

MSC E-VISORY

Issue #24-12

July 23, 2012

State of New York Office for People With Developmental Disabilities
Courtney Burke, Commissioner
Distributed by: Division of Person-Centered Supports
Gerald Huber, Acting Deputy Commissioner

The MSC E-Visory is an electronic advisory which provides pertinent and timely information about programs and services available to individuals receiving MSC. Announcements about MSC training, conferences and meetings appear regularly. **MSC Supervisors: Please share this issue with all MSC Service Coordinators and others as appropriate.** In order to receive an email notification when a new MSC E-Visory is posted, please sign up for our mailing list (listserv). Listserv information and past issues can be accessed via the OPWDD website at www.opwdd.ny.gov or via the following link: http://www.opwdd.ny.gov/opwdd_services_supports/service_coordination/medicaid_service_coordination/msc_e-visories

In This Issue:

Standardization of Medicaid Service Coordination (MSC) Application Process

Attached to this e-visory is a memo from Gerald Huber, dated July 23, 2012 regarding the MSC application process. The purpose of this memo is to create a standardized process across the state for determining the need for ongoing and comprehensive service coordination as part of MSC enrollment. This process, effective August 1, 2012, will require that the "MSC Assessment of the Need for Ongoing and Comprehensive Service Coordination" be used by all districts for MSC applicants.

Recent Communications to OPWDD Personal Care Recipients from Home Health Agencies

Also attached to this e-visory is a memo from Gerald Huber, dated July 19, 2012, concerning recent communications to OPWDD Personal Care Recipients from Home Health Agencies. These communications discuss a new State law that requires individuals who are 21 or over, eligible for both Medicaid and Medicare and needing more than 120 days of community based long term care services to join a Managed Long-Term Care Plan (MLTCP). Individuals receiving services from the Office for People with Developmental Disabilities (OPWDD) are exempt from the MLTCP mandatory enrollment requirement. This memo includes information to communicate to individuals or families in the event that they receive this type of communication from Home Health Agencies.

Summer Electrical Health & Safety Alert

OPWDD has issued a Health & Safety Alert, dated July 2012, which discusses overloaded wiring and potential risks. Increased electrical use during summer can elevate the risk of fire. MSCs are encouraged to share this information with individuals and families that they serve. To access the Health & Safety Alert, go to:

http://www.opwdd.ny.gov/opwdd_resources/safety_alerts/health_and_safety_alerts?field_general_tax_tid_1=All&page=1



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MEMORANDUM

To: Executive Directors of Voluntary Provider Agencies
Executive Directors of MSC Vendors
DDSO Directors
Provider Association Members
DDSO MSC Coordinators

From: Gerald Huber, Acting Deputy Commissioner
Division of Person-Centered Supports

Subject: Standardization of Medicaid Service Coordination (MSC) Application Process

Date: July 23, 2012

Effective: August 1, 2012

Purpose

The purpose of this memo is to create a standardized process across the state for determining the need for ongoing and comprehensive service coordination as part of MSC enrollment.

Background

As described in the MSC Vendor Manual (Enrollment of Individuals in MSC, Chapter 6), the need for ongoing and comprehensive service coordination must be demonstrated; meaning the ongoing assistance of a service coordinator is necessary for the development, implementation and maintenance of an ISP and this need must be documented in the ISP. It is an ongoing requirement that MSC Vendors ensure that individuals served continue to meet all eligibility requirements including demonstration of the need for ongoing and comprehensive service coordination. OPWDD's Division of Quality Improvement Survey of the MSC Program for all MSC Vendors includes a review of MSC eligibility under this criterion.

We have heard from many providers that a clearer understanding was needed for demonstrating this ongoing and comprehensive need. In order to further clarify what is meant by ongoing and comprehensive, OPWDD issued guidance to assist in making a determination. This document, "What does the Need for Ongoing and Comprehensive Service Coordination Mean?" dated March 16, 2012, includes a worksheet that may be used to assist when making such a determination ("MSC Assessment of the Need for Ongoing and Comprehensive Service Coordination"). It was recommended that this guidance be used in determining whether a particular individual meets that need or when determining whether individuals already enrolled in MSC continue to meet the eligibility criteria of needing "ongoing and comprehensive" service coordination.

Current Practice

For individuals seeking MSC enrollment, there currently exists a disparity in practice with regard to what is required in order to demonstrate the need for ongoing and comprehensive service coordination. DDSOs have been using different methodologies for determining initial eligibility for MSC and have been requiring additional information be submitted with the MSC application such as letters, written narratives, checklists, or additional forms to document the person's need for the service.

Changes to the MSC Enrollment Process

In order to standardize practices and provide consistency for those agencies that cross different districts, the "MSC Assessment of the Need for Ongoing and Comprehensive Service Coordination" will be used by all districts for MSC applicants. The checklist must be submitted, along with the MSC 1-APPL, for all individuals seeking to enroll in MSC. For those using the CHOICES MSC Electronic record, the worksheet must be uploaded to CHOICES as an attachment to the MSC1. This will create consistency across the state and help to standardize the process of eligibility determination. This requirement is applicable for all vendor agencies authorized to provide OPWDD's Medicaid Service Coordination.

This process is effective as of August 1, 2012 and replaces all other current processes and practices.

Note: Willowbrook Class Members are deemed to be in need of ongoing and comprehensive service coordination as a result of the findings, rights and obligations set forth in the Permanent Injunction dated March 11, 1993. The assessment process described in this memo does not apply to class members who seek enrollment in MSC.

Summary

As with all other programs, it is an ongoing expectation that MSC Vendors ensure that all participants meet eligibility requirements, including whether there is a continued need for ongoing and comprehensive service coordination under the referenced guidance. The assessment tool may be used by vendors for people already enrolled in MSC, but is not required to be used or filed, except for initial enrollment.

This supplemental information will be incorporated into the MSC Application process at initial enrollment. Vendors will submit the "MSC Assessment of the Need for Ongoing and Comprehensive Service Coordination" to the DDSO along with the MSC1 Application. As with the current process, the DDSO determines whether the individual meets eligibility criteria.

The MSC Enrollment process described in this memo replaces all other current processes and practices.

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MEMORANDUM

To: Executive Directors of MSC Vendors
Directors of OPWDD State Operated and Regional Offices

From: Gerald Huber, Acting Deputy Commissioner 
Division of Person-Centered Supports

Date: July 19, 2012

Subject: Recent Communications to OPWDD Personal Care Recipients from Home Health Agencies

Beginning this year, a new State law requires individuals who are 21 or over, eligible for both Medicaid and Medicare and needing more than 120 days of community based long term care services to join a Managed Long-Term Care Plan (MLTCP). The managed long-term care plans are private health plans approved by the State of New York; they arrange for recipients' in-home personal care and other services included in the MLTCP benefit package.

Recently, the details of this new law have been communicated to personal care recipients in Manhattan, where the first phase of mandatory enrollment will occur. The letters are being mailed by New York Medicaid Choice, the Department of Health's enrollment broker. Because OPWDD clients may be receiving personal care services, some may receive information about this activity and become confused and concerned.

In the event that this issue is raised by individuals and families that you support, **please be advised that the following personal care recipients are exempt from the current MLTCP mandatory enrollment requirement:**

- Nursing Home Transition and Diversion waiver participants;
- Traumatic Brain Injury waiver participants;
- Individuals receiving services from the Office for People with Developmental Disabilities (OPWDD);
- Nursing home residents;
- Assisted Living Program participants;
- Dual eligible that do not require community based long-term care services.

Your assistance in clarifying the details of this requirement for individuals in the OPWDD service delivery system who receive personal care services is greatly appreciated. If any of individuals or families you support receive a letter from New York Medicaid Choice they should simply call the number provided in the mailing and seek an

exemption. This can be done over the phone at 1-888-401-6582, TTY 1-888-329-1541 (there is also assistance for blind and for alternative language needs).

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