

Key Regulatory Changes Affecting Small Businesses — July 1, 2012 through June 30, 2013

<u>Agency:</u>	Workers' Compensation Board
<u>Title/Section(s):</u>	Pharmacy and Durable Medical Goods Fee Schedules and Appendices – 12 NYCRR – Add new Parts 440 & 442
<u>State Register I.D. No:</u>	WCB-36-12-00003
<u>Effective Date:</u>	November 6, 2012
<u>Summary:</u>	This regulation adds a new Part 440 and Part 442, which establish fee schedules for pharmacy and durable medical equipment and include rules for the use of the fee schedules and pharmacy networks.
<u>Agency Contact:</u>	Heather MacMaster Workers' Compensation Board Office of General Counsel 328 State Street Schenectady, NY 12305-2318 (518) 486-9564 regulations@wcb.ny.gov

Agency: Department of Environmental Conservation

Title/Section(s): Water Withdrawal Regulations – 6 NYCRR – Amends Parts 601 and 621

State Register I.D. No: ENV-47-11-00012

Effective Date: April 1, 2013

Summary: This regulation repeals and adopts a new Part 601 to harmonize elements of the existing regulations with the water withdrawal bill. The amendments expand the permit program to include withdrawals for purposes beyond public water supply. However, the amendments also limit the permit program to only include withdrawals that meet or exceed a threshold volume of 100,000 gallons per day. This regulation also revises Part 621 to include water withdrawal “initial permits” in the ‘minor’ project category.

Agency Contact: Robert Simson
Division of Water
New York State Department of Environmental Conservation
625 Broadway, 4th Floor
Albany, NY 12233-3500
(518) 402-8271
rsimson@gw.dec.ny.us

Agency: Department of Transportation

Title/Section(s): Suspension and Revocation of Operating Authority Held by Motor Carriers of Passengers – 17 NYCRR – Addition of § 720.32

State Register I.D. No: TRN-22-12-00003

Effective Date: May 14, 2012

Summary: This regulation gives authority to suspend or revoke the operating authority of any motor carrier of passengers by certificate or permit for safety reasons.

Agency Contact: David E. Winans
Associate Counsel
New York State Department of Transportation
Division of Legal Affairs
50 Wolf Road
Albany, NY 12232
(518) 457-5793
dwinans@dot.ny.us

Agency: Office off Medicaid Inspector General

Title/Section(s): Withholding of Payments – 18 NYCRR – Amendment of §§ 518.7 & 518.9

State Register I.D. No: MED-21-12-00001

Effective Date: August 22, 2012

Summary: This regulation amends the regulations governing the withholding of Medicaid payments in accordance with federal requirements.

Agency Contact: Michael T. D’Allaird, Esq.
Office of the Medicaid Inspector General
800 North Pearl Street
Albany, NY 12204
(518) 402-1434
Michael.D’Allaird@omig.ny.gov

Agency: Department of Labor

Title/Section(s): Child Performers – 12 NYCRR – Part 186

State Register I.D. No: LAB-36-12-00007

Effective Date: April 1, 2013

Summary: This regulation establishes new rules to protect the safety, morals, health, and well-being of child performers who work or reside in New York State.

Agency Contact: Amy C. Karp
Legislative Counsel
New York State Department of Labor
State Office Campus, Building 12, Room 534
Albany, NY 12240
(518) 457-7350
regulations@labor.ny.gov

Agency: Department of Environmental Conservation

Title/Section(s): Use of Ultra Low Sulfur Diesel Fuel and Best Available Retrofit Technology for Heavy Duty Vehicles – 6 NYCRR – Amend Part 248

State Register I.D. No: ENV-50-11-00003

Effective Date: February 9, 2013

Summary: This regulation amends the definitions and compliance schedule, and adds a useful life waiver provision to conform with recent court decisions and amendments to NY ECL Section 19-0323.

Agency Contact: James Bologna, P.E.
New York State Department of Environmental Conservation
Division of Air Resources
625 Broadway
Albany, NY 12233-3255
(518) 402-8292
248DERA@gw.dec.ny.us

Agency: Department of Health

Title/Section(s): Nursing Home Sprinklers – 10 NYCRR – Adds Section 86-2.41

State Register I.D. No: HLT-36-12-00005

Effective Date: November 9, 2012

Summary: This regulation assists eligible nursing homes with accessing credit markets to finance the costs of installing automatic sprinkler systems.

Agency Contact: Katherine Ceroalo
Department of Health
Bureau of House Counsel
Regulation Affairs Unit, Room 2438
ESP Tower Building
Albany, NY 12237
(518) 473-7488
regsna@health.ny.us

Agency: Public Service Commission

Title/Section(s): Electric Submetering – 16 NYCRR – Amend Part 96

State Register I.D. No: PSC-06-12-00007

Effective Date: January 2, 2013

Summary: This regulation reviews and amends electric submetering regulations for multi-unit residential premises.

Agency Contact: Leann Ayer
Public Service Commission
3 Empire State Plaza
Albany, NY 12223-1350
(518) 486-2655
leann.ayer@dps.ny.gov

Agency: Department of Environmental Conservation

Title/Section(s): Remove Requirement that Certain Concentrated Animal Feeding Operations (CAFOs) Maintain Environmental Conservation Law (ECL) State Pollution Discharge Elimination System (SPDES) Permit Coverage; Revise Land Application, Storage and Composting Rules – 6 NYCRR – Amend Subparts 750-1, 360-4 and 360-5

State Register I.D. No: ENV-49-12-00012

Effective Date: May 8, 2013

Summary: This regulation removes the requirement that certain CAFOs maintain ECL SPDES permit coverage: revise land application, storage and composting rules.

Agency Contact: Robert Simson
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3500
(518) 402-8271
rjsimson@gw.dec.ny.us