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Second Meeting of the State's Long Term Care Planning Project

The State Department of Health (DOH) and New York State Office for the Aging (NYSOFA) have announced the second meeting of the Long Term Care Planning Project: Evidence-Based Programs and Innovative Models in Aging and Long Term Care.

DOH and NYSOFA are soliciting proposals from organizations to learn more about evidence-based programs and other innovative models that are being used in aging and long term care.

The meeting will take place on **May 13, 2019** at the Empire State Plaza in Albany from 1:00 pm to 4:00 pm. Discussions will be focused on understanding how evidence-based programs and other innovative models are working in aging and long term care.

The two agencies are encouraging all organizations involved in aging and long term care to apply. All proposals must be submitted to ALTCteam@health.ny.gov by Wednesday April 17, 2019.

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 March was 4,343,375, a 0.21% increase since February (4,334,299). Enrollment in NYC increased 0.06% and is now 2,527,727. Upstate, enrollment was 1,815,648, an increase of 0.42% since February (1,808,048). NYSOH enrollment continues to increase compared to enrollment through the local districts, and now encompasses roughly 75% of total Statewide enrollments, with NYSOH enrollment at 3,034,921 compared 1,308,454 through LDSS rosters.
- **MCO Provider Enrollment in FFS:** Managed care plans continue to be advised by DOH to hold on terminating providers who have failed to enroll in FFS. However, DOH has reviewed proposed provider terminations that would not result in access to care issues and expects to provide instructions and guidance later this month to plans to begin making terminations in the near future.
- **HARP Enrollment:** 1,652 out of 5900 MMC members who received HARP passive enrollment notices in October 2018 were not enrolled into HARP due to a system issue that cancelled their enrollment. The members ultimately remained in their existing MMC plans, according to DOH. The State indicated the system issue has been resolved and those members will be included in the next round of passive enrollments.
- **MLTC Enrollment:** MLTC enrollment through the month of March is 252,529, an increase of 1,675 since February (250,854) and 3,641 since January (248,888). This is the third consecutive month where growth in the program was less than 2,000. Overall, the MLTC program has grown by 13.33% since last March. The majority of this growth continues to be in the MLTC partial cap program, which is currently at 227,731, an increase of 1,379 since February (226,352). The partial cap program has grown 12.45% since March 2018 (202,513 vs. 227,731). All MLTC programs realized modest month-to-month enrollment growth with the exception of FIDA, which saw enrollment decline to 2,941, compared to 3,027 one month ago and 3,489 three months prior. Enrollment in MAP continues to grow at the fastest clip, with enrollment now at 14,838 compared to 14,473 in February and 13,904 in January. Overall, the program has increased by 51.22% compared to last March.
- **VBP Update:** Plans again asked the State to forgo collecting VBP penalties if plans are unable to meet required VBP contracting thresholds by April 1, 2019. Plans raised several examples of egregious provider conduct to highlight why penalties should not be enforced and reciprocal penalties should be imposed on providers, so that both plans and providers are incentivized to develop VBP arrangements. DOH has yet to formally approve forgoing penalties.
- **CFCO:** The implementation of CFCO is now January 1, 2020. Person-centered service planning (PCSP) trainings will continue throughout the 2019 year. DOH clarified that PCSP is broadly applicable to long-term services and supports and home and community-based services and not limited to CFCO services. DOH has contracted with Public Consulting Group (PCG) to perform the trainings. PCG has previously provided the State with assistance reviewing HCBS settings, including adult day programs, and reviewed and scored PPS project applications under DSRIP.

Meeting Highlights of Public Health and Health Planning Council

The Public Health and Health Planning Council (PHHPC) recently held a full council meeting in Albany. A link to the full PHHPC agenda materials can be found [here](#). Prior to

the meeting of the full Council, the Codes, Regulations and Legislation Committee (CRLC) met to consider the following proposals:

- Motions for adoption:
 - Proposed regulation that reiterates a current practice of nursing homes to report a [weekly bed census](#) to the Department of Health.
 - Proposed regulation that implements new [registration requirements](#) of Licensed Home Care Service Agencies (LHCSAs). LHCSAs will be required to complete a new registration section to be included with the submission of annual statistical reporting, with a required submission date of November 16th of the preceding year of operation. This regulation will also implement fines and proceedings for failure to register and registration status will be posted on the DOH website for the public.
 - Proposed regulations requiring hospitals and clinics to establish and implement written policies and procedures that provide for the identification, assessment and appropriate treatment or referral of individuals who are suspected to be [human trafficking victims](#), as well requires health care providers inform victims of available services and make necessary referrals.
 - Proposed amendments to regulations related to the accreditation and certifications of [clinical laboratory directors](#).

The CRLC recommended all proposals for adoption, and the Full Council subsequently recommended all motions for adoption as well.

The full Council voted to re-elect Dr. Jo Ivey Boufford, M.D. as Vice Chairperson of PHHPC. Mr. Krout, Chair of PHHPC, also provided a summary of the [2018 Annual Report of PHHPC](#). Additionally, other highlights from the full Council meeting included presentations by Department of Health Staff including:

- Executive Deputy Commissioner, Sally Dreslin, presented updates on the Department's activity, particularly related to influenza reporting, measles outbreak tracking, codification of provisions of the ACA included in the SFY 2020 Enacted Budget, along with various other public health provisions.
- Deputy Commissioner, Office of Primary Care and Health Systems Management, Daniel Shepard, presented on the health facility staffing enhancement study which the Department has begun work on. DOH has begun gathering data earlier in the year and will be undertaking a deep analysis of this data. Mr. Shepard also spoke on the state's potential involvement in a recent Center for Medicaid and Medicare Innovation (CMMI) program, the [ET3 Demonstration Program](#), that would create a partnership with EMS providers, local emergency dispatchers, and other health care providers in effort to reduce emergency department admissions/re-admissions by redirecting fitting cases to appropriate care provider other than an emergency department.
- Department of Health Medicaid Director, Donna Frescatore, presented highlights of the SFY 2020 Enacted Budget, relating to the Office of Health Insurance Program, to include the following topics:

Pharmacy:

- Inclusion of a Fair Drug Pricing Models in Medicaid Managed Care that increases transparency of prescription drug pricing for the \$5.7 billion (SFY 2017 before rebates) paid through Medicaid managed care for prescription drugs;
- Medicaid Drug Cap changes to accelerate rebate negotiations and collections for high cost drugs along with administrative efficiencies and provisions to enhance transparency in drug cost effectiveness analyses;

Long Term Care:

- Changes to reimbursement methods to Fiscal Intermediaries (FIs), shifting from hourly rates, to per member/per month reimbursement for administrative responsibilities, along with restrictions on eligible FI

applicants, without change to services or levels of care for Consumer Directed Personal Assistance Services members;

- Provisions to establishment of a stakeholder workgroup pertaining to FI services and consumer's needs, to be established by May 15, 2019;
- Consumer First Choice Option (CFCO) readiness implementation date extension from 7/1/19 to 1/1/20;
- Nursing Home Case Mix Adjustment changes to allow the use of all available assessment data to adjust case mix index (CMI) measures used to calculate payments for nursing homes, yet continuing adjustments periods in January and July. Additionally, the Department will establish a workgroup that will review the acuity data used in determining CMI rates for nursing homes;
- Investment of \$15 million in the NYSOFA Expanded In-Home Services for the Elderly Program (EISEP) to provide less-intensive services earlier to older adults aging in place, with anticipation of reduced future Medicaid costs; and
- Inclusion of funding to design and implement Electronic Visit Verification (EVV) system, required by federal law. The implementation of EVV by the State will most likely extend past the federally required date of 1/2020, so the State will most likely file for a "good faith exception" to preserve federal funding.

Managed Care:

- Anticipated savings from disenrollment of Medicaid-eligible individuals with Third-Party health insurance coverage through more efficient and timely administrative action;
- Increased OMIG managed care recoveries through increased compliance of MCOs;
- Reductions to managed care quality incentives totaling \$15 million (state share); and
- Enhanced oversight of MCOs for Behavioral Health Parity compliance.

These are just some of the topics highlighted in the Department's presentation to PHHPC. Click [here](#) for slides used in the presentation.

The full Council recommended all CON applications on the agenda for approval with minimal added discussion.

The next PHHPC Committee meetings are scheduled for Thursday, May 16, 2019 in NYC and the next PHHPC Full Council meeting is scheduled for Thursday, June 6, 2019 in NYC.

eMedNY Training Schedule for April - June

eMedNY recently announced their training schedule for April - June is available. Registrations for seminars and webinars are currently being accepted and some of the topics offered include:

- ePACES for Dental, DME, Free-Standing and Hospital-Based Clinics, Institutional, Physician, Private Duty Nursing, Professional (Real-Time), Transportation
- ePACES Dispensing Validation System (DVS) for DME
- eMedNY Website Review
- Medicaid Eligibility Verification System (MEVS)
- New Provider/ New Biller

Click [here](#) to view the training schedule and register today. Questions can be directed to the eMedNY Call Center at 800-343-9000.

DOH is seeking a Community Partner as Lead Organization for Integrated Care for Kids' Application

The State Department of Health is seeking proposals from a qualified health care entity to serve as the Lead Organization with DOH's Medicaid Office on their response to The Integrated Care for Kids (InCK) Notice of Funding Opportunity issued by the Center for Medicare and Medicaid Innovation (CMMI). This opportunity with CMMI is available at the following website:

<https://www.grants.gov/web/grants/view-opportunity.html?oppId=312759>

The opportunity with DOH can be found on the [New York State Contract Reporter Website](#). Proposals must be submitted to OHIPcontracts@health.ny.gov no later than Tuesday, April 23, 2019 5:00 PM EST.

Regulatory Update

Currently no updates of mention.

Related Articles and Other News

[April is National Donate Life Month](#)

Legislative Update

The Legislature will be on a break from the 2019 Legislative Session and scheduled to return Monday April 29th.

Calendar

Thursday, April 18,
2019

The Bureau of Tobacco Control and The New York State Tobacco Use Prevention and Control Advisory Board Meeting (video conference)

Monday, April 22,
2019

Medicaid Pharmacy Advisory Committee Meeting at One Commerce Plaza, 99 Washington Avenue, Conference Room 1613, Albany
10:30 a.m. to 1:00 p.m.

Wednesday April 24,
2019

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

Thursday, April 25,
2019

New York State Department of Health AIDS Advisory Council Meeting at Amida Care, Inc. 14 Pennsylvania Plaza, 2nd Floor Boardroom, New York, NY 10122
10:30 a.m. - 1:00 p.m.

Friday, May 3, 2019

New York State Transplant Council Meeting
1:00 pm to 4:00 pm.
The Transplant Council Certificate of Need Subcommittee will also meet from 10:00 am to 12:00 pm.
Both meetings will be held at the following location:
Dormitory Authority of the State of New York
1 Pennsylvania Plaza
New York, New York, 10119

Wednesday May 13,
2019

Second Meeting of DOH and NYSOFA's Long Term Care Planning Project: Evidence-Based Programs and Innovative Models in Aging and Long Term Care
Meeting Room 6, on the Concourse of the Empire State Plaza in Albany 1:00 pm to 4:00 pm

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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