,412.6 | (374.4) | (121.4) | 33,093.0 | 31,847.0 | 31,361.0 | (1.732.0) | |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | 384.0 441.0 453.7 58.7 127 158.0 168.0 156.6 (1.4) 430 790 83.8 40.8 4.8 701.0 9680.1 197.1 197.1 $9,531.0$ $9,433.0$ $9,379.6$ 83.8 40.8 701.0 9680.7 197.1 197.1 $9,531.0$ $9,433.0$ $9,379.6$ 83.8 40.8 701.0 9680.7 197.1 197.1 $9,531.0$ $9,433.0$ $9,379.6$ $833.331.3$ 33341.3 (1860.7) $(1,2)$ $1,538.0$ $2,170.2$ 632.2 (8.8) (616.0) (384.0) 152.2 768.2 7612.0 7612.0 7702.0 632.7 (8.8) $(413.26.0)$ $14,326.7$ (0.3) 7612.0 7612.0 $5,772.2$ 632.7 $5,13,700$ $5,13,942.0$ $7,477.9$ 767.3 767.3 767.3 777.3 777.3 777.3 777.3 777.3 | Departmental Operations | 3,407.0 | 3,379.0 | 3,429.8 | 22.8 | 50.8 | 1.240.0 | 994.0 | 915.6 | | , |
| $\frac{430}{9 \text{ Jusc}} = \frac{430}{9,5310} - \frac{790}{9,4330} - \frac{83.8}{9,379.9} - \frac{40.8}{(251.1)} - \frac{4.8}{(53.1)} - \frac{7010}{(53.1)} - \frac{9690}{33,376.0} - \frac{386.1}{33,376.0} - \frac{197.1}{(1,860.7)} - \frac{107.1}{(1,860.7)} - 107$ | $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | General State Charges | 394.0 | 441.0 | 453.7 | 59.7 | 12.7 | 158.0 | 166.0 | 156.6 | | |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Debt Service | | | | | | | | | | |
| $\frac{430}{9.651.0} \frac{730}{9.433.0} \frac{333}{9.379.9} \frac{40.8}{2.21.1} \frac{40.8}{(251.1)} \frac{701.0}{(33.1)} \frac{999.0}{33.376.0} \frac{999.1}{33.331.3} \frac{117.1}{(1.860.7)} \frac{11}{(1.860.7)} \frac{11}{(1$ | $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Capital Projects | 1 | | | | | | | | | |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Transfers to Other Funds | 43.0 | 79.0 | 83.8 | 40.8 | 4.8 | 701.0 | 0.696 | 898.1 | 197.1 | |
| $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | | Total Disbursements and Other Financing Uses | 9,631.0 | 9,433.0 | 9,379.9 | (251.1) | (53.1) | 35,192.0 | 33,976.0 | 33,331.3 | (1,860.7) | |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | $\frac{7,612.0}{\$ 3,160.0} \frac{7,612.0}{\$ 3,781.0} \frac{7,612.5}{\$ 3,782.7} \frac{0.5}{\$ 632.7} \frac{0.5}{\$ (8.3)} \frac{14,326.0}{\$ 13,710.0} \frac{14,326.0}{\$ 13,742.0} \frac{14,325.7}{\$ 14,477.9} \frac{(0.3)}{\$ 767.9} \frac{14,325.7}{\$ 5} \frac{14,477.9}{14,477.9} \frac{14,477.9}{\$ 767.9} \frac{14,477.9}{\$ 5} \frac{14,477.9}{14,477.9} \frac{14,477.9}{1$ | Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | 1,538.0 | 2,179.0 | 2,170.2 | 632.2 | (8.8) | (616.0) | | 152.2 | | |
| <u>\$ 9,150.0</u> <u>\$ 9,731.0</u> <u>\$ 9,737.7</u> <u>\$ 632.7</u> <u>\$ (8.3)</u> <u>[\$ 13,710.0</u> <u>\$ 13,42.0</u> <u>\$ 14,477.9</u> <u>\$ 767.9</u> <u>\$ 5</u> | \$ 9,150.0 \$ 9,791.0 \$ 9,782.7 \$ 633.7 \$ 13,710.0 \$ 13,342.0 \$ 14,477.9 \$ 767.9 \$ | Fund Balances (Deficits) at April 1 | 7,612.0 | 7,612.0 | 7,612.5 | 0.5 | 0.5 | 14,326.0 | 14,326.0 | 14,325.7 | (0.3) | |
| | | Fund Balances (Deficits) at August 31, 2022 | 9,150.0 | 9,791.0 | 9,782.7 | | \$ (8.3) | | | | 7 | \$ |
| (**) Souce: 2022-23 First Quarter Update dated August 1, 2022 | | | | | | | | | | | | |

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EXHIBIT D

| STATE OF NEW YORK BUDGETARY BASIS - FINANCIAL PLAN AND A FISCAL YEAR 2022-2023 FOR FIVE MONTHS ENDED AUGUST 31, 2022 (amounts in millions) | JD ACTUAL | Ļ | | | | | | | ЕХН | EXHIBIT D |
|--|-----------|-----------------------|------------|-----------------------------------|------|--------------------|-------|----------------------------|----------|-----------------------------|
| | | | | | DEBT | DEBT SERVICE FUNDS | SON | | | |
| | | Enorted | _ | l Indated | | | A o E | Actual Over/ /Inder/ | A O | Actual Over/ //Inder/ |
| | E. | Einaucial Plan (*) | <i>с</i> п | opuateu Financial Plan (**) | | Actual | Enc | Enacted Financial Plan | Up Up | Updated Financial Plan |
| RECEIPTS: | | | | | | | | | | |
| Taxes: Personal Income | я | 12,927,0 | я | 14 049 0 | ÷ | 14 159 7 | ക | 1 232 7 | ÷ | 110.7 |
| Consumption/Use | • | 5,144.0 | • | 5,266.0 | • | 5,268.3 | • | 124.3 | • | 2.3 |
| Business | | 1,682.0 | | 1,487.0 | | 1,476.0 | | (206.0) | | (11.0) |
| Other | | 598.0 | | 629.0 | | 661.6 222 2 | | 63.6 | | 32.6 |
| Miscellaneous Keceipts Federal Receints | | 188.0 | | 185.0 1.0 | | 202.3 40.8 | | 14.3 40.8 | | 17.3 39.8 |
| Transfers from Other Funds | | 793.0 | | 819.0 | | 704.2 | | (88.8) | | (114.8) |
| Total Receipts and Other Financing Sources | | 21,332.0 | | 22,436.0 | | 22,512.9 | | 1,180.9 | | 76.9 |
| DISBURSEMENTS: Denartmental Onerations | | 05 U | | 0 ¥ 0 | | 0 PC | | (06) | | () E) |
| Debt Service | | 416.0 | | 357.0 | | 364.3 | | (51.7) | | 7.3 |
| Transfers to Other Funds | | 19,017.0 | | 20,353.0 | | 20,725.4 | | 1,708.4 | | 372.4 |
| Total Disbursements and Other Financing Uses | | 19,458.0 | | 20,735.0 | | 21,114.1 | | 1,656.1 | | 379.1 |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | | 1,874.0 | | 1,701.0 | | 1,398.8 | | (475.2) | | (302.2) |
| Fund Balances (Deficits) at April 1 | | 102.0 | | 102.0 | | 102.0 | | , | | ļ |
| Fund Balances (Deficits) at August 31, 2022 | Ś | 1,976.0 | ÷ | 1,803.0 | ÷ | 1,500.8 | ÷ | (475.2) | ÷ | (302.2) |
| | | | | | | | | | | |

Source: 2022-23 Enacted Financial Plan dated May 20, 2022. Source: 2022-23 First Quarter Update dated August 1, 2022.

(**)

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| STATE OF NEW YORK BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL FISCAL YEAR 2022-2023 FOR FIVE MONTHS ENDED AUGUST 31, 2022 (amounts in millions) | | | | | | | | | | | ЕХН | |
|---|---|----------------------------------|-------|-----------------------------------|----------|-----------------|------------------------|----------|----------------|---|----------------|---|
| | | | | | | CAP | CAPITAL PROJECTS FUNDS | S FUNI | SC | | | |
| | | Enacted Financial Plan (*) | □ ¨ " | Updated Financial Plan (**) | Actual | ual | Eliminations | | Total | Actual Over/ (Under) Enacted Financial Plan | Finan U (U O A | Actual Over/ (Under) Updated Financial Plan |
| RECEIPTS: Taxes: | | | | | | | | | | | | |
| Consumption/Use | θ | 183.0 260.0 | ф | 156.0 266.0 | ራን | 150.2 267.6 | ' ج | φ | 150.2 257 6 | \$ (32.8) | φ | (5.8) 1 e |
| Business Other | | 0.802 | | 0.902 | | 0.107 | | | 9.767 2.77 | (1.4) (0.8) | | 1.6 (0.8) |
| Miscellaneous Receipts | | 3,710.0 | | 4,071.0 | ., | 3,154.0 | | | 3,154.0 | (556.0) | | (917.0) |
| Federal Receipts | | 1,004.0 | | 960.0 | | 987.1 | | | 987.1 | (16.9) | | 27.1 |
| Bond and Note Proceeds, net Transfers from Other Funds | | - 0 080 | | - | | ' ŭ | • | | ' ¥ | - (073.0) | | - 176 8 |
| Total Receipts and Other Financing Sources | | 6.214.0 | | 5.101.0 | | 4.632.9 | | | 4.632.9 | (1.581.1) | | (168.1) |
| | | | | | | | | | | (| | |
| DISBURSEMENTS: Local Assistance Grants | | 2,021.0 | | 1,491.0 | | 1,487.3 | I | | 1,487.3 | (533.7) | | (3.7) |
| Capital Projects | | 4,682.0 | | 3,608.0 | ., | 3,159.5 25.0 | 1 | | 3,159.5 | (1,522.5) | | (448.5) |
| Transfers to Other Funds | | 75.0 | | 84.0 | | 65.3 | • | | 65.3 | (9.7) | | (18.7) |
| Total Disbursements and Other Financing Uses | | 6,778.0 | | 5,183.0 | | 4,712.1 | • | | 4,712.1 | (2,065.9) | | (470.9) |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | | (564.0) | | (82.0) | | (79.2) | | | (79.2) | 484.8 | | 2.8 |
| Fund Balances (Deficits) at April 1 | | (1,544.0) | | (1,544.0) | | (1,543.9) | | | (1,543.9) | 0.1 | | 0.1 |
| Fund Balances (Deficits) at August 31, 2022 | φ | (2,108.0) | φ | (1,626.0) | .) \$ | (1,623.1) | • | ~~ | (1,623.1) | \$ 484.9 | φ | 2.9 |
| (*) Source: 2022-23 Enacted Financial Plan dated May 20, 2022. (**) Source: 2022-23 First Quarter Update dated August 1, 2022. | | | | | | | | | | | | |

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EXHIBIT D

STATE OF NEW YORK

STATE OF NEW YORK BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL FISCAL YEAR 2022-2023 FOR FIVE MONTHS ENDED AUGUST 31, 2022 (amounts in millions)

| Updated Financial Plan (**) S 156.0 S | | Actual | Actual | | | | Actual | Actual |
|--|---|---|---|--|--|--|--|--|
| Updated Financial Plan (**) 156.0 | | CVEL | Over/ | | | | Overl | Over! |
| Financial Plan (**) 156.0 | | (Under) | (Under) | Enacted | Updated | | (Under) | (Under) |
| 156.0 | Actual | Enacted Financial Plan | Updated Financial Plan | Financial Plan (*) | Financial Plan (**) | Actual | Enacted Financial Plan | Updated Financial Plan |
| 156.0 | | | | | | | | |
| 156.0 | | | | | | | | |
| 0 0 1 0 | | | \$ (5.8) | \$ | ' \$ | ۔ ج | ' \$ | ' s |
| 0.962 | 257.6 | (1.4) | 1.6 | | | | | |
| 78.0 | 77.2 | (0.8) | (0.8) | | | | | |
| 4,071.0 | 3,154.0 | (556.0) | (917.0) | | | • | | |
| | 2.2 | 22 | 22 | 1,004.0 | 960.0 | 984.9 | (19.1) | 24.9 |
| | | | | | | | | |
| (420.0) | 6.8 | (973.2) | 426.8 | | | | | |
| 4,141.0 | 3,648.0 | (1,562.0) | (493.0) | 1,004.0 | 960.0 | 984.9 | (19.1) | 24.9 |
| | | | | | | | | |
| 1,203.0 | 1,178.5 | (550.5) | (24.5) | 292.0 | 288.0 | 308.8 | 16.8 | 20.8 |
| 3,148.0 | 2,718.6 | (1,145.4) | (429.4) | 818.0 | 460.0 | 440.9 | (377.1) | (19.1) |
| 84.0 | 65.1 | (6.6) | (18.9) | | | 0.2 | 0.2 | 0.2 |
| 4,435.0 | 3,962.2 | (1,705.8) | (472.8) | 1,110.0 | 748.0 | 749.9 | (360.1) | 1.9 |
| | | | | | | | | |
| (294.0) | (314.2) | 143.8 | (20.2) | (106.0) | 212.0 | 235.0 | 341.0 | 23.0 |
| | (756.8) | 0.2 | 0.2 | (787.0) | (787.0) | (787.1) | (0.1) | (0.1) |
| | _ | | \$ (20.0) | \$ (893.0) | \$ (575.0) | \$ (552.1) | \$ 340.9 | \$ 22.9 |
| | | | | | | | | |
| 6 | 4,141.0 1,203.0 3,148.0 4,438.0 4,438.0 (1,267.0) (1,061.0) \$ | 3648.0 3648.0 1,178.5 2,718.6 6.5 3,962.2 (314.2) (756.8) \$ (756.8) \$ (756.8) \$ \$ (756.8) | 36480 1,178.5 2,188.5 68.1 68.1 (85.1 (81.4.2) (756.8) 5 (1,071.0) 5 | $\begin{array}{ c c c c c c c c c c c c c c c c c c c$ | $\begin{array}{ c c c c c c c c c c c c c c c c c c c$ | $\begin{array}{ c c c c c c c c c c c c c c c c c c c$ | $\begin{array}{ c c c c c c c c c c c c c c c c c c c$ | $\begin{array}{ c c c c c c c c c c c c c c c c c c c$ |

Source: 2022-23 Enacted Financial Plan dated May 20, 2022. Source: 2022-23 First Quarter Update dated August 1, 2022. εĒ

| Mx Solution Machined and state Machined and state <th machined<br="">and state <</th> <th></th> <th>8</th> <th>GENERAL</th> <th>SPECIAL</th> <th></th> <th>DEBTS</th> <th>DEBT SERVICE</th> <th>CAPITAL</th> <th>CAPITAL PROJECTS</th> <th></th> <th>TOTAL GOVE</th> <th>TOTAL GOVERNMENTAL FUNDS</th> <th></th> <th>YEAR OV</th> <th>YEAR OVER YEAR</th> | and state < | | 8 | GENERAL | SPECIAL | | DEBTS | DEBT SERVICE | CAPITAL | CAPITAL PROJECTS | | TOTAL GOVE | TOTAL GOVERNMENTAL FUNDS | | YEAR OV | YEAR OVER YEAR |
|---|---|-----------------------|-------------------------------|-----------------------|---------|-----------------------|-------------------------------|-----------------------|-------------------------------|-----------------------|-------------------------------|-----------------------|-------------------------------|----------------------------|-------------------------|----------------|
| OEE Like 1 3 3 1 1 3< | | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2022 | | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2022 | 5 MOS. ENDED AUG. 31, 2022 | MONTH OF AUG. 2021 | 5 MOS. ENDED AUG. 31, 2021 | \$ Increase/ (Decrease) | % Increase/ Decrease | |
| | PERSONAL INCOME TAX | | | | | | | | | | | | | | | |
| | Withholding | | | | ' \$ | ' \$ | ج | , 8 | , 8 | | Ş | ŝ | | ÷ | 6.4% | |
| | Estimated Payments | 134.3 | 13,192.4 | ' | • | ' | • | ' | • | 134 | | | | 702.6 | 5.6 | |
| B Control Con | Returns | 85.5 | 3,701.5 | ' | ' | ' | • | ' | | 58 | | | ., | | 10.1% | |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | State/City Offsets | (44.0) | (656.3) | | | ' | • | • | | (44 | | | | 116.1 | 21.5 | |
| | Other (Assessments/LLC) | 113.7 | 734.4 | | | | | | | 113 | | | | | 31.9 | |
| Image: bold in the first of the f | Gross Receipts | 4,249.2 | 35,821.4 | . | . | . | . | . | . | 4,249 | 35 | 4,062.7 | 33,577.6 | 2,243.8 | 6.7% | |
| monomentation $(100,1)$ | Transfere to School Tay Relief Fund | | | | | | | | | | | | | | %U U | |
| Matrix for the formation of the f | Transfers to Deviation Tax Institut unit Transfers to Bavianua Rond Tax Fund | 1 704 41 | (14 150 7) | | • | 1 704 4 | 14 150 7 | • | | | | | • | | 20.0.0 1000 | |
| Met $\frac{10001}{1000}$ $\frac{10001}{1000}$ $\frac{10000}{1000}$ | | (1,134.4) | (14,108.7) | | | 1,104.4 | 14,108.1 | | | 0001 | | | | 0.000.0 | | |
| List TATAE Sist 1/38/1 1/38/ | Total | 1,794.4 | 14,159.7 | . | | 1,794.4 | 14,159.7 | . | . | 3,588 | | | | (1,026.0) | | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | ONSUMPTION/USE TAXES | | | | | | | | | | | | | | | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Sales and Use | 335.1 | 1.759.7 | 90.5 | | 1.004.0 | 5.268.3 | | | 1.429 | | 1.334.8 | | 573.8 | 8.2% | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Auto Rental | | | ' | | ' | | 0.1 | 30.8 | 0 | | (0.1) | | 14.4 | 58.8% | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Cigarette/Tobacco Products | 25.6 | 126.6 | 58.0 | | ' | , | | | 83 | 7 | 88.3 | , | (35.7) | -8.1% | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Cannabis | | , | 0.9 | | ' | , | 1 | , | 0 | | 1.1 | | (0.6) | -10.5% | |
| ope 221 1211 \cdot \cdot 11 \cdot \cdot 11 \cdot <td>Motor Fuel</td> <td></td> <td></td> <td>(0.3)</td> <td></td> <td>,</td> <td>'</td> <td>(0.7)</td> <td>64.5</td> <td>Ð</td> <td></td> <td>46.1</td> <td>211.6</td> <td>(129.4)</td> <td>-61.2%</td> | Motor Fuel | | | (0.3) | | , | ' | (0.7) | 64.5 | Ð | | 46.1 | 211.6 | (129.4) | -61.2% | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Alcoholic Beverage | 22.1 | 121.1 | | | ' | | ' | | 22 | - | 22.7 | | 2.2 | 1.9% | |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | lighway Use | • | • | 0.1 | | • | • | 11.4 | 54.9 | 1 | | 13.3 | | (0.7) | -11.3% | |
| Image 134 Image 134 Image 134 Image 134 Image 134 Image 133 Image 134 Image 133 Image 134 Image 136 1366 Image 1365 Image 1365 Image 1366 Image 13774 136 13774 <td>/apor Excise</td> <td></td> <td>•</td> <td>0.1</td> <td></td> <td>'</td> <td>•</td> <td></td> <td></td> <td>0</td> <td></td> <td></td> <td>2.0</td> <td>(0.7)</td> <td>-10.0%</td> | /apor Excise | | • | 0.1 | | ' | • | | | 0 | | | 2.0 | (0.7) | -10.0% | |
| SS 2,008 149.3 848.4 1,004.0 5,268.3 168 1,006.2 7,871.6 1,006.2 7,871.6 | Dpioid Excise | • | 13.4 | • | | | • | ' | • | | | ' | 14.3 | (0.9) | -6.3% | |
| Example (956) 2503 200 6111 2 1 1 1 1 1 1 1 1 100 1 100 1 100 10 1 | Total | 382.8 | 2,020.8 | 149.3 | | 1,004.0 | 5,268.3 | 10.8 | 150.2 | 1,546 | | 1,506.2 | 7,871.6 | 416.1 | 5.3% | |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | USINESS TAXES | | | | | | | | | | | | | | | |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Corporation Franchise | (82.6) | 2,509.3 | 29.0 | | | | | | (66. | | 28.5 | | 491.4 | 18.7% | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Corporation and Utilities | 12 | 79.5 | | | ' | | 0.1 | 3.7 | - | | (1.0) | | (16.6) | -13.1% | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Insurance | 16.2 | 643.2 | | | • | • | • | | 19 | | | | 163.2 | 29.0% | |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Bank | (0.1) | (5.8) | | | • | • | • | • | | | | 7.6 | (13.9) | | |
| $\begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Pass-Through Entity | 43.9 | 1,476.0 | • | | 43.9 | 1,476.0 | • | • | 87 | | • | | 2,952.0 | 100.0% | |
| $\begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Petroleum Business | | • | 41.3 | | • | • | 52.7 | 253.9 | 92 | | | | 6.3 | 1.4% | |
| ains $156.9 6664 - 1 - 160 544 - 160 544 - 16$ | Total | (34.4) | 4,702.2 | 74.2 | 919.7 | 43.9 | 1,476.0 | 52.8 | 257.6 | 136 | | 176.1 | 3,773.1 | 3,582.4 | 94.9% | |
| 15.9 666.4 .< | THER TAXES | | | | | | | | | | | | | | | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Real Property Gains | • | • | • | • | • | • | • | | - | | | • | • | 0.0% | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Estate and Gift | 156.9 | 666.4 | ' | • | ' | , | • | , | 156 | | 100.6 | 549.4 | 117.0 | 21.3% | |
| · · <td>Pari-Mutuel</td> <td>2.0</td> <td>7.1</td> <td>'</td> <td>•</td> <td>•</td> <td>,</td> <td>•</td> <td></td> <td>2</td> <td></td> <td>2.1</td> <td>6.7</td> <td>0.4</td> <td>6.0%</td> | Pari-Mutuel | 2.0 | 7.1 | ' | • | • | , | • | | 2 | | 2.1 | 6.7 | 0.4 | 6.0% | |
| $e^{\text{Tax}} = \begin{bmatrix} 02 & 07 & \cdot & \cdot & \cdot & \cdot & \cdot & \cdot \\ 08 & 01 & 01 & 01 & 01 \\ \hline 193 & 6730 & \cdot & \cdot & - & 116.2 \\ \hline 001 & 012 & 013 & 012 \\ \hline 012 & 012 & 14138 \\ \hline 012 & 012 & 14138 \\ \hline 012 & 012 & 14138 \\ \hline 012 & 012 & 012 \\ \hline 012 & 012 \\ \hline 012 & 0$ | Real Estate Transfer | | | | , | 116.0 | 660.8 | 25.7 | 77.2 | 141 | | 151.9 | 630.2 | 107.8 | 17.1% | |
| $\operatorname{IseTax} \qquad \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | Racing and Combative Sports | 0.2 | 0.7 | | | , | | | | 0 | | 0.1 | 0.1 | 0.6 | 600.0% | |
| 189.3 675.0 - 116.2 661.6 25.7 77.2 301.2 1,413.8 255.0 1,187.7 • • • • • • • • • • • | Employer Compensation Expense Tax | 0.2 | 0.8 | | • | 0.2 | 0.8 | • | | 0 | | 0.3 | 1.3 | 0.3 | 23.1% | |
| 0 1901 0 04677 0 001 0 1201 0 0400 0 0400 0 0400 0 040 0 000 0 0200 0 0000 0 0000 0 | Total | 159.3 | 675.0 | • | • | 116.2 | 661.6 | 25.7 | 77.2 | 301 | | | | 226.1 | 19.0 | |
| | Total Tay Beneinte | 1 000 0 3 | C 24 667 7 | e 222 E | e 47694 | e 70696 | C 34 565 6 | 5 00 S | ¢ 496.0 | ¢ 6.679 | A C AF 376 A | ¢ £ 790 7 | 6 42427 9 | e 3.100 g | 7 697 | |

EXHIBIT E

STATE OF NEW YORK GOVERNMENTAL FUNDS COMPARATIVE SCHEDULE OF TAX RECEIPTS (amounts in millions)

| Calibre Calibre <t< th=""><th></th><th>2022</th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th>2023</th><th></th><th></th><th></th><th>5 Months Ended August 31 \$ In</th><th>gust 31 \$ Increase/</th><th>% Increase/</th></t<> | | 2022 | | | | | | | | | 2023 | | | | 5 Months Ended August 31 \$ In | gust 31 \$ Increase/ | % Increase/ |
|--|---|-----------------------|------------------|--------------------|------------------|---------------|-----------|---------|------------|----------|---------|----------|-------|-----------------------|-----------------------------------|-------------------------|---------------------|
| Matrix for the formation of the fo | ginning Fund Balance | <u> </u> | 67,121.3 | 53,343.7 | וי | ¥. | SEPTEMBER | OCTOBER | NOVEIVIBER | DECEMBER | JANUARY | FEBRUARY | MARCH | | 502 | ŏ١ | Decrease 185.6% |
| Marken Barene Structures Structures (1) < | CEIPTS: 'axes: | | | | | | | | | | | | | | | | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Personal Income Tax: | 0 100 | 0.000 0 | 01010 | 0.011.0 | F 020 0 | | | | | | | | 1 010 01 | F 002 F 1 | 1.011 | 20 F 0 |
| | vvirmnoigings Estimated Pavments | 3, / 33.2 10,927.5 | 3,632.U 152.8 | 4,010.6 1,846.3 | 3,513,5 131,5 | 134.3 | | | | | | | | 18,849.4 13,192.4 | 1/,/08./ 12.489.8 | 1,140.7 702.6 | 5.6% |
| | Returns | 3, 269.8 | 174.9 | 103.8 | 67.5 | 85.5 | | | | | | | | 3,701.5 | 3,362.4 | 339.1 | 10.1% |
| | State/City Offsets | (502.0) | (39.1) 161 0 | (50.4) | (20.8) | (44.0) | | | | | | | | (656.3) | (540.2) EEE 0 | 116.1 | 21.5% |
| | | 17,649.1 | 4,082.4 | 6,020.4 | 3,820.3 | 4,249.2 | . | . | . | . | . | . | . | 35,821.4 | 33,577.6 | 2,243.8 | 6.7% |
| | Transfers to School Tax Relief Fund | . | . - | . | . | . | | | | | | | | . | - | . | %0:0 |
| | Transfers to Revenue Bond Tax Fund | | | | | | | | | | | | | | | | %0.0 |
| | Refunds Issued Total Personal Income Tay | (2,927.5) 14 721 6 | (1,358.2) | (1,827.3) | 3 041 7 | (660.4) | . | . | . | . | . | . | . | (7,502.0) 28.319.4 | (4,232.2) | 3,269.8 | -3.5% |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Consumption/Use Taxes: | | | | | annatio | | | | | | | | | | | 1.00 |
| | Sales and Use | 1,378.7 | 1,397.2 | 1,881.7 | 1,474.8 | 1,429.6 | | | | | | | | 7,562.0 | 6,988.2 | | 8.2% |
| | Auto Rental | 11.2 | 0.1 | 27.5 | • | 0.1 | | | | | | | | 38.9 | 24.5 | | 58.8% |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Cigarette/Tobacco Products | 84.7 | 75.2 | 82.7 | 77.3 | 83.6 | | | | | | | | 403.5 | 439.2 | | -8.1% |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Mater Firel | 1.1 | 212 | 1.0 | 0.5 | ດ ວີ. | | | | | | | | - C CO | /19 | | %G'DL- |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Motor Fuel | G:17 | 0.70 | 0.9-C | (c :) • ec | 6 F | | | | | | | | 7.78 | 0.112 | | 07.7.10- 700 F |
| | Lichture Lies | 12.0 | 2 - 7 7 - 7 | 0 Y 0 | - 27 | - ¥ | | | | | | | | 121.1 | C (3 | | 74 207 |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Vapor Excise | (0.1) | 0.1 | 6.2 | | 0.10 | | | | | | | | 6.3 | 2.20 | | -10.0% |
| | Opioid Excise | 6.4 | 1.0 | (0.1) | 6.1 | | | | | | | | | 13.4 | 14.3 | | -6.3% |
| 1 | Total Consumption/Use Taxes | 1,546.2 | 1,544.3 | 2,051.6 | 1,598.7 | 1,546.9 | | • | | | • | | | 8,287.7 | 7,871.6 | | 5.3% |
| a 1,20 1,20 1,20 1,20 1,20 1,20 1,20 2,20 1,20 2,20 1,20 2,20 1,20 2,20 1,20 2,20 1,20 2,20 1,20 2,20 1,20 2,20 1,20 2,20 1,20 2,20 1,20 2,20 1,20 2 | Business Taxes: | | | | | | | | | | | | | | | | |
| m | Corporation Franchise | 1,205.0 | 142.0 | 1,512.8 | 327.2 | (99.9) | | | | | | | | 3,120.4 | 2,629.0 | 491.4 | 18.7% |
| The form $(1, 0, 1)$ | Corporation and Utilities | 8.8 | 7.1 | 93.9 597 E | 4.01 | /.1 | | | | | | | | 110.0 | 126.6 | (16.6) | -13.1% |
| | Bank | 1.eui | | e./ee | (6.3) | 0.61 | | | | | | | | (6.3) | #:mnc 9:2 | (13.9) | -182.9% |
| These Image Image <t< td=""><th>Pass-Through Entity</th><td>181.2</td><td>(48.4)</td><td>2,780.4</td><td>(49.0)</td><td>87.8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>2,952.0</td><td></td><td>2,962.0</td><td>100.0%</td></t<> | Pass-Through Entity | 181.2 | (48.4) | 2,780.4 | (49.0) | 87.8 | | | | | | | | 2,952.0 | | 2,962.0 | 100.0% |
| Mat Mat <th>Petroleum Business</th> <td>84.7</td> <td>89.6</td> <td>95.8</td> <td>88.7</td> <td>94.0</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>452.8</td> <td>446.5</td> <td>6.3</td> <td>1.4%</td> | Petroleum Business | 84.7 | 89.6 | 95.8 | 88.7 | 94.0 | | | | | | | | 452.8 | 446.5 | 6.3 | 1.4% |
| | Total Business Taxes | 1,590.4 | 224.5 | 5,020.4 | 383.7 | 136.5 | • | • | | • | • | • | • | 6.666,1 | 3,173.1 | 3,582.4 | 94.9% |
| | Real Property Gains | | | | | | | | | | | | | | | | %0'0 |
| | Estate and Gift | 127.3 | 126.0 | 123.5 | 132.7 | 156.9 | | | | | | | | 666.4 | 549.4 | 117.0 | 21.3% |
| Spent ···· </td <th>Pari-Mutuel Doal Estata Transfor</th> <td>1.5</td> <td>1.1</td> <td>0.6</td> <td>1.9</td> <td>2.0</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>7.1</td> <td>6.7</td> <td>107.0</td> <td>6.0%</td> | Pari-Mutuel Doal Estata Transfor | 1.5 | 1.1 | 0.6 | 1.9 | 2.0 | | | | | | | | 7.1 | 6.7 | 107.0 | 6.0% |
| Interpretation $\frac{1}{240}$ | Recing and Combative Sports | #:70 | 0.2 | 0.1 | 0.2 | 0.2 | | | | | | | | 0.7 | 0.1 | 0.6 | 600.0% |
| 68 $\frac{610}{100}$ | Employer Compensation Expense Tax | 0.4 | 0.2 | 0.2 | 0.4 | 0.4 | | | | | | | | 1.6 | 1.3 | 0.3 | 23.1% |
| R108 4700 5707 5774 - < | lotal Other laxes | 9.1.82 | c:/c2 | - <u></u> | 9.005 | 301.2 | • | • | • | • | | • | • | 1,413.8 | 1,181.1 | 77971 | 19.0% |
| 11 0 11 0 11 15 14 10 10 02 10 03 13 14 14 10 15 14 10 10 11 100 455 444 102 638 5445 2346 2346 2346 235 3445 2346 235 3445 236 236 236 2366 235 3445 236< | Total Taxes | 18,139.8 | 4,750.5 | 11,533.0 | 5,379.7 | 5,573.4 | • | • | • | • | | | • | 45,376.4 | 42,177.8 | 3,198.6 | 7.6% |
| 1 19 09 10 01 135 149 10 0.2 250 100 01 01 01 01 00 01 0.1 0.2 250 100 01 01 01 00 01 0.1 0.2 250 100 01 01 01 00 01 0.1 0.2 250 64.4 1002 63.8 54.4 1002 63.8 54.4 1002 63.8 54.4 1002 63.8 54.6 278.0 23.6 54.6 278.0 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 24.6 23.6 | Aiscellaneous Receipts: | | | | | | | | | | | | | | | | |
| 13 0.0 113 950 950 940 943 <th>Abandoned Property:</th> <td></td> <td>Non C</td> | Abandoned Property: | | | | | | | | | | | | | | | | Non C |
| H05 444 102 638 444 102 638 644 102 538 544 102 538 544 102 538 544 102 538 544 102 538 544 102 2750 2750 2753 2 | Abandoned Property Bottle Bill | 0.2 | 0.2 | 25.0 | 10.0 | 0.1 | | | | | | | | 35.5 | 34.6 | 0.1 | o./% 2.6% |
| 1406 455 444 1002 638 3440 1002 638 3440 1002 638 3440 1003 6364 23840 000 1003 46 533 645 533 6423 233 2340 203 233 | Assessments: | | | | | | | | | | | | | | | | |
| 656 53.8 56.2 57.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 52.3 73.8 | Business | 140.6 | 45.5 | 44.4 | 100.2 | 63.8 | | | | | | | | 394.5 | 334.0 | 60.5 | 18.1% |
| Image: Signal state of the state o | Medical Care Dublic I hilihae | 536.9 | 533.8 | 564.2 0.3 | 577.8 | 542.3 D 2 | | | | | | | | 2,755.0 | 2,625.7 | 129.3 | 4.9% |
| Single 5.4 5.7 6.0 5.2 5.6 5.1 6.0 5.2 5.6 2.2 2.1 2.2 2.1 2.2 2.1 2.2 2.1 2.2 2.1 2.2 2.1 2.2 2.1 2.2 2.1 2.2 2.2 2.1 2.1 2.2 2.1 2.1 2.1 2.2 2.1 2.2 2.2 2.2 2.2 2.2 2.2 2.1 2.1 2.1 2.1 2.1 2.1 2.2 2.1 2.2 2.2 2.2 2.2 2.2 2.2 2.1 2.2 2.1 2.2 2.1 2.2 2.2 2.1 2.2 <th>Other</th> <td></td> <td></td> <td>0.2</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>0.2</td> <td>0.3</td> <td>(0.1)</td> <td>-33.3%</td> | Other | | | 0.2 | | | | | | | | | | 0.2 | 0.3 | (0.1) | -33.3% |
| 54 57 6.0 5.6 7.2 9.2 7.2 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 7.3 9.2 9.2 7.3 9.2 | Fees, Licenses and Permits: | | | | | | | | | | | | | | | | |
| | Alcohol Beverage Control Licensing | 5.4 | 5.7 | 0.9 | 5.2 | 5.6 | | | | | | | | 27.9 | 30.2 | (2.3) | -7.6% |
| 81 328 601 (310) 457 1189 (12 07 0.4 179 165 177 165 173 169 12.2 04.4 87.4 86.4 165.3 167.3 165.4 166.5 10.4 10.4 179 165.3 167.3 165.3 10.4 10.6 10.4 10.4 179 165.3 167.3 165.3 10.4 10.6 10.4 10.4 193 4.3 165.3 165.3 10.4 10.6 10.4 10.4 193 4.3 165.4 106.5 10.4 10.4 10.4 10.4 10.4 193 4.3 13.6 10.5 10.6 10.4 10.6 10.4 </td <th>Business/Professional</th> <td>50.4</td> <td>49.0</td> <td>130.1</td> <td>55.6</td> <td>62.7</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>347.8</td> <td>347.7</td> <td>0.1</td> <td>%0.0</td> | Business/Professional | 50.4 | 49.0 | 130.1 | 55.6 | 62.7 | | | | | | | | 347.8 | 347.7 | 0.1 | %0.0 |
| 07 0.4 10.6 1.1 3.4 3.0 10.4 9.4 10.6 0.7 17.7 10.5 0.6 1.1 9.4 10.8 0.7 17.7 10.5 0.6 10.4 9.4 10.8 0.7 17.7 10.5 0.6 11.9 9.1 17.2 17.2 10.5 0.6 11.6 10.6 9.1 19.3 4.3.9 3.3.3 0.6 11.6 11.6 11.6 3.10 19.3 4.3.9 3.3.3 0.6 11.7 10.6 11.6 3.10 19.5 2.11 3.6 19.5 11.7 10.6 11.6 3.10 19.5 2.11 3.6 19.5 11.6 10.6 3.11 19.5 2.11 19.7 2.8 11.6 11.6 3.12 19.5 2.14 19.7 10.6 10.6 11.6 3.12 19.7 2.8 2.8 | Civil | 8.1 | 32.8 | 50.1 | (31.0) | 46.7 | | | | | | | | 106.7 | 118.9 | (12.2) | -10.3% |
| 44.4 59.4 11/2 110.3 11 | Criminal | 0.7 | 0.4 | 0.6 | 9.0 | 1.1 | | | | | | | | 3.4 | 3.0 | 0.4 | 13.3% |
| 310 133 439 33.3 66.6 13 | Motor Venicie Pacraational/Constimat | 4.40 A O A | 99.4 | 7.011 | 117.2 | 0.001 C 98 | | | | | | | | 0.200 | 5.000 2.000 | (103.0) | 92 I 7 I - 70 7 107 |
| 396 115 411 357 182 186.3 196.5 41.1 35.7 18.2 186.3 196.6 23.2 19.1.7 248.7 186.3 196.6 23.2 19.1.7 248.7 186.3 196.6 23.5 53.6 23.6 1030.6 23.5 53.6 33.6 23.5 1044 71.3 90.9 73.4 96.9 73.6 1040 7.3.4 71.3 96.9 73.6 53.6 1040 2.3.5 53.6 22.7 22.7 1040 2.3.6 96.9 73.4 96.9 56.9 1040 2.3.4 46.4 92.2 91.9 256.9 256.4 1040 2.3.4 46.4 9.2 91.9 256.9 256.4 1040 2.3.4 4.9 9.2 256.9 256.4 | Fines, Penalties and Forfeitures | 31.0 | 19.3 | 43.9 | 33.3 | 9.69 | | | | | | | | 197.1 | 183.5 | 13.6 | 7.4% |
| 36 115 41,1 35,7 18,2 116,4 28,1 28,1 28,5 21,6 2 | Gaming: | | | | | | | | | | | | | | | | |
| 1000 1000 <th< td=""><th>Casino</th><td>39.6 106.3</td><td>11.5 100.6</td><td>41.1 232 o</td><td>35.7</td><td>18.2</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>146.1</td><td>116.4</td><td>29.7</td><td>25.5%</td></th<> | Casino | 39.6 106.3 | 11.5 100.6 | 41.1 232 o | 35.7 | 18.2 | | | | | | | | 146.1 | 116.4 | 29.7 | 25.5% |
| 73.4 71.3 90.9 79.4 30.8 413.8 413.6 (5.8) 150 22.4 46.4 63.2 216.4 (5.8) 7.0 2.4 6.4 6.2 216.4 (5.8) | Mobile Sports | 43.6 | 53.4 | 38.6 | 33.5 | 53.6 | | | | | | | | 222.7 | - | 222.7 | 100.0% |
| 150 23.4 46.4 63.2 216.4 15.2 20.4 15.2 20.4 15.2 20.4 15.2 20.4 15.2 20.4 15.2 20.4 15.2 20.4 15.2 | Video Lottery | 73.4 | 71.3 | 6.06 | 79.4 | 98.86 | | | | | | | | 413.8 | 419.6 | (5.8) | -1.4% |
| | Interest Earnings | 15.0 | 23.4 | 46.4 | 63.2 | 91.9 7.75 | | | | | | | | 239.9 | 23.5 | 216.4 | 920.9% |
| | | | | | | | | | | | | | | | | | |

STATE OF NEW YORK GOVERNMENTAL FUNDS (*) STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions)

| | | | | | | | | | | | | | | 5 Months Ended August 31 | igust 31 | |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|-----------|---------|----------|----------|----------------|--------------------------|-------|-----------------------------|--------------------------|---------------------------|-------------------------|
| | 2022 APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | Z023 ANUARY | Y FEBRUARY | MARCH | 2022 | 2021 | \$ Increase (Decrease) | % Increase/ Decrease |
| Receipts from Public Authorities: | | | 0 | | - | | | | | | | | | | | 100 000 |
| Cost Barniani Assassments | 1.1288 | 9/7/6 | 513.U | 61.5 10.7 | 6°L/7 | | | | | | | | 7.180,2 | 0.465 0.7 | 2,345.2 | 6/6.8% 365 0% |
| Issuance Fees | 2.8 | 3.7 | 4.0 | 27.5 | 1.8 | | | | | | | | 39.8 | 29.3 | 10.5 | 36.8% |
| Non Bond Related | 5.3 | 11.1 | 5.2 | 9.4 | 5.4 | | | | | | | | 36.4 | 8.9 | 27.5 | 309.0% |
| Kentals Revenues of State Departments | 36.0 | 31.3 | 23.2 | 3.6 | 13.1 | | | | | | | | 107.2 | 80.1 | 27.1 | 33.8% |
| Administrative Recoveries | 32.4 | 9.1 | 20.3 | 24.7 | 9.3 | | | | | | | | 95.8 | 108.7 | (12.9) | -11.9% |
| Commissions | 6.9 | | 0.4 | • | 0.1 | | | | | | | | 7.4 | 2.9 | 4.5 | 155.2% |
| Commissions - Asset Conversion | | | | | | | | | | | | | | | | |
| Gifts, Grants and Donations Indirect Cost Perrovariae | 110 | 2.1 | 1.2 20.9 | 1.2 | 0.8 16.6 | | | | | | | | 73.2 | 9.2 | (1.6) | |
| Patient/Client Care Reimbursement | 268.2 | 234.7 | 243.8 | 227.0 | 163.9 | | | | | | | | 1.137.6 | 1.233.1 | (95.5) | |
| Rebates | 9.6 | 10.3 | 14.5 | 16.4 | 8.0 | | | | | | | | 58.8 | 56.8 | 2.0 | |
| Restitution and Settlements | 8.0 | 4.2 | 0.6 | 4. | <u>8</u> .1 | | | | | | | | 108.3 | 30.9 | 77.4 | |
| Student Loans | 1.9 | 4.1 | 1.7 | 1.4 | (0.2) | | | | | | | | 6.2 | 12.6 | (6.4) | |
| All Other | 109.5 | 68.3 1 e | 76.6 | 9.08 | d, \4 d, 1 | | | | | | | | 352.5 | 0///S | (24.5) | |
| Juition | 0.7 36.7 | (26.1) | 54.1 | 25.4 | 98.2 | | | | | | | | 188.3 | 277.8 | (89.5) | -32.2% |
| Total Miscellaneous Receipts | 2,707.9 | 2,561.2 | 2,500.8 | 1,834.0 | 2,314.7 | · | • | | | | | | 11,918.6 | 8,876.5 | 3,042.1 | |
| Federal Receipts | 6,751.7 | 7,503.3 | 8,221.0 | 5,686.8 | 6,203.5 | | | | | | | | 34,366.3 | 44,762.7 | (10,396.4) | -23.2% |
| Total Receipts | 27,599.4 | 14,815.0 | 22,254.8 | 12,900.5 | 14,091.6 | • | • | • | | | | • | 91,661.3 | 95,817.0 | (4,155.7) | 4.3% |
| | | | | | | | | | | | | | | | | |
| DISBURSEMENTS: Local Assistance Grants: | | | | | | | | | | | | | | | | |
| Education | 2,000.1 | 5,113.4 | 3,018.8 | 1,613.3 | 1,251.2 | | | | | | | | 12,996.8 | 12,610.0 | 386.8 | 3.1% |
| Environment and Recreation | 4.4 | 9.1 | 11.6 | 14.8 | 148.2 | | | | | | | | 188.1 | 107.5 | 80.6 | 75.0% |
| General Government | 155.2 | 200.2 | 486.1 | 464.7 | 136.5 | | | | | | | | 1,442.7 | 1,212.7 | 230.0 | 19.0% |
| Public Health: Modicaid | 2 7 26 4 2 | 0 366 0 | 6 704 D | 5 050 1 | 6 767 7 | | | | | | | | 0 0 1 1 2 2 | 1 012 00 | 3 202 5 | 13 002 |
| medicald Other Public Health | 637.8 | 0, 300.9 825.4 | 0, /04.9 1,502.9 | 823.0 | 931.6 931.6 | | | | | | | | 4.720.7 | 4.548.8 | 5,623.5 171.9 | 3.8% |
| Public Safety | 93.1 | 134.3 | 235.5 | 106.1 | 269.6 | | | | | | | | 838.6 | 782.2 | 56.4 | 7.2% |
| Public Welfare | 592.2 | 804.9 | 1,016.3 | 1,183.0 | 8.908 | | | | | | | | 4,406.2 | 3,544.1 | 862.1 | 24.3% |
| Support and Regulate Business | 25.6 | 32.8 een 2 | 104.5 | 241.2 | 274.0 | | | | | | | | 678.1 | 568.2 | 109.9 | 19.3% |
| Total Local Assistance Grants | 10,868.7 | 14.146.2 | 13.604.6 | 10.796.3 | 11.170.7 | . | | . | | | . . | . | 60.586.5 | 55,352.9 | 5.233.6 | 9.5% |
| Departmental Operations: | | | | | | | | | | | | | | | | |
| Personal Service | 1,209.1 | 1,153.2 | 1,316.2 | 1,171.3 | 1,579.0 | | | | | | | | 6,428.8 | 5,958.0 | 470.8 | 7.9% |
| Non-Personal Service | 468.7 | 627.9 | 652.9 | 441.1 | 678.6 | | | | | | | | 2,869.2 | 3,177.4 | (308.2) | -9.7% |
| General State Charges Debt Service, Including Payments on | 8/2:0 | 2,080,5 | 480.7 | 8.180 | 042.0 | | | | | | | | 4,077.9 | 5 D42.1 | (7.40C) | 96.7.1- |
| Financing Agreements Capital Projects | 115.8 489.3 | 29.5 537.1 | 46.7 807.5 | 8.0 545.7 | 164.3 779.9 | | | | | | | | 364.3 3.159.5 | 498.3 2.797.5 | (134.0) 362.0 | -26.9% 12.9% |
| Total Disbursements | 14,023.6 | 18,587.7 | 16,914.6 | 13,544.3 | 15,016.0 | . | . | | . | | [.] . | . | 78,086.2 | 72,826.2 | 5,260.0 | 7.2% |
| | | | | | | | | | | | | | | | | |
| Excess (Deliciency) of Receipts over Disbursements | 13,575.8 | (3,772.7) | 5,340.2 | (643.8) | (924.4) | • | | | | | | • | 13,575.1 | 22,990.8 | (9,415.7) | -41.0% |
| OTHER FINANCING SOURCES (USES): | | | | | | | | | | | | | | | | 100 |
| Bond and Note Proceeds (net) Transfers from Other Funds Transfers to Other Funds | 8,827.0 (8,830.5) | 2,653.6 (2,658.5) | 5,907.6 (5,942.3) | 3,304.6 (3,306.5) | 2,586.4 (2,596.9) | | | | | | | | - 23,279.2 (23,334.7) | 24,568.7 (24,637.8) | (1,289.5) (1,303.1) | 0.0% -5.2% -5.3% |
| Total Other Financing Sources (Uses) | (3.5) | (4.9) | (34.7) | (1.9) | (10.5) | | | | | | | · | (55.5) | (69.1) | 13.6 | 19.7% |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | 13.572.3 | (9.777.6) | 5.305.5 | (645.7) | (634.9) | | | | | | | | 13.519.6 | 22.921.7 | (9.402.1) | -41.0% |
| 0 | | | | | | | | | | | | | | | | |
| Ending Fund Balance | \$ 67,121.3 | \$ 63,343.7 | \$ 68,649.2 | \$ 68,003.5 | \$ 67,068.6 | s | s | , , | , , | <i>"</i> | , , | s | \$ 67,068.6 | \$ 41,672.8 | \$ 25,395.8 | 60.9% |

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STATE OF NEW YORK GOVERNMENTAL FUNDS (*) STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions) ()) Governmental Funds includes General, Special Revenue, Debt Service and Capital Projects Funds combined.

| % Increase/ Decrease 173.0% | 6.4% 6.4% 5.6% 2.1.5% 2.1.5% 3.1.9% 0.0% 0.0% | | 18.7% -14.1% 29.0% -182.9% 100.0% 1.0% 101.6 % | 0.0% 21.3% 6.0% 60.0% 500.0% 23.1% 16.0 % | 6.7% 6.7% 7.8% | 25.1% 4.9% 121.7% -33.3% | -7.6% -4.5% 1.9% 10.3% 13.3% 10.7% 8.3% | 25.5% 2.8% -1.4% 829.3% 414.1% 0.0% |
|---|--|---|---|--|--|--|---|--|
| ease/ ease) | | (1,028,0 (1,028,0 (3,5,7) (3,7,7) (3,7 | 491.4 (17.4) 163.2 (13.9) 2,962.0 <u>1.9</u> 3,577.2 | 117.0 0.4 0.5 0.5 0.3 184.6 0.3 2500 | 1.0 0.9 | 61.1 129.3 2.8 (0.1) | (2.3) (0.1) (1.2.2) (1 | 29.7 28.5 22.7 (5.8) 164.8 76.6 |
| 5 Months Ended August 31 8 Incr 2021 (Decr 5 14.934.4 2 25 | | (1,4,5,2,4) (4,4,5,4) (4,4,5) (4,4,5) (1,2,5) (1,2,5) (1,4,5)(| 2,629.0 123.7 563.4 7.6 7.6 197.0 3,520.7 | 549.4 6.7 594.5 94.5 1.152.0 | 41,041.4 14.9 11.6 | 243.7 2,625.7 2.3 0.3 | 30.2 2.2 332.7 118.9 36.8 363.8 353.8 | 116.4 1.020.6 419.6 19.8 19.8 |
| 2022 \$ 40.767.2 | | 28,319,420 28,319,44 8,51 6,51 5,15 5,15 1,17 1,17 1,17 1,17 1,17 1 | 3,120.4 106.3 726.6 (6.3) 2,952.0 198.9 7,097.9 | 686.4 7.1 680.8 60.8 0.7 1.336.6 1.336.6 | 15.9 12.5 | 304.8 2,755.0 5.1 | 27.9 2.1 339.1 106.7 106.7 215.4 391.7 184.7 | 146.1 1,049.1 222.7 413.8 184.0 95.1 |
| MARCH | | . | | • | | | | |
| FEBRUARY | | | | | | | | |
| 2023 JANUARY | · | | . | . | | | | |
| DECEMBER | | | . | | | | | |
| NOVEMBER | ŀ | | . | | | | | |
| OCTOBER | | | . | | • | | | |
| SEPTEMBER | | | . | | | | | |
| AUGUST \$ 54.451.7 | | 3, (589.4) 3, (589.4) 1, 429.6 83.6 9.9 (0.9 0.1 0.1 0.1 1,536.1 | (66.6) 1.6 19.6 87.8 83.7 83.7 | 156.9 156.9 116.0 0.4 0.4 275.5 | 11.3 | 47.0 542.3 0.2 | 7.0 0.2 0.1 0.1 0.0 0.0 0.0 0.0 0.0 0.0 0.0 | 18.2 248.7 53.6 53.6 98.8 98.8 70.7 |
| م 10LY \$ 53.898.0 | Ŭ Ŭ | 77.3 1,474 8 1,474 8 77.3 10 10 10 (0.3) 29.1 29.1 29.1 (0.3) 29.1 (0.3) 29.1 (0.3) 29.1 (0.3) 29.1 (0.3) 29.1 (0.3) 29.1 (0.3) 29.1 (0.3) 29.1 (0.3)(| 327.2 3.2 19.7 (6.3) (49.0) 333.9 | - 132.7 132.7 14.6 0.2 0.4 279.8 | 0.01 | 92.2 577.8 - | 31.0 31.0 31.0 31.0 31.0 31.0 31.0 31.0 | 35.7 191.7 33.5 34.5 48.5 3.4 |
| JUNE \$ 49.385.6 | | 1,182/1.3) 4,1931.1 1,881.7 1,0 1,0 4,3 23.6 0,1 6,2 2,005.8 2,005.8 | 1,512.8 92.1 537.5 2,780.4 41.9 4,964.7 | 123.5 0.6 117.8 17.8 0.1 0.1 242.2 | 1.0 | 38.6 564.2 0.3 | 6.0 1.3 5.0.1 5.0.1 5.0.6 5.0.5 5.0.3 7.9.2 4.1.5 | 41.1 232.8 39.6 90.9 56.7 6.1 |
| MAY \$ 54,487.5 | | 2,724.2 2,724.2 1,397.2 75.2 75.2 1.2 8.0 21.5 21.5 1.0 1 1,504.2 | 142.0 1.2 40.1 (48.4) 39.4 174.3 | 126.0 1.1 1.1 130.0 0.2 257.5 | 4,000.4 | (1.2) 533.8 - | 7.0.7 8.0.2 7.0.2 | 11.5 189.6 53.4 71.3 17.7 1.9 |
| 2022 APRIL \$ 40.767.2 | | 221.0 1,721.0 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,721.6 1,771.6 1,750.7 1,750 | 1,205.0 8.2 109.7 181.2 37.2 1,541.3 | 127.3 1.5 152.4 152.4 281.6 | 1.9 1.9 0.2 | 128.2 536.9 4.6 | 5.4 47.1 8.1 39.0 39.0 28.5 | 39.6 186.3 43.6 73.4 714 772 |
| eou | est and the second seco | Total Personal Income Tax Total Personal Income Tax and Use Totales and Use Totales tethy foliacco Products tethy foliacco Products tethy foliacco Products tethy foliacco Products tethy foliacco C Eccise C Eccise Total C ConsumptionUse Taxes | zation Frances. zation Franchise pration and Utilities mine Through Emitry Leum Business Total Business Taxes | Real Property Cain's Real Property Cain's Real Property Cain's Pari-Mutual Pari-Mutual Rearing and Combaine Sports Rang and Combaine Sports Employer Comparisation Expense Tax Trual Rower Taxes | es keipts: erty | d. Dorneiter. | way structure are survive and Audit Frees Survive Structure (Frees Coli Coli Mator Verleice Mator Verleice Mator Verleice Times, Penalties and Forfeitures | nicipalities vic Authorities : |
| Beainnina Fund Balance | RECEIPTS. RecEIPTS. Present Income Tax: Vrinthickaffs. Estimate Payments Returns. Statefly Offstar Coher (AssestmentsLLC) Other (AssestmentsLLC) Transfers to Resonar tax Interation to Resonar tax | reducts stated construction to the state construction of the state Auto Ratal Auto Ratal Caranterio Caranterio Autoro Fue Autoro Fue Autoro Fue Autoro Eue Autoro Eue Autoro Eue Autoro Eue Autoro Eue Autoro Eue Autoro Eue Autoro Eue Autoro Eue Autoro Eue | Business Taxes: Corporation Franchise Corporation and Utilities Insurance Bank Pass-Through Entity Petroleum Business Ti Total Business Ti | Chen Laves: Real Property Gains Estate and Gift Real Estate Transfer Real Estate Transfer Real Date Targe Employer Compensa Total Other Targe | Niiscellaneous Receipts: Abandoned Property: Abandoned Property Bottle Bill | Assessments. Business Medical Care Public Utilities Other Concer and Domities | Accord Beverage and Activity Lice Audit Fees Business/Professional Civil | carmio Carmio Carano Loteny Medie Sports Viete Uardes Viete Lamfey Receits from Unicipalities Receits from Public Authorities Receits from Proceeds |

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STATE OF NEW YORK GOVERNMENTAL FUNDS STATEMENT OF CASH FLOW - STATE OPERATING (*) FISCAL YEAR 2022-2023 (amounts in millions)

| | | | | | | | | | | | | | | 5 Months Ended August 31 | | |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|-----------|---------|----------|----------|-----------------|----------|-------|------------------------|--------------------------|---------------------------|-------------------------|
| | APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | 2022 | 2021 | \$ Increase (Decrease) | % Increase/ Decrease |
| Cost Recovery Assessments Isourance Ease | 14.2 | | - 1 | 12.7 | , φ | | | | | | | | 26.9 30.8 | 5.9 | 21.0 | 355.9% 35.9% |
| Non Bond Related | 9.4 | 11.2 | 0.00 F 60 | 9.4 | 9.4 | | | | | | | | 34.0 | 5.1 | 28.9 | 566.7% |
| Rentals | 33.4 | 20.7 | 21.4 | 0.9 | 10.9 | | | | | | | | 87.3 | 71.8 | 15.5 | 21.6% |
| Revenues or state Departments: Administrative Recoveries | 32.4 | 9.1 | 20.3 | 24.7 | 9.3 | | | | | | | | 95.8 | 108.7 | (12.9) | -11.9% |
| Commissions | 6.9 | • | 0.4 | | 0.1 | | | | | | | | 7.4 | 2.9 | 4.5 | 155.2% |
| Commissions - Asset Conversion | | - o | | | | | | | | | | | | - c | . 0 | 0.0% |
| Indirect Cost Recoveries | 6.3 | 6.9 | - 8.6 | 5.7 | 6.9 | | | | | | | | 33.9 | 27.9 | 6.0 | 21.5% |
| Patient/Client Care Reimbursement | 268.2 | 234.7 | 243.8 | 227.0 | 163.9 | | | | | | | | 1,137.6 | 1,233.1 | (95.5) | %.1.7- |
| Rebates | 2.4 | 2.0 | 6.9 | 8.8 | 1.0 | | | | | | | | 21.1 | 21.9 | (0.8) | -3.7% |
| Restitution and Settlements | ດ ຊີ | 717 | 4.0 | 0. | 8.08 6.02 | | | | | | | | 104.0 | 19.9 | 84.1 (6.4) | 422.6% |
| All Other | 9.101 | 66.4 | 75.3 | 49.1 | 46.4 | | | | | | | | 339.1 | 348.2 | (0.1) | -2.6% |
| Sales | 0.7 | 1.4 | 2.1 | 2.3 | 4 | | | | | | | | 7.9 | 6.7 | 1.2 | 17.9% |
| Tuition | 36.7 | (26.1) | 54.1 | 25.4 | 98.2 | | | | | | | | 188.3 | 277.8 | (89.5) | -32.2% |
| Total IVIScellaneous Receipts | 1,/18.0 | 1,438.2 | 1,862.3 | 1,6/1.2 | 1,918.6 | • | • | • | • | | • | • | 8,608.3 | 1,951.0 | 100 | 8.3% |
| Federal Receipts | | 0.2 | 11.9 | 3.4 | 36.5 | | | | | | | | 52.0 | 30.6 | 21.4 | 69.9% |
| Total Receipts | 19,765.9 | 6,098.6 | 13,280.0 | 6,968.0 | 7,439.2 | | | | | | | | 53,551.7 | 49,623.0 | 3,928.7 | 7.9% |
| DISBURSEMENTS: | | | | | | | | | | | | | | | | |
| Local Assistance Grants: | 0.007.1 | | | 6 100 | T CAL | | | | | | | | 0.011.01 | 00100 | 0.000 | 104 0 |
| Education Environment and Recreation | 1,436.U 0.1 | 4,347.1 | 2,612.4 | 964.U | 0.3 | | | | | | | | 10,112.9 | 9,812.9 7.5 | 300.0 | 3.1% -69.3% |
| General Government | 141.8 | 72.0 | 430.1 | 48.0 | 84.6 | | | | | | | | 776.5 | 575.1 | 201.4 | 35.0% |
| Public Health: | 1 007 0 | | 0 000 0 | 0 000 0 | 0 100 0 | | | | | | | | 0 120 11 | 0 200 01 | 0 100 1 | Ĩ |
| Medicald Other DuNis Health | 2,482.5 | 2,334.4 | 2,389.6 | 2,008.3 | 2,387.0 | | | | | | | | 11,6/1.8 | 10,630.9 1 278 8 | 1,035.9 | 97.7.6 0.807 |
| Public Safety | 23.5 | 30.0 | 21.4 | 39.66 | 39.6 | | | | | | | | 154.0 | 164.2 | (10.2) | -6.2% |
| Public Welfare | 102.1 | 218.8 | 303.7 | 408.6 | 396.8 | | | | | | | | 1,430.0 | 1,090.5 | 339.5 | 31.1% |
| Support and Regulate Business | 8.5 | 11.8 503.6 | 22.7 | 138.1 | 246.9 | | | | | | | | 428.0 1 073 6 | 266.8 | 161.2 201 7 | 60.4% 12.1% |
| Total Local Assistance Grants | 4,395.9 | 7,868.5 | 6,693.4 | 4,111.8 | 4,668.6 | ŀ | . | | . | . | . | . | 27,738.2 | 25,503.6 | 2,234.6 | 8.8% |
| Departmental Operations: | | | | | | | | | | | | | | | | |
| Personal Service | 1,155.5 | 1,098.7 | 1,259.2 | 1,122.6 | 1,496.0 | | | | | | | | 6,132.0 | 5,281.8 | 850.2 | 16.1% |
| Non-Personal Service General State Charges | 388.5 847.4 | 458.4 2.060.2 | 492.2 | 3/0.5 | 540.8 611.1 | | | | | | | | 2,250.4 | 2,083.5 4,684.6 | 166.9 (163.3) | 8.0% -3.5% |
| Debt Service, Including Payments on | | | 1 | : | | | | | | | | | | | | |
| Financing Agreements Capital Projects | 115.8 | 29.5 | 46.7 | 8.0 | 164.3 | | | | | | | | 364.3 | 456.0 | (91.7) | -20.1% 0.0% |
| Total Disbursements | 6,903.1 | 11,515.3 | 8,937.6 | 6,169.4 | 7,480.8 | | . | . | | | | | 41,006.2 | 38,009.5 | 2,996.7 | 7.9% |
| Excess (Deficiency) of Receipts over Disbursements | 12,862.8 | (5,416.7) | 4,342.4 | 798.6 | (41.6) | | | | | | | | 12,545.5 | 11,613.5 | 932.0 | 8.0% |
| OTHER FINANCING SOURCES (USES): | | | | | | | | | | | | | | | | |
| Transfers from Other Funds (**) Transfers to Other Funds (**) | 9,446.5 (8,589.0) | 2,949.7 (2,634.9) | 5,884.1 (5,714.1) | 2,956.2 (3,201.1) | 2,391.0 (2,587.3) | | | | | | | | 23,627.5 (22,726.4) | 22,424.2 (24,092.4) | 1,203.3 (1,366.0) | 5.4% -5.7% |
| Total Other Financing Sources (Uses) | 857.5 | 314.8 | 170.0 | (244.9) | (196.3) | | | | | | | | 901.1 | (1,668.2) | 2,569.3 | 154.0% |
| Excess (Deficiency) of Receipts | | | | | | | | | | | | | | | | |
| and Other Financing sources over Disbursements and Other Financing Uses | 13,720.3 | (5,101.9) | 4,512.4 | 553.7 | (237.9) | • | • | • | | | • | | 13,446.6 | 9,945.3 | 3,501.3 | 35.2% |
| Ending Fund Balance | \$ 54,487.5 | \$ 49,385.6 | \$ 53,898.0 | \$ 54,451.7 | \$ 54,213.8 | \$ | s | s | s | \$ | ۲ | \$ | \$ 54,213.8 | \$ 24,879.7 | \$ 29,334.1 | 117.9% |
| Stata Oneration Eurole are commissed of the Ganaral Eurol. State Special Resource Eurole connected by activities. | naral Fund Stata Cna | vial Revenue Fund | e enoncred hu activ | itiae | | | | | | | | | | | | |

(1) <u>State Operating Funds</u> are comprised of the General Fund. State Special Revenue Funds supported by activities from declared revenue acrues (including operating transfers from Freder Innes) and Debt Service Funds. (1) "Eliminators takeness State and Federal Special Revenue Funds are not included.

| EXHIBIT F | % Increase/ Decrease 260.8% | 6.4% 5.6% 10.1% 31.5% 6.7% | 0.0% -3.5% -3.5% -3.5% | 8.0% 0.0% 3.1% | 0.0% 1.9% 0.0% 6.3% 6.7% | 19.4% -15.1% 24.3% -252.6% 100.0% | 0.0% | 0.0% 21.3% 6.0% | 600.0% 33.3% 21.2% | 8.7% | 4.8% 7.8% | 0.0 8.9% 8.7% | -7.6% | 0.0% -3.9% 20.0% | -10.5% 18.7% 18.6% | 100.0% 3,666.7% 0.0% | 0.0% 100.0% 47.5% -33.3% | -19.4% 100.0% -100.0% 18.6% -150.2% |
|---|--|--|--|---|--|--|--|---|---|-------------|--|---|---|--|--|--|--|--|
| Muranice 34 | | 1,140.7 702.6 339.1 1177.5 2,243.8 | (513.0) 3,269.8 (513.0) | 130.4 (4.1) | - 2.2 - - 127.6 | 408.0 (14.1) 125.6 (9.6) 1,476.0 | 1,985.9 | 117.0 0.4 | 0.6 0.2 118.2 | 1,718.7 | 0 0 0 | · + · 6 | (2.3) | (11.2) 0.1 | (15.0) 1.7 23.7 | 5.0 132.0 - | , 3 3.5 (0.2) 0.2) | (3.3) 0.2 5.03) (61.0) |
| 6 Monthe Endad | 2021 (Decrease) 2021 (Decrease) \$ 9,160.8 \$ 23,891.6 | 17,708.7 12,489.8 3,362.4 (546.2) 556.0 33,577.6 | (14,672.7) (4,232.2) 14,672.7 | 1,629.3 130.7 | - 118:9 - 14:3 1,893.2 | 2,101.3 83.6 517.6 3.8 | 2,716.3 | 549.4 6.7 | 0.1 0.6 556.8 | 19,839.0 | 10.4 11.6 | - 15.9 - 0 - 3 | 30.2 | 85.2 92.9 0.5 | 143.4 9.1 127.1 | 3.6 | - | 17.0 0.2 0.3 27.9 40.6 |
| | 2022 \$ 33,052.7 | 18,849,4 13,192,4 3,701,5 (565,3) 734,4 35,821,4 | (14,159.7) (7,502.0) 14,159.7 | 1,759.7 126.6 | 121.1 13.4 13.4 2,020.8 | 2,509.3 79.5 643.2 (5.8) 1,476.0 | 4,702.2 | 666.4 7.1 | 0.7 0.8 675.0 | 21,557.7 | 10.9 | - 17.0 - | 27.9 | 81.9 0.6 | 128.4 10.8 150.8 | 5.0 135.6 | , 3, 6, 6 , 3, 9, 6 , 4 | 13.7 0.4 33.1 (20.4) |
| | MARCH | | | | | | . | | | | | | | | | | | |
| | FEBRUARY | | | | - | | · | | | | | | | | | | | |
| | 2023 JANUARY | | . | | . | | | | . | | | | | | | | | |
| | DECEMBER | • | | | | | . | | | | | | | | | | | |
| | NOVEMBER | | . | | | | . | | . | | | | | | | | | |
| | OCTOBER | | | | | | · | | | | | | | | | | | |
| | SEPTEMBER | ŀ | | | ŀ | | · | | | | | | | | | | | |
| | AUGUST \$ 43,698.6 | 3,959.7 134.3 (44.6.5 (113.7 4,249.2 | (1,794.4) (660.4) 1,794.4 | 335.1 - 25.6 | 22.1 22.1 | (95.6) 1.2 16.2 (0.1) 43.9 | (34.4) | 156.9 | 0.2 0.2 159.3 | 2,302.1 | 10.0 0.1 | . 8 | 5.6 | 19.5 1.14 1.1 | 36.2 1.5 58.8 | - 53.0 - | 1.8 1.8 | 0.3 0.3 6.8 6.5 |
| | JULY \$ 43,797.1 | 3,513.9 131.5 67.5 (263.8 128.2 3,820.3 | (1,545.8) (728.6) 1,545.9 | 345.6 24.4 | 29.1 29.1 405.2 | 270.8 2.3 18.8 (5.7) (24.5) | 261.7 | 132.7 | 0.2 1 35.0 | 2,347.8 | (0.1) 10.0 | 3.7 | 5.2 | 0.8 0.2 0.2 | 13.6 4.3 21.7 | 37.2 | 6.5 27.5 - | 0.4 - 5.7 (20.3) |
| | JUNE \$ 40,311.3 | 4,010.6 1,846.3 103.8 (503.8 110.1 6,020.4 | (2,096.6) (1,827.3) 2,096.5 | 439.0 - 26.1 | 23.6 23.6 - 488.6 | 1,260.0 73.7 479.9 1,390.2 | 3,203.8 | 123.5 0.6 | 0.1 0.1 124.3 | 5,913.2 | 2.0 | •••= | 6.0 | . 35.9 45.1 0.1 | 34.8 1.6 38.6 | - 26.8 - | | 12:0 9:0 3:4 |
| | MAY \$ 45,693.4 | 3,632.0 152.8 174.9 (38.1) 161.8 4,082.4 | (1,362.1) (1,358.2) 1,362.1 | 328.0 - 23.5 | 21.5 21.5 374.0 | 98.0 0.7 36.8 , 24.2) | 111.3 | 126.0 | 0.2 0.1 127.4 | 1,974.8 | .0.2 | 3.2 | 5.7 | 11.5 28.1 0.2 | 26.1 3.4 7.6 | - 11.9 - | | 0.5 - 6.3 7.0 |
| | 2022 APRIL \$ 33,052.7 | 3,733.2 3,733.2 10,927.5 3.269.8 (502.0) 250.6 17,649.1 | (7,360.8) (2,927.5) 7,360.8 | 312.0 27.0 | 24.8 24.8 - 370.2 | 976.1 1.6 91.5 90.6 | 1,159.8 | 127.3 | 0.2 1 29.0 | 9,019.8 | 0.2 | . . . | 5.4 | . 4.2 3.1 | 17.7 - 24.1 | 5.0 6.7 | | 0.5 0.1 5.3 |
| STATE OF NEW YORK GENERAL FUND STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions) | Beginning Fund Balance | RECEIPTS: Takes: Personal Income Tax: Personal Income Tax: Withholdings Etimized Payments Returns Careas Receipts Gross Receipts Gross Receipts | Transfers to School Tax Relief Fund Transfers to Revenue Bond Tax Fund Refunds Issued Total Personal Income Tax | ConsumptionUse Taxes: Sales and Use Auto Rental Cigarette/Tobacco Products | Atom Fuel Atomic Beverage Highway Use Vapor Excise Dioid Excise Total Consumption/Use Taxes | Business Taxos Corporation Franchise Corporation and Utilities Corporation and Utilities Bank Bank Pass-Through Entity | Petroleum Business Total Business Taxes | Criter 1 stores: Real Property Gains Estate and Gift Pari Mutuel Pari Catata Transfer | real transfer infinite Racing and Combative Sports Employer Compensation Expense Tax Total Other Taxes | Total Taxes | Miscellaneous Receipts: Abandoned Property Abandoned Property Bottle Bill | Assessments. Business Medical Care Public Utilities Other | Fees, Licenses and Permits: Alcohol Beverage Control Licensing | Audit Fees Business/Professional Givil | Motor Vehicle Recreational/Consumer Fines, Penalties and Forfeitures | Gaming: Mobile Sports Interest Eartrings Receipts from Municipalities | Receins from Holic Authorities: Bond Proceeds Cost Recovery Assessments Issuance Fees Non Bond Related | Revenues of State begarments: Administrative Recoveries Commissions Recoveries Gits, Grants and Donations Indract Coar Recoveries Patient/Client Care Reimbursement |

| % Increase/ Decrease | -90.3% | %0.0 | -30.5% | 9.4% | -33.3% | 8.7% | 3.2% -93.2% 11 2% | 8.0% | 4.1% | 31.1% | 63.1% 16.6% | 7.6% | 17.0% 10.2% -5.4% | 6.8% | -2.4% | 7.0% -2.3% 112.0% -113.4% | -7.5% 9.3% | 22.5% | 10.00 |
|---------------------------|--------|------------|--------------|-------------|--------|----------|--------------------------|---------|---------------|---------|----------------|----------|-------------------------------|----------|-----------|--|---------------------------------|----------|-----------|
| S Increase/ (Decrease) | (5.8) | (7:0) - | (23.7) | <u>67.6</u> | (0.1) | 1,786.2 | 301.7 (5.5) 4.5 a | 674.0 | 34.0 | 338.3 | 163.6 12.0 | 1,570.2 | 569.4 93.3 (233.2) | 1,999.7 | (213.5) | 964.6 (108.8) 69.0 119.8 (2,735.9) | 1/6.2 (12.6) 154.3 | 3,462.6 | 1 010 0 |
| 2021 (Decrea | 3.1 | 7.0 | 2.77 | 720.1 | 0.3 | 20,559.4 | 9,486.7 5.9 400.5 | 8,461.1 | 820.8 80.3 | 1,089.4 | 259.4 72.3 | 20,755.4 | 3,351.8 913.7 4,300.8 | 29,321.7 | (8,762.3) | 13,699.0 4,770.9 577.2 678.9 (2,412.0) | (100.5) (168.1) (1,654.6) | 15,390.8 | 3 0L0 0 |
| 2022 | 0.3 | | 54.0 | 7.787 | 0.2 | 22,345.6 | 9,788.4 0.4 5.5.4 | 9,135.1 | 854.8 56.5 | 1,427.7 | 423.0 84.3 | 22,325.6 | 3,921.2 1,007.0 4,067.6 | 31,321.4 | (8,975.8) | 14,663.6 4,662.1 646.2 798.7 323.9 | (2/6./) (155.5) (1,808.9) | 18,853.4 | 0 077 6 |
| MARCH | | | | . | | • | | | | | | | | | . | | | | |
| FEBRUARY | | | | . | | • | | | | | | | | . | • | | | • | |
| 2023 JANUARY | | | | . | | • | | | | | | | | | | | | | |
| DECEMBER | | | | | | • | | | | | | | | | | | | | |
| NOVEMBER | | | | . | | • | | | | | | . | | | | | | | |
| OCTOBER | | | | . | | • | | | | | | | | | | | | | |
| SEPTEMBER | | | | | | • | | | | | | | | | | | | | |
| AUGUST | | | 5.2 | 188.5 | | 2,490.6 | 753.0 0.2 61.5 | 1,782.5 | 161.8 | 396.8 | 246.2 32.3 | 3,457.0 | 904.9 225.6 488.0 | 5,075.5 | (2,584.9) | 1,100.3 882.8 113.0 98.7 (128.4) | (93.2) (0.3) (156.3) | 1,816.6 | to Coll |
| JULY | . | | 3.8 | 84.5 | 0.2 | 2,432.5 | 9.03 9.03 9.05 | 1,478.8 | 3.88 | 408.3 | 137.1 | 3,114.8 | 713.5 161.3 442.3 | 4,431.9 | (1,999.4) | 1,321.1 914.5 143.0 164.9 (312.1) | | 1,900.9 | |
| JUNE | (0.7) | | (6.2) | 215.8 | (0.2) | 6,128.8 | 2,288.5 0.1 4.08.8 | | | | 22.0 19.1 | | 867.1 246.4 357.7 | 6,854.1 | (725.3) | 3,486,9 1,193,5 117,8 169,1 (7115) | | 4,211.1 | 0 307 0 |
| MAY | | | (12.3) | | 0.2 | 2,0 | 4,347.0 - | | | | 11.5 32.6 | 6,725.2 | 695.2 224.7 1,999.9 | | (7,569.0) | 1,303.7 856.6 130.0 116.0 224.2 | | 2,186.9 | 10 000 av |
| 2022 APRIL | (0.5) | | 63.5 63.5 | 197.9 | • | 9,217.7 | 1,436.0 0.1 9.0 | 2,018.4 | 66.4 7.6 | 101.1 | 6.2 | 3,645.7 | 740.5 149.0 779.7 | 5,314.9 | 3,902.8 | 7,451.6 814.7 142.4 250.0 611.7 | - (112.4) (420.1) | 8,737.9 | |

Excess (Deficiency) of Receipts over Disbursements OTHER FINANCING SOURCES (USES):

DISBURSEMENTS: Local Assistance Grants: Local Assistance Grants: Education Education General Government Medicaid Other Public Health Public Safety Public Pu Transfers from Revenue Bond Tax Fur markers from CAX/ STRBTF Transfers from CNVCA Fund Transfers from CNVCA Fund Transfers to State Capital Projects Transfers to State Capital Projects Transfers to State Capital Projects Transfers to AII Other Chaptal Projects Transfers to AII Other Chaptal Projects Transfers to AII Other Chaptal Transfers to AII Other Taxte Funds Surces (Uses)

Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing I Ending Fund Balance

NYS Register/September 28, 2022

Rebates Restruction and Settlements Student Loans All Other Sales Total Miscellaneous Receipts

Federal Receipts Total Receipts

STATE OF NEW YORK GENERAL FUND STATEMBATT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions)

EXHIBITF

| STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions) | | | | | | | | | | | | | Intra-Fund | | 5 Months Ended August 31 | | |
|--|------------------------------|--------------------|---------------------|-----------------------|-----------------------|-----------|---------|----------|----------|-----------------|----------|-------|--------------------------------------|-------------------------|--------------------------|---|-----------------------------------|
| Beginning Fund Balance | 2022 APRIL \$ 21,938.2 | MAY \$ 22,805.7 | JUNE \$ 24,032.0 | JULY \$ 25,686.3 | AUGUST \$ 24,862.2 | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | Transfer Eliminations (*) \$ - | 2022 \$ 21,938.2 | 2021 \$ 10,669.3 | \$ Increase/ (Decrease) \$ 11,268.9 | % Increase/ Decrease 105.6% |
| RECEIPTS: Taxes: | | | | | | | | | | | | | | | | | |
| Personal Income Tax Consumption/lise Taxes: | • | | • | | | | | | | | | | • | • | | | %0.0 |
| | 135.1 | 87.0 | 128.0 | 93.4 | 90.5 | | | | | | | | • | 534.0 | 461.5 | 72.5 | 55 |
| Auto Remai Cigarette/Tobacco Products | 57.7 | 51.7 | 6.9 56.6 | 52.9 | 58.0 | | | | | | | | ••• | 8.1 276.9 | 308.5 | 3.2 (31.6) | 9 2 |
| Cannabis Motor Fuel | 1.0 | 1.2 8.0 | 1.0 | 1.0 | 0.9 (6.0) | | | | | | | | • • | 5.1 | 5.7 44.9 | (0.6) | 5 9 |
| Alcoholic Beverage | • 3 | ; . | • 3 | | . : | | | | | | | | • | • ; | • 6 |) · ; | 0 |
| Highwäy Use Vapor Excise | (0.1) | - 1.0 | 6.2 | | 0.1 1.0 | | | | | | | | | 6.3 | 7.0 | 0.7) | -10.0% |
| Total Consumption/Use Taxes Business Taxes: | 201.6 | 148.0 | 202.5 | 147.0 | 149.3 | • | • | • | • | • | | • | · | 848.4 | 832.7 | 15.7 | ÷: |
| Corporation Franchise | 228.9 6.6 | 44.0 | 252.8 18.4 | 56.4 n.a | 29.0 | | | | | | | | • | 611.1 26.8 | 527.7 30.1 | 83.4 | 15.6 |
| | 18.2 | 3.3 | 57.6 | 60 | 400 | | | | | | | | | 83.4 | 45.8 | 37.6 | 82.1% |
| Datik Petroleum Business Torial Business Tavos | 37.2 | 39.4 | 41.9 | (0.0) 39.1 06.7 | 41.3 | | | | ľ | | ľ | | | (0.0) 198.9 040.7 | 3.0 197.0 804.4 | (4.0) 1.9 145.2 | |
| Total Tavas | 1025 | 1.10 | | 1.000 | 3.005 | | | | | | | | | 1 760 4 | 1 637 4 | 124 0 | 00 0 0 |
| Miscallanours Donainte: | | - | | 101-7 | | | | | | | | | | | | | 6 |
| Abandoned Property: Abandoned Property: | 60 | 60 | 10 | 60 | 1.3 | | | | | | | | | 5.0 | 4.5 | 0.5 | 11.1% |
| Assessments: | | | | | | | | | | | | | | | | | |
| Business Medical Care | 133.5 535.3 | 39.6 530.6 | 38.7 564.2 | 94.8 574.1 | 58.6 533.8 | | | | | | | | • • | 365.2 2.738.0 | 297.9 2,609.8 | 67.3 128.2 | 22.6% 4.9% |
| | | | 5 | | 70 - | | | | | | | | | 6.1 | 3 - | 0.1 | 100.0 |
| rees, Licenses and Permits: Audit Fees | • | 0.2 | 1.3 | 0.4 | 0.2 | | | | | | | | • | 2.1 | 2.2 | (0.1) | 4 |
| Business/Professional Civil | 32.9 | 36.3 | 92.8 5.0 | 53.8 4.7 | 41.4 5.6 | | | | | | | | • • | 257.2 | 247.5 26.0 | 9.7 (0.1) | %6°0 %6°0 |
| Criminal Motor Vehicle | 0.7 16.7 | 16.3 | 24.5 | 15.2 | 14.3 | | | | | | | | • • | 2.8 87.0 | 2.5 128.2 | (41.2) | -32.1 |
| Recreational/Consumer Fines, Penalties and Forfeitures | 39.0 5.1 | 77.5 9.4 | 3.75 | 107.6 10.3 | 79.2 8.8 | | | | | | | | ••• | 380.9 | 344.7 45.2 | 36.2 (8.3) | -18.4 -18.4 |
| Gaming: Casino | 39.6 | 11.5 | 41.1 | 35.7 | 18.2 | | | | | | | | | 146.1 | 116.4 | 29.7 | 25.5 |
| Lottery Mobile Sports | 186.3 38.6 | 189.6 53.4 | 232.8 38.6 | 191.7 33.5 | 248.7 53.6 | | | | | | | | • • | 1,049.1 217.7 | 1,020.6 | 28.5 217.7 | 2.8 |
| Video Lottery Interest Eamings | 73.4 8.2 | 71.3 | 90.9 19.3 | 79.4 | 98.8 38.3 | | | | | | | | • • | 413.8 102.7 | 419.6 | (5.8) 83.0 | -1.4% 421.3% |
| Receipts from Municipalities Receipts from Public Authorities | 7.2 | 6.1 | 5.1 | 3.4 | 76.5 | | | | | | | | • | 94.1 | 18.1 | 76.0 | 419.9 |
| | | • | | | | | | | | | | | • | | . c | | 0.0 |
| cost recovery Assessments Issuance Fees | 2.8 | 3.7 | 0.7 | 7.0 | | | | | | | | | | 7.2 | 7.2 | r: - | - F |
| Non Bond Related Rentals | 4.9 33.3 | 11.2 20.6 | 21.3 | 9.4 0.9 | 4.6 10.8 | | | | | | | | • • | 30.1 86.9 | 5.1 71.2 | 25.0 15.7 | 490.2% 22.1% |
| Revenues of State Departments: | 210 | 90 | 0 | 6.66 | đ | | | | | | | | | 6 | 2 10 | (0.6) | ę |
| Commissions | 6.9 | 8 - | 0.4 | 9 - | (0.2) | | | | | | | | | 7.0 | 2.7 | 4.3 | 159 |
| Commissions - Asset Conversion Gifts, Grants and Donations | 2.3 | - 0.8 | | - 0.3 | -0.5 | | | | | | | | | 3.9 | 2.5 | - 1.4 | 0 95 |
| Indirect Cost Recoveries Patient/Client Care Reimbursement | - 159.6 | - 201.8 | 0.8 196.3 | - 200.8 | - 198.2 | | | | | | | | • • | 0.8 956.7 | - 1,014.0 | 0.8 (57.3) | 6.6 |
| Rebates Restitution and Settlements | 10.1 | 8.8 | 15.2 | 16.4 | 8.0 | | | | | | | | • • | 58.5 104 D | 53.7 19.7 | 4.8 | 8. |
| Student Loans | 1.9 | 1.4 | 1.7 | 4.1 | (0.2) | | | | | | | | • | 6.2 | 12.6 | (6.4) | -20 |
| Sales | 0.6 | 1.4 | 2.1 | 2.3 | 19 | | | | | | | | | 7.9 | 6.5 | 1.4 | 21.5 |
| Tuition Total Miscellaneous Receipts | 36.7 1,478.5 | (26.1) 1,366.9 | 54.1 1,620.0 | 25.4 | 98.2 | . | | . | | . | | | | 188.3 7,774.6 | 277.8 7,151.5 | 623.1 | -32.2% |
| Federal Receipts | 6,617.3 | 7,336.9 | 8,009.8 | 5,495.7 | 5.878.5 | | | | | | | | | 33,338.2 | 44,280.6 | (10.942.4) | -24.7% |
| Total Receints | 0 000 0 | | | | | | | | | | | | | | | | |

| | | | | | | | | | | | | | Intra-Fund | | 5 Months Ended August 31 | ugust 31 | |
|--|---------------|-------------|-------------|-------------|-------------|-----------|---------|----------|----------|-----------------|----------|---------|------------------------------|-------------|--------------------------|--------------------------------|-------------------------|
| | 2022 APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | Transfer Eliminations (*) | 2022 | 2021 | \$ Increase/ % (Decrease) I | % Increase/ Decrease |
| DISBURSEMENTS: | | | | | | | | | | | | | | | | | |
| Local Assistance Grants: | | | | | | | | | | | | | | | | | |
| Education | 545.5 | 758.8 | 720.1 | 634.5 | 489.6 | | | | | | | | • | 3,148.5 | 3,015.9 | 132.6 | 4.4% |
| Environment and Recreation | • | 0.2 | 1.5 | 0.4 | 0.1 | | | | | | | | • | 2.2 | 2.2 | • | 0.0% |
| General Government | 133.0 | 41.8 | 47.6 | 403.7 | 28.4 | | | | | | | | | 654.5 | 567.9 | 86.6 | 15.2% |
| Public Health: | | | | | | | | | | | | | | | | | |
| Medicaid | 5,245.9 | 4,446.8 | 4,849.6 | 4,480.3 | 4,985.2 | | | | | | | | | 24,007.8 | 20,858.3 | 3,149.5 | 15.1% |
| Other Public Health | 527.5 | 669.1 | 1,043.5 | 636.9 | 734.8 | | | | | | | | | 3,671.8 | 3,495.6 | 176.2 | 5.0% |
| Public Safety | 73.8 | 119.3 | 212.9 | 8.68 | 243.9 | | | | | | | | | 739.7 | 683.8 | 55.9 | 8.2% |
| Public Welfare | 442.4 | 545.7 | 679.4 | 740.3 | 329.2 | | | | | | | | • | 2.737.0 | 2.179.0 | 558.0 | 25.6% |
| Support and Regulate Business | 2.3 | 2.1 | 0.8 | 1.0 | 1.7 | | | | | | | | | 7.9 | 13.4 | (5.5) | -41.0% |
| Transportation | 63.1 | 555.9 | 317.5 | 362.9 | 504.8 | | | | | | | | | 1,804.2 | 1,618.7 | 185.5 | 11.5% |
| Total Local Assistance Grants | 7,033.5 | 7,139.7 | 7,872.9 | 7,409.8 | 7,317.7 | . | . | . | . | . | | • | • | 36,773.6 | 32,434.8 | 4,338.8 | 13.4% |
| Departmental Operations: | | | | | | | | | | | | | | | | | |
| Personal Service | 468.6 | 458.0 | 449.1 | 457.8 | 674.1 | | | | | | | | | 2,507.6 | 2,606.2 | (38.6) | -3.8% |
| Non-Personal Service | 319.7 | 401.7 | 406.4 | 262.3 | 447.7 | | | | | | | | | 1,837.8 | 2,265.1 | (427.3) | -18.9% |
| General State Charges | 92.3 | 93.9 | 129.0 | 139.6 | 155.5 | | | | | | | | • | 610.3 | 741.3 | (131.0) | -17.7% |
| Debt Service, Including Payments on | | | | | | | | | | | | | | | | | |
| Financing Agreements | • | • | • | • | • | | | | | | | | • | • | 42.3 | (42.3) | -100.0% |
| Capital Projects | • | • | • | | • | | | | | | | | • | • | • | | 0.0% |
| Total Disbursements | 7,914.1 | 8,093.3 | 8,857.4 | 8,269.5 | 8,595.0 | • | • | • | • | | • | | | 41,729.3 | 38,089.7 | 3,639.6 | %9.6 |
| Excess (Deficiency) of Receipts | | | | | | | | | | | | | | | | | |
| over Disbursements | 674.2 | 845.7 | 1,345.6 | (964.7) | (749.2) | • | | | | | | | • | 1,151.6 | 14,979.5 | (13,827.9) | -92.3% |
| OTHER FINANCING SOURCES (USES): | | | | | | | | | | | | | | | | | |
| Transfers from Other Funds | 434.8 | 522.8 | 726.1 | 281.6 | 187.4 | | | | | | | | (355.1) | 1,797.6 | 1,620.3 | 177.3 | 10.9% |
| Transfers to Other Funds | (241.5) | (142.2) | (417.4) | (141.0) | (39.8) | | | | | | | | 355.1 | (626.8) | (569.1) | 57.7 | 10.1% |
| Total Other Financing Sources (Uses) | 193.3 | 380.6 | 308.7 | 140.6 | 147.6 | | | | | | | | | 1,170.8 | 1,051.2 | 119.6 | 11.4% |
| Evcase (Deficiency) of Beceints and | | | | | | | | | | | | | | | | | |
| Other Financing Sources over | | | | | | | | | | | | | | | | | |
| Disbursements and Other Financing Uses | 867.5 | 1,226.3 | 1,654.3 | (824.1) | (601.6) | | | • | • | • | • | | • | 2,322.4 | 16,030.7 | (13,708.3) | -85.5% |
| Ending Fund Balance | \$ 22,805.7 | \$ 24,032.0 | \$ 25,686.3 | \$ 24,862.2 | \$ 24,260.6 | • | • | \$ | \$ | \$ | \$ | • \$ | \$ | \$ 24,260.6 | \$ 26,700.0 | \$ (2,439.4) | -9.1% |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |

(b) Intra-Fund transfer eliminations represent transfers between Special Revenue-State and Federal Funds.

EXHIBIT G

STATE OF NEWYORK SFECIAL REVENUE FUNDS - COMBINED STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions)

| EXHIBIT G | % Increase/ Decrease 33.4% | 0.0% | 15.7% 65.3% -10.2% 60.6% | 0.0% 50.0% 1.9% | 15.8% -11.0% 82.1% -113.2% 1.0% | 8.0% | 11.1% | 25.1% 4.9% 121.7% | 4.5% 3.9% -3.8% -3.8% -2.1% -22.1% | 25.5% 2.8% -1.4% 419.9% | 0.0% 245.8% 0.0% 22.1% | -10.5% 159.3% 0.0% 48.0% -5.7% | 10.6% 427.9% 5.4% 21.5% | -32.2% 8.0% | 10,900.0% | 8.2% |
|--|--|--|--|---|--|-------------|--|---|---|---|--|---|---|---|------------------|----------------|
| | σ. | | 72.5 3.2 (31.6) (27.2) | 0.1 0.1 15.7 | 83.4 (3.3) 37.6 (4.3) 11.9 115.3 | 131.0 | 0.5 | 61.1 128.2 2.8 0.1 | (0.1) 9.7 36.2 36.2 (9.6) | 29.7 28.5 (5.8) 32.2 76.0 | 14.5 - 15.7 | (9.6) | (6.4) 14.7 14.7 | (89.5) 566.4 | 10.9 | 708.3 |
| | 5 Months Ended August 31 2021 \$ Increase/ 2021 (Decrease) \$ 5,708.6 \$ 1,903 | ı | 461.5 4.9 308.5 5.7 44.9 | 0.2 7.0 832.7 | 527.7 30.1 45.8 3.8 197.0 804.4 | 1,637.1 | 4.5 | 243.7 2,609.8 2.3 | 2.2 247.5 26.0 2.5 128.2 344.7 43.5 | 116.4 1,020.6 419.6 16.2 18.1 | - 5.9 7.2 7.12 | 91.7 2.7 2.5 2.5 1.014.0 | 19.7 19.7 12.6 270.4 6.5 | 277.8 7,051.9 | 0.1 | 8,689.1 |
| | 2022 \$ 7,612.5 | , | 534.0 8.1 276.9 5.1 | 0.3 6.3 848.4 | 611.1 26.8 8.3.4 (0.5) 198.9 919.7 | 1,768.1 | 5.0 | 304.8 2,738.0 5.1 0.1 | 2:1 257.2 257.2 257.2 257.2 257.2 380.9 33.9 | 146.1 1,049.1 217.7 413.8 48.4 94.1 | 20.4 7.2 86.9 | 82:1 7.0 3.7 0.8 0.8 | 20.8 104.0 6.2 285.1 7.9 | 7,618.3 | 11.0 | 9,397.4 |
| | MARCH | | | | | | | | | | | | | | | • |
| | FEBRUARY | | | | ľ | | | | | | | | | | | • |
| | 2023 JANUARY | | | | | | | | | | | | | . | | |
| | DECEMBER | | | . | | | | | | | | | | . | | • |
| | NOVEMBER | | | | | • | | | | | | | | | | • |
| | A OCTOBER | | | | | | | | | | | | | | | |
| | SEPTEMBER | | | | | | | | | | | | | | | |
| | AUGUST \$ 9,907.0 | 1 | 90.5 - 58.0 0.9 0.3 | - | 29.0 0.4 3.4 0.1 41.3 74.2 | 223.5 | 1.3 | 47.0 533.8 0.2 | 0 4 6 - 4 0 6 7 6 - 4 0 7 6 7 9 7 9 9 7 9 7 9 7 9 7 9 7 9 7 9 7 9 7 | 18.2 248.7 53.6 98.8 17.7 76.5 | | 9.0 (0.2) - - 198.2 | | 4, | | 1,927.4 |
| | JULY \$ 9,576.9 | ı | 93.4 52.9 103) | 147.0 | 56.4 0.9 0.9 0.9 39.1 96.7 | 243.7 | 0.9 | 92.2 574.1 - | 5.38.4 4.7 15.2 15.2 9.8 9.8 | 331.7 331.7 119.6 113.3 13.3 13.3 13.3 13.3 13.3 13.3 1 | - 60 - 10 - 10 - 10 - 10 - 10 - 10 - 10 - 1 | 24.3 0.3 200.8 | 8.8 4.1 10 2.3 | 25.4 1,540.2 | 0.2 | 1,784.1 |
| | JUNE \$ 8,754.1 | ļ | 128.0 6.3 7.0 7.0 7.0 7.0 7.0 7.0 7.0 7.0 7.0 7.0 | 0.1 6.2 202.5 | 252.8 18.4 57.6 41.9 370.7 | 573.2 | 1.0 | 38.6 564.2 0.3 0.1 | 1.3 92.8 5.0 0.5 24.5 24.5 2.9 2.9 | 41.1 232.8 38.6 90.9 8.9 8.9 5.1 | - 0.7 21.3 | 8:3 0.4 196:3 | 7.6 1.7 81.5 2.1 | 54.1 1,601.4 | 10.8 | 2,185.4 |
| | MAY \$ 8,528.2 | 1 | 87.0 - 1.2 8.0 | - 0.1 148.0 | 44.0 0.5 3.3 39.4 87.2 | 235.2 | 6.0 | (1.2) 530.6 - | 36.3 36.3 4.7 775 8.7 | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | 3.7 20.6 20.6 | 8.6 0.6 - 201.8 | 05 1.1.2 78.7 1.4 | (26.1) 1,311.3 | ' | 1,546.5 |
| | 2022 APRIL \$ 7,612.5 | 1 | 135.1 1.8 57.7 6.0 | 0.1 0.1 201.6 | 228.9 6.6 18.2 37.2 290.9 | 492.5 | 0.0 | 128.2 535.3 4.6 | 32.9 5.0 16.7 39.0 4.4 | 396 3 186 3 7 3 8 6 7 4 7 7 2 4 7 2 6 | - 1 2.5.8 3.3 3.3 | 31.9 6.8 759.6 759.6 | 38.4 38.4 0.8 0.8 | 36.7 1,461.5 | | 1,954.0 |
| STATE OF NEW YORK SPECIAL REVENUE FUNDS - STATE STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions) | Beginning Fund Balance | RECEIPTS: Taxes: Personal Income Tax | ConsumptionUJes Taxes: Sales and Use Auto Rentral Cigarette/Tobacco Products Camabis Motorr Finel | Alcoholic Beverage Highway Use Vapor Scise Total Consumption/Use Taxes | Busness Tarachie Corporation Franchie Corporation and Utilities Insurance and Bank Petroleum Business Total Business Taxes | Total Taxes | Miscellaneous Receipts: Abandoned Property: Assesements: | Dustrations Business Medical Care Public Utilities Cher | ress, transes and Permits. Audit Fees Business/Portesional Business/Portesional Chrimitael Mistor Vehicle Recendentacionaumer Fines, Pertaibles and Ordelunes Fines, Pertaibles and Ordelunes | canno Casno Lotes Mobile Sport Video Loteny Interest Earnin Municipatities Reseipts from Municipatities | Receips in those Automates. Bond Proceeds Cost Recovery Assessment's Issuance Fees Non Bond Related Rentals | Revenues of State Departments: Administrative Recoveries Commissions - Asset Conversion Grants and Donations GRIS, Grants and Donations Indirect Cost Recoveries Partent/Client Grant Reimbursement | Rebates Restitution and Settlements Student Loans All Other Sales | Tuition Total Miscellaneous Receipts | Federal Receipts | Total Receipts |

| | | | | | | | | | | | | | | 5 Months Ended August 31 | ugust 31 | |
|--|---------------|-----------|--------------|------------|-----------|-----------|---------|----------|----------|-----------------|----------|-------|-----------|--------------------------|----------------------------|-------------------------|
| | 2022 APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | 2022 | 2021 | \$ Increase/ (Decrease) | % Increase/ Decrease |
| DISBURSEMENTS: Local Assistance Grants: | | | | | | | | | | | | | | | | |
| Education | | 0.1 | 323.9 | 0.1 | 0.4 | | | | | | | | 324.5 | 326.2 | (1.7) | -0.5% |
| Environment and Recreation | • | 0.2 | 1.5 | 0.1 | 0.1 | | | | | | | | 1.9 | 1.6 | 0.3 | 18.8% |
| General Government | 131.9 | 30.3 | 21.3 | 14.5 | 23.1 | | | | | | | | 221.1 | 75.6 | 145.5 | 192.5% |
| Public Health: | ļ | ļ | | | | | | | | | | | | | | |
| Medicaid | 474.1 | 474.3 | 454.3 | 529.5 | 604.5 | | | | | | | | 2,536.7 | 2,174.8 | 361.9 | 16.6% |
| Other Public Health | 67.9 | 60.7 | 180.8 | 58.8 | 66.1 | | | | | | | | 434.3 | 458.0 | (23.7) | -5.2% |
| Public Safety | 15.9 | 16.0 | 13.6 | 35.2 | 16.8 | | | | | | | | 97.5 | 103.9 | (6.4) | -6.2% |
| Public Welfare | 1.0 | 0.4 | 0.6 | 0.3 | • | | | | | | | | 2.3 | F | 1.2 | 109.1% |
| Support and Regulate Business | 2.3 | 0.3 | 0.7 | 1.0 | 0.7 | | | | | | | | 5.0 | 7.4 | (2.4) | -32.4% |
| Transportation | 57.1 | 561.0 | 313.8 | 357.5 | 499.9 | | | | | | | | 1,789.3 | 1,599.6 | 189.7 | 11.9% |
| Total Local Assistance Grants | 750.2 | 1,143.3 | 1,310.5 | 0.766 | 1,211.6 | • | • | • | | • | • | | 5,412.6 | 4,748.2 | 664.4 | 14.0% |
| Departmental Operations: | | | | | | | | | | | | | | | | |
| Personal Service | 415.0 | 403.5 | 392.1 | 409.1 | 591.1 | | | | | | | | 2,210.8 | 1,930.0 | 280.8 | 14.5% |
| Non-Personal Service | 239.5 | 232.2 | 245.7 | 191.7 | 309.9 | | | | | | | | 1,219.0 | 1,171.2 | 47.8 | 4.1% |
| General State Charges | 67.7 | 60.3 | 88.4 | 114.2 | 123.1 | | | | | | | | 453.7 | 383.8 | 6.9.9 | 18.2% |
| Capital Projects | ' | | | | ' | | | | | | | | | ' | | 0:0% |
| Total Disbursements | 1,472.4 | 1,839.3 | 2,036.7 | 1,712.0 | 2,235.7 | • | • | | • | | • | | 9,296.1 | 8,233.2 | 1,062.9 | 12.9% |
| | | | | | | | | | | | | | | | | |
| Excess (Deficiency) of Receipts over Disbursements | 481.6 | (292.8) | 148.7 | 72.1 | (308.3) | | | | | | | | 101.3 | 455.9 | (354.6) | -77.8% |
| | | | | | | | | | | | | | | | | |
| OTHER FINANCING SOURCES (USES): Transfers from Other Funds | 434 B | 527 B | 726.1 | 281 G | 187.4 | | | | | | | | 7 152 7 | 2 025 4 | 177 2 | R 200 |
| Transfers to Other Funds | (0.7) | (4.1) | (52.0) | (23.6) | (3.4) | | | | | | | | (83.8) | (81.6) | 2.2 | 2.7% |
| Total Other Financing Sources (Uses) | 434.1 | 518.7 | 674.1 | 258.0 | 184.0 | | • | | • | | • | • | 2,068.9 | 1,943.8 | 125.1 | 6.4% |
| Excess (Deficiency) of Receipts and | | | | | | | | | | | | | | | | |
| Other Financing Sources over Disbursements and Other Financing Uses | 915.7 | 225.9 | 822.8 | 330.1 | (124.3) | | | | • | | | | 2,170.2 | 2,399.7 | (229.5) | -9.6% |
| Codina Crud Delance | 6 0 5 2 9 | 6 0 764 4 | | 0 002 0 | 2 0 7 0 7 | | ŝ | • | • | • | • | • | 5 0 707 J | e 0100.0 | 1 674 4 | /02 UC |
| | | 1.401,0 6 | * e.o.r.'e e | n. /ne'e ¢ | | • | • | • | | • | | | | | | 97.1.7Z |

EXHIBIT G

STATE OF NEW YORK SPECIAL REVENUE FUNDS - STATE STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions)

| | 2022 APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | 2022 | 5 Months Ended August 31 \$ Increase 2021 (Decrease | ed August 31 \$ Increase/ (Decrease) | % Increase/ Decrease |
|---|---------------|-------------|-------------|----------|------------|-----------|---------|----------|----------|-----------------|----------|-------|-------------|---|--|-------------------------|
| Beginning Fund Balance \$ | 14,325.7 | \$ 14,277.5 | \$ 15,277.9 | 4 | 1 | | | | | | | | \$ 14,325.7 | \$ 4,960.7 | \$ 9,365.0 | 188.8% |
| RECEIPTS: | | | | | | | | | | | | | | | | |
| Miscellaneous Receipts: | | | | | | | | | | | | | | | | |
| Abandoned Property: Abandoned Property | ı | , | , | , | , | | | | | | | | , | , | I | %00 |
| Assessments: | | | | | | | | | | | | | | | | |
| Business | 5.3 | 40.8 | 0.1 | 2.6 | 11.6 | | | | | | | | 60.4 | 54.2 | 6.2 | 11.4% |
| Medical Care Dublic I Hilitiae | | | | | | | | | | | | | • • | | • • | %0.0 %0.0 |
| other | | | | | | | | | | | | | | | | %0:0 %0:0 |
| Fees, Licenses and Permits: | | | | | | | | | | | | | | | | |
| Business/Professional | | | | | | | | | | | | | | | | %0.0 %0.0 |
| Criminal | | | | | | | | | | | | | | | | %0.0 %0.0 |
| Motor Vehicle | | 1 | 1 | 1 | , | | | | | | | | , | , | 1 | 0.0% |
| Recreational/Consumer | | ı | ı | ī | | | | | | | | | | | 1 | 0.0% |
| Fines, Penalties and Forfeitures | 0.7 | 0.7 | 4.0 | 0.5 | 0.7 0 6 | | | | | | | | 3.0 | 1.7 | 6.1.3 | 76.5% |
| Receipts from Municipalities | 0.° | | ± | <u>,</u> | 0.07 | | | | | | | | 25' | 0.0 ' | o'nc | %0'0 %0'0 |
| Receipts from Public Authorities: | | | | | | | | | | | | | | | | |
| Bond Proceeds | | | | | | | | | | | | | | | | %0.0 |
| Cost Recovery Assessments | | | | | | | | | | | | | | | | %0.0 %0.0 |
| Non Bond Related | | | | | | | | | | | | | | | | %0.0 0.0% |
| Rentals | | , | | | , | | | | | | | | | ' | | 0.0% |
| Revenues of State Departments: | | | | | | | | | | | | | | | | 200 O |
| Administrative Recoveries | | | | | | | | | | | | | | | | %.O.O |
| Gifts, Grants and Donations | | 0.2 | | | | | | | | | | | 0.2 | | 0.2 | 100.0% |
| Indirect Cost Recoveries | | | | | | | | | | | | | | • | • | %0:0 |
| Patient/Client Care Reimbursement | | • | • | | • | | | | | | | | | ' | • | %0.0 |
| Rebates | 7.2 | 8.3 | 7.6 | 7.6 | 7.0 | | | | | | | | 37.7 | 34.9 | 2.8 | 8.0% |
| Restitution and Settlements | • | | | | | | | | | | | | | • | • | %0:0 %0:0 |
| student Loans All Other | - 03 | | - 6 | - 03 | | | | | | | | | - 07 | 53 | (4.6) | -86.8% |
| Sales | | | | | , | | | | | | | | | |) - | %0.0 |
| Tuition | | | | | | | | | | | | | | • | | 0.0% |
| Total Miscellaneous Receipts | 17.0 | 55.6 | 18.6 | 25.2 | 39.9 | | • | • | | • | | | 156.3 | 93.6 | 56.7 | 56.9% |
| Federal Receipts | 6,617.3 | 7,336.9 | 7,999.0 | 5,495.5 | 5,878.5 | | | | | | | | 33,327.2 | 44,280.5 | (10,953.3) | -24.7% |
| Total Receipts | 6.634.3 | 7.392.5 | 8.017.6 | 5.520.7 | 5.918.4 | , | | | | | | | 33,483,5 | 44.380.1 | (10.896.6) | -24.6% |

| SPECIAL REVENUE FUNDS - FEDERAL STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions) | | | | | | | | | | | | | | | | |
|---|------------------|-------------|----------------------|------------|----------------|-----------|---------|----------|----------|-----------------|----------|-------|--------------|----------------------|---|-------------------------|
| | 2022 APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | 2022 | 5 Months End 2021 | 5 Months Ended August 31 \$ Increase/ 2021 (Decrease) | % Increase/ Decrease |
| ISBURSEMENTS: | | | - | | | | | | • | | | | | | | |
| 18: | 545.5 | 758.7 | 396.2 | 634.4 | 489.2 | | | | | | | _ | 2,824.0 | 2,689.7 | 134.3 | 5.0% |
| Environment and Recreation | | • | • | 0.3 | ' | | | | | | | _ | 0.3 | 0.6 | (0.3) | -50.0% |
| General Government | 1.1 | 11.5 | 26.3 | 389.2 | 5.3 | | | | | | | - | 433.4 | 492.3 | (58.9) | -12.0% |
| | | | | | | | | | | | | _ | | | | |
| | 4,777.8 | 3,972.5 | 4,395.3 | 3,950.8 | 4,380.7 | | | | | | | _ | 21,471.1 | 18,683.5 | 2,787.6 | 14.9% |
| Other Public Health | 459.6 | 608.4 | 862.7 | 638.1 | 668.7 | | | | | | | _ | 3,237.5 | 3,037.6 | 199.9 | 6.6% |
| | 57.9 | 103.3 | 199.3 | 54.6 | 227.1 | | | | | | | _ | 642.2 | 579.9 | 62.3 | 10.7% |
| | 441.4 | 545.3 | 6/8.8 | /40.0 | 329.2 | | | | | | | _ | 2,/34./ | 6.//L/2 | 2262 | 20.6% |
| Support and Kegulate Business | | 80 F | 0.1 | . : | 0.0 | | | | | | | _ | 5.9 | 0.9 | (3.1) | -51./% |
| Insportation | 6.00 2 2002 2 | (L.C) | 2./ 2. E E E 2. A | 0.420 | 6.4 6.406.4 | | | | | | | | 24 264 0 | 7 808 8 | 2 274 4 | %07Z- |
| SSISTATICE GIAILIS | 0,202.0 | 47088°C | +70C'0 | 0'417.0 | 0, 100.1 | • | • | • | • | • | • | • | 0.100,10 | 21,000.0 | 2,0/4.4 | 13.3% |
| Lepartmental Operations: Personal Service | 53.6 | 54.5 | 57.0 | 48.7 | 83.0 | | | | | | | _ | 296.8 | 676.2 | (379.4) | -56.1% |
| Non-Personal Service | 80.2 | 169.5 | 160.7 | 70.6 | 137.8 | | | | | | | _ | 618.8 | 1,093.9 | (475.1) | -43.4% |
| General State Charges | 24.6 | 33.6 | 40.6 | 25.4 | 32.4 | | | | | | | _ | 156.6 | 357.5 | (200.9) | -56.2% |
| Debt Service, Including Payments on | | | | | | | | | | | | _ | | | | |
| Financing Agreements | • | 1 | • | 1 | , | | | | | | | - | • | 42.3 | (42.3) | -100.0% |
| | • | • | • | | | | | | | | | | | | | %N'N |
| Total Disbursements | 6,441.7 | 6,254.0 | 6,820.7 | 6,557.5 | 6,359.3 | • | • | • | | • | • | • | 32,433.2 | 29,856.5 | 2,576.7 | 8.6% |
| Excess (Deficiency) of Receipts over Disbursements | 192.6 | 1,138.5 | 1,196.9 | (1,036.8) | (440.9) | | | ' | ' | | | | 1,050.3 | 14,523.6 | (13,473.3) | -92.8% |
| OTHER FINANCING SOURCES (USES): Transfers from Other Funds Transfers to Other Funds | - (240.8) | - (138.1) | - (365.4) | (117.4) | - (36.4) | | | | | | | | - (898.1) | - (892.6) | - 5.5 | 0.0% 0.6% |
| Total Other Financing Sources (Uses) | (240.8) | (138.1) | (365.4) | (117.4) | (36.4) | | • | | | | | | (898.1) | (892.6) | 5.5 | 0.6% |
| Excess (Deficiency) of Receipts and Other Financing Sources over | | | | | | | | | | | | _ | | | | |
| Disbursements and Other Financing Uses | (48.2) | 1,000.4 | 831.5 | (1,154.2) | (477.3) | · | • | • | • | • | · | · | 152.2 | 13,631.0 | (13,478.8) | -98.9% |
| Ending Fund Release | S 14 277 5 | \$ 15.277.0 | C 46 400 4 | 6 11 066 3 | 6 44 477 0 | ÷ | v | ÷ | | | • | ÷ | \$ 11.177.0 | \$ 18 501 7 | ¢ (/ 112.8) | -22,1% |

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| EXHIBIT H | August 31 \$ Increase/ % Increase/ (Decrease) Decrease \$ 37.0 56.9% | (513.0) -3.5% | 370.9 7.6% 370.9 7.6% | 1,476.0 1,476.0 1,476.0 | 66.3 11.2% 0.1 14.3% 66.4 11.2% | 1,400.3 6.9% | %0.0 | | - 0.0% | | | - 0.0% - 0.0% | 22.8 12.8% /0.1) _100.0% | (0.1) -1000 // | | | 25.8 1,842.9% | (91.7) -20.1% | (65.9) -14.5% | 1,500.1 7.5% | 31.4 4.7% 1.049.8 5.3% | (1,018.4) -5.4% | 481.7 52.5% | 518.7 52.8% |
|---|--|--|--|--|--|--------------|---|--|-------------------|--|---|---|---|---------------------------------------|------------------|----------------|--|---|---------------------|---|---|--------------------------------------|---|---------------------|
| | b Months Ended August 31 \$ \$ 1ncrease 2021 (Decrease \$ 65.0 \$ 37.0 | 14,672.7 | 4,897.4 4,897.4 | | 594.5 0.7 595.2 | 20,165.3 1, | 1 | | | | - 0.4 | 1 1 | 178.5 | | 30.2 | | (1.4) | 456.0 | 454.6 | 19,919.9 | 672.8 (19,675.6) 1, | (19,002.8) (1, | 917.1 | \$ 982.1 \$ |
| | 2022 \$ 102.0 | 14,159.7 | 5,268.3 5,268.3 | 1,476.0 1,476.0 | 660.8 0.8 661.6 | 21,565.6 | ı | | | | - 1.0 | | 201.3 | 202.3 | 40.8 | 21,808.7 | 24.4 | 364.3 | 388.7 | 21,420.0 | 704.2 (20,725.4) | (20,021.2) | 1,398.8 | \$ 1,500.8 |
| | MARCH | | ' | | | | | | | | | | | | | . | | | | | | | | م |
| | FEBRUARY | | | . | | ' | | | | | | | | | | | | | ' | | | • | | ۔ ج |
| | 2023 JANUARY | | | | . | | | | | | | | | . | | | | | | • | | | | , |
| | DECEMBER | | | | . | | | | | | | | | | | | | | • | | | • | | , w |
| | NOVEMBER | | | | | | | | | | | | | . | | | | | ' | | | • | | , w |
| | OCTOBER | | | | | | | | | | | | | | | | | | ' | | | | | ¢ 28 |
| | SEPTEMBER | | | | | ' | | | | | | | | | | | | | ' | | | ' | | , v |
| | AUGUST \$ 846.1 | 1,794.4 | 1,004.0 1,004.0 | 43.9 | 116.0 0.2 116.2 | 2,958.5 | ' | | | | | | 26.2 | 26.2 | | 3,0 | 5.3 | 164.3 | 169.6 | 2,851.6 | 8.8 (2,205.7) | (2,196.9) | 654.7 | \$ 1,500.8 |
| | - JULY \$ 524.0 | 1,545.8 | 1,035.8 1,035.8 | (24.5) (24.5) | 144.6 0.2 144.8 | 2,701.9 | | | | | 1 1 | | 46.5 | 46.5 | | 2,75 | 17.5 | 8.0 | 25.5 | 2,725.9 | 131.1 (2,534.9) |) (2,403.8) | 322.1 | \$ 846.1 |
| | JUNE 320.2 | 1 2,096.6 | 2 1,314.7 2 1,314.7 | 2) 1,390.2 1,390.2 | 0 117.8 1 0.1 1 17.9 | 2 4,919.4 | | | | | · | | 9 44.1 | 9 45.1 | | 1 4,965.8 | 5 0.1 | 5 46.7 | 0 46.8 | 1 4,919.0 | 6 190.7 4) (4,905.9) | 8) (4,715.2) | 3 203.8 | 2 \$ 524.0 |
| | 0 \$ 265.9 | 8 1,362.1 | 6 982.2 6 982.2 | 6 (24.2) 6 (24.2) | 4 130.0 2 0.1 6 130.1 | 6 2,450.2 | | | | | | | 6 25.9 | 6 25.9 | | 2 2,476.1 | 1.5 | 8 29.5 | 8 31.0 | 4 2,445.1 | 0 20.6 5) (2,411.4) | 5) (2,390.8) | 9 54.3 | 9 \$ 320.2 |
| | 2022 APRIL \$ 102.0 | 7,360.8 | 931.6 931.6 | 90.6 90.6 | 152.4 0.2 152.6 | 8,535.6 | · | | | | | | 58.6 | 58.6 | | 8,594.2 | · | 115.8 | 115.8 | 8,478.4 | 353.0 (8,667.5) | s) (8,314.5) | 163.9 | \$ 265.9 |
| STATE OF NEW YORK DEBT SERVICE FUNDS STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions) | Beginning Fund Balance | RECEIPTS: Taxes: Personal Income Tax | Consumption/Use Taxes: Sales and Use Total Consumption/Use Taxes | business Laxes: Pass-Through Entity Total Business Taxes | Other Taxes: Real Estate Transfer Employer Compensation Expense Tax Total Other Taxes | Total Taxes | Miscellaneous Receipts: Assessments: Medical Care | rees, Licerises and Fermis. Alcohol Beverage Control Licensing Business/Professional | Civil Criminal | Motor Vehicle Recreational/Consumer | Interest Earnings Receipts from Municipalities | Receipts from Public Authorities. Bond Proceeds Rentals | Revenues of State Departments: Patient/Client Care Reimbursement | Sales Total Miscellaneous Receipts | Federal Receipts | Total Receipts | DISBURSEMENTS: Departmental Operations: Non-Personal Service | Debt Service, including Payments on Financing Agreements | Total Disbursements | Excess (Deficiency) of Receipts over Disbursements | OTHER FINANCING SOURCES (USES): Transfers from Other Funds Transfers to Other Funds | Total Other Financing Sources (Uses) | Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | Ending Fund Balance |

| Beginning Fund Balance | CC0C | | | | | | | | | | | | | | | | |
|---|--------------|--------------|--------------|-------------|--------------|-----------|----------|----------|----------|-----------------|----------|-------|------------------------------|----------------|---------------|----------------------------|-------------------------|
| ainnina Fund Balance | APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OC TOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | Transfer Eliminations (*) | 2022 | 2021 | \$ Increase/ (Decrease) | % Increase/ Decrease |
| | \$ (1,543.9) | \$ (1,643.7) | \$ (1,319.8) | <u>ה</u> | \$ (1,403.4) | | | | | | | | s | \$ (1,543.9) | \$ (1,144.0) | \$ (399.9) | -35.0% |
| RECEIPTS: Taxes: | | | | | | | | | | | | | | | | | |
| Consumption/Use Taxes: Auto Rental | 9.4 | 0.1 | 21.2 | | 0.1 | | | | | | | | | 30.8 | 19.6 | 11.2 | 57.1% |
| Motor Fuel | 21.5 | 29.5 | 15.2 | (1.0) | (0.7) | | | | | | | | • | 64.5 | 166.7 | (102.2) | -61.3% |
| Highway Use Total Consumption/Use Taxes | 42.8 | 40.1 | 9.4 45.8 | 10.7 | 11.4 | . | | | | | | . | | 54.9 150.2 | 62.0 248.3 | (7.1) | -11.5% |
| Business Taxes: | | | | | | | | | | | | | | | | | |
| Corporation Franchise | | • | | ' 0 | ' ? | | | | | | | | | ' ' | ' 0 | | %0.0 |
| Corporation and Utilities Petroleum Rusiness | 1.6 47 5 | 50.5 | 1.8 53.0 | 0.2 40.6 | 0.1 5.2.7 | | | | | | | | | 3.7 | 2.9 | 0.8 | 27.6% |
| Total Business Taxes | 49.1 | 50.2 | 55.7 | 49.8 | 52.8 | | · | . | · | . | . | | . | 257.6 | 252.4 | 5.2 | 2.1% |
| Other Taxes: Pool Ectate Transfer | | | 75.7 | 0 YC | 75.7 | | | | | | | | | C 22 | 36.7 | 44.6 | 116 702 |
| Total Other Taxes | | | 25.7 | 25.8 | 25.7 | | . | . | . | . | . | | | 77.2 | 35.7 | 41.5 | 116.2% |
| Total Taxes | 91.9 | 90.3 | 127.2 | 86.3 | 89.3 | | | | . | | . | | | 485.0 | 536.4 | (51.4) | -9.6% |
| Miscellaneous Receipts: Abandoned Property: | | | | | | | | | | | | | | | | | |
| Bottle Bill Assessments | | | 23.0 | | | | | | | | | | | 23.0 | 23.0 | | %0.0 |
| Business | 7.1 | 5.9 | 5.7 | 5.4 | 5.2 | | | | | | | | | 29.3 | 36.1 | (6.8) | -18.8% |
| Fees, Licenses and Permits: Busineer/Deventional | | - - | | 0 | 4 | | | | | | | | | 70 | 15.0 | (6.3) | 700 C.F |
| Civil | | ! , | | 2 - | 2 - | | | | | | | | | 5 ' | - | (n:n) | %0.0 %0.0 |
| Motor Vehicle | 60.09 | 57.0 | 55.9 | 58.9 | 54.8 | | | | | | | | ' | 286.6 | 333.9 | (47.3) | -14.2% |
| Recreational/Consumer | 4 0 | 7.0 | 6. C | 5.3 | 5.5 | | | | | | | | | 20.7 | 6.7 | 14.0 | 209.0% |
| rilies, reliaiues allu rolleiules Interest Earnings | 9.1 1.0 | 3 13 | 0.3 | 0.5 | 0.6 | | | | | | | | | 9.4 1.6 | 0.2 | 14 | 200.0% |
| Receipts from Municipalities | | 0.2 | 0.3 | | | | | | | | | | | 0.5 | 0.1 | 0.4 | 400.0% |
| Receipts from Public Authorities: Rond Proceeds | 887.7 | 077 B | 513.0 | 515 | 271 Q | | | | | | | | , | 2 R01 7 | 2465 | 2345.2 | 676 B% |
| Issuance Fees | | | | <u>.</u> - | | | | | | | | | | | n - | | %0.0 |
| Non Bond Related | 0.4 | (0.1) | 1.3 | • | 0.8 | | | | | | | | | 2.4 | 3.8 | (1.4) | -36.8% |
| Rentals | 2.6 | 10.6 | 1.8 | 2.7 | 2.2 | | | | | | | | , | 19.9 | 8.3 | 11.6 | 139.8% |
| Revenues or state uepartments: Administrative Recoveries | | , | , | , | | | | | | | | | , | , | , | | 0.0 |
| Gifts, Grants and Donations | | 1.3 | 1.2 | 0.9 | 0.3 | | | | | | | | | 3.7 | 6.4 | (2.7) | 42.29 |
| Indirect Cost Recoveries | 5.7 | 4.2 | 11.1 | 8.5 | 9.8 | | | | | | | | | 39.3 | 1 | 39.3 | 100.09 |
| Rebates | | | ' 6 | - 2 | · 6 | | | | | | | | | - 5 | | - 9) | 60.0 90.02 |
| All Other | 7.3 | 1.9 | 1.2 | 1.2 | 11 | | | | | | | | | 12.7 | 23.5 | (10.8) | 46.0% |
| Sales Total Microllonocure Bondiate | - 0.70 | 0.2 | - 840.0 | 427.6 | | | | | | | | | ' | 0.2 2.464.0 | 0.2 | - 1000 0 | 0.0% |
| I OLAI IMISCEILAILEOUS RECEIPLS | . R7716 | 1,001.4 | 013:3 | 0.161 | 7.000 | • | • | • | • | • | | • | • | 0.461.6 | £'C70 | 1.926,2 | %.A.107 |
| Federal Receipts | 134.4 | 166.2 | 210.1 | 187.9 | 288.5 | | | | | | | | • | 987.1 | 451.6 | 535.5 | 118.6% |
| Total Receipts | 1,199.2 | 1,323.9 | 957.2 | 411.8 | 734.0 | | • | • | | • | • | • | • | 4,626.1 | 1,813.9 | 2,812.2 | 155.0% |

STATE OF NEW YORK CAPITAL PROJECTS FUNDS - COMBINED STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions)

| | | | | | | | | | | | | | Intra-Fund | | 5 Months Ended August 31 | d August 31 | |
|--|-----------------------|--------------------|---------------|--------------|--------------|-----------|---------|----------|------------|-------------------|----------|--------|------------------------------|--------------|--------------------------|----------------------------|-------------------------|
| | 2022 APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | R DECEMBER | 2023 R JANUARY | FEBRUARY | MARCH | Transfer Eliminations (*) | 2022 | 2021 | \$ Increase/ (Decrease) | % Increase/ Decrease |
| DISBURSEMENTS: | | | | | | | | | | I | | | | | | | |
| Local Assistance Grants: | 10 6 | 91 | ¢ 01 | 017 | 30 | | | | | | | | | 0.02 | 107 | 147 61 | 70C FF |
| | 0.0 | 0.0 | 7.01 | 0 | 0.0 | | | | | | | | | 102 5 | | (C.)+) | 02.7.84 |
| | 0.4 č | P 0 7 | 0.01 F 0C | 4 1 | 0.04 | | | | | | | | | 0.001 | 1.00 | 00.1 | 0/.0.00 /0/.00 |
| General Government | 5.21 | 110./ | 1.82 | C'17 | 40.0 | | | | | | | | • | 232.8 | 5.041 | C'/R | %.7.Ng |
| Public Health: | | | | | | | | | | | | | | | | | 700 0 |
| Medicald | • | • | • | • | • | | | | | | | | • | • | | • | 0.0% |
| Other Public Health | 43.9 | 16.4 | 61.2 | 37.6 | 35.0 | | | | | | | | • | 194.1 | | (38.3) | |
| Public Safety | 11.7 | 10 | 14.8 | 11.9 | 3.0 | | | | | | | | • | 42.4 | | 4.3 | |
| Public Welfare | 48.7 | 40.8 | 33.8 | 34.4 | 83.8 | | | | | | | | ' | 241.5 | | (34.2) | |
| Support and Regulate Business | 17.1 | 19.2 | 81.7 | 103.1 | 26.1 | | | | | | | | 1 | 247.2 | | (48.2) | |
| Transportation | 32.9 | 70.7 | 107.4 | 27.9 | 45.0 | | | | | | | | | 283.9 | | (685.1) | |
| Total Local Assistance Grants | 189.5 | 281.3 | 348.8 | 271.7 | 396.0 | . | . | | | | | ' | . | 1,487.3 | 2,162.7 | (675.4) | -31.2% |
| Departmental Operations: | | | | | | | | | | | | | | | | | |
| Personal Service | • | • | • | • | • | | | | | | | | ' | ' | ' | ' | 0.0% |
| Non-Personal Service | • | | | 1 | | | | | | | | | 1 | | | | 0.0% |
| General State Charges | | ' | , | • | • | | | | | | | | ' | ' | ' | ' | 0.0% |
| Capital Projects | 489.3 | 537.1 | 807.5 | 545.7 | 779.9 | | | | | | | | ' | 3,159.5 | 2,797.5 | 362.0 | 12.9% |
| Total Dishursamente | 678 S | 849.4 | 1 166 3 | 847.4 | 1 175 0 | | | | | | | | | A 646 8 | 4 ORD 2 | (V EPE) | 76.3 |
| | 0.000 | tion | C'001'1 | 1.10 | 0.011 | | | | | | | | | a totot | 1,000.4 | (toric) | |
| Excess (Deficiency) of Receipts over Disbursements | 520.4 | 505.5 | (199.1) | (405.6) | (441.9) | | | | • | • | | • | | (20.7) | (3,146.3) | 3,125.6 | 99.3% |
| | | | | | | | | | | | | | | | | | |
| OTHER FINANCING SOURCES (USES): Bond and Note Proceeds (net) | | , | | , | | | | | | | | | , | , | , | | 0.0% |
| Transfers from Other Funds | (611.1) | (172.1) | 195.9 | 369.2 | 224.9 | | | | | | | | ' | 6.8 | 2.549.6 | (2.542.8) | |
| Transfers to Other Funds | (9.1) | (9.5) | (35.2) | (8.8) | (2.7) | | | | | | | | ' | (65.3) | (57.9) | 7.4 | 12.8% |
| Total Other Financing Sources (Uses) | (620.2) | (181.6) | 160.7 | 360.4 | 222.2 | | | | | | • | | | (58.5) | 2,491.7 | (2,550.2) | -102.3% |
| | | | | | | | | | | | | | | | | | |
| Excess (Deficiency) of Receipts and Other Financing Sources over | | | | | | | | | | | | | | | | | |
| Disbursements and Other Financing Uses | (8.66) | 323.9 | (38.4) | (45.2) | (219.7) | • | • | | | | | | ' | (79.2) | (654.6) | 575.4 | 87.9% |
| Ending Fund Balance | \$ (1,643.7) | \$ (1,319.8) | \$ (1,358.2) | \$ (1,403.4) | \$ (1,623.1) | s | \$ | s | 。 。 | ~ | S | , ° | ~ | \$ (1,623.1) | \$ (1,798.6) | \$ 175.5 | 9.8% |
| (*) Intra-Fund transfer eliminations represent transfers from Capital Projects-State and Federal Funds | fers from Capital Pro | jects-State and Ft | ederal Funds. | | | | | | | | | | | | | | |

EXHIBIT I

STATE OF NEW YORK CAPITAL PROJECTS FUNDS - COMBINED STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions)

| | | | | | | | | | | | | | | 5 Months Er | 5 Months Ended August 31 | |
|--|---------------|--------------|--------------|--------------|----------|-----------|---------|----------|-------------------|------------------------|------------------------|-------|----------------|----------------|----------------------------|-------------------------|
| | 2022 APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | NOVEMBER DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | 2022 | 2021 | \$ Increase/ (Decrease) | % Increase/ Decrease |
| Beginning Fund Balance | \$ (756.8) | \$ (835.7) | \$ (856.1) | \$ (854.3) | | | | | | | | | \$ (756.8) | \$ (563.7) | \$ (193.1) | -34.3% |
| RECEIPTS: Taxes: Consumption/Use Taxes | | | | | | | | | | | | | | | | |
| Auto Rental Motor Fuel | 9.4 21.5 | 0.1 29.5 | 21.2 15.2 | - (1.0) | 0) (0.7) | | | | | | | | 30.8 64.5 | 19.6 166.7 | 11.2 (102.2) | 57.1% -61.3% |
| Highway Use Total Consumntion/Ilse Taves | 11.9 | 10.5 | 9.4 | 11.7 | | | | | | | | | 54.9 | 62.0 248.3 | (7.1) | -11.5% |
| Business Taxes | | | | | | | | | | | | | | 200.7 | Linet | |
| Corporation Franchise Corporation and Utilities | - 1.6 | | - 1.8 | - 0.2 | 2 0.1 | | | | | | | | 3.7 | - 2.9 | - 0.8 | 0.0% 27.6% |
| Petroleum Business Total Business Taxes | 47.5 49.1 | 50.2 50.2 | 53.9 55.7 | 49.6 49.8 | | . | . | . | . | . | . | . | 253.9 257.6 | 249.5 252.4 | 4.4 5.2 | 1.8% 2.1% |
| Other Taxes Real Estate Transfer | . | • | 25.7 | 25 | | | | | | | | | 2 27 | 35.7 | 415 | 116.2% |
| Total Other Taxes | | · | 25.7 | 25.8 | 8 25.7 | · | . | · | · | · | . | . | 77.2 | 35.7 | 41.5 | 116.2% |
| Total Taxes | 91.9 | 90.3 | 127.2 | 86.3 | 3 89.3 | · | | . | . | . | . | | 485.0 | 536.4 | (51.4) | -9.6% |
| Miscellaneous Receipts: Abandoned Property: | | | | | | | | | | | | | | | | : |
| Bottle Bill Assessments: | | | 23.0 | | | | | | | | | | 23.0 | 23.0 | | 0.0% |
| Business Fees, Licenses and Permits: | 7.1 | 5.9 | 5.7 | 5.4 | 4 5.2 | | | | | | | | 29.3 | 36.1 | (6.8) | -18.8% |
| Business/Professional Child | 3.3 | 1.2 | 1.4 | 1.0 | 0 1.8 | | | | | | | | 8.7 | 15.0 | (6.3) | -42.0% |
| Motor Vehicle | 60.09 | 57.0 | 55.9 | 58.9 | | | | | | | | | 286.6 | 333.9 | (47.3) | -14.2% |
| Recreational/Consumer Fines Denalties and Forfaitures | 1.4 | 7.0 | 1.5 2.0 | vi≁ | 3 5.5 | | | | | | | | 20.7 | 6.7 | 14.0 | 209.0% -16.1% |
| Interest Earnings | 0.1 | 0.1 | 0.3 | 0.5 | | | | | | | | | 1.6 | 0.2 | 1.4 | 700.0% |
| Receipts from Municipalities Receipts from Public Authorities | | 0.2 | 0.3 | | | | | | | | | | 0.5 | 0.1 | 0.4 | 400.0% |
| Bond Proceeds | 882.7 | 972.6 | 513.0 | 51.5 | 27 | | | | | | | | 2,691.7 | 346.5 | 2,345.2 | 676.8% |
| Isouance rees Non Bond Related | - 0.4 | (0.1) | 1.3 | | - 0.8 | | | | | | | | 2.4 | 3.8 | (1.4) | -36.8% |
| Revenues of State Denartments: | 2.6 | 10.6 | 1.8 | ri | | | | | | | | | 19.9 | 8.3 | 11.6 | 139.8% |
| Administrative Recoveries | | | • | | | | | | | | | | | • | • | 0.0% |
| Gifts, Grants and Donations | | 1.3 | 1.2 | 0.0 | 9 0.3 | | | | | | | | 3.7 | 6.4 | (2.7) | -42.2% |
| Indirect Cost Recoveries Rehates | 5.7 | 4.2 | 11.1 | øj , | | | | | | | | | 39.3 | | 39.3 | 100.0% |
| Restitution and Settlements | 0.5 | 3.0 | 0.2 | 0.4 | | | | | | | | | 4.3 | 11.0 | (6.7) | -60.9% |
| All Other Salas | 7.3 | 1.9 | 1.2 | ÷. , | 2 1.1 | | | | | | | | 12.7 | 23.5 | (10.8) | -46.0% |
| Total Miscellaneous Receipts | 972.9 | 1,067.4 | 619.9 | 137.6 | 6 356.2 | | . | . | | $\left \cdot \right $ | $\left \cdot \right $ | . | 3,154.0 | 825.9 | 2,328.1 | 281.9% |
| Federal Receipts | | ı | ' | 0.1 | 1 2.1 | | | | | | | | 2.2 | 4.5 | (2.3) | -51.1% |
| Total Receipts | 1,064.8 | 1,157.7 | 747.1 | 224.0 | 0 447.6 | • | | • | | | | | 3,641.2 | 1,366.8 | 2,274.4 | 166.4% |

STATE OF NEW YORK CAPITAL PROJECTS FUNDS - STATE STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (arrounts in millions)

| | | | | | | | | | | | | | | 5 Months Er | 5 Months Ended August 31 | |
|---|---------------|------------|------------|------------|--------------|-----------|---------|----------|----------|-----------------|----------|-------|--------------|-------------|--|-------------------------|
| | 2022 APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | 2022 | 2021 | <pre>\$ Increase/ (Decrease)</pre> | % Increase/ Decrease |
| DISBURSEMENTS: | | | | | | | | | | | | | | | | |
| Education | 18.6 | 7.6 | 10.2 | 14.9 | 8.6 | | | | | | | | 59.9 | 107.4 | (47.5) | -44.2% |
| Environment and Recreation | 4.3 | 8.9 | 10.0 | 14.4 | 39.6 | | | | | | | | 77.2 | 99.4 | (22.2) | -22.3% |
| General Government | 12.3 | 116.7 | 29.7 | 27.5 | 46.6 | | | | | | | | 232.8 | 145.3 | 87.5 | 60.2% |
| Public Health: | | | | | | | | | | | | | | | | |
| Medicaid | | | | , | | | | | | | | | | | • | 0.0% |
| Other Public Health | 43.9 | 16.4 | 61.2 | 37.6 | 35.0 | | | | | | | | 194.1 | 228.7 | (34.6) | -15.1% |
| Public Safety | 0.1 | 1.0 | (2.4) | 4.4 | 3.0 | | | | | | | | 6.1 | 16.9 | (10.8) | -63.9% |
| Public Welfare | 48.7 | 40.8 | 33.8 | 34.4 | 83.8 | | | | | | | | 241.5 | 275.7 | (34.2) | -12.4% |
| Support and Regulate Business | 17.1 | 19.2 | 81.7 | 103.1 | 26.1 | | | | | | | | 247.2 | 295.4 | (48.2) | -16.3% |
| Transportation | 4.1 | 16.9 | 78.8 | 5.8 | 14.1 | | | | | | | | 119.7 | 820.8 | (701.1) | -85.4% |
| Total Local Assistance Grants | 149.1 | 227.5 | 303.0 | 242.1 | 256.8 | . | . | . | . | . | . | . | 1,178.5 | 1,989.6 | (811.1) | -40.8% |
| Departmental Operations: | | | | | | | | | | | | | | | | |
| Personal Service | | | | ' | • | | | | | | | | | | | 0.0% |
| Non-Personal Service | | | | , | | | | | | | | | | | | 0.0% |
| General State Charges | | • | | • | • | | | | | | | | | | | 0.0% |
| Capital Projects | 374.4 | 769.0 | 603.2 | 406.1 | 565.9 | | | | | | | | 2,718.6 | 2,198.6 | 520.0 | 23.7% |
| Total Disk | 3 663 | 2 000 | 6 900 | 6 01 9 | 2 000 | | | | | | | | 1 200 2 | 1 100 2 | 11 1007 | 7 007 |
| I UTAL DISDUT SETTERITS | C.620 | 330.0 | 300.2 | 040.4 | 1.770 | • | | • | • | • | • | • | 1.160,0 | 4,100.2 | (1:162) | %n·1- |
| Excess (Deficiency) of Receipts | 6 443 | 164.2 | 116041 | IC PCP) | 1276.41 | | | | | | | | 10 3367 | 17 100 07 | 7 202 6 | /00 00 |
| over disdurserrients | - 14C | 101.2 | - (1.801) | (424.2) | (1.676) | • | | . | | . | • | • | (8.002) | (2,821.4) | . c.coc'7 | 30.3% |
| OTHER FINANCING SOURCES (USES): Bond and Note Proceeds (net) | , | | | | | | | | | | | | | | | 0.0% |
| Transfers from Other Funds | (611.1) | (172.1) | 195.9 | 369.2 | 224.9 | | | | | | | | 6.8 | 2,549.6 | (2,542.8) | -99.7% |
| Transfers to Other Funds | (9.1) | (9.5) | (35.0) | (8.9) | (2.6) | | | | | | | | (65.1) | (57.6) | 7.5 | 13.0% |
| Total Other Financing Sources (Uses) | (620.2) | (181.6) | 160.9 | 360.3 | 222.3 | | | | | | | | (58.3) | 2.492.0 | (2.550.3) | -102.3% |
| | | | | | | | | | | | | | | ſ | | |
| Excess (Deficiency) of Receipts and Other Financing Sources over | | : | : | | | | | | | | | | | | | i |
| Disbursements and Other Financing Uses | (78.9) | (20.4) | 1.8 | (63.9) | (152.8) | • | • | • | • | • | • | • | (314.2) | (329.4) | 15.2 | 4.6% |
| Ending Fund Balance | \$ (835.7) | \$ (856.1) | \$ (854.3) | \$ (918.2) | \$ (1,071.0) | s | S | ج | د | s | \$ | ج | \$ (1,071.0) | \$ (893.1) | \$ (177.9) | -19.9% |
| | | | | | | | | | | | | | | | | |

EXHIBIT I

STATE OF NEW YORK CAPITAL PROJECTS FUNDS - STATE STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (arrounts in millions)

| Matrix static | STATE OF NEW YORK CAPITAL PROJECTS FUNDS - FEDERAL STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions) | | | | | | | | | | | | | | | | EXHIBIT I |
|--|---|----------------|-----------|-----------|---------|------------|-----------|---------|----------|---------|-------------------|------------|---------|----------|-------------|--|-------------------------|
| 1 (101) 1 (101) 1 (101) 1 (101) 1 (101) 1 (101) 1 (101) 1 (101) 1 (101) 1 (101) 1 (101) 1 (101) 1 (101) 1 | | 2022 A PRII | νam | III. | × | AIIGUST | SEPTEMBER | OCTOBER | NOVFMBER | | 2023 .14N114RV | FERRIARY | MARCH | 2022 | 5 Months En | ided August 31 \$ Increase/ (Decrease) | % Increase/ Decrease |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Beginning Fund Balance | () | - | 2 | 5 | 21 | | OCIONEN | NOT | | | | | <u>ا</u> | \$ (580.3) | (Decrease) \$ (206.8) | -35.6% |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | RECEIPTS: Miscellaneous Receipts: | | | | | | | | | | | | | | | | |
| 1 | Abandoned Property: Botte Bill | | | | | , | | | | | | | | | , | | 0.0% |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Assessments. Business Ceae Tionares and Darmits: | , | | | , | | | | | | | | | | , | | 0.0% |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | rees, ucenses and remits. Business/Professional | | | | | | | | | | | | | | | | 0.0% |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | ouvi Motor Vehicle Beredening/Crossimer | | | | | | | | | | | | | | | | %0:0 %0:0 |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Fines, Penalties and Forfeitures | | | | | | | | | | | | | | | | %0.0 %0.0 |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Interest Earnings Receipts from Municipalities Perveints from Dublic Authorities | | | | | | | | | | | | | | | | %0:0 |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Bond Proceeds Issuance Fees | | | | | | | | | | | | | | | | 0.0 %0.0 |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Non Bond Related Rentals | • • | | • • | | | | | | | | | | • • | • • | • • | 0.0 %0.0 |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Revenues of State Departments: Administrative Recoveries | | | | | | | | | | | | | | | | %U U |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Gifts, Grants and Donations | | | | | | | | | | | | | | | | 0.0% %0.0 |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | Induced Cost recoveries Restitution and Settlements All Other | | | | | | | | | | | | | | | | %0.0 %0.0 |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | | • • • | . | · . · | . | · . • | . | . | . | . | . | . | | | | | 0.0% |
| 14.4 1662 2701 187.8 286.4 \cdots | - Ferteral Receipts | 134.4 | 166.2 | 210.1 | 187.8 | 286.4 | | | | | | 1 | Ĩ | 984.9 | 447 1 | 537.8 | 120.3% |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Total Receipts | 134.4 | 166.2 | 210.1 | 187.8 | 286.4 | . | . | . | . | . | . | | 984.9 | 447.1 | 537.8 | 120.3% |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | DISBURSEMENTS: | | | | | - | | | | | | | | | | | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | Local Assistance Grants: Education | i | ı | ı | i. | | | | | | | | | | ' | | 90.0 200 |
| $\begin{array}{cccccccccccccccccccccccccccccccccccc$ | Environment and Recreation General Government Dublic Haoth: | | | | | 108.3 | | | | | | | | - 108.3 | | 108.3 | 0.0% |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | ruoro reauti. Medicaid Other Durvic Heatth | | | | | | | | | | | | | | - ° ° | ' ' ' | 0.0% |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | Public Safety Public Welfare | 11.6 | | 17.2 | 7.5 | | | | | | | | | 36.3 | 21.2 | 15.1 | 71.2% |
| $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | Support and Regulate Business Transportation | - 28.8 | 53.8 | - 28.6 | 22.1 | 30.9 | | | | | | | | 164.2 | - 148.2 | - 16.0 | 0.0% 10.8% |
| $\begin{array}{cccccccccccccccccccccccccccccccccccc$ | Total Local Assistance Grants Departmental Operations: | 40.4 | 53.8 | 45.8 | 29.6 | 139.2 | • | • | | • | | | • | 308.8 | 173.1 | 135.7 | 78.4% |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | Personal Service Non-Personal Service | | | | | | | | | | | | | | | | 0.0% 0.0% |
| 153 1781 2601 1682 333.2 . . . 749.7 (209) 344.3 (40.0) 186 (66.8) . | General State Charges Capital Projects | 114.9 | - (231.9) | 204.3 | - 139.6 | 214.0 | | | | | | | | 440.9 | 598.9 | - (158.0) | 0.0% -26.4% |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | Total Disbursements | 155.3 | (178.1) | 250.1 | 169.2 | 353.2 | | | | | • | • | | 749.7 | 772.0 | (22.3) | -2.9% |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | Excess (Deficiency) of Receipts over Disbursements | (20.9) | 344.3 | (40.0) | 18.6 | (66.8) | | | | | | | | 235.2 | (324.9) | 560.1 | 172.4% |
| (209) 3443 (402) 187 (669) \$ (8080) \$ (463.7) \$ (303.9) \$ (445.2) \$ (552.1) \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ | OTHER FINANCING SOURCES (USES): Transfers from Other Funds Transfers to Other Funds | | | (0.2) | - 0.1 | - (0.1) | | | | | | | | . (0.2) | . (0.3) | - (0.1) | 0.0% |
| (209) 34.3 (40.2) 18.7 (66.9) · · · · · · · · · · · · · · · · · · · | Total Other Financing Sources (Uses) | . | . | (0.2) | 0.1 | (0.1) | . | . | . | | | | | (0.2) | (0.3) | 0.1 | 33.3% |
| \$ (808.0) \$ (463.7) \$ (503.9) \$ (485.2) \$ (552.1) \$ </th <th>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</th> <th>(20.9)</th> <th>344.3</th> <th>(40.2)</th> <th>18.7</th> <th>(66.9)</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th>235.0</th> <th>(325.2)</th> <th>560.2</th> <th>172.3%</th> | Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | (20.9) | 344.3 | (40.2) | 18.7 | (66.9) | | | | | | | | 235.0 | (325.2) | 560.2 | 172.3% |
| | Ending Fund Balance | | | (503.9) | | | - \$ | ' \$ | ' \$ | , \$ | \$ | | ' \$ | | | \$ 353.4 | 39.0% |

ЗЗ

EXHIBIT J

STATE OF NEW YORK ENTERPRISE FUNDS STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (arrounts in millions)

| STATE OF NEW YORK INTERNAL SERVICE FUNDS STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions) | |
|---|--|
| STATE INTERN STATEI FISCAL (amoun | |

| | % Increase | 62.4% | -5.6% | -5.6% | 17.9% 43.5% 0.0% | 34.0% | -203.5% | -29.5% -6.7% | -30.9% | 423.9% | 33.2% |
|--------------------------|--|------------------------|-------------------------------------|----------------|---|---------------------|---|---|--------------------------------------|---|---------------------|
| - | | | | | | ļ | | | | I | |
| ed August 3 | <pre>\$ Increase/ (Decrease)</pre> | \$ 226.8 | (11.0) | (11.0) | 8.4 73.4 | 81.8 | (92.8) | (22.8) (0.3) | (22.5) | (115.3) | \$ 111.5 |
| 5 Months Ended August 31 | 2021 | \$ (363.5) | 194.9 | 194.9 | 47.0 168.9 24.6 | 240.5 | (45.6) | 77.3 (4.5) | 72.8 | 27.2 | \$ (336.3) |
| | 2022 | \$ (136.7) | 183.9 | 183.9 | 55.4 242.3 24.6 | 322.3 | (138.4) | 54.5 (4.2) | 50.3 | (88.1) | \$ (224.8) |
| | MARCH | | | | | . | , | | | | - \$ |
| | FEBRUARY | | | | | | | | · | | - - |
| | 2023 JANUARY F | | | | | | , | | | | - - |
| | DECEMBER J | | | | | | , | | | | |
| | NOVEMBER DE | | | | | - | , | | | - - | ه ا |
| | OCTOBER NOV | | | - | | - | | | | | ي ب |
| | | | | | | | | | | | Ś |
| | SEPTEMBER | | | | | | | | | | \$ |
| | AUGUST | \$ (189.0) | 43.7 | 43.7 | 15.1 68.2 4.7 | 88.0 | (44.3) | 8.5 | 8.5 | (35.8) | \$ (224.8) |
| | JULY | \$ (175.0) | 25.8 | 25.8 | 9.8 27.2 4.7 | 41.7 | (15.9) | 2.1 (0.2) | 1.9 | (14.0) | \$ (189.0) |
| | JUNE | \$ (159.2) | 46.6 | 46.6 | 10.4 79.6 6.9 | 96.9 | (50.3) | 38.4 (3.9) | 34.5 | (15.8) | \$ (175.0) |
| | МАҮ | \$ (149.9) | 36.0 | 36.0 | 9.7 3.5 5.0 | 48.2 | (12.2) | 3.0 (0.1) | 2.9 | (9.3) | \$ (159.2) |
| | 2022 APRIL | \$ (136.7) | 31.8 | 31.8 | 0 4.0 8.0 8.0 8.0 0 | 47.5 | (15.7) | 2.5 | 2.5 | (13.2) | \$ (149.9) |
| | | Beginning Fund Balance | RECEIPTS: Miscellaneous Receipts | Total Receipts | DISBURSEMENTS: Departmental Operations: Personal Service Non-Personal Service General State Charges | Total Disbursements | Excess (Deficiency) of Receipts over Disbursements | OTHER FINANCING SOURCES (USES): Transfers from Other Funds Transfers to Other Funds | Total Other Financing Sources (Uses) | Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses | Ending Fund Balance |

ЕХНІВІТ К

| ЕХНІВІТ L | I August 31 | (Decrease) Decrease | \$ 318.9 100.0% | 2.8 5.3% | 2.8 5.3% | | (0.6) -10.9% 1.2 6.1% | 5.4 10.0% | (2.6) -152.9% | %0:0 - | - 0.0% | _ | \$ 316.3 18,605.9% |
|--|--------------------------|---------------------|------------------------|-------------------------------------|----------------|--|---|---------------------|---|---|--------------------------------------|---|---------------------|
| | 5 Months Ended August 31 | 2021 | \$ | 52.5 | 52.5 | 28.9 | 5.5 19.8 | 54.2 | (1.7) | | • | | \$ (1.7) |
| | 5 | 2022 | \$ 318.9 | 55.3 | 55.3 | 33.7 | 21.0 | 59.6 | (4.3) | | • | (4.3) | \$ 314.6 |
| | | MARCH | | | • | | | • | | | • | • | • |
| | | FEBRUARY | | | • | | | • | | | • | • | ч 9 |
| | | ≿ | | | • | | | • | • | | • | • | ч в |
| | | DECEMBER | | | | | | • | | | • | • | ۰ ه |
| | | NOVEMBER | | | • | | | • | • | | • | • | • |
| | | OCTOBER N | | | • | | | • | • | | • | • | • |
| | | SEPTEMBER C | | | | | | • | • | | • | • | \$ • |
| | | AUGUST S | | 10.0 | 10.0 | 9 6 | 9 8 3 8 | 14.2 | (4.2) | | • | (4.2) | \$ 314.6 |
| | | | \$ 321.8 | 7.0 | 7.0 | 5.7 | 0.7 3.6 | 10.0 | (3.0) | | • | (3.0) | \$ 318.8 |
| | | JUNE | \$319.6 | 16.0 | 16.0 | 5.9 | 1.8 6.1 | 13.8 | 2.2 | | • | | \$321.8 |
| | | MAY | \$ 320.1 | 10.9 | 10.9 | 9.9 9 | 3.8 3.8 | 11.4 | (0.5) | | • | (0.5) | \$ 319.6 |
| | | | \$ 318.9 | 11.4 | 11.4 | .0 2 | 0.6 3.7 | 10.2 | 1.2 | | • | 1.2 | \$ 320.1 |
| STATE OF NEW YORK TRUST FUNDS STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions) | | | Beginning Fund Balance | RECEIPTS: Miscellaneous Receipts | Total Receipts | DISBURSEMENTS: Departmental Operations: Personal Service | Non-Personal Service General State Charges | Total Disbursements | Excess (Deficiency) of Receipts over Disbursements | OTHER FINANCING SOURCES (USES): Transfers from Other Funds Transfers to Other Funds | Total Other Financing Sources (Uses) | Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses | Ending Fund Balance |

| STATE OF NEW YORK PRIVATE PURPOSE TRUST FUNDS STATEMENT OF CASH FLOW FISCAL YEAR 2022-2023 (amounts in millions) | | | | | | | | | | | | | ιc | E 5 Months Finded Auroust 34 | EXI A Autorist 31 | 8XHIBIT M |
|--|--------------------------|----------------|-------------------|-----------------|-------------------|-----------|---------|----------|----------|-----------------|----------|------------|-------------------|---------------------------------|-----------------------------|---------------------------------|
| Beginning Fund Balance | 2022 APRIL \$ 45.9 | MAY \$ 47.4 | JUNE - \$ | JULY \$ 48.4 | AUGUST \$ 48.8 | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | 2022 \$ 45.9 | 2021 \$ 40.2 | 10° 1 | 6 Increase Decrease 14.2% |
| RECEIPTS: Miscellaneous Receipts Total Receipts | 1.5 1.5 | 0.6 0.6 | 0.5 0.5 | 0.5 0.5 | 0.6 0.6 | | | | | | | | 3.7 3.7 | 21 21 | 9. 1.0 | 76.2% 76.2 % |
| DISBURSEMENTS: Departmental Operations: Personal Service Romenal Service General State Charges Total Disbursements | | 0 · · [0 | · · · · | 0.1 0.1 | <u>.</u> <u>.</u> | | | | | · | | | 0.2 0.1 0.1 | 0.1 0.2 | <u>.</u> , , <mark>.</mark> | 100.0% 0.0% 0.0% |
| Excess (Deficiency) of Receipts over Disbursements | 1.5 | 0.5 | 0.5 | 0.4 | 0.5 | • | | ' | • | . | • | · | 3.4 | 1.9 | 1.5 | 78.9% |
| OTHER FINANCING SOURCES (USES): Transfers from Other Funds Transfers to Other Funds Total Other Financing Sources (Uses) | · · • | | | · . · | | • | | | | | | | · · • | | · . . | 0.0% 0.0% 0.0 % |
| Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses Ending Fund Balance | 1.5 \$ 47.4 | 0.5 \$ 47.9 | 0.5 \$ 48.4 | 0.4 \$ 48.8 | 0.5 | ، ، ب | ч Ф | ب | , Э | | ، ب | ، با با | 3.4 \$ 49.3 | 1.9 \$ 42.1 | 1.5 \$ 7.2 | 78.9% 17.1% |

| STATE OF NEW YORK GOVERNMENTAL FUNDS SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES FISCAL YEAR 2022-2023 FOR THE MONTH OF AUGUST 2022 (amounts in millions) | BALANCE AUGUST 1, 2022 | RECEIPTS | DISBURSEMENTS | OTHER FINANCING SOURCES (USES) | SCHEDULE 1 BALANCE AUGUST 31, 2022 |
|---|--|--|---|-----------------------------------|--|
| GENERAL FUND 10000-10049-Local Assistance Account 10050-10099-State Operations Account 10100-10149-Tax Stateiization Reserve | \$ 43,672,455 | \$ 0.245 2,490.444 - | \$ 3,457.000 1,618.483 - | \$ 3,456.755 (1,640.170) | \$ 42,904.246 |
| 10150-10139-Contingency reserve 10200-10290-Universal Pre-K Reserve 10250-10299-Community Projects 10300-10349-Rainy Day Reserve Fund 10400-10449-Refund Reserve Account | 26.093 | | - - 0.026 - | | - 26.067 - |
| 10500-10549-Fringe Benefits Escrow 10550-10599-Tobacco Revenue Guarantee TOTAL GENERAL FUND | - - 43,698.548 | - - 2,490.689 | - - 5,075.509 | - - 1,816.585 | - - 42,930.313 |
| SPECIAL REVENUE FUNDS-STATE 20000-20099-Mental Health Gifts and Donations 20100-20299-Combined Expendable Trust | 0.809 63.479 | 0.001 0.635 | 0.002 0.437 | | 0.808 67.7 |
| 20300-20349-New York Interest on Lawyer Account 20350-20399-NYS Archives Partnership Trust 20400-20449-Child Performer's Protection 20450-2049-Turtion Reimbursenent | 123.830 0.154 0.544 8.620 | 4.774 - 0.022 0.174 | 0.384 0.050 0.038 0.308 | | 128.220 0.104 0.528 8.486 |
| 20500-20549-New York State Local Government Records Management Improvement 20550-20599-School Tax Relief 20600-20649-Narter Schools Stimulus 20650-20849-Nart-For-Profit Short Term Revolving Loan 20850-20849-HCRA Resources 20850-20899-Dedicated Mass Transportation Trust | 10.622 - 6.025 - 71.105 | 0.881 - 0.007 599.470 41.223 | 0.615 - - 596.241 60.875 | | 10.888 - 6.032 241.401 60.492 |
| 20900-20949-State Lottery 20950-20999-Combined Student Loan 21000-21049-Sewage Treatment Program Mgmt. & Administration 21050-21149-Encon Special Revenue 21150-21149-Conservation 21250-21249-Environmental Protection and Oil Spill Compensation 21250-21299-Training and Education Program on OSHA 21300-21349-Lawyers Fund for Client Protection | 1,349.522 15.583 (0.232) (0.232) 12.389 104.176 15.666 5.286 5.286 | 347.823 1.861 - 5.947 3.687 9.010 0.560 | 3.147 0.204 0.063 8.338 8.338 3.794 1.829 5.195 5.195 | | 1,894,198 17,240 (0,295) 11,650 16,329 15,263 9,101 2,367 |
| 21350-21399-Equipment Loan for the Disabled 21400-21449-Mass Transportation Operating Assistance 21400-21549-New York State Infrastructure Trust 21550-21599-Legislative Computer Services 21650-21699-Legislative Computer Services 21650-21699-Lombined Non-Expendable Trust 21500-21899-Combined Non-Expendable Trust 21700-21799-Muscial Instrument Revolving 21500-2189-Arts Capital Grants 21500-22499-Miscellaneous State Special Revenue 22500-22549-Court Facilities Incentive Aid | 0.508 1.031.230 0.7245) 0.7245) 0.72590 12.590 0.468 0.468 - - 2.105.987 34.039 | 0.003 135.543 2.982 2.982 2.982 2.982 0.081 - 192.600 0.047 | 426 803 3.803 3.803 3.803 - 0.096 - - 284,497 - 5.388 | 2.449 2.449 | 0.511 742.419 (0.0264) 0.0624) 12.575 0.468 0.468 0.468 2.698 2.058.415 28.698 |

| STATE OF NEW YORK GOVERNMENTAL FUNDS SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES |
|--|
| FISCAL TEAK 2022-2023 FOR THE MONTH OF AUGUST 2022 (amounts in millions) |

| BALNOLS CALOLIST 1, 2022 RECIPITY DEGURSTIGNET OTHER FINANCIA SECOLAL REVENUE FUNDS 51/LE (CONTINUE) 2,64003 375/27 745/27 2016 | FOR THE MONTH OF AUGUST 2022 (amounts in millions) | | | | | |
|---|---|---------------------------|-----------|-----------------|-----------------------------------|----------------------------|
| ITULED 0.053 7.1487 7.487 ee 3.356.7 7.1487 0.166 ave Enforcement and arrance Fraud Prevention 0.156 0.084 0.166 ave Enforcement and ction 0.175 0.03 0.166 0.166 ord 0.032 0.003 0.017 0.035 0.0166 ction 0.032 0.003 0.017 0.035 0.037 ction 0.032 0.003 0.017 0.035 0.017 ction 0.032 0.003 0.013 0.133 0.035 cons 0.032 0.003 0.013 0.013 0.013 cons 0.032 0.003 0.013 0.013 0.013 cons 0.035 0.004 0.013 0.013 0.016 cons 0.035 0.003 0.013 0.013 0.016 cons 0.035 0.003 0.173 0.016 0.125 daming Fund 117.796 0.1733 0.126 | | BALANCE AUGUST 1, 2022 | RECEIPTS | DISBURSEMENTS | OTHER FINANCING SOURCES (USES) | BALANCE AUGUST 31, 2022 |
| Section 2,440.00 37.8.7 77.487 evelor 5,356 0.063 7.14.87 0.196 evention 0,776 - 0.196 0.770 evention 0,775 - 0.196 0.770 evention 0,613 - - 0.196 0.770 evention 0,613 - - 0.022 0.035 etion 0,613 - - 0.175 0.315 of insormer fraud Prevention 0,613 - - 0.175 of insormer fraud Prevention 0,613 - - 0.315 of insormer fraud Prevention 0,6101 - - 3.233 of fract 0,024 0,177 0.035 - - of and pranting fund 115.666 0.176 -< | | | | | | |
| Note 2,440.00 378.57 714.87 714.87 a Law Enforcement and surance Faud Prevention 0,775 0.064 0.196 0.196 surance Faud Prevention 0,153 0.064 0.196 0.770 oscion 0,613 0.009 0.770 0.022 otection 0,848 0.010 - - 0.196 offset 0,025 0.003 0.773 0.335 - - danagement and 0,036 0.733 0.010 - | 22550-22599-Employment Training | 0.053 | • | | | 0.053 |
| antice 5.38 0.084 0.166 elaw Erforcement and overance Fraud Prevention 0.576 - - - - 0.166 - 0.166 - 0.166 - - 0.166 - 0.166 - 0.166 - - 0.166 - 0.166 - - 0.166 - - 0.166 - 0.166 - - - 0.166 - 0.166 - - - - - - - - - - - - 0.166 -< | 22650-22699-State University Income | 2,484.040 | 378.637 | 774.837 | 95.229 | 2,183.069 |
| Law Enforcement and summer Frauk Freeding 0.776 - 0.166 summer Frauk Prevention 41651 0.009 0.770 summer Frauk Prevention 0.033 - 0.022 summer Frauk Prevention 0.034 - 0.022 summer Frauk Prevention 0.032 0.001 - - Program 0.032 0.017 - 0.022 attions constant 0.032 0.017 - - - damagement and 0.001 - | 22700-22749-Chemical Dependence Service | 5.358 | 0.084 | 0.196 | | 5.246 |
| atom 41.61 0.00 0.770 example 0.013 - 0.022 example 0.013 - 0.022 example 0.013 0.013 0.012 example 0.013 0.013 0.012 atoms Criticat 0.010 - - danagement and 0.011 - - atoms Criticat 0.011 - - atoms Critest 0.011 - - - atoms Critest 0.011 - - - - atoms Critest 0.011 - - - - - atoms Critest 0.011 - | 22750-22799-Lake George Park Trust | 0.776 | • | 0.196 | | 0.580 |
| Amount 0.001 0.002 0.001 0.001 0.001 0.001 0.001 0.001 0.001 0.001 0.001 0.001 0.001 0.001 0.001 0.011 <t< td=""><td>ZZGUU-ZZG49-STATE POlice Motor Venicle Law Enforcement and Motor Vehicle The& and Incurrence Erouid Dravention</td><td>41 664</td><td></td><td>022.0</td><td></td><td>008 07</td></t<> | ZZGUU-ZZG49-STATE POlice Motor Venicle Law Enforcement and Motor Vehicle The& and Incurrence Erouid Dravention | 41 664 | | 022.0 | | 008 07 |
| Amendant 0.001 - <t< td=""><td>23850 22800 Naw Vark Croat Lake Distortion</td><td>41.001</td><td>600.0</td><td>0.170</td><td></td><td>1030 1031</td></t<> | 23850 22800 Naw Vark Croat Lake Distortion | 41.001 | 600.0 | 0.170 | | 1030 1031 |
| Program 8.42 (19.85) 0.010 0.052 - 0.006 - - 0.0173 0.315 0.016 - - 0.016 - - 0.0173 0.315 0.016 - - 0.0173 0.315 0.0173 0.315 0.016 - - 0.0173 0.315 0.0173 0.010 0.0166 - - 0.0173 0.0173 0.0173 0.315 0.0166 0.010 0.0166 - - 0.002 - - 0.022 0.010 0.026 - - 0.022 0.016 0.026 0.0168 0.0166 0.0168 | 22000-22009-IVEW TOIN GIERI LARES FIDIECIOI | 0.024 | | 770.0 | | 160.0 MCU U |
| | 2200-22040- Education (Nevenue maximization) 22950-229999-Housing Development | 8.428 | 0100 | | | 570.0 8.438 |
| 0.052 0.006 - | 23000-23049-NYS/DOT Highway Safety Program | (19.856) | 0.173 | 0.315 | | (19.998) |
| danagement and danagement and interest and Penalty interest and Penalt | 23050-23099-Vocational Rehabilitation | 0.052 | 0.006 | | | 0.058 |
| attoms Offset 0.001 - | 23100-23149-Drinking Water Program Management and | | | | | |
| ations Cffset (4.410) - 3.323 at a 2.060 (4.410) - 3.323 at a 2.060 (4.410) - 3.323 at a 2.060 (4.410) - 3.200 (4.200) - 3.200 | Administration | 0.001 | | | | 0.001 |
| Offset 55.155 4.206 7.211 ng 0.2776 0.002 17.736 7.211 Fund 17.796 2.455 0.046 17.751 Fund 70.316 17.732 2.035 3.557 Fund 70.316 17.732 3.557 0.046 Fund 70.316 0.572 2.035 3.557 State Special Revenue 54.850 0.480 3.283 3.557 ond 0.061 0.002 1.7733 3.283 3.283 ond 153.227 0.183 0.182 2.035 3.283 ond 0.002 0.323 9.424 1.7733 3.283 3.283 ond 0.002 0.183 0.183 0.182 3.283 3.283 ond 0.0182 0.183 0.183 0.183 3.283 3.283 3.283 3.283 3.283 3.285 3.266 3.266 3.266 3.266 3.266 3.266 3.266 3.26 | 23150-23199-NYC County Clerks' Operations Offset | (40.410) | • | 3.323 | | (43.733) |
| add 0.276 0.002 - Fund 17.786 2.469 12.751 Fund 17.786 2.465 0.046 Fund 15.666 0.169 12.751 al Gaming Fund 15.566 0.169 12.751 al Caming Fund 15.566 0.169 12.751 State Special Revenue 54.850 92.597 0.182 2.035 State Special Revenue 55.270 0.183 0.183 3.283 an 0.56.270 0.183 0.182 3.283 an 0.323 0.183 0.226 0.182 an 0.3667 0.026 0.233 2.36531 an 0.323 1.316 2.36651 2.36531 and 0.323 1.316 2.36651 2.36531 and 0.333 1.3155 2.36531 2.36531 Annoistation 1.513 1.3155 2.36531 2.36531 Annoistation 1.513 1.327.326 3.3 | 23200-23249-Judiciary Data Processing Offset | 95.155 | 4.926 | 7.211 | | 92.870 |
| Interest and Penalty 733.469 22.080 19.03 Fund 115.66 0.169 2.455 0.046 ial Caming Fund 15.66 0.163 2.035 2.035 state Special Revenue 54.850 0.2572 2.035 2.035 state Special Revenue 54.850 0.183 2.203 2.035 on 0.013 0.183 2.203 2.035 on 150.227 0.183 2.203 2.035 on 150.227 0.183 2.236 2.235 on 1302 0.183 3.236 2.36677 fulcome 424.274 54.067 1.327.366 2.366.756 fulcome 424.274 54.067 1.32.256 38.266 fulcome 424.274 54.067 1.37.256 38.266 fulcome 1319 1.372 2.366.756 38.266 consumer Services (19.031) 42.667 38.266 38.266 nouros Operating Grants 1.373 | 23500-23549-USOC Lake Placid Training | 0.276 | 0.002 | | | 0.278 |
| Interest and Penalty 11./96 2.455 0.046 Interest and Penalty 17.785 0.169 12.751 all Gaming Fund 16.748 0.572 2.035 sial Gaming Fund 16.748 0.572 2.035 sial Gaming Fund 16.748 0.572 2.035 State Special Revenue 56.270 0.480 3.283 on 153.227 0.183 0.182 2.035 on 153.227 0.183 0.182 2.035 on 2.3192 0.002 - - on 2.3192 0.032 - - on 2.3192 0.323 - - funcome 4.48.779 1.339 5.276671 - funcome 4.48.773 1.337 342.65 - - funcome 5.864.38 41.555 38.136 - - funcome 6.588.917 4.24.641 315.500 - - consumer Services | 23550-23599-Indigent Legal Services | 793.469 | 22.080 | 19.703 | • | 795.846 |
| Frund 115.066 115.066 115.065 115.065 127.83 8.527 State Special Revenue 56.270 0.061 0.572 2.035 State Special Revenue 54.850 92.597 0.182 2.035 State Special Revenue 54.850 0.572 0.182 2.035 State Special Revenue 54.850 0.572 0.182 2.035 on 155.227 0.183 2.2465 on 155.227 0.182 0.002 on 155.214 50.61 0.032 on 0.061 0.022 0.183 on 0.057 1,927.366 1.316 on Services 6,1463 173.220 348.265 f Income 418.779 1,356.213 5.276.671 n Services 6,54.663 173.220 356.756 n Services 6,54.663 0.222 38.136 oeus Operating Grants 145.738 41.525 38.136 Administration 0.54.671 315.560 36.756 oeus Operating Grants 14.548 0.222 38.136 Administration 0.548 0.226 36.756 FUNDS-FEDERAL 1,996.775 8,54.64 | 23600-23649-Unemployment Insurance Interest and Penalty | 11.796 | CC4.2 | 0.046 | | G02.02 |
| and saming rund (17.4) (17.4) (17.4) (17.4) (17.4) (17.4) (17.4) (17.4) (17.4) (1. | 23650-23699-MTA Financial Assistance Fund | 115.666 | 0.169 | 12./21 | 61.602 | 164.686 |
| Main Sizes | 23/00-23/49-New Tork State Confinencial Gaming Fund 23750 23700 Modical Compositio Truck Fund | 010.01 | C01.11 | 170.0 | | 210.61 |
| on 55.20 (183 0.460 (183 3.283 (183 3.283 (183 3.283 (183 3.283 (183 3.283 (183 3.283 (183 3.283 (183 3.283 (183 3.283 (183 3.283 (193 3.283 3.383 3. | 23/30-23/33-Wedical Califiaus Trust Fullu 33800-33809-Dedicated Miscellaneous State Sherial Revenue | 54 850 | 210.0 | 0.182 | | 147 265 |
| on 153.227 0.183 0.002 2.3192 0.183 0.002 2.3192 0.033 42.427 5.400 2.333 4.24.27 5.400 0.002 2.3192 0.032 2.236.531 7.1927.366 2.336.50 0.325 2.236.561 1.927.366 2.336.50 0.367.56 1.13.220 3.65.671 3.45.651 3.45.265 0.265 | 24800-24849-NYS Cannabis Revenue | 56 270 | 0 460 | 3 283 | | 53 447 |
| d 0.061 0.002 - s 424.274 54.067 - /Income 418.4774 51.967 - /Income 418.4774 51.967 - /Income 418.4774 51.967 - /Income 418.4774 51.967 - /Income 418.2735 51.961 - Consumer Services 6.585.917 4,856.213 5,276.671 in Services 6,585.917 4,856.213 5,276.671 ous Operating Grants 6,585.917 4,856.213 5,276.671 Administration (166.970) 424.641 345.500 eus Operating Grants 8,514.663 0,226 0,365 Administration (166.970) 424.641 345.500 eurance Occupational Training (14.548) 0,226 0,365 Training Grants 14.555 8,594.850 23.629 FUNDS-FEDERAL 24,817 7,845.735 8,594.850 FUNDS-FEDERAL 7,155.032 2,544.293< | 24850-24899-Health Care Transformation | 153.227 | 0.183 | | | 153.410 |
| s 23.192 0.323 - - / Income 424.274 54.067 - - / Income 424.274 54.067 - - / Income 424.274 1,927.356 5.235.631 - / Income 9,907.077 1,927.356 2,235.631 - / Income 9,907.077 1,927.356 2,235.631 - / Income 6,555.917 1,927.356 2,235.651 - / Income 6,555.917 4,856.213 315.500 - / Income 1,73.220 36.756 - - - Administration 1,15.23 315.500 - < | 24900-24949-Charitable Gifts Trust Fund | 0.061 | 0.002 | | | 0.063 |
| Income 424.274 54.067 - - / Income 418.779 1,319 - | 24950-24954-Interactive Fantasy Sports | 23.192 | 0.323 | | | 23.515 |
| / Income 418.779 1.319 - FUNDS-STATE 9.907.077 1,319 2,236.631 Consumer Services (119.031) 397.651 342.265 Consumer Services (,585.917 4,856.213 5,276.671 Consumer Services (,585.917 4,856.213 5,276.671 Administration (,154.663 173.220 38.6.756 Administration (,154.863 173.220 38.6.756 Administration (,154.863 173.220 38.6.756 Administration (,154.863 173.220 38.6.756 Administration (,153.222 24.81.379 0.226 FUNDS-FEDERAL 14,956.150 5,918.379 6,363.219 FUNDS-FEDERAL 14,956.150 5,918.379 6,365.219 FUNDS-FEDERAL 14,956.150 5,918.379 6,350.219 FUNDS-FEDERAL 14,956.178 24,81.379 6,350.219 FUNDS-FEDERAL 14,956.178 24,81.379 6,350.518 FUNDS-FEDERAL 14,956.178 1,373 <td< td=""><td>24955-24959-Mobile Sports Wagering</td><td>424.274</td><td>54.067</td><td></td><td></td><td>478.341</td></td<> | 24955-24959-Mobile Sports Wagering | 424.274 | 54.067 | | | 478.341 |
| FUNDS-STATE 9,307.077 1,927.356 2,235.631 Consumer Services (119.031) 397.651 348.265 In Services (119.031) 397.651 348.265 Consumer Services (166.970) 424.641 315.500 eous Operating Grants (166.970) 424.641 315.566 Administration 145.438 173.220 38.136 Administration (0.548) 0.226 0.262 Administration (0.548) 0.226 0.262 Training Grants (4.319) 24.903 23.629 EUNDS-FEDERAL 14.956.150 5.918.379 6.389.219 EUNDS-FEDERAL 14.956.150 5.918.379 6.389.265 Advinistration 0.226 2.4.811 1.555 EUNDS-FEDERAL 24.62.227 7,845.735 8,594.850 Advinistration 0.226 2.4.811 1.573 Advinistration 24.613 1.573 2.4.4293 Advinistration 7,845.735 8,594.850 1.573 | 40350-40399-State University Dormitory Income | 418.779 | 1.319 | | (29.568) | 390.530 |
| Consumer Services (119.031) 397.651 348.265 in Services 6.585.917 4.856.213 5.2766671 in Services (166.970) 4.24.641 315.500 eous Operating Grants 8.514.438 173.220 38.136 Administration 145.438 41.525 38.136 Administration 0.24903 2.4903 2.639.219 EUNDS-FEDERAL 14.319) 2.4.903 6.359.232 FUNDS-FEDERAL 14.316) 0.226 0.262 Training Grants (0.548) 0.226 0.262 FUNDS-FEDERAL 14.316) 5.918.379 6.389.219 Constance Occupational Training (0.548) 2.4.903 2.36.29 FUNDS-FEDERAL 24.862.227 7,845.735 8.594.850 FUNDS-FEDERAL 24.861.735 2.4.811 1.573 Solock 1.373 2.544.293 1.573 Solock 1.373 2.544.293 1.573 Solock 1.573 2.544.293 1.573 Sol | TOTAL SPECIAL REVENUE FUNDS-STATE | 9,907.077 | 1,927.356 | 2,235.631 | 183.936 | 9,782.738 |
| SDAFcod and Consumer Services (119.031) 397.651 348.265 ealth and Human Services (156.970) 44.641 345.500 ealth and Human Services (5.55.917 4.856.213 5,276.6671 deration (166.970) 4.1525 38.156 ment Insurance Administration (155.43) 173.220 36.556 ment Insurance Administration (0.548) 0.226 36.756 ment Insurance Administration (145.438) 0.226 38.136 ment Insurance Cocupational Training (0.548) 0.226 38.136 meth Insurance Occupational Training (0.548) 0.226 38.136 meth Insurance Occupational Training (0.548) 0.226 38.136 meth Insurance Occupational Training (0.548) 0.226 38.136 AL REVENUE Tubing Grants 14,965.150 5,918.379 6,359.219 AL REVENUE EUNDS 24,802 2,445.735 8,594.850 eath Service 715.032 2,544.293 1,595.18 1 eath Service < | SPECIAL REVENUE FUNDS-FEDERAL | | | | | |
| ealth and Human Services 6,555.917 4,556.213 5,276.671 ducation 143.41 315.500 424.641 315.500 ducation (166.970) 424.641 315.500 38.136 ment Insurance Administration (155.33 173.220 35.6756 38.136 ment Insurance Administration (1.548) 0.226 38.136 0.262 ment Insurance Administration (0.548) 0.226 38.136 0.262 ment Insurance Administration (0.548) 0.226 38.136 0.262 metholyment and Training Grants (1.319) 24.903 24.903 23.629 Mployment and Training Grants (1.319) 24.903 23.629 38.136 AL REVENUE FUNDS-FEDERAL 14.965.150 5,918.379 6,3592.219 5,918.379 ENUE FUNDS 24.802 24.811 2,442.33 8,594.850 3,594.850 atth Services 715.032 2,544.293 1,595.18 1 1 1 atth Services 715.032 2,544.293 1 | 25000-25099-Federal USDA/Food and Consumer Services | (119.031) | 397.651 | 348.265 | | (69.645) |
| ducation (165.970) 424.641 315.500 ducation dera Miscellaneous Operating Grants (165.973) 173.220 356.756 ment Insurance Administration 0.548) 173.220 356.756 381.36 ment Insurance Administration 0.548) 0.226 0.262 381.36 mployment Insurance Administration 0.548) 0.226 0.262 381.36 mployment and Training Grants (4.319) 24.903 23.629 381.36 Mployment and Training Grants (4.319) 24.903 23.629 38.594.850 Sinter EVENUE FUNDS - FEDERAL 14,955.150 7,845.735 8,594.850 3.594.850 ENUE FUNDS 24.862.227 7,845.735 8,594.850 3.594.850 3.594.850 ENUE FUNDS 24.862 24.811 - <t< td=""><td>25100-25199-Federal Health and Human Services</td><td>6,585.917</td><td>4,856.213</td><td>5,276.671</td><td>(32.912)</td><td>6,132.547</td></t<> | 25100-25199-Federal Health and Human Services | 6,585.917 | 4,856.213 | 5,276.671 | (32.912) | 6,132.547 |
| deral Miscellaneous Operating Grants 5,14,663 173,220 356,756 ment Insurance Administration 145,438 41,525 381,36 memplyment Insurance Administration (4,319) 24,903 36,756 mployment Insurance Administration (4,319) 24,903 23,629 mployment and Training Grants (4,319) 24,903 23,629 apployment and Training Grants (4,319) 24,903 23,629 and Reserve 24,862,227 7,845,735 8,594,850 ath Services 7,564,293 1,59,518 (1 ath Service 90,367 2,4811 - - ath Service 30,367 2,544,293 169,518 (1 ath Of Health Income 1,533 - - - - - - - - - | 25200-25249-Federal Education | (166.970) | 424.641 | 315.500 | (0.005) | (57.834) |
| ment insurance Administration 143-430 141-323 06.130 iemployment insurance Occupational Training (0.548) 0.226 0.262 imployment insurance Occupational Training Grants (0.548) 0.226 0.262 AL REVENUE FUNDS-FEDERAL (4.319) 5,918.379 6,363.219 0.362 SIVLE FUNDS 24,862.227 7,845.735 8,594.850 0 cition Reserve 24,862.227 7,845.735 8,594.850 0 cition Reserve 90.367 24,817 5,94.850 0 aith Services 90.367 24,817 5,94.4293 16,95.18 1 aith Service 90.367 24,41.293 169.518 1 sing Debt Service 39.064 1.373 5,544.293 1 eint of Health Income 1.653 1.653 1 1 errore 1.653 34.69 1 1 2 ent of Health Income 1.65.31 1.65.518 1 1 2 ent of Health Income 1.65.33 | 25300-25899, 25951-Federal Miscellaneous Operating Grants | 8,514,663 | 173.220 | 356.756 | (3.493) | 8,327.634 |
| Implymentation Itaming Concupation Itaming Concocupation Itaming Concupation | 23900-23949-Unempioyment insurance Administration 26060-26063-26000 Hammalarimont Jacurranaa Occurational Training | 140.430 | C7C.14 | 00.1.00 0.20 | · | 140.02/ |
| AL REVENUE FUNDS-FEDERAL 14,955,150 5,918,379 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,359,219 6,350,213 6,356,213 6,350,213 2,4,810 6,356,213 1,3,13 1,3,13 1,3,13 1,3,13 1,15,339 | 23330, 23332-23333-001600 programme and Training Grants | (0.340) (4.319) | 24 903 | 23.629 | | (3.045) |
| ENUE FUNDS 24,862.227 7,845.735 8,594.850 Judion Reserve 90.367 24,811 - - Judion Reserve 90.367 24,811 - - - Judion Reserve 90.367 24,811 - | TOTAL SPECIAL REVENUE FUNDS-FEDERAL | 14,955.150 | 5,918.379 | 6,359.219 | (36.410) | 14,477.900 |
| uction Reserve - - - - aith Services 90.367 24.811 - - bebt Service 90.367 25.44.293 169.518 (1 sing Debt Service 715.032 2,544.293 169.518 (1 aith O abht Nervice 39.064 1.373 - - at of Health Income 1.653 115.393 - - err/Clean Air 1.653 334.679 - - cernment Assistance Tax 846.116 3,021.095 169.518 (2 | TOTAL SPECIAL REVENUE FUNDS | 24,862.227 | 7,845.735 | 8,594.850 | 147.526 | 24,260.638 |
| 90.367 24.811 | DEBT SERVICE FUNDS | | | | | |
| Tax 25.00/ 2,544.293 169.518 (1 39.064 1.373 - 1.653 115.939 - 846.116 3,021.095 - 169.518 (1 | 40000-40040-DEDI IVENAUCION IVENELAE | - | | • | - | 090 FC |
| Tax 1.53 2.1095 2.444 2.0 1.373 2.2 1.373 2.4 1.373 2.4 1.373 2.4 1.553 1.15,939 2.4 1.553 3.34,679 2.4 1.5 1.5 1.5 1.5 1.5 1.5 1.5 1.5 1.5 1.5 | 40100-40143-Merical Realist Services A0150 A0100 Conoral Dobt Sonvice | 715.032 | 24.011 | - 160 518 | (91.109) (1 645 102) | 24.003 1 AAA 615 |
| 39.064 1.373 - 1.653 115.939 - . 334.679 - 846.116 3,021.095 - (2 | 40250-40299-State Housing Debt Service | - | | 20.00 | (1,070.132) | |
| 1553 115,939 - 334,679 846,116 3,021,095 - 169,518 (2 | 40300-40349-Department of Health Income | 39.064 | 1.373 | | (11.224) | 29.213 |
| - 334.679 - 334.679 846.116 3,021.095 169.518 (2 | 40400-40449-Clean Water/Clean Air | 1.653 | 115.939 | | (114.664) | 2.928 |
| 846.116 3.021.095 169.518 | 40450-40499-Local Government Assistance Tax | - | 334.679 | - | (334.679) | |
| | TOTAL DEBT SERVICE FUNDS | 846.116 | 3,021.095 | 169.518 | (2,196.868) | 1,500.825 |

SCHEDULE 1

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| | | | | | SCHEDULE 1 |
|--|---------------------------|---------------|---------------|-----------------------------------|----------------------------|
| GUCERNING I I CUNUS SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES FISCAL YEAR 2022-2023 FOR THE MONTH OF AUGUST 2022 (amounts in millions) | | | | | |
| | BALANCE AUGUST 1, 2022 | RECEIPTS | DISBURSEMENTS | OTHER FINANCING SOURCES (USES) | BALANCE AUGUST 31, 2022 |
| CAPITAL PROJECTS FUNDS | | | | | |
| 30000-30049-State Capital Projects | - | 271.985 | 400.393 | 128.408 | - |
| oucou-ouces-Dedicated Fightway and Bridge Trust 30100-30299-SUNY Residence Halls Rehabilitation and Repair | 154.849 | 0.180 | 18.278 | | 136.751 |
| 30300-30349-New York State Canal System Development | 15.608 | 0.621 | | | 16.229 |
| 30350-30399-Parks Infrastructure | (78.744) | 5.000 | 13.653 | | (87.397) |
| 30450.30499-Passenger Facility Cnarge 30450.30499.Environmental Protection | CIU.U 032 260 | - 26 778 | - 75 983 | | CIU.U AA1 A21 |
| 30500-30549-Clean VVater/Clean Air Implementation | - | - | - | | - |
| 30600-30609-Energy Conservation Thru Improved Transportation Bond | 0.164 | ı | | | 0.164 |
| 30610-30619-Park and Recreation Land Acquisition Bond | | | | | |
| 30620-30629-Pure Vvaters Bond | 0.668 | | · | | 0.668 |
| 30630-30638-Iransportation Capital Facilities Bond | 3.320 | | I | | 5.320 |
| 30650-30659-Environmental Quality Protection Bond 30650-30659-Rehuild and Renew New York Transnortation Bond | 17.210 | | | | 17 210 |
| 30660-30669-Transportation Infrastructure Renewal Bond | 4.255 | | | | 4.255 |
| 30670-30679-1986 Environmental Quality Bond Act | 5.550 | I | | | 5.550 |
| 30680-30689-Accelerated Capacity and Transportation | | | | | |
| Improvement Bond | 2.778 | | ı | | 2.778 |
| 30690-30699-Clean Vvater/Clean Air Bond | 1.428 | | | | 1.428 |
| 30700-30709-State Housing Bond | • | • | • | • | |
| 30/10-30/19-Smart Schools Bond | • | • | • | • | • |
| 30/50-30/99-Outdoor Recreation Levelopment Bond | | | ı | | |
| oueuu-ous4s-Rall Preservation and Development bond 31350-31449-Federal Capital Proiects | - (485.287) | 286.386 | 353.198 | | - (552.099) |
| 31450-31499-Forest Preserve Expansion | 1.085 | 0.002 | | | 1.087 |
| 31500-31549-Hazardous Waste Remedial | (123.078) | 0.646 | 13.816 | (0.326) | (136.574) |
| 31650-31699-Suburban Transportation | 0.541 | 0.001 | | | 0.542 |
| 31700-31749-Division for Youth Facilities Improvement | (19.052) | | 1.039 | • | (20.091) |
| o Iouu-o Io49-Housing Assistance 31850-21899-Housing Program | (12.342) (567 898) | | - 60.006 | | (12.342) (627 904) |
| 31900-31949-Natural Resource Damage | 17.805 | 0.044 | 0.008 | | 17.841 |
| 31950-31999-DOT Engineering Services | (12.016) | , | | | (12.016) |
| 32200-32249-Miscellaneous Capital Projects | 147.170 | 2.296 | 7.361 | 1.278 | 143.383 |
| 32250-32299-CUNY Capital Projects | 0.078 | | | | 0.078 |
| 32300-32349-Mental Hygiene Facilities Capital Improvement | (491.857) | 0.001 | 18.650 | • | (510.506) |
| 3230U-32399-Correction Facilities Capital Improvement 3240033999State I Iniversity Canital Proiects | (11.0.02) | 0.034 | 27.62 | - 1 067 | (502.055) 880.07 |
| 33000-33049-NYS Storm Recovery Fund | (61.770) | 0.202 | 1.444 | | (63.012) |
| 33050-33099 Dedicated Infrastructure Investment Fund | 35.478 | | 41.586 | 60.000 | 53.892 |
| TOTAL CAPITAL PROJECTS FUNDS | (1,403.392) | 733.978 | 1,176.007 | 222.280 | (1,623.141) |
| TOTAL GOVERNMENTAL FUNDS | \$ 68,003.499 | \$ 14,091.497 | \$ 15,015.884 | \$ (10.477) | \$ 67,068.635 |

| SCHEDULE 2 | s BALANCE ES) AUGUST 31, 2022 | - \$ 245.865 - 0.132 2.000 7.254 - 7.254 - 7.254 - 1.6.933 - 2.042 - 2.113 4.932 - 43.776 2.000 469.106 | 0.504 (27.318) 8.299 (88.365) - 0.113 - 0.045 (0.002) (0.741 (0.212) (69.069) (0.112) (15.630) - (25.322) 8.477 (224.805) | .77 \$ 244.301 |
|---|--------------------------------------|---|--|-------------------------|
| | OTHER FINANCING SOURCES (USES) | φ | 0000 8 | \$ 10.477 |
| | DISBURSEMENTS | \$ 5.520 0.004 1.269 3.376 3.043 0.017 0.029 0.074 209.416 212.075 434.823 | 53 637 23.625 0.052 - 5.523 1.055 4.117 88.093 | \$ 522.916 |
| | RECEIPTS | \$ 16.970 0.003 1.242 3.520 0.245 0.007 0.007 0.068 309.770 204.006 535.833 | 34.944 6.502 0.010 - 0.001 - 2.323 43.780 | \$ 579.613 |
| | BALANCE AUGUST 1, 2022 | \$ 234.415 0.133 0.133 5.281 5.281 19.731 3.251 19.731 2.057 2.135 4.938 42.310 51.845 51.845 366.096 | (9.129) (79.541) 0.155 0.045 0.045 0.826 (63.334) (14.463) (14.463) (14.463) (23.528) (188.969) | \$ 177.127 |
| STATE OF NEW YORK PROPRIETARY FUNDS SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES FISCAL YEAR 2022-2023 FOR THE MONTH OF AUGUST 2022 (amounts in millions) | EUND TYPE ENTERPRISE FUNDS | 23250-2349-CUNY Senior College Program 50000-50049-Youth Commissary 50050-50099-State Exposition Special 50100-50299-Correctional Services Commissary 50300-50399-Agencies Enterprise 50400-50499-Patient Workshop 50400-50499-Patient Workshop 50400-50499-Patient Workshop 50400-50599-Unemployment Insurance 60850-60899-Unemployment Insurance 60850-60899-UnNY Senior College Operating TOTAL ENTERPRISE FUNDS | 55000-55049-Centralized Services 55050-55099-Agency Internal Service 55100-55149-Mental Hygiene Revolving 55150-55199-Youth Vocational Education 55200-55249-Joint Labor and Management Administration 55200-55299-Audit and Control Revolving 55300-55399-Correctional Industries Revolving 55350-55399-Correctional Industries Revolving 55350-55399-Correctional Industries Revolving | TOTAL PROPRIETARY FUNDS |

Financial Reports

| STATE OF NEW YORK FIDIJCIARY FUNDS | | | | | SC | SCHEDULE 3 |
|--|---------------------------|----------------|------------------|---------------------------------------|----------------|----------------------------|
| SUMMARY FOR THE RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES FISCAL YEAR 2022-2023 FOR THE MONTH OF AUGUST 2022 (amounts in millions) | FUND BALANCES | | | | | |
| FUND TYPE | BALANCE AUGUST 1, 2022 | RECEIPTS | DISBURSEMENTS | CLITER FINANCING SOURCES (USES) | BAL/ AUGUST | BALANCE AUGUST 31, 2022 |
| ERUST FUNDS 65000-65049-Common Retirement Administration | \$ (1.756) 320 602 | \$ 0.589 | \$ 14.240 | ۰ ب | Ф | (6.407) 320.085 |
| | 318.846 | 9.972 | 14.240 | | | 314.578 |
| PRIVATE PURPOSE TRUST FUNDS | | | | | | |
| 22022-College Savings Account | 33.417 | 0.473 | 0.035 | ı | | 33.855 |
| 66000-66049-Agriculture Producers' Security 66050-66099-Milk Producers' Security | 3.283 12.064 | 0.004 0.130 | 0.027 0.023 | | | 3.260 12.171 |
| TOTAL PRIVATE PURPOSE TRUST FUNDS | 48.764 | 0.607 | 0.085 | I | | 49.286 |
| AGENCY FUNDS | | | | | | |
| 60050-60149-School Capital Facilities Financing Reserve | 5.361 | 0.121 | | | | 5.482 |
| 60150-60199-Child Performer's Holding | 0.642 | 0.001 | I | | | 0.643 |
| 60200-60249-Employees Health Insurance | 1,040.902 | 1,150.705 | 1,225.631 | | | 965.976 4 F 200 |
| 60250-60289-Social Security Contribution | 14.966 | 134.030 | 134.294 | 1 | | 15.308 737 03 |
| 00000-00089-Einployee rayion vuunouung 60400-60449-Employees Dental Insurance | 72.981 | 439.31 | 401.304 6.594 | | | 03.40/ 21.336 |
| 60450-60499-Management Confidential Group Insurance | 1.334 | 0.958 | 1.743 | | | 0.549 |
| 60500-60549-Lottery Prize | 700.952 | 163.662 | 163.520 | | | 701.094 |
| 60550-60599-Health Insurance Reserve Receipts | | • | • | • | | |
| 60600-60799-Miscellaneous New York State Agency | 1,038.172 | 322.228 | 383.874 | ı | | 976.526 |
| 60800-60849-Elderly Pharmaceutical Insurance Coverage (EPIC) Escrow | 31.816 | 6.873 | 6.873 | ı | | 31.816 |
| 60900-60949-Medicaid Management Information System (MMIS) Escrow | 260.194 | 7,745.767 | 6,269.775 | • | | 1,736.186 |
| oussor-ousses-special cuucation 61000-61099-State University of New York Revenue Collection | - 140 472 | 305 464 | | | | - 445 936 |
| 61100-61999-State University Federal Direct Lending Program | (8.178) | 159.079 | 166.775 | | | (15.874) |
| 62000-62049-SSI SSP Payment Escrow | · | | I | | | ı |
| TOTAL AGENCY FUNDS | 3,290.404 | 10,494.414 | 8,840.383 | . | | 4,944.435 |
| TOTAL FIDUCIARY FUNDS | \$ 3,658.014 | \$ 10,504.993 | \$ 8,854.708 | ۰ ج | ¢ | 5,308.299 |
| | | | | | | |

| SCHEDULE 4 | BALANCE AUGUST 31, 2022 | \$ 2.900 262.915 3,076.376 - | \$ 3,342.191 | Chapter 1 requires, in part, that ercent transferred to a Charitable y WellPoint, Inc. This conversion at Fund". posit in the sole custody account o HCRA Resources Fund (20800- | |
|---|----------------------------|---|---|---|--|
| | DISBURSEMENTS | \$ 213.391 2,593.800 378.555 | \$ 3,185.746 | th Choice, <i>dlbla</i> Empire Blue Cross and Blue Shield from a not-for-profit corporation to a for-profit corporation. Chapter 1 requires, in part, that value of the not-for-profit corporation be transferred to a fund designated as the "Public Asset Fund" and 5 percent transferred to a Charitable mber 28, 2005, WellChoice, Inc. (previously known as Empire Blue Cross, Blue Shield) approved a takeover by WellPoint, Inc. This conversion representing 95 percent of the fair market value of the not-for-profit corporation be transferred to the "Public Asset Fund". Inc. This conversion representing 95 percent of the fair market value of the not-for-profit corporation be transferred to the "Public Asset Fund". So of the State's 95 percent share of the fair market value of the Nuel of the not-for-profit corporation puts interest) is on deposit in the sole custody account of the Insurance Law and at the direction of the Director of the Budget, these funds are available for transfer to HCRA Resources Fund (20800- | |
| | RECEIPTS | \$ 0.003 225.590 2,730.314 378.555 | \$ 3,334.462 | and Blue Shield from a not-for-profit the transferred to a fund designate. viously known as Empire Blue Cross tket value of the not-for-profit corpor the fair market value of the not-for- ction of the Director of the Budget, t | |
| S | BALANCE AUGUST 1, 2022 | \$ 2.897 250.716 2,939.862 | \$ 3,193.475 | Choice, d/b/a Empire Blue Cross a alue of the not-for-profit corporation car 28, 2005, WellChoice, Inc. (pre- presenting 95 percent of the fair mat of the State's 95 percent share of t f the insurance Law and at the dire- | |
| STATE OF NEW YORK SOLE CUSTODY AND INVESTMENT ACCOUNTS STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS FISCAL YEAR 2022-2023 FOR THE MONTH OF AUGUST 2022 (amounts in millions) | FUND TYPE | ACCOUNTS 70000-70049-Tobacco Settlement 70093, 70095, 70300-70301-MTA State Assistance 70050-70149-Sole Custody Investment (*) 70200-Comptroller's Refund Account | TOTAL ACCOUNTS (*) Includes Public Asset Fund resources: | Chapter 1 of the Laws of 2002 authorized the conversion of Empire Health Choice, <i>d/b/</i> a Empire Blue Cross and Blue Shield from a not-for-profit corporation to a for-profit corporation. Chapter 1 requires, in part, that upon such conversion, assets representing 95 percent of the fair market value of the not-for-profit corporation be transferred to a fund designated as the "Public Asset Fund" and 5 percent transferred to a Charitable Foundation - as set forth in Section 7317 of the Insurance Law. On December 28, 2005, WellChoice, Inc. (previously known as Empire Blue Cross, Blue Shield) approved a takeover by WellPoint, Inc. This conversion was also subject to the same Chapter 1 requirements of assigning assets representing 95 percent of the fair market value of the not-for-profit corporation be transferred to the "Public Asset Fund". As of August 31, 2022, \$9,582,988.48 (representing the remaining balance of the State's 95 percent share of the fair market value of the not-for-profit corporation pus interest) is on deposit in the sole custody account titled Public Asset Fund. In accordance with Section 4301(j)(4)(F) and (O) of the Insurance Law and at the direction of the Director of the Budget, these funds are available for transfer to HCRA Resources Fund (2080-2084). | |

| | | DEBT | DEBT ISSUED | DEBT MATURED | ATURED | | | |
|---|--|--------------------|-----------------------------------|--------------------|-----------------------------------|--|--|--|
| PURPOSE | DEBT OUTSTANDING APRIL 1, 2022 | MONTH OF AUGUST | 5 MONTHS ENDED AUGUST 31, 2022 | MONTH OF AUGUST | 5 MONTHS ENDED AUGUST 31, 2022 | DEBT OUTSTANDING AUGUST 31, 2022 | INTERES MONTH OF AUGUST | INTEREST DISBURSED 4 OF 5 MONTHS ENDED 1ST AUGUST 31, 2022 |
| GENERAL OBLIGATION BONDED DEBT: | | | | | | | | |
| Accelerated Capacity and Transportation Improvements | \$ 8,461,004 | Υ | ' \$ | ۰ ب | \$ 812,409 | \$ 7,648,595 | \$ 67,919 | \$ 130,423 |
| Clean Water/Clean Air. Air Quality | 1,118,878 | , | | | , | 1,118,878 | 17,298 | 17,298 |
| sare Lrinking vater Clean Water Solid Waste Environmental Restoration | 253,245,477 7,194,313 32,751,773 | | | | 8,764,261 123,426 170,000 | - 244,481,216 7,070,887 32,581,773 | 1,463,165 78,828 75,115 | 2,368,301 98,311 79,365 |
| Energy Conservation Through Improved Transportation: Rapid Transit and Rail Freight | 758,743 | , | | | 171,238 | 587,505 | | 15,957 |
| Environmental Quality (1972): Air Land and Wettands Water | 3,565,402 3,665,711 | | | | - 25,000 650,000 | 3,540,402 3,015,711 | 4,652 27,393 | - 5,277 52,393 |
| Environmental Quality (1986): Land Acquisition/Development/Restoration/Forests Solid Waste Management | 2,056,950 67,959,839 | | 1 1 | | 124,993 7,709,455 | 1,957 60,250,384 | 8,333 297,104 | 14,834 779,005 |
| Housing: Low Income Middle Income | 3,005,000 515,000 | 1 1 | | 1 1 | 1 1 | 3,005,000 515,000 | | |
| Park and Recreation Land Acquisition | I | ı | ı | ı | ı | ı | 1 | |
| Pure Waters | 12,359,481 | ı | | ı | 834,926 | 11,524,555 | 86,008 | 172,694 |
| Rail Preservation Development | I | | ı | I | I | ı | 1 | ı |
| Rebuild and Renew New York Transportation: Highway Facilities Canals and Waterways Aviation Rail and Port Rail and Port Mass Transit - Dept of Transportation Mass Transit - Metropolitan Transportation Authority | 514,054,113 5743,603 36,743,054 38,578,565 64,738,585 12,280,646 665,384,487 | | | | | 514,054,113 5,743,603 3,978,054 84,783,368 12,280,646 665,384,487 | 2,697,579 53,115 374,184 982,082 37,323 4,903,619 | 2,687,579 53,115 374,184 982,082 37,323 37,323 |
| Rebuild New York-Transportation Infrastructure Renewal: Highways, Parkways, and Bridges Rapid Transit, Rail and Aviation | 177,295 1,170,256 | | | 1 1 | 371,992 | 177,295 798,264 | | - 27,562 |
| Smart Schools Bond Act | 276,269,806 | ı | | ı | ı | 276,269,806 | 1,508,422 | 1,508,422 |
| Transportation Capital Facilities: Aviation Mass Transportation | 810,810 - | | | 1 1 | 312,300 - | 498,510 - | | 19,717 - |
| Total General Obligation Bonded Debt | \$ 1,996,264,999 | , \$ | ۰ ۶ | , \$ | \$ 20,070,000 | \$ 1,976,194,999 | \$ 12,682,139 | \$ 14,337,461 |

Financial Reports

SCHEDULE 5

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STATE OF NEW YORK DEBT SERVICE FUNDS STATEMENT OF DIRECT STATE DEBT ACTIVITY FISCAL YEAR 2022-2023

| STATE OF NEW YORK DEBT SERVICE FUNDS FINANCING AGREEMENTS FOR THE FIVE MONTHS ENDED AUGUST 31, 2022 | 11, 2022 | | | | | | | | | | | SCHEDULE 5a |
|--|--|---------------------------------------|--------------------------|--|---|------------------------------|------------------------|---|-------------------------------|---|--------------------------|----------------------------|
| Steerial Contractual Financino Oblitations | DEBT REDUCTION RESERVE (4000-40049) | GENERAL DEBT SERVICE (40151) | | DEPARTMENT OF HEALTH INCOME (400300-407349) | LOCAL GOVERNMENT ASSISTANCE TAX (400450-400490) | MENTAL HEALTH SERVICES | REVENUE BOND TAX | SALES TAX REVENUE BOND TAX (40154) | COMBIN 5 MONTHS EN 2022 | COMBINED TOTALS 5 MONTHS ENDED AUGUST 31 2023 | - | \$INCREASE/ |
| Payments to Public Authorities: City University Construction | \$ | 56 \$ | 9.471,406 | 5 | - s | \$ | \$ | \$ | \$ 9,471,406 | ۰ ه | 21.210.856 \$ | |
| Domitory Authority: Consolidated Service Contract Befunding | | | | | , | | , | | | | , | |
| DASNY Revenue Bond | I | | | , | | 1 | 184,609,939 | | 184,609,939 | | 242,992,849 | (58,382,910) |
| Department of Health Facilities | | | | 12,054,964 | | | | | 12,054,964 | 12,C | 12,067,914 | (12,950) |
| Mental Health Facilities | | | ŀ | | | | | | | Ξ <u></u> | (144,157) | 144,157 |
| Secured Hospital Program | | - | | • | | • | • | | | • | 1.627.568 | (1.627.568) |
| SUNY Community colleges SUNY Educational Facilities | | .4. 86.(| 86.087.460 86.087.460 | | | | | | 6,087,60 86.087,460 | | 10,879,929 92.082.231 | (5,994,771) (5,994,771) |
| Environmental Facilities Corporation | | | 1 | | I | I | | | | | | - |
| Housing Finance Agency | • | | 1 | • | | | • | | | | , | • |
| Local Government Assistance Corporation | | | | | | | | | | | | |
| Metropolitan Transportation Authority: Transit and Committee Boil Projects | | | | | | | | | | | | |
| Thruway Authority: | | | | | | | | | | | | |
| Dedicated Highway and Bridge | | 33 | 33, 153,695 | | | | | | 33,153,695 | | 36,108,750 | (2,955,055) |
| Local Highway and Bridge | ' | | ı | | | | | | | | | |
| Transportation | • | | ï | • | • | • | 1 | i | | | , | 1 |
| Urban Development Corporation: | | | | | | | | | | | | |
| Clarkson University | | | ī | | | | 1 | i | | | ī | I |
| Consolidated Service Contract Refunding | ' | | , | • | | | | ī | | 2.1 | 2,180,971 | (2,180,971) |
| Debt Reduction Reserve | • | | | • | • | • | • | | • | | | • |
| UDC Revenue Bond | | | ī | | | | 1 | i | | | ī | I |
| University Facilities Grant 95 Refunding | | | | | | | | | | | , | • |
| rotal Dispursements for Special Contractual Financing Obligations | , S | \$ 133, | 133,202,136 | \$ 12,054,964 | - \$ | ' \$ | \$ 184,609,939 | ' \$ | \$ 329,867,039 | \$ | 419,006,507 \$ | (89,139,468) |
| | | | | | | | | | | | | |

| STATE OF NEW YORK SUMMARY OF THE OPERATING FUND INVESTMENTS FOR THE MONTH OF AUGUST 2022 AS REQUIRED OF THE STATE COMPTROLLER (amounts in millions) | | SCHEDULE 6 |
|--|---|------------------------------|
| MONTH OF AUGUST 2022 | FISCAL YEAR TO DATE | PRIOR FISCAL YEAR TO DATE |
| SHORT TERM INVESTMENT POOL (*) | | |
| AVERAGE DAILY INVESTMENT BALANCE (**) \$ 75,547.7 \$ AVERAGE YIELD (**) 1.838% | \$ 73,230.7 1.108% | \$ 39,273.0 0.054% |
| - EARNINGS \$ 118.579 | \$ 272.782 | \$ 9.115 |
| | | |
| <u>Month-End Portfolio Balances</u> | | |
| | AUGUST 2022 | AUGUST 2021 |
| I | PAR AN | PAR AN |
| GOVT. AGENCY BILLS/NOTES \$ | 51 | \$ 28,171.1 |
| REPURCHASE AGREEMENTS | 535.1 | 106.5 |
| GOVT. SPONSORED AGENCIES | 742.0 | 400.0 |
| | 22,516.6 | 15,718.0 |
| CERTIFICATES OF DEPOSIT/SAVINGS | 1,829.2 | 2,942.5 |
| | 76,9 | \$ 48,261.1 |
| • | | |
| | | |
| (#) Directory to 2000 of the State Finners are the State Community in a | thorizod to invoot or | llo bottootioni accol bu |
| () Fursuarit to 300 01 the State Finance Law, the State Computing is autionized to invest and keep invested an moneys, in any fund, held by the State. The Short Term investment Pool (STIP) represents an accounting | uriorizeu to rrivest ar ol (STIP) represents (| an accounting |
| mechanism that allows for the separate accounting of individual funds (on deposit in the State's General | on deposit in the Stat | e's General |

local governments and public authorities). Therefore, Fiduciary fund balances are not available to be temporarily STIP is authorized to temporarily loan to the General Fund-State Operations Account (10050) funds for a period Checking account) for the purpose of making short term investments. Pursuant to State Finance Law §4(5) the loaned to the General Fund-State Operations Account. Fiduciary fund balances are presented in Schedules 3 STIP, but are held by the State Comptroller in a fiduciary capacity. Fiduciary fund balances are restricted and fiduciary) capacity or as an agent for individuals, private organizations, or non-State governmental units (e.g. not to exceed the end of the fiscal year. However, it must be noted that certain funds are invested as part of may not be used for any State purposes since moneys in such funds are held by the State in a trustee (or and 4 of this report.

(**) Does not include 0% Compensating Balance CDs.

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Financial Reports

| FISCAL YEAR 2022-2023 | | | | | | | | | | | | | |
|--|--------------------|---------------------|----------------------|-------------------|-------------------|-----------|---------|----------|----------|-----------------|----------|-------|-----------------------------------|
| | 2022 APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | 5 Months Ended August 31, 2022 |
| OPENING CASH BALANCE | \$ 87,931,710 | \$ 141,088,217 | \$ 182,670,540 \$ | \$ 187,031,381 | \$ 238,544,189 | | | | | | | | \$ 87,931,710 |
| RECEIPTS: | | | | | | | | | | | | | |
| Cigarette Tax | 57,756,671 | 51,627,116 | 56,618,341 | 52,925,439 | 57,977,217 | | | | | | | | 276,904,784 |
| State Share of NYC Cigarette Tax | 1,135,000 | 1,655,000 | 1,317,000 | 1,588,000 | 1,275,000 | | | | | | | | 6,970,000 |
| Vapor Excise Tax STIP Interact | (98,534) R1 431 | 56,454 1.28 0.20 | 6,231,249 228 719 | 52,371 400 830 | 29,522 503 754 | | | | | | | | 6,2/1,062 1 342 764 |
| Assessments | 460,795,000 | 457,110,385 | 494,356,530 | 501,114,039 | 463,444,631 | | | | | | | | 2,376,820,58 |
| Fees | 258,000 | 263,000 | 1,904,000 | 480,000 | 243,000 | | | | | | | | 3,148,000 |
| Rebates | 2,674,887 | 98,629 | 7,015,244 | 8,637,371 | 960,146 | | | | | | | | 19,386,277 |
| Restitution and Settlements | • | • | • | • | • | | | | | | | | |
| Administrative Recoveries | • | 1,238 | | 626 | • | | | | | | | | 2,167 |
| Miscellaneous | | 78 85 | | • | 75,036,286 | | | | | | | | 75,037,120 |
| Total Receipts | 522,602,455 | 510,940,676 | 567,671,083 | 565,198,979 | 599,469,556 | • | • | • | | | • | | 2,765,882,749 |
| DISBUD SEMENTS. | | | | | | | | | | | | | |
| Grants | 466 983 855 | 461 786 102 | 555 413 995 | 509 646 072 | 590 611 112 | | | | | | | | 2 584 441 136 |
| Interest - Late Payments | 2 | 2.373 | 598 | 267 | 3.198 | | | | | | | | 6.457 |
| Personal Service | 493,093 | 903,212 | 1,159,546 | 935,545 | 1,379,475 | | | | | | | | 4,870,871 |
| Non-Personal Service | 981,103 | 6,037,428 | 3,951,478 | 1,635,787 | 3,659,372 | | | | | | | | 16,265,168 |
| Employee Benefits/Indirect Costs | 565,852 | 327,907 | 1,020,037 | 598,535 | 587,925 | | | | | | | | 3,100,256 |
| Total Disbursements | 469,023,924 | 469,057,022 | 561,545,654 | 512,816,206 | 596,241,082 | · | • | • | • | | | • | 2,608,683,888 |
| OPERATING TRANSFERS: | | | | | | | | | | | | | |
| Transfers to Capital Projects Fund | • | • | • | • | • | | | | | | | | |
| Transfers to General Fund | | 1,238 | 302,192 | 626 | | | | | | | | | 304,359 |
| Iransrers to Miscellaneous Special Kevenue Fund: | | | | 100.000 | | | | | | | | | 100 001 |
| Empire State Store Coll Truck Account | | • | - 000 000 + | 706'000 | | | | | | | | | 100,000 |
| Transfers to SHNY Income Fund | 422 024 | 300.005 | 462 396 | 300 074 | 371 696 | | | | | | | | 1 856 273 |
| Total Operating Transfers | 422,024 | 301,331 | 1,764,588 | 869,965 | 371,686 | . | . | . | . | | | | 3,729,594 |
| Total Disbursements and Transfers | 469,445,948 | 469,358,353 | 563,310,242 | 513,686,171 | 596,612,768 | | | | | | | | 2,612,413,482 |
| | | | 100 100 101 | | | | | | | | | | |
| CLOSING CASH BALANCE | \$ 141,088,21/ | 04c'0/0'281 \$ | \$ 18/,031,381 | \$ 238,344,189 | \$ 241,400,977 | • | • | · · | · | · ^ | · | • | 5 241.4UU.9// |

| Appropriation Amount (*) | Thomas and the state of the sta | 5 Months Ended August 31, 2022 (**) |
|---------------------------------|--|-------------------------------------|
| \$ 8,145,000.00 \$ | 335,984.03 \$ | 1,380,224.31 |
| 8,145,000.00 | 335,984.03 | 1,380,224.31 |
| 2,207,380,000.00 | 52,276,190.04 | 285,647,165.18 |
| 2,207,380,000.00 | 52,276,190.04 | 285,647,165.18 |
| 327,547,000.00 | 9,991,949.93 | 38,883,283.98 |
| 327,547,000.00 | 9,991,949.93 | 38,883,283.98 |
| 1,611,111,059.03 | 2,979,790.83 | 107,357,385.31 |
| 3 537 000 00 | | . ' |
| 3,862,000,00 | | |
| 33.700.000.00 | 1.464.637.75 | 1.464.637.75 |
| 108,800,000.00 | | |
| 5,560,000.00 | | |
| 10,335,000.00 | | I |
| 14,160,000.00 | | 332,378.42 |
| 58,800,000.00 | | 19,600,000.00 |
| 18,320,000.00 | | |
| /,644,000.00 | 21,311.25 | 34,882.20 |
| | | 00.000,000,20 |
| | | |
| 3 300 000 00 | | - |
| 309 300 000 000 | | |
| 52.122.000.00 | (12.211.22) | 33.789.52 |
| 1.461.000.00 | 93.930.00 | 221.860.00 |
| 11.120.000.00 | | 1 |
| 7,950,000.00 | 233,312.04 | 1,372,346.32 |
| 144,889,000.00 | | 27,731,500.00 |
| 50,000.00 | · | |
| 15,950,000.00 | | |
| 28,229,600.00 | 876,503.31 | 3,251,824.58 |
| 2,200,400.00 | 302,307.10 | 1,052,100,1 |
| 11,010,000.00 6 345 000 00 | | |
| 12 690 000 00 | . 1 | . 1 |
| 489.526.059.03 | | |
| 29,490,431,000.00 | 527,483,243.77 | 2,161,337,862.76 |
| 300,000,000.00 | | I |
| 4,037,400,000.00 | 52,483,243.77 | 236,337,862.76 |
| 24, 169, 831,000.00 | 4/5,000,000.00 | 1,925,000,000.00 |
| 916,000,000.00 67 200 000 00 | | |
| 80.008.000.00 | 2.351.467.28 | 10.168.929.48 |
| 80,008,000.00 | 2,351,467.28 | 10,168,929.48 |
| 1,834,000.00 | | |
| 1,834,000.00 | | |
| 46,034,055.00 | 1,193,215.60 | 5,280,912.17 |
| 46,U34,U35.UU | 1,193,215.60 | 5,280,912.17 |
| 8,190,000.00 8,190,000 00 | | 484,110.52 |
| 33.780.680.114.03 | 596.611.841.48 | 2.610.539.873.71 |
| • | (371,685.91) | (1,856,273.64) |
| | | , i |
| | | |
| | 926.81 | 288.00 |
| \$ 33,780,680,114.03 \$ | 596,241,082.38 \$ | 2,608,683,888.07 |
| | 8, 8, 145,000,00 2207,380,000,00 227,547,000,00 227,547,000,00 227,547,000,00 237,547,000,00 237,547,000,00 357,000,00 3557,000,00 3557,000,00 357,000,00 357,000,00 357,000,00 357,000,00 10,335,000,00 11,120,000,00 11,120,000,00 11,120,000,00 11,120,000,00 11,120,000,00 11,120,000,00 11,120,000,00 11,120,000,00 11,120,000,00 11,1510,000,00 11, | o v o |

APPENDIX B

STATE OF NEW YORK HCRA RESOURCES FUND STATEMENT OF PROGRAM DISBURSEMENTS FISCAL YEAR 2022-2023

(*) Includes amounts appropriated in SFY 2022-23. as well as prior year appropriations that were reappropriated.
(**) Disbursements from the HCRA Resources Fund Induces alread grant payments to program beneficiaries. services and expenses (**) Disbursements from the HCRA Resources Fund Induces alread grant payments to program. Services and expenses (**) Full title is: NVC Personal Care Workforce Recutiment and Retention Rates Grants.

| STATE OF NEW YORK STATEMENT OF CASH FLOW - PUBLIC GOODS POOL FISCAL YEAR 2022-2023 | | | | APPENDIX C |
|--|---|--|--|---|
| | 1st Quarter APRIL - JUNE | 2022 JULY | 2022 AUGUST | 2022-2023 |
| OPENING CASH BALANCE | \$ 374,482,519.06 | \$ 386,716,612.81 | \$ 231,880,239.50 | \$ 374,482,519.06 |
| RECEIPTS: Patient Services Covered Lives Provider Assessments 1% Assessments | 1,027,554,467,94 253,636,963,10 27,111,933,367,00 118,732,367,00 | 230,567,401.01 52,404,502,21 6,445,810.85 38,362,910.00 | 442,705,157,61 117,471,276,50 10,960,707,40 39,001,838,00 | 1,700,827,026.56 423,512,741.81 44,518,451.61 196,097,115.00 |
| Interest income Unassigned Total Receipts | 25,903.38 (16,548,574.04) 1,410,513,060.74 | 67,649_79 13,633,314.69 341,481,588.55 | 142,597_12 (66,903.05) 610,214,673.58 | 236,150_29 (2,982,162,40) 2,362,209,322.87 |
| PROGRAM DISBURSEMENTS: Poison Control Centers School Based Health Center Grants ECRIP Distributions Total Program Disbursements | | | | |
| Excess (Deficiency) of Receipts over Disbursements | 1,410,513,060.74 | 341,481,588.55 | 610,214,673.58 | 2,362,209,322.87 |
| OTHER FINANCING SOURCES (USES): Transfers From Other Pools: Medicaid Disproportionate Share Health Facility Assessment Fund - Hospital Quality Contribution Transfers From State Funds: HCRA Resources Fund | - - - | 4,793,628.00 - | 4,702,630.00 | 23,478,047.00 |
| Total Other Financing Sources | 13,981,789.00 | 4,793,628.00 | 4,702,630.00 | 23,478,047.00 |
| Transfers To Other Pools: Medicaid Disproportionate Share Health Facility Assesment Fund Transfers TO State Feunds: | | | | |
| HCRA Resources Fund Indigent Care Fund - Matched | (1,412,260,755.99) - | (501,111,589.86) - | (463,442,909.76) - | (2,376,815,255.61) - |
| nongent Carle Fund - Unmatched Total Other Financing Uses | (1,412,260,755.99) | (501,111,589.86) | - (463,442,909.76) | <u>-</u> (2,376,815,255.61) |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | 12,234,093.75 | (154,836,373.31) | 151,474,393.82 | 8,872,114.26 |
| CLOSING CASH BALANCE | \$ 386,716,612.81 | \$ 231,880,239.50 | \$ 383,354,633.32 | \$ 383,354,633.32 |

NYS Register/September 28, 2022

APPENDIX C

Source: HCRA - Office of Pool Administration

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| STATE OF NEW YORK STATEMENT OF CASH FLOW - MEDICAID DISPROPORTIONATE SHARE FISCAL YEAR 2022-2023 | PORTIONATE SHA | RE | | | |
|---|--|-----------------------------|---|---|---|
| | 1st Quarter APRIL - JUNE | | 2022 JULY | 2022 AUGUST | 2022-2023 |
| OPENING CASH BALANCE | \$ 66,207.90 | 7.90 \$ | 2,449.15 | \$ 1,721.23 | \$ 66,207.90 |
| RECEIPTS: Interest Income Total Receipts | 3,53 3,53 | 3,531.12 3,531.12 | 1,721.23 1,721.23 | 1,220.92 1,220.92 | 6,473.27 6,473.27 |
| PROGRAM DISBURSEMENTS: Indigent Care High Need Indigent Care Other Total Program Disbursements | (160,019,552,14) 2,984,242_74 (157,035,309.40) | 2.14) - 2.74 | (54,142,673.48) 1,248,527.91 (52,894,145.57) | (54,142,673,48) 1,231,247.21 (52,911,426.27) | (268,304,899.10) 2,479,775.12 2,984,242,74 (262,840,881.24) |
| Excess (Deficiency) of Receipts over Disbursements | (157,031,778.28) | 8.28) | (52,892,424.34) | (52,910,205.35) | (262,834,407.97) |
| OTHER FINANCING SOURCES (USES): Transfers From Other Pools: Public Goods Pool Health Facility Assessment Fund Transfers From State Funds: | | | | | |
| HCRA Resources Indigent Care - Matched HCRA Resources Indigent Care - Unmatched Federal DHHS Fund | 70,349,336.18 (3,645,744.47) 90,265,586.59 | 6.18 4.47) 6.59 | 23,714,490.98 (1,248,527.91) 30,428,182.50 | 23,714,490.98 (1,171,253.56) 30,428,182.50 | 117,778,318.14 (6,065,525.94) 151,121,951.59 |
| Curren Total Other Financing Sources | 156,969,178.30 | 8.30 | 52,894,145.57 | 52,971,419.92 | 262,834,743.79 |
| Transfers To Other Pools: Public Goods Pool Health Facility Assessment Fund | | | | | |
| I ransiers To State Funds: HCRA Resources Fund Indigent Care Acct CSRA Inc (AMedNV) General Fund | (1,158.77) _ | 8.77) - | (2,449.15) - | (1,721.23) | (5,329.15) - |
| Total Other Financing Uses | (1,15 | (1,158.77) | (2,449.15) | (1,721.23) | (5,329.15) |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | (63,758.75) | 8.75) | (727.92) | 59,493.34 | (4,993.33) |
| CLOSING CASH BALANCE | \$ 2,44 | 2,449.15 \$ | 1,721.23 | \$ 61,214.57 | \$ 61,214.57 |

APPENDIX D

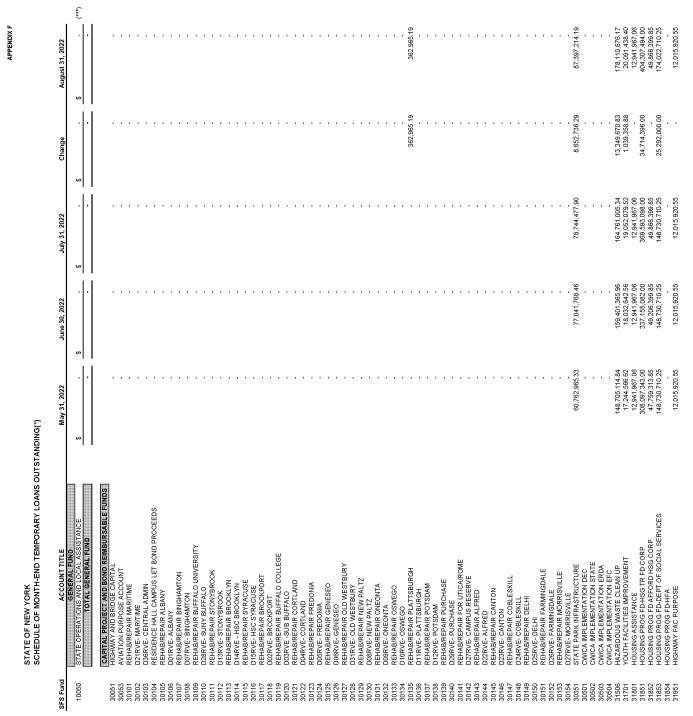
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| STATE OF NEW YORK SUMMARY OF OFF-BUDGET SPENDING REPORT FISCAL YEAR 2022-2023 (amounts in thousands) | | | | | |
|---|---------------|--------------|--------------|--------------|----------------|
| | 2022 APRIL | 2022 MA Y | 2022 JUNE | 2022 JULY | 2022 AUGUST |
| | 6 | 6 | ÷ | ÷ | ų |

| DORMITORY AUTHORITY: Education - All Other | APRIL | МАҮ | | JULY | AUGUST | SEPTEMBER | OCTOBER | 2022 NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | TOTAL |
|---|-------|-----------|----------|----------|--------|-----------|---------|------------------|----------|---------|----------|-------|------------|
| Education - All Other | | | | | | | | | | | | | |
| | ť | ų | ¥ | ť | v | | | | | | | | v |
| Education - EXCEL | • | 380 | ÷ 364 | * 115 | 34 | | | | | | | | 6 |
| Department of Health - All Other | | | 9 | 1 | | | | | | | | | 9 |
| Community Enhancement Facilities Assistance Program (CEFAP) | , | ' | | ' | | | | | | | | | |
| Regional Development | | | | | | | | | | | | | |
| Community Capital Assistance Program (CCAP)/RESTORE | 285 | 189 | 88 | 1 | ı | | | | | | | | 513 |
| Multi-modal | ' | ' | | 1 | ' | | | | | | | | |
| GenNYsis | | 1 | | 1 | | | | | | | | | |
| CUNY Senior Colleges | 1 | 1 | 1 | , | 1 | | | | | | | | |
| CUNY Community Colleges | | 1 | | | | | | | | | | | |
| Brooklyn Court Officer Training Academy | • | ' | | 1 | 1 | | | | | | | | |
| TOTAL DORMITORY AUTHORITY | 285 | 578 | 409 | 115 | 8 | | . | | | ' | | | 1,421 |
| | | | | | | | | | | | | | |
| EMPIRE STATE DEVELOPMENT CORP: | | | | | | | | | | | | | |
| Regional Development: | | | | | | | | | | | | | |
| Centers of Excellence | | ' | | | | | | | | | | | |
| Community Capital Assistance Program (CCAP) | | | • | ' | | | | | | | | | |
| Empire Opportunity | • | | | 1 | • | | | | | | | | |
| Community Enhancement Facilities Assistance Program (CEFAP) | | ' | • | ' | • | | | | | | | | |
| State Facilities and Equipment | ' | ' | | | • | | | | | | | | |
| TOTAL EMPIRE STATE DEVELOPMENT CORP | | | | ' | | | | | | | | | |
| | | | | | | | | | | | | | |
| TOTAL OFF BUDGET | | \$ 570 | ¢ | ¢ 115 | ج 2 | Ű | ť | ÷ | U | ÷ | ÷ | ÷ | \$ 1 J 7 2 |
| | C07 | 010 0 | | | | • | • • | • | • • | • | • • | • | |

The Division of the Budget (DOB) is responsible for organizing and presenting the above schedule of 'Off Budget Spending'. Such reported disbursements are drawn from unaudited financial data provided by public authorities. Although the Office of the State Comptroller (OSC) has no reason to believe this information to be unreliable, it is important to note that these program disbursements are financed with public authority bond proceeds deposited directly into public authority accounts and all disbursements are made without any oversight by the OSC. Therefore, and pursuant to the provisions of Chapter 60, §16, of the Laws of 2006, this schedule is provided for information only

APPENDIX E



| NY RACING ACCOUNT TITLE | May 31, 2022 153.750.00 | June 30, 2022 153.750.00 | July 31, 2022 153.750.00 | Change - | August 31, 2022 153.75 |
|--|-----------------------------------|-----------------------------------|-----------------------------------|--------------------------------|--|
| | | | 90 - 00 9 - 00 | 2 | |
| IN ENVIRONMENTAL PROTECTION & SPILL REMEDIATION | - | | | 2 - | |
| OPWDD-STATE FACILITIES PRE 12/99 DSAS-COMMILINTY FACILITIES | | | | | |
| | 92,258,754.87 | 93,880,321.18 | 99,902,053.33 | 3,676,302.58 | 103,578,355.91 |
| OPWDD-COMMUNITY FACILITIES OASAS-COMMUNITY FACILITIES | 203,978,695.32 | - 192,335,150.94 | - 192,656,905.04 | 3,500,000.00 | - 196,156,905.04 |
| DASNY - OMH ADMIN DASNY - OPWDD ADMIN | - 6,142,952.04 | - 6,142,952.04 | - 6,142,952.04 | | - 6,142,952.04 |
| DASNY - OASAS ADMIN OMU STATE EACULITIES | | - | - 164 477 600 40 | - 10 200 506 27 | - 174 678 106 46 |
| | 34,222,799.88 | 34,222,799.88 | 37,210,353.55 5 071 158 03 | 1,272,794.77 | 38,483,148.32 5 071 158 03 |
| CORR. FACILITIES CAPITAL IMPROVEMENT | - | - | | | а, г |
| DOCS-REHABILITATION PROJECTS CORR. FACILITIES CAPITAL CLOSURE | 278,778,398.67 | 308,540,009.58 - | 330,516,839.12 - | 25,687,918.83 - | 356,204,757.95 - |
| STORM RECOVERY ACCOUNT TOTAL CAPITAL AND BOND REIMBURSABLE FUNDS | 60,237,812.78 1,568,347,163.78 | 60,951,910.17 1,656,076,754.68 | 61,769,761.89 1,754,508,020.62 | 1,242,058.10 128,990,708.92 | 63,011,819.99 1,883,498,729.54 |
| STATE SPECIAL REVENUE FUNDS DOL: CHILI D DEBEORAGED PROTECTION ACCOUNT | | | | | |
| DRDS M | | | | | |
| CHILD HEALTH INSURANCE | 76,626,086.53 | | 29,223,070.52 | 52,276,190.04 | 81,499,260.56 |
| | 0,094,004.00 | | | 2,700,041.00 | 7'1 |
| | | | | | |
| ENVIK FAC CURP ADM ACCI ENCON ADMIN ACCT | - 119,259.29 | - 177,065.49 | - 232,266.79 | - 63,154.50 | - 295,421.29 |
| HAZARDOUS BULK STORAGE | - | | - 000 | | |
| UTILITTENVIRONMENTAL REGULATORY ACCOUNT FEDERAL GRANTS INDIRECT COST RECOVERY ACCOUNT | 576,200.96 | 1,820,221.54 | 2,380,406.53 | (2,380,406.53) | |
| ENCON-LOW LEVEL RADIOACTIVE WASTE SITING ENCON-RECREATION | 465,455.05 | 672,358.58 | 815,843.04 - | (815,843.04) | |
| PUBLIC SAFETY RECOVERY ACCOUNT | | - | | - | |
| ENVIRONMENTAL REGULATORY NATURAL RESOURCES ACCOUNT | 2,102,608.17 | 7, 509, 124. 19 1,915,514.56 | 2,048,017.28 | 1,816,241.33 (113,119.43) | 80,603,400.11 1,934,897.85 |
| MINED LAND RECLAMATION ACCT GREAT I AKES RESTORATION INITIATIVE | | | | | |
| AUDIT AND CONTROL OIL SPILL | | 12,251.95 | | 22,217.16 | 22,217.16 |
| HEALTH DEPT OIL SPILL DEPT OF ENVIDENMENTAL CONSERVATION OIL SPILL | | 2,580.96 | - | 3,848.72 | 3,848.72 |
| DIE PILL COMPENSATION | | | - | - | 7 |
| LICENSE FEE SURCHARGES | - | - | | - | |
| PUBLIC I KANSPOK I A LION SYSI EMS METROPOLITAN MASS TRANSPORTATION | 7,401,709.11 - | 4,296,286.21 | | 11,706,999.72 | 11,706,999.72 - |
| OPERATING PERMIT PROGRAM | 38,806,348.78 | 39,459,387.84 | 39,978,511.51 | 773,147.37 | 40,751,658.88 |
| MUBILE SOURCE HEALTH-SPARC'S | | | | | |
| THRUWAY AUTHORITY ACCT | | 800,476.74 | 803,685.45 | (803,685.45) | |
| MENTAL HYGIENE PROGRAM MENTAL HYGIENE PATIENT INCOME ACCOLINT | | | | | |
| FINANCIAL CONTROL BOARD | 259,083.69 | 552,914.55 | 113,671.67 | 222,537.05 | 336,208.72 |
| RACING REGULATION ACCOUNT | 5,041,543.50 | 5,631,019.09 | 4,316,983.28 | 408,666.50 | 4,725,649.78 |
| SU DORM INCOME REIMBURSE CRIMINAL JUSTICE IMPROVEMENT | 263,128.16 | 5,861.5U | | 699,056.88 - | 699,056.88 |
| ENV LAB REF FEE | | | | | |
| TRAINING, MANAGEMENT AND EVALUATION ACCOUNT | 604,326.86 | 369,071.10 | 428,992.64 | 54,494.80 | 483,487.44 |
| | - | - | - | (1,1,25,0+0,1) - | 171 |
| MULTI - AGENCY TRAINING ACCOUNT | | | | | |
| | | | | | |
| REAL PROPERTY DISPOSITION | - | | - | - | |
| PARKING ACCOUNT COLIETS SPECIAL GRANTS | 1,126,922.92 | 1,475,070.92 | 1,645,344.64 - | (210,210.68) - | 1,435,133.96 - |
| ASBESTOS SAFETY TRAINING | | | | | |
| CAMP SMITH BILLETING ACCOUNT | - | - 166 001 30 | - - | - - | - 101 0 |
| INVESTMENT SERVICES | - | 9, 100,991.39 - | 10.100,204,00 | 140,2/4.10 | ົ |
| SURPLUS PROPERTY ACCOUNT | | | | | |
| FINANCIAL OVERSIGHT | 561 954 18 | 858 784 89 | 376 049 06 | 370 720 65 | 696 769 71 |

APPENDIX F

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| 3.004.40044 4.388,444,14 3.235,397,25 14576,475.55 15.005,716,45 15,005,716,45 14576,475.55 15.005,716,45 15,005,416 266,145,44 128,752,75 182,240,33 20,002,414,14 20,715,252,23 20,730,053,44 20,702,414,14 20,715,252,23 20,730,053,44 20,702,414,14 20,715,252,23 20,730,053,44 20,702,414,14 20,715,252,23 20,730,053,44 20,702,414,14 20,715,252,23 20,730,053,44 20,702,414,14 20,715,252,23 20,730,053,44 20,712,93,05 2,965,544,961 19,656,415,70 26,67,60,133 44,206,44,53 47,040,847,73 26,67,67,730,23 20,715,252,23 20,730,053,44 27,112,953,14 41,005,764,94 47,616,70 26,756,774,33 56,614,700,77 19,656,415,70 26,756,774,33 26,614,700,77 19,656,415,70 26,756,774,33 26,614,700,77 19,656,415,70 26,756,774,33 26,614,700,77 19,656,415,70 26,756,774,33 26,717,723 20,716,82 27,712,93,96 46,917,104 17,557,44,900,71 26,756,73,33 26,717,923 26,717,923 27,17,621 96,616,71,96 27 | ME SCHOL POK THE DEAT SEIZED ASSETS MINISTRATIVE ADJUDICATION 5 ASSESSIMENT ACCOUNT TITUAL FIRULATION ACCOUNT | May 31, 2022 | June 30, 2022 | July 31, 2022 | Change | August 31, 2022 |
|--|--|---|---|--|--|--|
| 47.865.713.00 51.460.746.62 49.129.64.361 14.576.475.55 15.060.216.46 15.106.64.366 208.145.94 12.07.52.275 155.200.33 207.30.063 2.300.163.41 2.477.068.46 207.02.414.14 20.715.55.546.61 19.65.546.61 207.02.414.14 20.715.55.23 20.733.05.34 207.02.414.14 20.715.55.246.61 19.655.546.61 19.655.466.61 207.02.414.14 20.715.55.23 20.733.05.34 207.02.414.14 20.715.55.23 20.733.05.34 207.02.414.14 20.715.55.246.61 19.655.466.61 207.02.414.14 20.715.52.23 20.733.05.34 207.02.414.14 20.715.52.53 40.006.87/03 207.02.414.14 20.715.52.53 40.006.87/03 205.657/60.61 30.065.558.66 19.655.546.61 207.02.414.14 20.715.52.53 40.006.87/03 207.02.414.14 20.715.52.53 47.001.864.73 207.02.444.17.900.77 467.401.864.750 47.666.67.90 208.675.86 2.606.7703 467.713.90 208.675.87 2.607.730 47.001.864.712.70 208.774.93 30.665.744.93 47.666.67.93 208.675.87 30.665.744.93 47.666.67.93 208.675.97 | MINISTRATIVE ADJUDICATION MINISTRATIVE ADJUDICATION CASESSMENT ACCT TTTIPAL FDUCATION ACCOUNT | 3,702,460.94 - | 4,338,404.74 | 3,235,397.23 - | 502,809.42 - | 3,738,206.65 |
| 14.576.475.55 15.083.216.45 15.106.643.86 288.145.44 128.752.75 185.240.33 288.145.44 128.752.75 185.240.33 288.145.44 128.752.75 185.240.33 2.123.308.45 2.330.165.41 2.447.065.44 2.0730.053.44 20.755.253 20.730.053.44 2.125.308.45 2.330.165.41 2.447.065.44 2.0730.053.44 19.555.446.61 19.655.446.61 2.125.308.53 2.330.165.41 2.447.055.44 2.2401.393.36 67.61.41 20.755.253.93 2.42.676.46 36.05.554.66 19.656.475.70 2.42.670.435.01 36.05.554.66 10.05494.536 2.42.670.435.01 35.057.446 0.02592.54.96 0.0740.897.93 2.42.670.435.01 35.677.493 35.977.952 0.0758.458.51 2.42.670.44 56.677.445 35.976.474.83 35.976.474.83 35.976.474.83 2.42.670.87 35.667.446.61 10.657.84.90 10.052.82.94.90 10.052.82.94.90 2.444.57 56.677.403 35.0757.952.94.90 10.052.82.94.90 10.052.82.94.90 10.052.82.94.90 10.052.82.94.90 | | 47,953,713.00 | 51,460,745.62 | 49,129,643.51 | 1,948,282.56 | 51,077,926.07 |
| 14,576,475,55 15,083,216,45 15,106,643,66 268,145,64 129,752,75 165,240,33 288,145,64 129,752,75 165,240,33 2,1723,08,83 2,330,163,44 2,447,068,49 2,1723,08,83 2,330,163,44 2,447,068,49 2,1723,08,83 2,330,163,44 20,715,292,23 20,733,036,34 2,123,04,144 20,715,292,23 20,733,036,34 20,715,292,23 20,733,036,34 2,447,056,143 30,05,153,88 20,715,292,23 20,733,036,34 27,731,036,34 27,731,036,34 2,565,766,163 30,05,153,88 40,068,531,33 26,714,32,823,36 27,731,532,33 27,731,532,33 2,657,463,01 2,805,558,64 19,565,439,01 26,715,293,23 20,737,530,33 2,667,713 2,555,566,64,65 11,56,753,233,23 20,737,530,33 27,757,93,233,233 2,667,743,33 2,674,763,713,33 2,674,390,73 2,674,390,73 67,643,93,243 2,667,743,33 2,673,763,63,64 2,737,567,743 2,947,563,713,33 2,957,563,713,33 2,667,743,33 2,674,763,63 2,677,664,473,83 2,966,937,793,91 2,977,573,93,23 2,947,563 | | | | | | |
| 14,576,475.55 15,083,216,45 15,106,643,56 165,24033 28,146,54 129,752,75 165,24033 2,1723,006,13 2,300,163,41 2,417,068,49 2,1723,006,13 2,300,163,41 2,417,068,49 2,0702,414,14 20,715,222,23 20,733,055,44 2,0702,414,14 20,715,222,23 20,733,055,44 2,0702,414,14 20,715,222,23 20,733,055,44 2,0702,414,14 20,715,222,23 20,733,055,44 2,665,510,95 9,665,513,93 67,613,47 2,666,7406,13 30,055,153,88 40,0897,09 2,676,7406,14 20,715,526,549,61 10,03,027,103 2,667,7406,14 20,715,526,549,61 10,03,027,103 2,667,7406,14 20,115,007 10,03,027,103 2,667,7406,14 20,115,007 10,057,103 2,667,7406,14 20,166,510,17 10,057,103 2,667,7406,14 20,166,500 11,057,107 2,667,7406,14 20,166,500 11,057,103 2,667,7406,17 36,614,750 10,058,413 2,606,774,05 36,614,750 10,058,413 2,617,50,14 42 | ICAL SERVICE ACCOUNT ICR MORTGAGE SERVICES | | | | | |
| 268,145.64 129,732.75 165,240.33 2123,308,63 2,330,163,41 2,477,068,49 20,702,414,14 20,715,552,23 20,733,005,44 20,702,414,14 20,715,552,23 20,733,005,44 19,566,901,19 19,565,540,61 19,665,541,570 23,67,406,04 23,005,153,99 40,409,987,09 25,613,41 20,715,552,23 20,733,005,44 26,613,41 20,715,552,23 20,733,005,44 24,01,533,28 23,601,53,41 26,613,47 25,613,41 20,715,552,23 20,731,053,30 25,613,41 20,715,552,23 20,731,053,30 25,613,41 26,613,71 168,649,773,00 43,777,760,14 30,653,233 66,743,60 25,503,502,66 125,524,300,73 66,753,133 60,419,53 10,600,707 168,644,736,60 23,504,533 66,172,800 30,651,713,833 66,633,7103 66,172,800 30,651,713,833 92,533,403 66,172,800 91,738,814,94 93,642,704 93,610,724,83 95,61,725,83 | DUSING INDIRECT COST RECOVERY ICR-HOUSING CREDIT AGENCY APPI Y FFF | - 14 576 475 55 | - 15 083 216 45 | - 15 106 643 86 | - 116.373.43 | - 15 223 017 29 |
| 268,145,94 123,752,75 185,24,03 2 123,308,83 2,330,165,41 2,447,068,49 2 20,702,414,14 20,715,252,23 20,733,035,44 20,702,414,14 20,715,252,23 20,733,035,54 20,702,414,14 20,715,252,56,46 19,665,415,70 19,565,569,61 19,555,569,61 19,666,415,70 25,5758,752,05 36,574,600 36,657,538,56 20,733,035,54 25,5758,752,05 36,651,61 66,613,70 75,634,400,70 25,5758,776,01 16,635,060 10,636,6415,70 75,634,400,70 25,5758,776,01 19,555,564,60 23,201,528,00 67,613,47 25,5758,776,01 16,555,564,60 23,201,528,00 67,613,47 25,5758,776,01 15,555,544,90 23,201,528,00 67,613,47 26,4756,65 36,614,570 36,514,50 67,613,47 27,10,551,54,553 66,713,60,53,016 41,569,64,710 75,644,415,50 264,778,70 36,614,670 71,568,712 25,619,712 10,513,644,64 21,106,617,130 12,555,544,90< | W INCOME HOUSING CREDIT MONITORING :C-CORPORATION ADMINISTRATION | 1 1 | 11 | 1 1 | | |
| 2,123,308.83 2,330,163,41 2,447,088,49 20,702,41414 20,715,252,23 20,733,035,44 20,702,41414 20,715,252,23 20,733,035,44 19,556,901,19 19,555,440 0,409,897,09 35,57,400,04 30,055,153,39 40,409,897,09 25,574,050,04 30,055,153,39 40,409,897,09 25,574,050,04 30,055,153,39 40,409,897,09 25,574,050,04 30,055,153,39 40,409,897,09 25,574,050,04 30,055,153,39 40,409,897,09 25,574,050,04 30,055,153,39 40,409,897,09 25,574,350,050,06 66,113,07 10,012,07 84,777,061,1 67,613,47 47,404,864,19 94,777,010,576 66,69,77,30 96,64,796,97 94,777,010,576 66,743,20 10,915,573,92 94,777,010,576 66,743,59 90,711,59 94,777,014 55,754,495,70 2,502,718,73 94,756,710,33 36,610,377,90 90,719,553 94,756,710,33 36,610,377,90 10,653,804,48 94,756,710,33 36,610,377,90 10,653,804,48 94,756,710,33 36,610,377,90 10,55,544,99 94,756,710,33 36,610,377,90 10,55,544,90 94,756,710,33 36,610,57,93 | MONTROSE VETERAN'S HOME DEFERRED COMPENSATION ADMIN | - 268.145.94 | - 129.752.75 | - 185.240.33 | - 81.785.24 | - 267.025.57 |
| 2,123,008.83 2,330,163,41 2,47,058,49 2,123,008.83 2,330,163,41 2,47,058,49 2,123,008.83 2,30,15,522,23 20,733,036,34 2,0702,441,14 20,715,522,23 20,733,036,34 19,566,901,19 19,525,544,51 19,866,415,70 35,657,406,04 30,035,153,89 40,408,897,93 36,677,406,04 30,035,153,88 40,408,897,93 36,677,406,04 30,035,153,88 40,408,877,93 36,677,406,04 30,035,153,88 40,408,877,93 36,677,610 30,035,153,88 40,408,897,93 36,571,877,706,14 516,60,69,477,03 40,408,847,03 36,571,877,706,14 56,61,47,280,19 407,166,544,432 38,573,330,256 30,60,377,90 407,166,544,432 38,573,330,256 36,60,377,90 407,166,544,432 38,573,330,256 36,60,377,90 2,567,740,9 38,577,700,14 56,61,77,53 2,572,105,73 38,573,330,256 39,61,02,253 36,714,863 38,573,330,256 36,60,377,90 2,567,430,73 38,577,700,14 56,61,02,73 39,910,223,93 38,577,730,14 56,61,02,73 39,910,223,93 38,577,730,14 56,61,02,73 39,910,229 38,577,730,14 | ENT REVENUE OTHER - NYC | | | | | |
| 2,123,208.05 2,330,163,41 2,47,068,49 20,702,414,14 20,715,252,23 20,733,005,34 20,702,414,14 20,715,252,23 20,733,005,34 19,556,901,19 19,555,549,61 19,656,415,70 36,67,406,00 38,055,153,99 40,400,867,00 36,67,406,00 38,055,153,99 40,400,867,00 36,67,406,00 23,005,153,99 40,400,867,00 36,67,405,00 23,003,167,165,50 23,201,167,165,50 36,753,922,66 310,150,707 412,007,716,56 66,704,864,175 417,200,72 415,607,71 96,673,733,003 17,552,493,07 310,167,507 96,673,733,003 42,115,507,77 415,607,77 96,673,733,003 42,7165,607 42,746,84 96,673,733,003 42,7165,73 354,7165,73 96,773,932,66 93,753,522,66 93,753,522,66 96,613,792,113 45,746,867,12 457,448,84,125 96,613,792,113 45,747,897,13 45,747,897,12 96,613,792,113 34,716,57 2,557,922,66 93,7713,67 <t< td=""><td>ENT REVENUE RANSPORTATION AVIATION ACCOUNT</td><td></td><td></td><td></td><td></td><td></td></t<> | ENT REVENUE RANSPORTATION AVIATION ACCOUNT | | | | | |
| 20/702,414.14 20/715,222.23 20/73,005.34 19,556,901.19 19,555,496.14 19,556,415/0 36,57,406.04 36,055,153.96 40,409,870.96 36,57,406.04 36,055,153.96 2,201,528,30 36,57,406.04 36,055,153.96 2,201,528,30 36,57,406.04 36,055,153.96 2,201,528,30 36,57,406.04 36,055,153.96 40,409,870.96 36,57,406.04 36,055,153.96 3,101,100,350.09 125,524,930.73 37,01,016 56,147,260.14 56,147,260.13 100,279,2716.86 36,210,877,61 56,147,520.14 100,279,2716.86 3,755,24,930.73 36,210,877,61 56,510,610.45 3,552,163.53 56,714,355 56,714,355 36,213,577,500.14 56,713,507.14 56,714,555 | AX REVENUE ARREARAGE ACCOUNT YS MEDICAL INDEMNITY FUND ACCOUNT | 2,123,309.83 | 2,330,163.41 | 2,447,058.49 | - 171,227.09 | 2,618,285.58 |
| Altonum Solution Solution Solution Solution 19,556,001;0 19,555,549,61 19,555,549,61 19,555,549,61 19,555,549,61 19,555,549,61 19,555,549,61 19,555,549,61 19,555,549,61 19,555,549,61 19,555,549,61 19,555,549,61 10,555,549,51 10,555,549,51 10,555,549,51 10,555,549,51 10,555,64,519,52 10,555,64,519,52 10,555,64,519,52 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 10,555,64,519,55 | EHAVIORAL HEALTH PARITY COMPLIANCE FUND | | | | 00 FFZ FC | |
| 19.556.901 19.625.549.61 19.865.415.70 35.657,406.04 38.035.155.349 22.401.253.20 35.657,401.253.26 28.035.155.349 22.201.523.93 35.657,406.04 38.035.155.349 22.201.523.93 35.11,243,604.53 22.802.5564.762 30.035.155.949 22.201.523.93 36.11,243,604.53 442.026.9881.34 467.444.864.73 67.613.47 36.11,243,604.53 31.01.50.350.09 11.50.1701.65 31.61.52.524.930.73 36.575.352.66 55.340.39 55.117.502.11 447.005.865.713.53 55.713.55 36.575.332.06 55.717.75 55.717.55 55.717.52 55.717.57 55.44.50 36.575.352.66 56.67.106.67 30.65.74.95 30.65.74.95 30.751.865 30.751.865 36.575.323.40.39 55.717.20 55.717.73 55.717.52 55.717.57 55.44.726.73 59.61.726.73 36.574.92 55.717.55 55.7175.73 55.7126.73 50.7781.865.712.83 50.7781.865.712.83 50.7781.865.712.83 2.318.750,172.00 2.366.74.95 2.367.795.74 2.367.7281.72 | | ZU,/UZ,414.14 | - | | | ' JC / NZ |
| 35.657,406.04 36.035,155.96 40,409.897.09 22,401,253.28 22,802,565.46 23,201,528.30 60,419.33 67,613.47 67,613.47 61,1243,604.35 442,025,588.74 47,105,539.30 61,1243,604.35 310,150,350.09 125,524,930.73 64,377,760.14 65,500.044,65 103,164,367.13 64,377,760.14 65,500.044,65 103,150,173 64,377,760.14 65,500.044,65 103,173,613 64,534,66 65,513.55 55,115,524 64,534,66 33,655,135,332.66 56,439,473 65,57,173.55 55,51,175,52 55,7173.57 55,717,73 55,51,155,73 56,173,73 53,447,66 33,66,574,95 10,713,857 54,773,73 55,117,527 56,173,27 53,447,703 36,514,95 715,877,128 53,447,703 36,514,95 715,877,128 53,447,63 38,61,025,733 56,173,873 53,447,63 38,61,025,733 56,173,873 53,454,53 38,541,952,733 56,173,873 | TATE POLICE MV ENFORCE DT - HIGHWAY SAFETY PRGM | - 19.556.901.19 | - 19.625.549.61 | - 19.856.415.70 | - 141.920.92 | - 19.998.336.62 |
| Solof 406.4 30.035,155.9B 44.03,556.49 23.201,559.30 60,419.33 67,613,47 67,613,47 67,613,47 61,1,243,604.55 310,150,350.09 125,554,900.73 53.201,553.30 61,1,243,604.55 310,150,350.09 125,554,900.73 54.713,553 84,572,7560.14 555,417,206 555,4173,004,55 166,694,713,656 84,572,753,925.66 555,4173,004,55 166,694,713,65 554,728,73 94,572,053 554,117,962,11 442,055,933,944,934,6 457,53,925,66 554,728,73 93,657,133 555,173,75 555,173,75 555,173,73 554,728,73 94,577,135 596,102,77 366,749,93 457,7395 44,744,434,434 60,667,743 555,175,73 554,728,73 544,728,73 544,728,73 523,145,717,35 536,64,72 556,64,753 556,44,72,95 566,733,33 566,747,139 523,147,173,05 536,417 476,065,51 47,065,717,39 564,768,717,39 564,768,717,39 564,768,717,39 523,464,52 532,7176,57 2,361,769 100,771, | OH DRINKING WATER PROGRAM | | | | | |
| B0.419.33 67,613.47 67,613.47 67,613.47 511,243.604.55 310,150,550.09 125,524,500.73 67,613.47 511,243.604.55 310,150,550.09 125,524,500.73 67,613.47 655,507.15 655,507.044,55 103,145.653,133 67,7135.65 84,572.7560.14 655,500.104,55 103,145.653,133 67,733,226.66 84,572.7560.14 655,500.104,55 103,145.653,133 67,733,226.66 84,572.7750.14 551,173,065.11 405,143.63 425,113.06 93,455.3,300.36 551,173,065.11 405,143.73 44,728.73 84,756.3 33,961,025.73 552,125.73 554,728.73 554,728.73 93,577.33 554,735.73 552,165.73 44,728.73 554,728.73 93,577.33 554,735.73 554,736.73 554,728.73 554,728.73 93,577.12.00 2,364,730.33 554,736.73 433,415.96 100,271,827.13 2,311,760,717.73 5,344,709.73 354,728.73 554,728.73 554,728.73 2,311,760,717.73 5,347,129.746 2,367,199.745 | NYCCC OPERATING OFFSET COMMERCIAL GAMING REGULATION | 35,657,406.04 22,401,293.28 | 38,035,153.98 22,892,536.49 | 40,409,897.09 23,201,528.30 | 3,323,490.08 418,966.89 | 43,733,387.17 23,620,495.19 |
| 60.419.33 67.613.47 67.613.47 67.613.47 67.613.47 511.243.604.55 442.055.988.64 45.613.47 67.613.47 67.613.47 296.5768.762.03 310.150.350.09 125.524.800.73 565.607.135.65 565.607.135.65 565.613.47 467.404.864.730 86.577.750.14 655.601.04.65 310.150.350.09 125.524.800.73 565.4130.66 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 565.64.130 566.65.21.133 566.54.130 566.54.130 566.54.130 566.54.130 566.54.130 566.54.130 566.54.130 566.54.130 566.74.20 </td <td></td> <td></td> <td></td> <td></td> <td>44 107 21</td> <td>44 107 21</td> | | | | | 44 107 21 | 44 107 21 |
| 66.419.33 67.613.47 67.613.47 67.613.47 67.613.47 511.243.604.55 442.055.988.76.00 310,150,350.00 125,524,930.73 487.613.63 66.210.877.601.46 655.901,146.53 10.01,853 10.01,853 10.01,853 10.01,863 10.01,863 10.01,863 10.01,864 310,159,230.66 555.901,735 556.4720 310,159,230.66 555.901,726 310,159,270.68 555.4730 566.47726 310,159,270.68 555.4730 566.4720 566.553.32 566.4720 310,1520 256.4726 566.4726 566.4726 566.4726 566.4726 566.4726 566.4726 566.4726 566.552 566.7713.85 56.4726 5 | EW YORK STATE CANNABIS REVENUE FUND | | | | - | |
| 256/78/7510 310/160/30.00 125/54/80.75 866/377/76014 650/3000 125/54/80.75 866/377/76014 650/3000 125/54/80.75 867/37/76014 650/31200 103/292480.73 865/377/8014 650/31200 1025/54/80.65 863/377/8014 650/31200 475/35266 863/377/8014 651/31200 475/3592.66 803/372/300 551/17/9211 400/6655133 903/377/30 396/102.77 396/37/39 903/377/30 396/102.77 396/37/39 903/377/31 236/362 396/37/39 903/377/31 366/37/39 396/37/39 903/377/31 96/37/39 10,003/31 903/377/31 97/377/30 236/364 903/37/31 17/307 71/307 903/37/32 15/377/30 399/323 903/37/32 10,003/32 10,003/32 903/37/32 10,003/32 10,003/32 917/37/30 10,003/32 10,003/32 917/37/30 10,003/32 10,003/32 | ANTASY SPORTS ADMINISTRATION TOTAL STATE SPECIAL REVENUE FUNDS | 60,419.33 511,243,604.55 | 67,613.47 442,026,988.44 | 67,613.47 467,404,864.79 | 74,046,151.56 | 67,613.47 541,451,016.35 |
| HER) 8,753,832.66 8,753,932.75 8,947,763 9,00,770,53 5,947,763 5,947,763 5,947,763 5,947,763 5,947,763 5,947,763 6,877,733 5,964,763 7,12,9415,36 7,13,9415,36 7,13,9415,36 7,13,647 1,00,770,353 9,01,371,129 9,01,371,129 9,01,371,129 9,01,371,129 1,00,770,353 9,01,371,129 1,00,770,353 9,01,371,129 1,00,770,353 9,01,371,129 1,00,770,353 1,00,770,353 1,00,770,353 1,00,770,353 1,00,771,239 1,00,771,239 1,00,771,239 1,00,771,239 1,00,771,239 1,00,771,239 1,00,771,239 1,00,772,233 1,00,771,239 1,00,771,239 1,00,771,239 1,00,772,233 1,00,772,233 1,00,772,233 1,00,772,233 1,00,773,233 1,00,774,533 1,00,773,233 | FEDERAL USDAFFOOD AND NUTRITION SERVICES FUND FEDERAL USDAFFOOD AND NUTRITION SERVICES FUND FEDERAL EDUCATION GRANTS FUND FEDERAL OPERATING GRANTS FUND | 295,758,762,03 866,210,877,61 84,377,760,14 502,913,543,96 | 310,150,350.09 655,908,104.63 69,115,070.77 556,147,268,19 | 125,524,930.73 1,031,872,163,63 168,649,473.08 470,656,531,33 | (50,338,942.57) (57,720,189.36) (109,110,226.11) 191,592,130.61 | 75,185,988.16 974,151,974.27 59,539,246,97 662,248,661,94 |
| NG 53,942,710,56 59,608,377,59 100,279,277,08 38,717,39 38,717,39 50,718,56,33 50,718,56,33 12,109,687,99 2,570,999,44 58,475,35 50,418,56,33 2,318,759,120,00 2,566,355,193,20 50,718,56,33 50,718,56,33 2,318,759,122,00 2,566,355,193,20 4,418,58,33 50,718,56,33 2,318,745,20 2,564,452 584,796,37 4,518,712,35 38,605,31 909,517,83 2,514,452 584,796,57 4,516,857,12 38,605,31 909,517,83 971,371,30 1,065,100,93 366,274,33 909,517,83 901,377,1367 4,16,065,20 1,065,20 1,003,146,93 138,615,31 911,371,30 1,035,100,93 1,035,103,93 1,035,104 432,570,64 462,173,67 462,173,67 4,750,65,20 1,037,94,84 1,71,307,45 138,617,62 15,790,82,413 1,037,94,84 1,037,94,84 1,71,307,45 1,2952,847,32 1,35,145 1,35,145 2,366,71,32 2,366,71,32 1,35,145 1,35,145 1,35,145 | IILITARY AND NAVAL AFFAIRS EEPARTMENT OF TRANSPORTATION | 8,753,932.66 394.573.340.39 | 8,753,932.66 425,117,962,11 | 8,753,932.66 405.846.439.46 | - 59 675 784 48 | 8,753,9 |
| VG 352.771.77 322.726.73 964.728.77 964.728.77 964.728.77 964.728.77 964.728.77 964.728.77 964.728.77 974.964.75 964.728.77 954.97 974. | NEW CONTRACT RECOVER STATION OF A CONTRACT STATION OF A CONTRACT INSURANCE A DMINISTRATION | 93,042,710,56 60,696,734,93 | 38.961 022 59 | 100,279,277,08 50,781,855,83 | 7,185,982.66 | 107,465,259.74 48,852,650,69 |
| 2,318,750,122.00 2,166,855,15,50 2,367,266,14789 - - - - | EDERAL UNEMPLOYMENT INS OCCUPATIONAL TRAINING OL EMPLOYMENT AND TRAINING GRANTS | 362,771.73 12,109,687.99 | 522,126.73 2,570,979.44 | 584,728.73 4,319,415.36 | (72,484.00) (1,274,050.17) | 512,244.73 3,045,365.19 |
| | TOTAL FEDERAL FUNDS | 2,318,750,122.00 | 2,166,855,195.20 | 2,367,268,747.89 | 37,958,800.40 | 2,405,227,5 |
| 523,464,52 564,796,97 715,887,12 366,053,31 366,574,39 366,574,39 366,053,31 366,574,39 366,574,39 906,577,83 97,1371,30 1,086,100,39 432,570,64 462,173,67 476,065,20 66,335,21 85,879,19 71,377,46 10,66,320 940,367,128 1,075,864,82 11,17,053,51 15,790,84,49 1,027,864,82 12,952,713,68 194,366,36 1,051,82,36 206,671,36 194,366,36 1,051,236 | | | | | | |
| 523,464.52 564,796.97 715,887,12 386,053.31 386,574.39 366,71.87 386,053.31 386,574.39 366,71.87 906,517.83 366,774.36 366,71.36 432,570,64 452,177.367 476,065,20 66,335.21 85,879,19 1,035,464.82 1,117,953.51 15,790,324.49 1,037,464.82 1,117,953.51 15,790,324.49 1,037,864.82 1,292,714.92 10,899,400.46 1,2952,847.32 2,566,17,36 194,366.36 1,05,182.36 | | | | . | . | |
| 432,570,64 462,173,67 476,065,20 432,570,64 462,173,67 476,065,20 66,335,21 86,879,19 71,307,46 1,026,935,28 10,309,128 10,37,364,48 17,117,955,51 15,790,824,49 16,233,551,82 17,117,955,51 15,790,824,49 16,233,551,82 12,922,719,92 10,899,480,46 12,952,847,32 1,3 2,596,177,76 19,43,86,56 194,386,56 185,182,36 13,596,177,76 19,596,56 194,386,56 185,182,36 13,597,136 194,386,56 194,386,56 185,182,36 13,597,136 194,386,56 194,386,56 195,182,36 13,597,136 194,386,56 194,386,56 195,182,36 13,597,136 194,386,56 194,386,56 195,182,36 13,597,136 197,136 197,136 194,386,56 194,386,56 194,386,56 195,182,36 135,587,56 194,586,56 194,586,56 194,586,56 194,586,56 194,586,56 194,586,56 194,586,56 194,586,56 194,586,56 195,587,556 195,586,56 195,586 195,5 | ENTERPRISE FUND GS CONVENTION CENTER ACCOUNT MPIRE PLAZA GIFT SHOP TOTAL ENTERPRISE FUND | 523,464.52 386,053.31 909,517.83 | 584,796.97 386,574.93 971,371.90 | 715,887.12 369,213.81 1,085,100.93 | 32,548,36 10,383,11 42,931.47 | 748,435.48 379,596.92 1,128,032.40 |
| 432.570.64 452.173.67 476.065.20 66.335.21 85.879.19 71.307.45 1,025.870.91 9.0,951.28 1,037.644.42 1,025.8571.91 15.790.84.48 1,037.644.42 17.117.12 15.790.84.48 1,037.644.42 17.117.18 15.790.84.48 12.952.847.32 12.922.718.92 10.889.480.46 12.952.847.32 2.566.677.36 194.366.36 185.182.36 | INTERNAL SERVICE FUNDS | | | | · | |
| 66.335.21 85.879.19 71.307.45 1.0256.970.91 940.931.28 1.037.864.82 1 17.117.953.51 15.790.824.49 16.238.951.82 5.5 12.922.719.92 10.899.460.46 12.952.847.32 1.3 3.596.137.78 194.366.35 134.365.36 135.182.36 | SENTRALIZED SERVICES-DATA PROCESSING | - 432,570.64 | - 462,173.67 | 476,065.20 | - 6,897.60 | 482,962.80 |
| 66.335 71.307.45 71.307.45 1 1.026.970 940.331.28 1.037.864.82 1 17.171.953.51 15.700.824.69 16.335.61.82 5.6 17.171.922.716.92 10.989.460.46 12.952.847.32 1.3 2.566.171.36 194.366.36 194.365.36 1.3 1.2 | ENTRALIZED SERVICES-REAL PROPERTY-LABOR ENTRALIZED SERVICES-DONATED FOODS | | | | | |
| 17,117,953.51 15,790,224.89 16,238,951.82 5.5 12,922,716.92 10,889,480.46 12,952,847,32 1,3 3.696,171.36 194,386,36 185,182.36 185, | ENTRALIZED SERVICES-PERSONAL PROPERTY ENTRALIZED SERVICES-CONSTRUCTION SERVICES | 66,335.21 1,026,970.91 | 85,879.19 940,931.28 | 71,307.45 1,037,864.82 | 12,043.99 163,979.48 | 83,351.44 1,201,844.30 |
| 12,922,718,92 10,889,480,46 12,952,847,32 1,3 3,589,137,78 194,386,36 185,182,36 206,671,36 194,386,36 185,182,36 | ENTRALIZED SERVICES-PASNY ENTRALIZED SERVICES-ADMIN SUPPORT | 17,117,953.51 - | 15,790,824.89 - | 16,238,951.82 - | 5,565,916.58 - | 21,804,868.40 - |
| 206,671,36 194,386,36 185,182,36 206,671,36 | ENTRALIZED SERVICES-DESIGN AND CONSTR | 12,922,718.92 | 10,899,480.46 | 12,952,847.32 | 1,376,660.09 | 14,329,507.41 |
| | ENTRALIZED SERVICES-INOURANCE | 206,671.36 206,671.36 | - 194,386.36 | - 185,182.36 | 30,341.00 | 215,523.36 |
| - TRTRALIZED SERVICES-FOOD SERVICES - | | | | | | |
| 745.817.41 508.733.73 876,420.53 | ENTRALIZED SERVICES-HOMER FOLMS | 745,817.41 | 508,733.73 | 876,420.53 | (205,296.08) | 671,124.45 |

APPENDIX F

| | STATE OF NEW YORK SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(') | ANDING(*) | | | | |
|----------------|---|--|--|--------------------------------|--|-------------------------------|
| SFS Fund | ACCOUNT TITLE | May 31, 2022 | June 30, 2022 | July 31, 2022 | Change | August 31, 2022 |
| 55018 | BUILDING ADMINISTRATION | 1 | | | | |
| 55019 | LEASE SPACE INITIATIVE | • | | • | | |
| 55020 | | 11,614,701.26 | 16,968,307.14 | 14,782,814.50 | 566,236.65 | 15,349,051.15 |
| 55021 | NYS MEDIA CENTER | 8,866,586.37 | 8,939,289.29 | 9,051,613.02 | 249,940.07 | 9,301,553.09 |
| 55022 | BUSINESS SERVICES CENTER | 34,363,508.61 | 6,738,464.59 | 8,749,502.82 | 3,335,857.51 | 12,085,360.33 |
| 55052 55052 | ARCHIVES RECORD MGMT I.S. EEDEPAT SINGLE AUDIT | 275,121.83 | 372,803.22 | 478,046.99 | 101,645.04 | 579,692.03 |
| 55055 | | I | I | 1 | 569 106 06 | 568 106 06 |
| 55056 | | | | | 200, 100.30 | 200, 100.90 |
| 55053 | DANIZING SEDVICES ACCOUNT TEALITI FROG | - EDE 563 67 | 201 76 | 166 873 17 | /166 273 17) | |
| 55058 | | 2 423 035 45 | 01:100 | 2 020 647 11 | 72 241 37 | 2 242 888 48 |
| 20000 | OULIONAL REGOORCE SONVEI NEIGHROP MORK DRO IECT | 2,400,000.10 | 11 013 113 013 113 07 | 10 276 705 66 | 13/10/273 64) | 0,243,000.40 10 AG7 AD2 D2 |
| 55060 | | 2013/2013/2013/2013/2013/2013/2013/2013/ | 4 505 062 74 | 5 591 851 76 | 1 488 425 07 | 7 080 276 83 |
| 55061 | OFT NYT ACCT | 1 | | - | | |
| 55062 | DATA CENTER ACCOUNT | 31.767.826.58 | 31.767.826.58 | 31.767.826.58 | | 31.767.826.58 |
| 55066 | CYBER SECURITY INTRUSION ACCT | 1,261,584,27 | 1.261.584.27 | 1.261.584.27 | | 1.261,584.27 |
| 55067 | DOMESTIC VIOLENCE GRANT | 298,094.58 | 295,591.07 | 175,846,97 | 49.746.84 | 225,593,81 |
| 55069 | | 19.102.527.76 | 48.689.472.09 | 49.605.764.56 | 7.215.501.79 | 56.821,266.35 |
| 55071 | LABOR CONTACT CENTER ACCT | 779.191.38 | 1.097.506.78 | 1.427.349.71 | 273.506.52 | 1.700.856.23 |
| 55072 | HUMAN SERVICES CONTACT CNTR ACCT | 2.564.261.36 | 3.604.325.89 | 3.777.083.48 | (1.512.736.45) | 2.264.347.03 |
| 55073 | TAX CONTACT CENTER ACCT | | | | | |
| 55074 | CIVIL RECOVERIES ACCT | | | | | |
| 55251 | EXECUTIVE DIRECTION INTERNAL AUDIT | 7,463,772.01 | 7,734,817.58 | 7,940,988.46 | 327,327.13 | 8,268,315.59 |
| 55252 | CIO INFORMATION TECHNOLOGY CENTRALIZED SERVICES | 47,634,950.38 | 50,936,456.24 | 55,392,852.81 | 5,407,562.72 | 60,800,415.53 |
| 55300 | HEALTH INSURANCE INTERNAL SERVICE | 3,809,947.09 | 5,594,293.61 | 6,275,358.55 | 1,150,982.99 | 7,426,341.54 |
| 55301 | CIVIL SERVICE EMPLOYEE BENEFITS DIV ADM | 8,176,812.79 | 8,187,539.71 | 8,187,539.71 | 16,216.10 | 8,203,755.81 |
| 55350 | CORR INDUSTRIES INTERNAL SERVICE | 18,616,140.21 | 21,796,574.27 | 23,528,083.69 | 1,794,402.66 | 25,322,486.35 |
| | TOTAL INTERNAL SERVICE FUNDS | 249,356,720.02 | 261,662,503.88 | 273,986,728.38 | 27,950,796.20 | 301,937,524.58 |
| | | | | | | |
| | GRAND TOTAL - TEMPORARY LOANS OUTSTANDING | \$ 4,648,607,128.18 | \$ 4,527,592,814.10 | \$ 4,864,253,462.61 | \$ 268,989,388.55 | \$ 5,133,242,851.16 |
| | | | | • | | |
| ي. | (1) Temporary Loans are authorized pursuants to Subdivisor 5 of Section 4 of the State Finance Law and Chapter 65, Part IFF, Section 1, or the Laws of 2022-23. The loans concerned authorizations much be to includent on a flow control mediatories for much sections of the fund loans to halve. | 4 of the State Finance Law and (| Chapter 56, Part FFF, Section | 11, of the Laws of 2022-23. | | |
| | ter totals represent autoritations transporter yn te egepatater to antor en antor ar en antor ar antor ar antor Such Ioans are made fron the Stafe's Short-ferm investment Pool (STIP) and are interded to satisfy temporary cash Shortfalls Whenever scheduled disbursement. | IP) and are intended to satisfy te | emporary cash shortfalls whe | enever scheduled disburseme | uts | |
| | exceed available revenues during the fiscal year. Generally, temporary loans are repaid from the first cash receipts of the fund or account; how ever, in some cases actual | y loans are repaid from the first o | cash receipts of the fund or a | account; how ever, in some ca | ises actual | |
| | revenues are not sufficient to repay all ons made to the fund or account and a transfer from the General Fund "Repayment of Receivables" approved by the Budget Director. The balances reported have in Amendie Fare the actual finnt halances as of the chose of this investigation on the last word the reporting month month month and an activitient adjustmentor. | unt and a transfer from the Gene | aral Fund "Repayment of Rec the last day of the reporting | eivables" appropriation is ap | proved by the Budget Di t-closing adjustments | ector. |
| | Please refer to Schedule 1 for a detailed analysis of the 'reported' cash balances of the fund group. | h balances of the fund group. | | | | |
| * | (**) Temporary loans to federal funds are typically reimbursed within 2.3 days. Such loans are made pursuant to federal regulations which require the State to disburse funds prior to | lays. Such loans are made pursu | uant to federal regulations w | hich require the State to disb | urse funds prior to | |
| ****) | anding a telliburusement claim from the U.S. Treasury. "Part Der Section 72 of the State Finance Law the General Enind Includes the Local Assistance Fund (10000) and State Purnose Fund (10050). | e Local Assistance Fund (10000) | and State Purnose Fund (10 | 1050). | | |
| - | ן רפו ספרווטון 21 טו נוופ סומיפ רווומוונים במאי נוופ ספוופומו רמווט ווונוטטפט נו | ב בטכמו הספוסומווכב ו שוום (וטטטט) | alin atate Laibose Lalin (in | Coco | | |
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APPENDIX F

| M01 M1 | STATE OF NEW YORK DEDICATED INFRASTRUCTURE INVESTMENT FUND(') STATEMENT OF RECEIPTS AND DISBURSEMENTS FISCAL YEAR 2022-2023 | | | | | | | | | | | | | APPENDIX G |
|---|--|----------------------|-----------------|----------|------------------------|------------------------|-----------|---------|----------|----------|-----------------|----------|---------|-----------------------------------|
| c c4.843,404 c 4.6.686,758 c c3.717,016 c c0000,000 | | 2022 APRIL | МАҮ | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2023 JANUARY | FEBRUARY | MARCH | 5 Months Ended August 31, 2022 |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | OPENING CASH BALANCE | \$ 64,843,404 | \$ 46,698,758 | \$ | | \$ 35,477,919 | | | | | | | | \$ 64,843,404 |
| Housing 50,000,000 50,000,000 60,000,000 b Housing 1,345,907 1,325,550 1,301,217 2,352,366 3,325,366 3,325,366 3,325,366 3,325,366 3,325,366 3,325,366 3,325,366 3,325,366 6,033,060 1,001,010 1,001,010 1,001,010 1,001,010 1,001,010 1,001,010 1,001,010 1,001,010 1,001,010 1,001,010 1,001,010 1,001,010 1,001,010 1,012,100 1,013,010 1,014,010 1,014,010 1,014,010 1,014,010 1,014,010 1,014,010 1,014,010 1,016,0100 1,016,0100 1,0 | RECEIPTS: Transfers from General Fund (**) Other | | | | | - 60,000,000 | | | | | | | | 110,000,000 |
| Housing 2.2825.500 1.730.017 3.230.566 1.301.271 2.385.939 Undiminiatives 9.455.160 1.345.507 2.457.88 9.455.166 3.222.865 Undiminiatives 8.650 5.453 9.455.166 3.285.939 5.222.865 Undiminiatives 8.650 5.453 9.445.168 3.222.865 6.823.88 Instructure for Behavioral Sciences 4.88.753 5.445.168 0.142 1.140.210 Instructure for Behavioral Sciences 4.88.753 3.34.514 68.462 2.22.352 Anstructure for Behavioral Sciences 4.88.753 5.56.243 1.7772 1.040.026 1.833.333 Cronsolidation Competition 111.1831 5.56.243 1.7772 1.040.026 1.833.333 Consolidation Competition 111.1831 5.56.243 1.7772 1.040.026 1.632.333 Consolidation Competition 111.1831 5.56.243 1.7772 1.040.026 6.23.333 Consolidation Competition 111.600.021 2.646.873 2.645.660 1.83.333 2.646.861 < | Total Receipts | | | | | 60,000,000 | | | | | | | | 110,000,000 |
| Housing 2.282,500 17.3001 3.301.271 2.386,300 0.doi(n) initiatives 1,34,50 2,453 66,167 2,453,78 6,523,586 0.doi(n) initiatives 8,650 5,1165 9,142 1,00,270 initiatives 8,651,67 2,657,88 6,523,586 6,523,586 initiatives 8,651,67 2,657,88 6,523,586 6,523,586 initiatives 3,601,588 9,142 2,233,53 1,00,210 initiatives 3,601,588 17,712 1,604,026 1633,333 Cronsolidation Competition 111,831 568,243 17,712 1,604,026 6,223,333 Cronsolidation Competition 111,831 568,243 17,712 1,604,026 6,223,33 Cronsolidation Competition 111,831 568,243 17,712 1,604,026 6,223,33 Cronsolidation Competition 111,611 3,444,43 3,466,61 3,466,61 3,466,61 Glave Familitative 8,494,444 3,546,600 1,630,002 1,630,61 1,636,416 <th>DISBUR SEMENTS:</th> <td></td> | DISBUR SEMENTS: | | | | | | | | | | | | | |
| 1,345,07 2,082,38 1,345,07 2,455,168 3,252,866 5,226,866 3,223,866 5,232,866 5,232,866 5,232,866 5,232,866 5,232,866 5,232,866 6,323,333 6,333,333 6,333,333 6,333,333 6,333,333 6,333,333 6,333,333 6,333,333 6,333,333 6,333,333 6,333,333 6,333,333 6,333,333 6,343,433 6,343,433 6,343,433 6,343,433 6,343,433 6,343,433 6,343,433 6,343,433 6,343,433 6,343,433 6,343,433 6,343,413 6,343,413 6 | Affordable and Homeless Housing | 2,262,500 | 1,730,017 | e | 1,301,271 | 23,859,939 | | | | | | | | 32,384,292 |
| duction intlatives B6/50 5,135 96,10/ 2,43,36 96,10/ 2,43,66 6,132,16 1,04,210 1,03,213 2,23,562 1,04,102 1,03,213 2,23,562 1,22,323 2,22,362 1,04,102 1,03,210 1,03,210 1,03,213 2,23,562 1,03,213 2,23,562 1,03,211 2,23,562 2,22,362 1,04,102 1,02,213 2,23,562 2,22,362 1,04,102 1,02,213 2,23,562 1,04,102 1,02,213 2,24,333 2,24,333 2,24,333 2,24,333 2,24,333 2,24,336 2,24,336 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 2,24,416 < | Broadband Initiative | 1,345,907 | 2,089,289 | | 9,455,186 | 3,262,896 | | | | | | | | 16,311,604 |
| Instructure for Behavioral Sciences 334,514 68,462 222,362 instructure for Behavioral Sciences 488,755 334,514 68,462 222,362 instructure for Behavioral Sciences 3,601,588 3,17,712 1,604,028 1833,333 Consolidation Competition 3,601,588 558,243 17,712 1,604,028 602,691 Alley Farm Initiative 3,601,588 13,217 568,243 13,217 568,243 13,217 Alley Farm Initiative 8,49,880 182,652 9,881,481 2,845,359 582,105 oparation 9,34,444 3,956,873 11,600,021 2,603,641 3,346,681 oparation 18,144,646 8,574,682 26,160,162 41,566,143 3,466,611 oparation 18,144,646 8,574,682 26,160,162 2,453,69 582,105 oparation 18,144,646 8,574,682 26,160,021 2,445,691 3,446,611 oparation 18,144,466 8,574,682 26,160,124 2,446,612 1,566,713 1,566,713 opare | Downtown Kevitalization Empire State Doverty Reduction Initiativae | - 80.630 | 2,400 54 185 | | 240,/88 - | 0,823,080 1 040 210 | | | | | | | | 1,93/,U94 1 103 167 |
| | Health Care / Hospital Initiatives | - | | | | - | | | | | | | | 1,100,101 |
| instant 488,733 - 344,514 68,422 222,362 mision 3601,588 - - 334,514 68,422 222,362 mision 3601,588 - - 536,900 1533,333 1533,333 consolidation Competition 111,831 556,243 17,712 1,64,026 902331 calley Farm Initiative - - - 13,217 656 - - gram 93,944,444 3,966,873 113,217 2,6436,012 41,566,143 - - operior 93,944,444 3,966,873 116,00,021 2,6436,012 41,566,143 - | Information Technology/Infrastructure for Behavioral Sciences | ۰ ۵ | | | | | | | | | | | | |
| micion 3601,588 550,243 17,712 1,604,036 1,833,333 Consolidation Competition 111,331 550,243 17,712 1,604,036 602,303 Claivy and Emergency Response 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 0 | Infrastructure Improvements | 488,753 | | 334,514 | 68,492 | 222,362 | | | | | | | | 1,114,121 |
| Consolidation 301,388 (17,17) 558,243 (18,17) 17,12 (18,02) 3,358 (18,02) 17,12 (18,02) 3,358 (18,02) 13,323 (18,02) curly and Emergency Response 13,217 660 13,3217 666 92,331 curly and Emergency Response 840,983 182,622 9,841,491 2,845,356 562,105 agam 9,394,441 3,966,873 11,600,021 2,845,356 562,105 agam 9,394,441 3,966,873 11,600,021 2,845,356 562,105 oparm 9,394,441 3,966,873 11,600,021 2,845,356 562,105 oparm 9,344,446 8,574,682 26,160,145 2,845,356 56,201 oparm 18,144,464 8,574,682 26,160,145 2,4366,012 41,566,143 oparm 18,144,464 8,574,682 26,160,145 26,436,012 41,566,143 and Transfers 13,466,0745 26,160,145 26,466,012 41,566,143 2 and Transfers 13,466,0745 3,3466,012 3,336,1776 5,3391,776 | Jacob Javits Center Expansion | | | | | | | | | | | | | |
| curry and Emergency Response (50,000) (56) galan minidre (50,000) (56) galan minidre (13,217) (56) galan (13,114) (13,112) galan (13,114) (13,114) galan< | Life Sciences Initiative Municipal Restructuring / Consolidation Competition | 3,6U1,588 111 831 | - 559.243 | - 17 712 | 8,356,99U 1 604 026 | 1,833,333 602 931 | | | | | | | | 13,791,911 2 895 743 |
| Alley Familiative (30,00) 656 7 Alley Familiative (30,00) 656 7 Alley Familiative (31,217) 656 562,105 Obvelopment Projects 849,803 182,66273 9,81,431 2,845,399 562,105 Opvelopment Projects 8,944,44 3,956,873 11,600,021 2,643,601 41,565,413 Opvelopment Projects 8,374,682 26,100,149 2,6436,012 41,565,413 5 Opvelopment Projects 8,574,682 26,100,149 2,6436,012 41,565,413 5 Opvelopment Projects 18,144,646 8,574,682 26,160,149 2,6436,012 41,565,413 Store -< | Penn Station Access | | - | | - | | | | | | | | | |
| affer Table fram initiative 13.217 656 52.05 agian 9981.481 2.845.356 562.105 agian 93.94.441 3.966.873 118.00.224 3.346.966 apam 9.394.444 3.966.873 116.00.021 2.643.356 562.105 apam 9.394.444 3.966.873 26.160.145 2.443.866 3.346.661 apam 18.144.646 8.574.682 26.160.145 26.408.012 41.586.143 apam 18.144.646 8.574.682 26.160.145 26.408.012 41.586.143 and Transfers 18.446.686.738 3.81.24.076 8.61.68.0341 8.35.477.919 8.53.891.776 | Resiliency, Mitigation, Security and Emergency Response | | | (50,000) | • | | | | | | | | | (50,000) |
| Development Projects 849,963 182,622 9,841,481 2,845,356 592,105 nn 9,394,444 3,966,873 11,600,021 2,645,356 3,346,861 0gram 9,394,444 3,966,873 11,600,021 2,645,356 3,346,861 18,144,646 8,574,682 26,160,145 26,466,012 41,566,143 1,564,643 sfers 18,144,646 8,574,682 26,160,145 26,466,012 41,566,143 1 and Transfers 18,144,646 8,574,682 26,160,145 26,466,012 41,566,143 1 sfers 18,144,646 8,574,682 28,100,145 26,460,126 41,566,143 1 and Transfers 18,144,646 8,574,682 28,100,145 26,460,126 41,566,143 1 sfers 18,144,646 8,574,682 28,124,076 8,6196,331 5,354,177619 8,53381,1776 | Southern Tier / Hudson Valley Farm Initiative Thuman stabilization Dromom | | | 13,217 | 636 | | | | | | | | | 13,853 |
| Opam 9.384,444 3.866,873 11600.01 2.608,264 3.346,681 3.347,682 26,466,145 26,166,3301 26,366,147 26,366,147 26,366,147 26,366,147 26,366,147 26,366,147 26,366,147 26,366,147 26,366,147 26,366,147 26,366,147 26,366,147 | Transformative Economic Development Projects | 849,993 | 182,622 | | 2,845,359 | 592,105 | | | | | | | | 14,451,560 |
| Ogam U-394 444 J-906 201 U-346 001 J-3460 01 J-3660 11 J-3660 11 J-3660 11 J-3660 01 J-3660 01 <thj-3660 01<="" th=""> <thj-3660 01<="" th=""> <thj-3660< th=""><th>Transporation Capital Plan</th><td></td><td></td><td></td><td></td><td>1000000</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></thj-3660<></thj-3660></thj-3660> | Transporation Capital Plan | | | | | 1000000 | | | | | | | | |
| 18,144,646 8,574,682 26,160,145 28,486,012 41,586,143 41,586,1 | Opsiate Revitalization Program | +++,+D0,D | 0,0008,0 | I | 2,000,204 | 0,040,001 | | | | | | | | 20,200,200 |
| sfers | Total Disbursements | 18,144,646 | 8,574,682 | | 26,486,012 | 41,586,143 | • | • | • | • | • | • | • | 120,951,628 |
| ders - | OPERATING TRANSFERS: Transfers to General Fund | | | | , | | | | | | | | | |
| and Transfers 18,144,646 8,574,682 26,160,145 26,486,012 41,586,143 41,586,143 5,413,86,012 41,586,143 5,413,86,143 5,46,698,758 5,389,1776 5,61,963,331 5,35,477,919 5,53,891,776 5,51,500,100,100,100,100,100,100,100,100 | Total Operating Transfers | | | | ' | ' | ' | | 1 | ' | | • | 1 | |
| \$ 46,698,758 \$ 38,124,076 \$ 61,963,031 \$ 33,477,919 \$ 53,891,776 | Total Disbursements and Transfers | 18,144,646 | 8,574,682 | | 26,486,012 | 41,586,143 | | | • | | | | | 120,951,628 |
| | CLOSING CASH BALANCE | \$ 46,698,758 | | ÷ | \$ 35,477,919 | \$ 53,891,776 | - \$ | S | - \$ | - \$ | S | - \$ | - \$ | \$ 53,891,776 |
| | | | | | | | | | | | | | | |

(*) Fund created pursuant to Chapter 60, Laws of 2015-16, Part H and SFL § 93-b (**) Pursuant to Section 93(to) of the State Finance Law

| · | | AUGUST 2022 | | 51 | 5 MONTHS ENDED AUGUST 31 | |
|---|----------------------|----------------------|------------------|----------------------|--|--|
| | Department of Health | Other State Agencies | <u>August</u> | Department of Health | Other State Agencies | Year to Date |
| Adult State Share Medicaid State Share Medicaid Marival Assistance (ODWDD) | <u>.</u> | \$ 457,101.24 | - 457,101.24 | \$ 56,721,948.00 | 77,612,792.00 \$ 1,769,607.57 792.274.207.00 | 77,612,792.00 58,491,555.57 792.274 207.00 |
| Medical Assistance (UCWUU) Medical Assistance Administration | 3,147,856.56 | | 3,147,856.56 | 31,857,844.61 | 126,871,286.00 | 158,729,130.61 |
| Traumatic Brain Injury Services | 925,580.39 | | 925,580.39 | 4,600,685.63 | • | 4,600,685.63 |
| Nursing Home Transition & Diversion | 1 | | • | 1 | ı | • |
| Reducing Maternal Mortality | 618,290.48 | | 618,290.48 | 721,666.57 | · | 721,666.57 |
| New York Connects | ı | 4,023,697.88 | 4,023,697.88 | | (10,025,226.37) | (10,025,226.37) |
| Vital Access provider Services | I | | | | | • |
| Facilitated Enrollment | 305,882.17 | I | 305,882.17 | 693,497.97 | ı | 693,497.97 |
| Managed Long-Term Care Ombudsman | 1 | I | | 737,933.81 | | 737,933.81 |
| General Hospitals Safety-Net Providers | 270,914,141.00 | ı | 270,914,141.00 | 858,185,429.73 | T | 858,185,429.73 |
| AIDS Epidemic | 1,259,483.80 | ı | 1,259,483.80 | 3,812,168.96 | T | 3,812,168.96 |
| Expanding Caregiver Support Services | 825,619.20 | ı | 825,619.20 | 10,089,855.97 | I | 10,089,855.97 |
| Provide Affordable Housing | 1,121,600.81 | 2,493,290.61 | 3,614,891.42 | 14,736,501.87 | 8,813,048.76 | 23,549,550.63 |
| Community Provider Network | ı | I | • | I | ı | |
| Inpatient Services | 59,582,782.42 | ı | 59,582,782.42 | 286,215,879.56 | I | 286,215,879.56 |
| Patient Centered Medical Homes | I | I | • | I | | |
| Outpatient & Emergency Room Services | 12,602,908.15 | ı | 12,602,908.15 | 56,439,675.54 | I | 56,439,675.54 |
| Clinic Services | 27,052,069.27 | | 27,052,069.27 | 89,800,608.46 | I | 89,800,608.46 |
| Nursing Home Services | 122,420,257.25 | | 122,420,257.25 | 481,274,651.78 | I | 481,274,651.78 |
| Other Long Term Care Services | 361,246,318.19 | I | 361,246,318.19 | 707,691,210.86 | | 707,691,210.86 |
| Managed Care Services | 360,542,142.42 | | 360,542,142.42 | 2,205,938,190.17 | I | 2,205,938,190.17 |
| Pharmacy Services | 17,217,285.75 | | 17,217,285.75 | 69,997,514.31 | I | 69,997,514.31 |
| Transportation Services | 17,573,410.43 | ı | 17,573,410.43 | 67,665,576.50 | | 67,665,576.50 |
| Dental Services | 301,027.73 | I | 301,027.73 | 1,142,146.58 | | 1,142,146.58 |
| Non-Institutional & Other | 532,102,687.63 | I | 532,102,687.63 | 3,235,833,537.95 | 1,981,552.00 | 3,237,815,089.95 |
| Medical Services State Facilities | 69,525,281.44 | I | 69,525,281.44 | 541,736,170.05 | | 541,736,170.05 |
| MAP DC37 & TEAMSTER LOCAL 858 | | 1 | • | I | ı | I |
| CSEA Family Health Plus Buy In | 145,391.50 | ļ | 145,391.50 | 767,983.62 | ı | 767,983.62 |
| Medical Assistance (HCRA) | 475,000,000.00 | I | 475,000,000.00 | 1,925,000,000.00 | | 1,925,000,000.00 |
| Personal Care Workforce Recruitment and Retention | · | | | | · | |
| Home Health Rate Increase | 1 | I | I | I | I | I |
| Indigent Care | 52,483,243.77 | ı | 52,483,243.77 | 236,337,862.76 | | 236,337,862.76 |
| Provider Assessments | 77,406,000.00 | ļ | 77,406,000.00 | 377,218,000.00 | I | 377,218,000.00 |
| Additional DSH Payments SUNY | | I | | 197,154,371.55 | | 197,154,371.55 |
| TOTAL ^(**) | 2,464,319,260.36 | 6,974,089.73 | 2,471,293,350.09 | 11,462,370,912.81 | 999,302,266.96 | 12,461,673,179.77 |
| Reclassification of Medical Assistance payments for care and treatment of patients at State-operated health, mental hygiene and State University facilities to Transfers. | (84,337,442.60) | | (84,337,442.60) | (789,908,082.35) | | (789,908,082.35) |

Reclassification of Medical Assistance payments for treatment of patients at State-operated health, ment hygiene and State University facilities to Transfers.

TOTAL REPORTED MEDICAID

⁽¹⁾ General Fund and State Special Revenue Funds only. These amounts do not include Medical Assistance spending for State Operations.

Department of Health regularly reclassifies spending between programs. These amounts are not comparable to Medicaid Global Cap spending.

and therefore amounts for any individual program may be restated by DOH. Source: Statewide Financial System

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APPENDIX H

11,671,765,097.42

999,302,266.96 \$

10,672,462,830.46 \$

ŝ

2,386,955,907.49

6,974,089.73

2,379,981,817.76 \$

φ

| | | AUGUST 2022 | | δM | 5 MONTHS ENDED AUGUST 31 | |
|---|----------------------|----------------------|------------------|----------------------|--------------------------|---------------------|
| | Department of Health | Other State Agencies | August | Department of Health | Other State Agencies | <u>Year to Date</u> |
| Medical Assistance & Survey Certification Program | \$ 9,522,649.12 | \$ - \$ | 9,522,649.12 | \$ 52,331,848.78 | \$ ' | 52,331,848.78 |
| Medical Assistance Administration | 248,658.75 | 95,658.00 | 344,316.75 | 473, 191.53 | 99,123,112.00 | 99,596,303.53 |
| American Resuce Plan Act | | | • | 514,637,598.53 | | 514,637,598.53 |
| Inpatient Services | 276,196,018.27 | | 276,196,018.27 | 1,628,198,394.68 | | 1,628,198,394.68 |
| Outpatient & Emergency Room Services | 33,901,820.21 | | 33,901,820.21 | 178,674,410.51 | | 178,674,410.51 |
| Clinic Services | 81,643,014.77 | | 81,643,014.77 | 325,093,092.28 | | 325,093,092.28 |
| Nursing Home Services | 169,194,315.54 | | 169,194,315.54 | 726,365,557.59 | | 726,365,557.59 |
| Other Long Term Care Services | 1,595,086,146.15 | | 1,595,086,146.15 | 7,209,068,459.43 | | 7,209,068,459.43 |
| Managed Care Services | 2,170,960,623.52 | | 2,170,960,623.52 | 9,664,495,450.10 | | 9,664,495,450.10 |
| Pharmacy Services | 42,514,504.30 | | 42,514,504.30 | 194,226,245.62 | | 194,226,245.62 |
| Transportation Services | 62,751,581.61 | | 62,751,581.61 | 267,901,910.69 | | 267,901,910.69 |
| Dental Services | 766,079.77 | | 766,079.77 | 3,389,057.05 | | 3,389,057.05 |
| Non-Institutional & Other | (32,982,241.95) | 5,554.00 | (32,976,687.95) | 356,378,513.09 | 11,739,134.00 | 368,117,647.09 |
| Medical Services State Facilities | 1,140,059.00 | | 1,140,059.00 | 831,101,968.87 | | 831,101,968.87 |
| Additional DSH Payments SUNY | | | • | 252,969,764.45 | | 252,969,764.45 |
| TOTAL ^(**) | 4,410,943,229.06 | 101,212.00 | 4,411,044,441.06 | 22,205,305,463.20 | 110,862,246.00 | 22,316,167,709.20 |
| Reclassification of Medical Assistance payments for care and treatment of patients at State-operated health, mental hygiene and State University facilities to Transfers and adjustments for timing of payments at month end. | (30,413,304.43) | | (30,413,304.43) | (845,089,720.34) | | (845,089,720.34) |
| TOTAL REPORTED MEDICAID ^(***) | \$ 4,380,529,924.63 | \$ 101,212.00 \$ | 4,380,631,136.63 | \$ 21,360,215,742.86 | \$ 110,862,246.00 \$ | 21,471,077,988.86 |

| luo |
|---------|
| Funds |
| Federal |
| Revenue |
| Special |
| E |

Special Revenue Federal Funds only. These amounts do not include Medical Assistance spending for State Operations.

These amounts are not comparable to Medicaid Global Cap spending.

"> Source: Statewide Financial System
""> Reported Medicaid spending does not include the Basic Health Plan.

Financial Reports

MEDICAL ASSISTANCE DISBURSEMENTS - FEDERAL FUNDS^(*) FISCAL YEAR 2022-2023

STATE OF NEW YORK

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APPENDIX I