§ 43.12 Electronic submission of periodic cost reports to the office for people with developmental disabilities.

Notwithstanding any provision of law, rule or regulation to the contrary, every operator of a facility which is licensed by the office for people with developmental disabilities (hereinafter "office") and every provider of services which is subject to the regulation or control of the office shall submit electronically, via the internet, any annual cost report which is required to be submitted to the office pursuant to the provisions of section 43.02 of this article and any rules and regulations promulgated thereunder and any other required periodic cost report or accounting which may be prescribed by the commissioner of developmental disabilities as subject to such electronic submission. The office shall publish and make available at all times on its website instructions for the submission of such reports or accountings via the internet, including instructions relating to the use of an electronic signature as may be required by the commissioner of developmental disabilities which signature shall be subject to, and submitted in accordance with, the provisions of the state technology law and any rules and regulations promulgated thereunder. Any operator or provider of services that is unable to submit such cost report or accounting in accordance with this section may apply for a waiver of such required submission from the commissioner of developmental disabilities. The commissioner of developmental disabilities may grant a waiver for any given submission to such operator or provider of services for good cause shown and may grant a general waiver to all operators or providers of services with respect to any required submission. On and after the effective date of this section, any contract entered into between the office and a provider of services which involves the provision of services to persons with developmental disabilities and which contains provisions that require the submission of any periodic report or accounting may also contain provisions that require the submission of any periodic cost report or accounting required under such contract to be submitted electronically as set forth in this section.