

## Medicaid Home Care Update April 2022 - Resources

### 1. Advocacy Fact Sheets and Advocate Memos

- a. Fact Sheet on Transition Rights – Changes Nov. 8, 2021, at <http://www.wnylc.com/health/download/797/>
- b. [Independent Assessor](#):
  - i. NYLAG and Medicaid Matters NY Letter to DOH Dec. 15, 2021 updated Jan. 6, 2022 with concerns about implementation of Independent Assessor (posted at <http://www.wnylc.com/health/download/801/>)
  - ii. NYLAG Memo to DOH Feb. 2, 2022 with more concerns about Independent Assessor (<http://www.wnylc.com/health/download/807/>)
  - iii. 3/25/22 Letter - <http://www.wnylc.com/health/download/812/>
- c. NYLAG Support for Gov. Hochul's NYS Budget Proposal to Increase Medicaid Eligibility for People Age 65+ and with Disabilities <http://www.wnylc.com/health/news/90/>

### 2. DOH MLTC Policies cited in PowerPoint available at

[https://www.health.ny.gov/health\\_care/medicaid/redesign/mrt90/mltc\\_policies.htm](https://www.health.ny.gov/health_care/medicaid/redesign/mrt90/mltc_policies.htm) -- a few key policies:

- a. **NYS DOH Independent Assessor Website** [https://www.health.ny.gov/health\\_care/medicaid/redesign/nyia/faqs/index.htm](https://www.health.ny.gov/health_care/medicaid/redesign/nyia/faqs/index.htm)
- b. **LOCK-IN [MLTC Policy 21.04](#)**: Managed Long Term Care Partial Capitation Plan Enrollment Lock-In; Frequently Asked Questions - ([Web](#)) - ([PDF](#))
- c. **PLAN CLOSURES - [MLTC Policy 17.02](#)**: MLTC Plan Transition Process – MLTC Market Alteration
- d. **[MLTC Policy 16.07](#): Guidance on Task-based Assessment Tools** for Personal Care Services and CDPAP Services, in part restates [NYS DOH GIS 03 MA/003](#) ((Key resource for making case to increase hours)
- e. **[MLTC Policy 16.06](#): Guidance on Notices Proposing to Reduce or Discontinue Personal Care or CDPAP Services** (Key resource if plan tries to reduce hours)
- f. **INVOLUNTARY DISENROLLMENT - [GIS 21 MA/17](#) and [GIS 21 MA/24](#)**; Involuntary disenrollment grounds are in Model MLTC contract, Art. V. D. 3 -4 [https://www.health.ny.gov/health\\_care/medicaid/redesign/docs/mrt90\\_partial\\_capitation\\_contract.pdf](https://www.health.ny.gov/health_care/medicaid/redesign/docs/mrt90_partial_capitation_contract.pdf) at pp. 21-23

### 3. Medicaid Home Care Regulations & Advocacy

- a. Final amended regulations 18 NYCRR 505.14 and 505.28 adopted Nov 8, 2021 posted with State response to comments at <https://regs.health.ny.gov/regulations/recently-adopted> or direct link [https://regs.health.ny.gov/sites/default/files/pdf/recently\\_adopted\\_regulations/Personal%20Care%20Services%20and%20Consumer%20Directed%20Personal%20Assistance%20Program.pdf](https://regs.health.ny.gov/sites/default/files/pdf/recently_adopted_regulations/Personal%20Care%20Services%20and%20Consumer%20Directed%20Personal%20Assistance%20Program.pdf)  
[21 ADM-04](#) and [MLTC Policy 21.06](#): Regulatory Changes to PCS and CDPAP Effective November 8, 2021 (PDF)
- b. NYLAG & NYSBA COMMENTS on proposed regs available at <http://www.wnylc.com/health/download/771/>

### 4. NEWS articles continuously updated:

- a. NYS Budget Medicaid Redesign Team II changes – lookback, home care <http://www.wnylc.com/health/news/85/>
- b. MLTC news - <http://www.wnylc.com/health/news/78/>
- c. COVID updates - <http://www.wnylc.com/health/news/86/> - stay tuned for changes when Public Health Emergency declared to be over - <http://www.wnylc.com/health/news/86/#2.%20NYS%20Medicaid%20Policies%20-%20MOE>
- d. NYS Budget increases Medicaid limits for Aged/Blind & Disabled <http://www.wnylc.com/health/news/90/> (and MSP increase)
- e. Past NYLAG EFLRP newsletters - <http://www.wnylc.com/health/news/68/>

### 5. Other related articles:

- a. Changes for Medicaid recipients who newly enroll in Medicare - “Default Enrollment” <http://www.wnylc.com/health/entry/226/>
- b. Medicaid Advantage Plus (MAP) – New “FIDE” Fair Hearing system (Fully Integrated Dual Eligible) <http://www.wnylc.com/health/entry/225/>; List of MAP plans by county <http://www.wnylc.com/health/download/784/>
- c. Special “Varshavsky” fair hearing protections for homebound consumers appealing denial of a home care increase - <http://www.wnylc.com/health/entry/228/>
- d. Best Practices for Medicaid Annual “Renewals” - <http://www.wnylc.com/health/entry/227/> - with fact sheet in English & Spanish
- e. Immediate Need Personal care and CDPAP <http://www.wnylc.com/health/entry/203/> (will be updated with news on Independent assessor when available)
- f. MLTC Appeals & “Exhaustion” requirement to request plan appeal before fair hearing- <http://www.wnylc.com/health/entry/184/>

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See past e-lets at <http://www.wnyc.com/health/news/68/>

**NYS DOH MLTC COMPLAINTS** [1-866-712-7197](tel:1-866-712-7197) or e-mail [mltctac@health.ny.gov](mailto:mltctac@health.ny.gov)

**ICAN Hotline** [844-614-8800](tel:844-614-8800) [ican@cssny.org](mailto:ican@cssny.org)