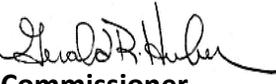




To: Provider Associations

From: Gerald Huber, 
Acting Deputy Commissioner

Helene DeSanto, 
Deputy Commissioner, Medicaid Compliance Officer

Date: October 15, 2012

Subject: Managed Care Enrollment, Continued Exemptions, and Eligibility Determinations

This memorandum follows-up on the discussion held at the September 24, 2012 Provider Association meeting regarding the ending of a policy which had allowed certain individuals to request an exemption from mandatory enrollment in “mainstream” managed care (i.e., managed care plans providing healthcare services). Previously, Medicaid enrollees could request an exemption to mandated enrollment with a physician’s sign-off on an exemption or exclusion request form that was submitted directly to the county or Medicaid Choice. One of the criteria under which a person could qualify for this exemption was that he/she was not enrolled in an OPWDD waiver program, but had needs similar to persons enrolled in the waiver (i.e., ‘look alike’). OPWDD did not have a role in establishing these initial exemptions and not all people who received this initial exemption will ultimately be determined to meet developmental disability eligibility criteria as defined in NYS Mental Hygiene Law.

Beginning September 2012, this ‘look-alike’ exemption allowance ended. **It is important to note that all individuals with Restriction Exemption Code 95 (RE95), as designated by OPWDD, will remain exempt from mandatory enrollment into managed care until such time as the proposed People First waiver is fully implemented within their county of residence.**

In order to effectuate this policy change, on August 7, 2012, 1,000 people who previously received an ‘OPWDD look alike exemption’ received a letter advising them that their exemption was coming to end and that they had to pick a managed care plan. In order to ensure continued access to services, OPWDD and DOH have agreed to the following arrangement: once they receive a letter from Medicaid Choice instructing them to select a plan, individuals who are losing their current exemption status and/or their families/representatives can:

- Call either Medicaid Choice (those residing in orange-colored counties on map provided in attached memorandum) or non-NY Medicaid Choice county (those residing in pink-colored counties).

- Advise the NY Medicaid Choice or county representative that the person is seeking an eligibility determination; this will allow a temporary exemption to be established and will halt the Managed Care enrollment process temporarily to allow the OPWDD eligibility process to be completed.
- Contact the OPWDD Regional Office to request an eligibility determination (see contact list on the attached memorandum).
- If at the end of the 6-month period, the DD eligibility has not been established, a mandatory enrollment packet will be generated and the mandatory managed care enrollment will proceed. If a determination is made during this 6-month period, that the person meets DD-eligibility criteria, then the exemption into mandatory managed care will continue (i.e., a 95-code will be established for the person).

For your information, attached to this memorandum is an earlier directive to OPWDD regional offices that describes the process for requesting a continued exemption and a developmental disability eligibility determination. If there are particular cases with which you have concern, please contact the local OPWDD eligibility contact identified in the attached memorandum or the OPWDD Field Operations unit (Stephanie Stoddard at Stephanie.stoddard@opwdd.ny.gov).

cc: OPWDD Directors

OPWDD Regional Office Contacts for Eligibility Requests

OPWDD Office	Contact	Phone	E-mail
Brooklyn	Janet Strauss	(718) 642-8629	janet.strauss@opwdd.ny.gov
Metro (Manhattan and the Bronx)	Lou Mazzella	(212) 229-3601, and (718) 430-0469	louis.mazzella@opwdd.ny.gov
Bernard Fineson (Queens)	Regine Petigny	(718) 217-5980	regine.petigny@opwdd.ny.gov
Long Island	Dr. Richard Rice Dr. Laura Kelly	(631) 493-1765	Richard.rice@opwdd.ny.gov laura.m.kellycadavid@opwdd.ny.gov
Staten Island	Chris Grova	(718) 983-5217	Christine.grova@opwdd.ny.gov
Hudson Valley (Westchester, Orange, Sullivan, Rockland)	Vicki Tobar	(845) 947-6011	Vicki.tobar@opwdd.ny.gov
Taconic DDSO	Cathy Dillinger	(845) 473-5050 Ext 152	Catherine.dillinger@opwdd.ny.gov
Capital District (Albany, Fulton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren Washington)	Deb Musa-Cross	(518) 370-7456	Debra.musa@opwdd.ny.gov
Rest of State	Stephanie Stoddard	(518) 402-4339	Stephanie.stoddard@opwdd.ny.gov

NYS Medicaid Managed Care 10/1/12

