§ 16.01 Evaluation of services for persons with developmental disabilities.

(a) The commissioner shall ensure that all services provided under this chapter for persons with developmental disabilities are periodically evaluated.

(b) The commissioner shall, by regulations, establish and maintain evaluation criteria and methods which assure the utility of data generated in the evaluation of services in different areas of the state provided under this chapter for persons with developmental disabilities, including, but not limited to:

(1) Uniform definitions of services to persons with developmental disabilities;

(2) Uniform standards for all comparable services and programs;

(3) Uniform financial reporting procedures for comparable providers;

(4) Uniform clinical reporting procedures; and

(5) Requirements for the generation and maintenance of uniform data for all individuals receiving services from any provider of services.

(c) (1) Notwithstanding any other provision of law, the commissioner, or his designee, may require from any hospital, as defined under article twenty-eight of the public health law, any information, report, or record necessary for the purpose of carrying out the functions, powers and duties of the commissioner related to the investigation of deaths and complaints of abuse, mistreatment, or neglect concerning persons with developmental disabilities who receive services, or had prior to death received services, in a facility as defined in section 1.03 of this chapter, or are receiving medicaid waiver services from the office for people with developmental disabilities in a non-certified setting, and have been treated at such hospitals.

(2) Any information, report, or record requested by the commissioner or his designee pursuant to this subdivision shall be limited to that information that the commissioner determines necessary for the completion of this investigation.

(3) The information, report or record received by the commissioner or his designee pursuant to this subdivision shall be subject to section two thousand eight hundred five-m, section eighteen, as added by chapter four hundred ninety-seven of the laws of nineteen hundred eighty-six, and article twenty-seven-F of the public health law, section 33.13 of

this chapter, and any applicable federal statute or regulation.