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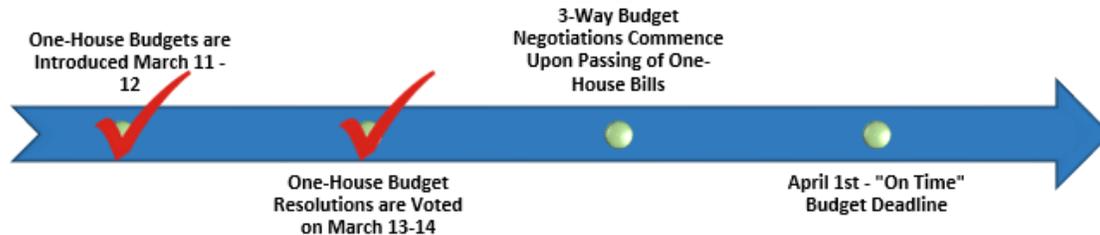
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State Budget Update

The [Senate](#) and [Assembly](#) have both passed one-house budget resolutions outlining their respective legislative and budget priorities. Both houses support:

- Restoration of the Executive's reductions in Medicaid spending;
- Oppose the Executive's reprogramming of the Healthcare Facility Transformation money that was meant to provide much needed relief to hospitals and nursing homes;
- Rejecting the Executive's recommendation to reduce the Department of Health's General Public Health Work Reimbursement to New York City from 36% to 20%; and
- Modify the Executive's proposal to codify the Affordable Care Act.

Now that the One-House Budget Bills have been introduced to their respective Houses, 3-Way budget negotiations will commence in efforts to reach an "on time" Enacted Budget deadline of April 1st.



New York State of Health Releases 2019 Enrollment Data by Insurer

The New York State of Health (“NYSOH”), the state’s official health plan Marketplace, recently announced 2019 Enrollment Data by Insurer. Providing enrollment coverage through twelve insurers offering Qualified Health Plans (QHP) and sixteen insurers offering the Essential Plan (EP) statewide in 2019. NYSOH’s 2019 Enrollment Data by Insurer tables can be found [here](#).

Managed Care Policy and Planning Meeting

On Thursday, the Department of Health held the monthly Policy and Planning Meeting with the State’s Medicaid Managed Care plans.

Highlights from the meeting include:

- **Mainstream Enrollment**: Statewide enrollment for February was 4,334,299, a .02% decrease since January (4,334,957). Enrollment in NYC decreased .26% and is now 2,526,251, a decrease of 6,496 since January and 16,897 since December. Jonathan Bick attributed declining enrollment in part to HARP migration. Upstate, enrollment was 1,808,048, an increase of .32% since January (1,802,210).
- **MCO Provider Enrollment in FFS Medicaid**: Managed care plans continue to be advised to hold on terminating providers who have failed to enroll in FFS at this time. However, DOH will review proposed provider terminations that would not result in access issues this month, so the first wave of provider termination notices due to noncompliance with the 21st Century Cures Act requirement to enroll in FFS could be forthcoming in the near future from managed care plans.
- **MLTC Enrollment**: MLTC enrollment through the month of February is 250,854, an increase of 1,966 since January (248,888). This is the second consecutive month where growth in the program was less than 2,000. Overall, the MLTC program has grown by 13.58% since last February. The majority of this growth continues to be in the MLTC partial cap program, which is currently at 226,352, an increase of 1,495 since February (224,857). The partial cap program has grown 12.73% since February 2018 (200,799 vs. 226,352). All MLTC programs realized modest month-to-month enrollment growth with the exception of FIDA, which saw enrollment decline to 3,027 compared to 3,135 one month ago and 3,489 two months prior. Enrollment in MAP continues to grow at the fastest clip, with enrollment now at 14,473 compared to 13,904 in January and 13,120 in December. Overall, the program has increased by 52.43% compared to last February.
- **CFEEC Evaluation of Marketing/Referral Sources**: DOH’s monthly update now includes a quarterly breakdown of CFEEC marketing and referral sources. Notably, the number of referrals declined dramatically over the course of 2018, going from 14,533 in January-March 2018 to 5,881 in October to December. While the number of referrals decreased

across all categories, the largest declines came from “family/friend/neighbor” (2536 vs. 1256), “home care agency” (3464 vs. 1218), and “health plan” (2605 vs. 717).

- **VBP Update:** Plans asked the State to forgo collecting VBP penalties if plans are unable to meet required VBP contracting thresholds by April 1, 2019. Plans indicated they continue to work towards implementing VBP Level 1 and 2 agreements, but budget cuts resulting in lower than expected premiums have scared providers away, and the lack of penalties on providers make it challenging to incentivize their participation.
- **Home and Community Based Setting (HCBS) Rule Responsibilities:** DOH is working with a contractor to begin training plans on plan responsibilities related to the Federal HCBS Settings Rule.
- **CFCO:** The State is forming two workgroups to work through CFCO implementation issues. The first two will be on (1) contracting and credentialing and (2) billing, claims, and encounter reporting and will begin meeting this week. A workgroup on case management and utilization management is expected to begin meeting once these first two workgroups finish their work in about four weeks.

Report Released by the New York State Taskforce on Maternal Mortality and Disparate Racial Outcomes

Governor Andrew Cuomo created the Taskforce on Maternal Mortality and Disparate Racial Outcomes, which launched in April 2018, tasked to provide informative recommendations to reduce maternal mortality and racial disparities throughout the State. Last week, the Taskforce released its report providing [key findings](#) including the state’s maternal mortality rate ranking (NYS ranked 30th), and the top five causes of pregnancy related deaths in the State. The Report also includes [10 recommendations](#) to reduce maternal deaths and improve outcomes of women and families of color in the State. The full report provided by the Task force can be found [here](#).

Medicaid Redesign Team Announces Request for Application (RFA): Olmstead Housing Subsidy

The State Department of Health’s Office of Health Insurance Programs (OHIP), Medicaid Redesign Team (MRT) recently announced the release of the Olmstead Housing Subsidy RFA. DOH is seeking applications from community-based organizations to provide rental subsidies and non-medical services to Medicaid members who are looking to transition from a Skilled Nursing Facility (SNF) and move back into the community.

A link to the RFA can be found [here](#).

Regulatory Update

Office for People with Developmental Disabilities

Home and Community Based Services

The Office for People with Developmental Disabilities (OPWDD) has issued a notice of [proposed rulemaking](#) that adds to the regulatory framework for the delivery and support of home and community based services (“HCBS”) in a way that supports and encourages the

service recipient. This rule would require Medicaid HCBSs which are overseen, operated, or authorized by OPWDD and OPWDD providers, to be integrated with those services of the broader community in order not to isolate individuals receiving OPWDD HCBSs from those of the broader community.

The proposed rule is open to public comment for 60 days, beginning March 13, 2019 as posted in the New York State Register.

Related Articles and Other News

[Governor Announces Preliminary Analysis of President Trump's Budget](#)

Legislative Update

The Legislature will be in session Monday through Wednesday of this week. The following bills of interest have been placed on committee agendas:

Senate Mental Health/Developmental Disability (Monday, March 18 at 11:00 a.m.)

- [S3872 \(Carlucci\)/A6566 \(Gunther\)](#): This Bill authorizes the Department of Health to address barriers to collaboration by mental health providers and providers of home care services within Program for the purpose of coordination, integration and improved access of health and mental health services

Assembly Codes (Monday, March 18 Off the Floor)

- [A2817 \(Simotas\)/S719 \(Savino\)](#): This Bill mandates health insurance coverage for in vitro fertilization (IVF) and fertility preservation services.
- [A2904 \(Quart\)](#): This Bill would prohibit health insurers from requiring prior authorization for the dispensing of buprenorphine for treatment of opioid addiction.

Assembly Aging (Tuesday, March 19 at 10:30 a.m.)

- [A4275 \(DenDekker\)/S3066 \(Lanza\)](#): This Bill directs the Department of Health (DOH) and the Office of the Aging (SOFA) to study the fees and charges being assessed to residents of assisted living facilities, and provide a report to the Legislature on or before April 1, 2021.

Calendar

Tuesday, March 19,
2019

NY Medicaid EHR Incentive Program Webinars
2:00 pm to 3:00 pm

Thursday, March 28,
2019

Meeting of the Public Health and Health Planning Council's
Committee on Establishment and Project Review (EPRC)
10:00 a.m.
Empire State Plaza, Concourse Level, Meeting Room 6, Albany

QUICK LINKS

[NYS Department of Health](#) --- [NYS DOH –Meetings, Hearings & Special Events](#) --- [Medicaid Redesign Team](#) --- [Senate Health Committee Website](#) --- [Assembly Health Committee Updates](#) -
-- [NYS Division of Budget](#)

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