



STATE OF NEW YORK
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

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December 8, 2006

Dear Executive Director:

As stated in the attached September, 2006 New York State Department of Health Medicaid Update Article (Attachment A), starting with services rendered January 1, 2007, each Intermediate Care Facility for the Developmentally Disabled (ICF/DD) will be fiscally responsible for the eight long term therapies specified in the article. Separate Medicaid billing of these long term therapies by clinical practitioners, Article 16 and Article 28 clinics will be prohibited when provided to an ICF/DD resident, regardless of the service location.

As noted in my letter dated June 13, 2006 (Attachment B), the Medicaid program will allow separate, time-limited billing of up to three consecutive months per calendar year for six of the specified therapies when provided to an ICF/DD resident to address an acute illness, an accident or post-hospitalization health need. Time-limited billing will not be allowed for social work or rehabilitation counseling.

OMRDD will routinely monitor separate practitioner/clinic Medicaid billing for therapies provided to ICF/DD residents. Where OMRDD makes a determination that the separate practitioner/clinic claim is in fact inappropriate, the ICF/DD will be required to make a payment to the Medicaid system equal to the value of the separately billed practitioner/clinic claims.

To ensure that all ICF resident needs are met, ICF providers may utilize OMRDD's prospective and retrospective rate appeals processes if they find that additional funding is needed.

The OMRDD coordinator for this billing change is Karen Desso in our Field Operations Bureau. Ms. Desso, who is available to assist you, and can be reached by phone at (518) 402-4339. Questions about ICF rate appeals should be directed to Steve Ellrott in the Bureau of Rate Setting, who can be reached by phone at (518) 486-4289. Questions regarding clinics should be directed to Larry Zawisza or Karen DeRuyter of the Policy Analysis Bureau, who can be reached by phone at (518) 473-9697.

Again, thank you for your cooperation in planning for the January 1, 2007 change. With your continued assistance, we can ensure that all ICF/DD resident needs are appropriately met.

Sincerely,

James F. Moran
Deputy Commissioner
Division of Administration and
Revenue Support

Attachments

