



STATE OF NEW YORK
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

44 HOLLAND AVENUE
ALBANY, NEW YORK 12229-0001
(518) 473-1997 • TDD (518) 474-3694
www.omr.state.ny.us

MEMORANDUM

TO: Executive Directors, Residential Programs
Executive Directors, MSC Vendors
Family Support Services Council
DDSO Consumer Council
Statewide MR/DD Advisory Council
Statewide Committee on FSS
Parent to Parent
Self Advocacy Association
DDSO Directors

FROM: James E. Moran, Deputy Commissioner
Division of Administration and Revenue Support

DATE: February 6, 2006

SUBJECT: New Programs: Mandatory Enrollment in Medicaid Managed Care and the Medicaid Advantage Program

The New York State Department of Health (NYS DOH) is implementing two new Medicaid Managed Care programs that can involve people with developmental disabilities. The first program calls for mandatory enrollment of New York City (NYC) residents who receive Supplemental Security Income (SSI) or who are certified blind or disabled, but not in receipt of SSI. **However, many of the people we serve in OMRDD programs will not be required to participate.** The second Managed Care initiative, "Medicaid Advantage," is for individuals with dual Medicare and Medicaid enrollment. This second program does not involve mandatory enrollment.

We have presented information on these programs below. However, it is important for OMRDD providers, advocates, and consumers to especially note that:

1. While mandated for many SSI recipients, most of the people we serve are not required to participate in the NYC Managed Care Program. Social Services Law provides choice for people in our ICFs/DD and those enrolled in both the OMRDD HCBS Waiver and the Care-at-Home waivers for children. The law also exempts people who "have similar characteristics and needs" to those served in the aforementioned programs.
2. Given the recent prominence of the Medicare Part D prescription drug program, it is important not to confuse the new Medicaid Advantage Managed Care Program for dual Medicaid/Medicare eligibles with the Part D drug program.



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Program Information

Mandatory Enrollment in Medicaid Managed Care for SSI Recipients or Individuals who are Certified Blind or Disabled

NYS DOH is implementing the first phase of mandatory enrollment for the SSI and SSI-related individuals in New York City. After the program is implemented in New York City, plans are to phase in mandatory enrollment in other counties.

This program will primarily impact individuals who live with their family or on their own in the community and who do not reside in an ICF/DD or participate in an HCBS waiver program or Care-at-Home for children.

Individuals in New York City have started receiving notices about this program. The enrollment packet gives the person 90 days to pick a plan or seek an exemption from mandatory enrollment. If the individual is not exempted or does not pick a plan within the 90 days, the person will be auto-assigned to a Medicaid Managed Care Plan.

Please note that OMRDD sends NYS DOH a computer file of all persons we identify as being exempt from mandatory enrollment in Medicaid Managed Care. NYS DOH puts this information in their Medicaid computer system. People coded as exempt should not receive a letter telling them they must enroll in Medicaid Managed Care.

The complete list of possible categories for seeking an exemption from mandatory Medicaid Managed Care is attached. Note that individuals who have characteristics and needs similar to persons living in ICF settings or to persons in a waived program (such as HCBS) can seek an exemption from mandatory enrollment. In each enrollment packet, the person is given a toll free number to call to seek an exemption.

Medicaid Advantage

NYS DOH has obtained a waiver from the federal government to allow persons in receipt of both Medicaid and Medicare [dual eligible persons] to participate in select managed care programs. The name for this new program is "Medicaid Advantage." This program is **voluntary**.

Medicaid Advantage was created to remove the need for Medicare recipients to drop their managed care coverage if they became eligible for Medicaid. The new federal waiver allows these individuals to continue in their Medicaid managed care plans.

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To participate in Medicaid Advantage, a dual eligible individual must enroll with a managed care provider which has contracted with NYS DOH to act as a Medicaid Advantage Plan and as a Medicare Advantage Plan through the federal government. NYS DOH has signed their first contracts with a number of managed care plans in NYC. NYS DOH is notifying dual eligibles in NYC, Westchester and Rockland of the availability of this new program and the plans that may be used. NYS DOH is in the process of contracting with other managed care plans to expand this program.

OMRDD Services

Individuals who are enrolled in Medicaid Managed Care or Medicaid Advantage can continue to receive all long term care OMRDD services outside of these managed care programs.

Assistance

Questions on managed care can be directed to Larry Zawisza at [518] 473-9697 or by E-mail at Larry.Zawisza@omr.state.ny.us. Kevin Patricia is available to discuss Medicaid questions and can be reached at [518] 402-4339 or by E-mail at Kevin.Patricia@omr.state.ny.us.

Questions relating to an individual's Medicaid or Medicare eligibility can be directed to your local Revenue Support Field Office [RSFO]. The RSFO can also determine if an individual has been coded as being exempt from mandatory enrollment in managed care. Your local RSFO can be found by calling [518] 402-4339 or looking it up on the OMRDD website at www.omrdd.state.ny.us.

Attachment

cc: T. Durfee
H. DeSanto
K. Broderick
M. Gatens
G. Lind
L. Zawisza
K. Patricia ✓
Provider Associations

Who is Not Required to Join a Medicaid Managed Care Plan

Here is a list of persons who can apply to be exempt from mandatory Medicaid Managed Care enrollment:

- + People with HIV/AIDS.
- + People in long-term alcohol or drug residential programs.
- + Pregnant women who are getting prenatal care from a provider who is not in any plan.
- + People who live in facilities for the mentally retarded and people with similar needs.
- + Some people with developmental or physical disabilities who get care at home or in their community through waiver programs, and those who have the same needs.
- + People with long-term health problems being treated by a specialist who is not in any plan.
- + Adults who have serious mental illness and children who have serious emotional problems.
- + Native Americans.
- + People who are homeless.
- + People who cannot find providers in any plan who can serve them in their language.
- + People who live where a Medicaid Managed Care provider is not accessible.
- + For New York City residents, people temporarily living outside of New York City.
- + People who have both Medicare and Medicaid.
- + People scheduled for major surgery in the next 30 days with a provider not in a health plan.
- + People with End-Stage Renal Disease.
- + People on Medicaid through the "Buy-in for the Working Disabled Program" who are not required to pay a premium.