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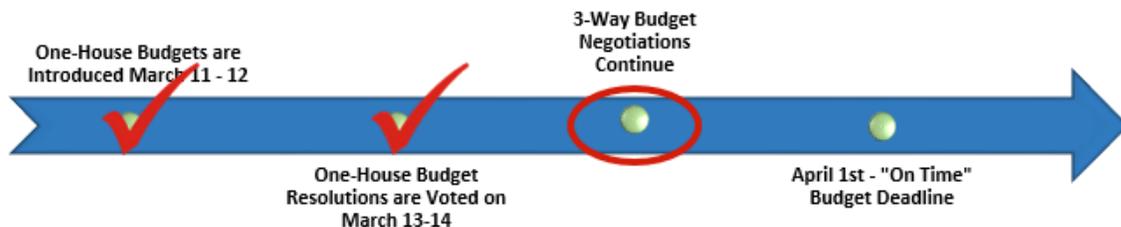
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## State Budget Update

**3-Way budget negotiations** continue through the weekend in a solid effort to reach an "on time" Enacted Budget deadline of Monday April 1<sup>st</sup>.



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## Governor Cuomo Addresses the President's Federal Budget Proposal

Last week, Governor Cuomo held a [press briefing](#) in which he spoke to several challenges faced by the State as a result of the President's recent federal budget proposal released

earlier this month. The Governor spoke with grave concern of the proposed reductions in supportive funding at the federal level, particularly Medicaid cuts, which he estimates at “\$4 billion this year.” The Governor did note the extent of funding reductions is unknown, if any, concluding that this upcoming state budget will be adopted with a “big unknown question mark” as it relates to the impacts of federal funding reductions. The U.S. Congress will have a large influence on the appropriated funds in an adopted federal budget.

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## **November 2018 Medicaid Global Cap Reports**

The [November 2018 Global Cap Report](#) was recently posted on the Medicaid Redesign Team (MRT) [website](#).

Total State Medicaid expenditures under the Medical Global Spending Cap for FY 2019 through November **exceeded** the projected spending target of \$15.871 billion by \$79 million, resulting in total expenditures of \$15.95 billion.

The biggest drivers of the overage were FFS spending, which is \$91 million (or +1.54 %), and Medicaid Managed Care spending, which is \$69 million (of +0.05%), over projections thru November 2018. The overages include:

### **Fee-For-Service:**

- Clinic spending is currently \$14 million above projections. Total claims billed were 9.7% higher than anticipated through November.
- Non-Institutional spending (includes Pharmacy, Medical Supplies, Physicians, Supplemental Medical Insurance, etc.) was \$42 million above projections. This is the result of higher than expected utilization for Transportation services.

### **Medicaid Managed Care:**

Long Term Managed Care was \$52 million above projections through November primarily due to higher than expected enrollment. There were roughly 8,000 more individuals enrolled in the MLTC partial capitation plan than budgeted.

Total enrollment in Medicaid reached 6,165,415 enrollees at the end of November 2018. This reflects a net increase of 43,824 enrollees since March 2018.

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## **eMedNY Updates**

Corrected Managed Care Information for All Providers - eMedNY recently posted *corrected* Managed Care information for All Providers to the [eMedNY website](#) which include updated materials with corrections to the Medicaid Advantage Plus Plan data. Click [here](#) to view the documents.

Physician Surgery, Radiology and Drug Procedure Codes and Fee Schedules Updated - The Physician Surgery, Radiology and Drugs Procedure Codes and Fee Schedules have been updated for 2019. For details on the updated materials dated 3/22/19, click [here](#).

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## **PHHPC to Discuss Details of LHCSA Public Need Methodology and Financial Feasibility**

The Public Health and Health Planning Council’s (PHHPC’s) Committee on Health Planning will be taking up a discussion regarding the upcoming requirement for PHHPC to

consider the public need for licensed home care service agencies (LHCSAs) and the financial feasibility of applicants. This requirement in accordance to legislation passed in the SFY 2019 Enacted Budget, and is effective beginning April 1, 2020. The Department of Health (DOH) will develop regulations outlining the requirements for the new public need methodology and standards for the review of financial resources. DOH staff will be presenting the outline of the information to be considered for the regulation at this week's PHHPC Committee meeting. The information and outline being presented can be found [here](#). PHHPC's Committee on Establishment and Project Review (EPRC) will also be meeting this week, click here for the [EPRC Agenda](#).

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## **Regulatory Update**

### **Department of Health**

#### **Stroke Services**

The Department of Health has issued a [notice of adopted](#) rulemaking to implement a voluntary three tiered stroke designation program for hospitals in the state. Currently, the Department of Health stroke center designation program reviews applications submitted by interested hospitals who demonstrate required criteria along with an on-site evaluation. This regulation permits the Department to designate nationally recognized accrediting organizations to certify the ability of hospitals to provide care to stroke patients, with the Department maintaining authority to provide final approval and collect data, as well as authority to withdraw designations.

The original notice of proposed rulemaking was posted in the [October 17, 2018](#) issue of the State Register. This regulation is effective as of 3/20/2019.

#### **Food Services Establishments**

The Department of Health has issued a [notice of adopted](#) rulemaking that prohibits food service establishment operators from using liquid nitrogen or dry ice at the point of sale to protect the health and safety of patrons.

The original notice of proposed rulemaking was posted in the [November 21, 2018](#) issue of the State Register. This regulation is effective as of 3/20/2019.

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## **Related Articles and Other News**

[Initial Success of Life-Saving Newborn Screening Expansion](#)

[City Health Commissioner Concerned by Proposed Cut in State Aid](#)

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## **Legislative Update**

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

Senate Commerce / Economic Development / Small Business (Tuesday, March 26 10:30 a.m)

- [S2899 \(Kaplan\)/ A6059 \(Gunther\)](#) - This Bill would require a minimum 90 days period be established prior to the effective date of a new rule that requires changes to billing or compliance standards that could result in eventual withholdings or takebacks due to Medicaid auditing or self-disclosure.

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## **Calendar**

Thursday, March 28,  
2019

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

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Thursday, April, 11  
2019

Meeting of the Public Health and Health Planning Council  
Full Council Meeting  
10 a.m.  
Empire State Plaza, Concourse Level, Meeting Room 6, Albany

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Friday April 12, 2019

Minority Health Council Meeting  
10 a.m.  
Empire State Plaza Convention Center, Meeting Room 1

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Wednesday April 24,  
2019

Board of Examiners of Nursing Home Administrators  
(BENHA) Meeting (Public Session)  
10:30 a.m.

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## **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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