State of New York

Executive Chamber

No. 56

EXECUTIVE ORDER

TEMPORARY SUSPENSION AND MODIFICATION OF REGULATORY PROVISIONS OF THE STATE OFFICE FOR THE AGING DURING THE STATE DISASTER EMERGENCY

WHEREAS, on October 26, 2012, I issued Executive Order Number 47, declaring a disaster emergency in all 62 counties in the State of New York;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, hereby temporarily suspend and modify the following regulations:

Subdivision (h) of Section 6654.16 of Title 9 of the New York Codes, Rules and Regulations, to the extent that the 10-day and 5-day periods for assessments under the Expanded In-Home Services for the Elderly Program ("EISEP") are modified to 45 working days, when such periods otherwise would conclude during the period from the date when the disaster emergency was declared pursuant to Executive Order Number 47, issued October 26, 2012, until further notice;

Subdivision (n) of Section 6654.16 of Title 9 of the New York Codes, Rules and Regulations, to the extent that the 12-month period during which care plans may be in effect is modified to 15 months, when such care plans otherwise would expire during the period from the date when the disaster emergency was declared pursuant to Executive Order Number 47, issued October 26, 2012, until further notice; and

Subdivision (x) of Section 6654.16 of Title 9 of the New York Codes, Rules and Regulations, to the extent that the 12-month period for reassessments for EISEP is modified to 15 months, and the 5-day period for reassessments due to changes in circumstances is modified to 45 working days, when such periods otherwise would conclude during the period from the date when the disaster emergency was declared pursuant to Executive Order Number 47, issued October 26, 2012, until further notice.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this second day of November in the year two thousand twelve.

BY THE GOVERNOR

Secretary to the Governor