

As expected, those State Agencies subject to the Governor's Executive Order #38 limiting administrative expenses and executive compensation for providers receiving state funds and state authorized payments have substantially revised the proposed regulations that were originally published in May 2012. In addition to the substantive changes in definition and measurement of administrative expenses and executive compensation, the regulations are now aimed to take effect on April 1, 2013 rather than in January as originally proposed. Please note that local governmental units were originally and are still exempt from the limitations proposed under these rules. Also, we are pleased to note that many of the Conference's comments and recommendations were acknowledged in the assessment of public comment and in the updated proposed regulations. To read a copy of the original proposed regulations memo and comments by CLMHD, you can go [HERE](#). To read copies of the assessments of public comments, and text of the revised proposal, you can go directly to each agency's regulation webpage, all of which are linked below. The language for the health and mental hygiene agencies is largely the same, however with some differences including:

- Revised DOH regulations list some specific program and provider types that are impacted by the regulation as "covered providers."
  - The DOH and OPWDD regulations do not include the "background and intent" or "legal base" sections that are included for OMH and OASAS.
  - The OASAS regulations include a severability section, while those for the other agencies listed below do not.
- Access regulations and assessments of public comment: [OMH](#), [OPWDD](#), [DOH](#), [OASAS](#)
- If you have any questions please feel free to contact Jeremy: [jd@clmhd.org](mailto:jd@clmhd.org)