



Office for People With Developmental Disabilities

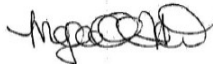
KATHY HOCHUL
Governor

KERRI E. NEIFELD
Commissioner

WILLOW BAER
Executive Deputy Commissioner

MEMORANDUM

TO: Executive Directors Voluntary Agencies
Developmental Disabilities Regional Offices (DDRO) Directors
Care Coordination Organization (CCO) Chief Executive Officers

FROM: Megan O'Connor-Hebert 
Deputy Commissioner
Division of Quality Improvement

DATE: May 22, 2024

SUBJECT: Expansion Requests for Certified Residential Facilities that are Serving Willowbrook Class Members

The following is intended to clarify the matter of expansion of certified capacity of homes serving Willowbrook class members.

Pursuant to Paragraph 6 of the Willowbrook Permanent Injunction, providers of certified residential facilities are obligated to "maintain class members in the community residential facility in which they live at the time of entry of this permanent injunction, or in such community residential facilities with equal or smaller residential capacities as are appropriate for the class member." In order to comply with this requirement, certain parties (e.g. counsel to the class members, class members, guardians and/or the Consumer Advisory Board (CAB), as appropriate) must approve the expansion of existing residential facilities serving class members. Therefore, DDSOs and voluntary providers of certified residential facilities that are seeking to increase the certified capacity of any residential facility certified or operated by OPWDD that serves class members must submit the Request for Expansion of Community and Qualifying Facilities. In addition to the above required approval(s), it is still necessary to meet all other OPWDD applicable requirements related to an increase in residential capacity in certified residential facilities serving Willowbrook class members.

The expansion request, which is attached for your reference and use, should be submitted to Angie Francis, Statewide Willowbrook Liaison, NYS OPWDD via email to Angie.x.Francis@opwdd.ny.gov

and carbon copy (CC) the appropriate OPWDD Regional Office Willowbrook Liaison. Ms. Francis will facilitate the OPWDD review prior to submission to the Willowbrook parties for their consideration.

Please ensure that your staff are aware of this compliance issue and adhere strictly when processing a request for an increase in residential certified capacity. Your staff should contact Ms. Francis immediately should an expansion request be considered for a certified residence serving class members. She can be reached by telephone at (518) 473-6026.

Thank you for your assistance in ensuring compliance with the residential expansion requirements.

Attachments:

Request for OPWDD Certified Site Based Programs Emergency or Temporary Relocations or Increase in Capacity

Request for Expansion of Community and Qualifying Facilities (*for Willowbrook class only*)