



**Office for People With  
Developmental Disabilities**

**KATHY HOCHUL**  
Governor

**KERRI E. NEIFELD**  
Commissioner

**WILLOW BAER**  
Executive Deputy Commissioner

September 29, 2023

Honorable Thomas P. DiNapoli  
New York State Comptroller  
Office of the State Comptroller  
110 State Street  
Albany, NY 12236

Dear Mr. DiNapoli:

The Office for People With Developmental Disabilities submits the attached 180-day update regarding steps taken to address the recommendations contained in the Office of the State Comptroller's Audit report 2021-S-9 entitled "Pandemic Planning and Care for Vulnerable Populations."

This report is being submitted to you in accordance with Section 170 of the Executive Law.

Sincerely,

Kerri E. Neifeld  
Commissioner

Enclosure

**Office for People With Developmental Disabilities' 180-day Follow-Up Report  
to the Office of the State Comptroller's Final Audit Report (No: 2021-S-9):  
Pandemic Planning and Care for Vulnerable Populations.**

- 1. OSC RECOMMENDATION:** *Periodically review and update as necessary the EMOP and supplemental documents to ensure all homes implement current policies and procedures in the event of another public health emergency.*

**OPWDD RESPONSE:** The OPWDD Emergency Management Operations Protocol (EMOP) is constructed with an approach to incident management universally applicable to various types of hazards OPWDD might encounter requiring emergency response, including pandemics. This overarching framework provides the agency with the operational principles to adequately evaluate and manage emergency situations that the agency faces using nationally accepted incident management concepts.

The EMOP is being reviewed and updated annually and subsequently submitted to New York State's Division of Homeland Security and Emergency Services for review and approval. OPWDD had incorporated the risk of pandemics in its emergency planning prior to COVID and made COVID-specific modifications during the pandemic.

OPWDD will continue to review and update the EMOP and other related emergency plans annually and ensure all residential facilities implement current policies and procedures related to Facility- Level Emergency Planning.

- 2. OSC RECOMMENDATION:** *Develop procedures to ensure facility-level emergency plans encompass planning for and responding to public health emergencies.*

**OPWDD RESPONSE:** In conjunction with the annual review of the EMOP described above, OPWDD will continue to ensure Facility-Based Emergency Plans include planning for and responding to public health emergencies, and incorporate, into existing survey protocols, validating procedures undertaken during on-site reviews.

- 3. OSC RECOMMENDATION:** *Ensure monitoring and review protocols address infection control practices, are well developed, and are consistently applied when conducting reviews at homes.*

**OPWDD RESPONSE:** Early in the pandemic, OPWDD developed and implemented an extensive set of infection control review protocols containing over 100 inquiries specific to COVID precautions. These protocols underwent two revisions as COVID response evolved. OPWDD continues to evaluate the protocols for update as needed. OPWDD has implemented a system to ensure the most up-to-date forms are utilized when conducting surveys.

- 4. OSC RECOMMENDATION:** *Establish effective communication with individuals responsible for infection control policies and procedures when pertinent deficiencies are identified.*

**OPWDD RESPONSE:** OPWDD has been effectively communicating its infection control policies and procedures to key staff to effectuate appropriate actions. OPWDD will continue to employ its methods of promptly communicating findings in writing to agency management who will then disseminate the findings to the suitable staff. In the event of significant noncompliance, OPWDD staff will also continue to immediately discuss findings with facility staff during the course of the on-site reviews.