



## Office for People With Developmental Disabilities

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**To:** Care Coordination Organizations – Willowbrook Care Management  
Partners Health Plan – Willowbrook Care Management  
OPWDD Regional Office Willowbrook Liaisons  
OPWDD Regional Office Directors  
OPWDD State Operation Directors  
Consumer Advisory Board Executive Director

**From:** Abiba Kindo, Deputy Commissioner, Regional Offices

**Date:** June 28, 2022

**Subject:** **Revised June 28, 2022:** Requesting Approval on Behalf of a Willowbrook class member to Return to Day Services (**Issued July 16, 2021, Initial Revision November 5, 2020**)

On July 2, 2021, OPWDD issued Post State of Emergency COVID-19 Guidance for OPWDD Certified, Operated, and/or Funded Facilities and Programs. This document can be found on the OPWDD website at: <https://opwdd.ny.gov/system/files/documents/2021/09/9.16.21-post-emergency-general-memorandum-final-with-masks.pdf> . With the issuance of this post-emergency guidance, the process by which to request approval on behalf of a Willowbrook class member to return to day program has been revised.

With the end of the State's declared public health emergency, the decision of whether or not an individual returns to a day program must continue to be person-centered and based on the informed choice of the individual and/or their family/representative in conjunction with the care planning team and in accordance with the OPWDD Person-Centered Planning Regulations.

As class members and/or their family members increasingly request to return to day services, and as any objection regarding a service plan should be made within the context of individualized review/treatment planning, the following protocol is intended to help facilitate this process:

When a care manager receives a request from a Willowbrook class member, their advocate/correspondent, or a provider of services for a class member to return to day program, the following process will occur for all class members:

1. The care manager is to set up a meeting with the individual's care planning team. The care planning team must be given timely and reasonable notice (10 business days) of the planned date for the meeting and must be offered the opportunity to participate. It should be made clear that the purpose of this meeting is to discuss the desire to return to day programming and to review any relevant risks or concerns regarding the specific needs of the individual.

2. Any additional questions and/or requests for information are to be directed to the care manager (within five (5) business days of being notified of the meeting request), as the designated point person, who will be responsible to obtain and submit the requested additional information to the requestor(s). The requestor should provide any additional follow-up comments/questions within five (5) business days of receiving the information or at the time of the meeting.
3. If there is an objection to an individual's return to day programming the Care Manager must convene a meeting, in a timely manner, to resolve the dispute/objection. If the dispute remains unresolved then any such dispute is to be made as part of the person-centered planning process and noted in the Life Plan. Any such objection shall be handled pursuant to 14 NYCRR 633.12 and ADM #2018-06, entitled *Transition to People First Care Coordination*.

For questions regarding this memorandum, please contact Angie Francis, OPWDD Statewide Willowbrook Liaison at: [Angie.x.Francis@opwdd.ny.gov](mailto:Angie.x.Francis@opwdd.ny.gov).

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