



**Notice of Proposed Rulemaking  
Regulatory Impact Statement**

Amend 14 NYCRR Part 800

**OASAS TREATMENT SERVICES: GENERAL PROVISIONS**

1. Statutory Authority:

- (a) Section 19.07(e) of the Mental Hygiene Law authorizes the Commissioner of the Office of Addiction Services and Supports to adopt standards including necessary rules and regulations pertaining to addiction services.
- (b) Section 19.09(b) of the Mental Hygiene Law authorizes the Commissioner of the Office of Addiction Services and Supports to adopt regulations necessary and proper to implement any matter under his or her jurisdiction.
- (c) Section 32.01 of the Mental Hygiene Law authorizes the Commissioner of the Office of Addiction Services and Supports to adopt any regulation reasonably necessary to implement and effectively exercise the powers and perform the duties conferred by Article 32 of the Mental Hygiene Law.
- (d) Section 32.07(a) of the Mental Hygiene Law authorizes the Commissioner of the Office of Addiction Services and Supports to adopt regulations to effectuate the provisions and purposes of Article 32 of the Mental Hygiene Law.
- (e) Article 15 of the Executive Law enacts the Human Rights Law prohibiting discrimination against various protected classes.

2. Legislative Objectives: The legislature has authorized OASAS to establish standards and regulations governing the provision of addiction services, including the provision of medications for addiction treatment, as well as standards for providers seeking to offer such services.

3. Needs and Benefits: OASAS is updating the language used in this regulation consistent with amendments made to other OASAS regulations to clarify provider requirements with respect to the provision of medication

for addiction treatment for substance use disorder and to update definitions consistent with other OASAS regulations.

Proposed amendments to Part 800 include updates to definitions and language used by all OASAS programs consistent with continued efforts and agency goals to reduce stigma and use person-first language for the delivery of addiction services. Additionally, provisions for medication for addiction treatment for substance use disorder are further clarified consistent with guidance issued by the Office and the medical standard of care for the treatment of substance use disorder. Finally, the agency has added to the list of high-risk populations for which programs must develop priority admissions policies. These amendments support OASAS overarching goals to ensure programs are responsive to community needs and provide person-centered care.

4. Costs: No additional administrative costs are anticipated for the State, local governments, or the agency. Costs for regulated providers should be minimal and are mostly related to updating policies and procedures. The requirements outlined in the regulation are already required in guidance (both for medication access and naloxone education and access) and in the standard of care for the treatment of substance use disorder.
5. Paperwork: There is no additional paperwork beyond what is already required. OASAS programs are required to review and update policies and procedures to ensure compliance with OASAS regulations and guidance and evolving standards of care for the treatment of substance use disorder and problem gambling. Programs will be expected to enter into agreements with Opioid Treatment Programs, which should not be difficult as many providers currently have agreements to facilitate linkage between different levels of care.
6. Local Government Mandates: There are no new local government mandates.
7. Duplications: This proposed rule does not duplicate, overlap, or conflict with any State or federal statute or rule.
8. Alternatives: The alternative is to leave the regulation as it currently reads, with language inconsistent across Title 14 regulations and providers unsure of their obligation to provide medication for addiction treatment for substance use disorders.
9. Federal Standards: This regulation does not conflict with federal standards.

10. Compliance Schedule: This rulemaking will be effective upon publication of a Notice of Adoption in the *State Register*.

DRAFT