

# HEALTH CARE INFORMATION MEMO

JULY 24, 2025

## OPWDD Adopts Final Emergency Preparedness Regulations

On July 23, 2025, the Office for People with Developmental Disabilities adopted final regulations requiring all facilities certified or operated by OPWDD to maintain an agencywide Emergency Management Plan (EMP) and develop and maintain an Emergency Preparedness Plan (EPP) for each facility certified or operated by OPWDD. These new state regulatory requirements are in addition to existing federal requirements applicable to Intermediate Care Facilities in 42 CFR part 483.

The Emergency Preparedness regulations come after [the Office of State Comptroller audit](#) of emergency plans and actions during the COVID-19 pandemic. The regulations seek to address the concerns of that report by requiring each facility to have an EPP developed through an all-hazards approach, taking into account the needs of the individuals who reside in or attend the facility. The regulations further provide that each EPP must include preparedness strategies and response actions to address natural and human-made disasters identified within the documented risk assessment, including any future public health emergencies. Employees and volunteers must receive training on the EPP(s) within three months of initial employment, commencing volunteer activities or initial certification and on at least an annual basis. Further, each EPP must be reviewed at least annually and updated if changes are warranted.

These new regulations create significant new compliance obligations for OPWDD-certified or -operated facilities and should be carefully reviewed by OPWDD providers. OPWDD has indicated that, to reduce costs associated with this regulation, it has developed training, guidance and materials that will be given to providers for implementation. If you have any questions about the Emergency Preparedness Regulations, please contact [Roger Bearden](#) or the Bond attorney with whom you typically work.

