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To: Licensed Children’s Mental Health Rehabilitation Services Programs
From: Ann Marie T. Sullivan, M.D. 
Date: July 13, 2024
Subject: CMHRS Regulation Waiver Extension

On July 17, 2019, the NYS Office of Mental Health (OMH) adopted the regulation for Part 511-2 to Title 14 NYCRR Children’s Mental Health Rehabilitation Services (CMHRS) Programs, which includes the direct provision of Other Licensed Practitioner and Community Psychiatric Treatment and Supports, and, either the direct provision of Psychosocial Rehabilitation, Family Peer Support Services, and Youth Peer Advocacy and Training, or the offering of those three services through a formal agreement with another designated provider. This regulation requires that each CMHRS program assure access to all services, whether they provide them directly or through agreement with another designated provider.

OMH is currently in the process of updating Part 511-2 CMHRS regulation to, among other possible changes, adjust language associated with the optional service requirement. Therefore, effective July 13, 2024, and in accordance with 14 NYCRR 501, OMH is extending the temporarily waiving of certain regulatory provisions within 14 NYCRR 511-2 to allow for continued flexibility until such time as OMH can update necessary regulatory requirements. This waiver was initially issued on September 20, 2019, and subsequently renewed on July 22, 2020, July 20, 2021, July 13, 2022; and July 13, 2023.

The OMH regulatory provisions within 14 NYCRR Section 511-2.5 that will be waived are:

- 511-2.5 (a) CMHRS programs shall be responsible for assuring the delivery of the following services for children deemed eligible for receipt: Other Licensed Practitioner, Community Psychiatric Supports and Treatment, Psychosocial Rehabilitation, Family Peer Support Services, and Youth Peer Support and Training.
- 511-2.5 (c) Each of the following services shall be offered by CMHRS programs, either directly or through an agreement with a designated provider:
 - (1) *Psychosocial Rehabilitation (PSR)* is a skill building service to restore, rehabilitate, and support a child’s developmentally appropriate functioning to enhance community integration. PSR must include assisting the child to develop and apply skills in natural

settings. PSR assists youth to implement interventions on their treatment plan to compensate for, or eliminate, functional deficits associated with their mental health condition(s).

- (2) *Family Peer Support Services (FPSS)* are activities and supports provided by NYS Credentialed Family Peer Advocates (FPA) to families for the benefit of a child experiencing mental health challenges in their home, and/or community. FPSS assists with developing and linking with formal and informal supports; assisting in the development of goals; serving as an advocate, mentor, and teaching skills necessary to improve coping abilities for the benefit of the child.
- (3) *Youth Peer Support and Training (YPST)/ Youth Peer Support (YPS)* services are provided by NYS Credentialed Youth Peer Advocates (YPA) to children who are experiencing mental health challenges in their home, and/or community. YPST provides training and support necessary to ensure engagement and active participation of the child in the treatment planning process and with the ongoing implementation and reinforcement of skills through activities including, but not limited to: skill building, coaching, transition support, self-advocacy, empowerment and connection to community resources.

This waiver will temporarily release the expectation for ensuring full access to PSR, FPSS, and YPST/YPS by either direct provision by the CMHRS program provider agency or by agreement with a designated provider. It will enable CMHRS programs to continue with existing regulatory flexibilities while permitting OMH to finalize regulatory changes.

This waiver, applying to all OMH licensed CMHRS programs, has been extended until such time as the Part 511-2 CMHRS regulation has been updated.

If you have any questions, please contact DCFS@omh.ny.gov.