

George E. Pataki
Governor



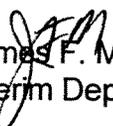
Thomas A. Maul
Commissioner

STATE OF NEW YORK
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

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MEMORANDUM

To: DDSO Directors
DDSO Deputy Directors Community Services
DDSO Deputy Directors Administration
DDSO Business Officers

From:  James F. Moran
Interim Deputy Commissioner

Date: June 19, 2003

Subject: Nursing Services in SOIRAs

Long-Term Nursing Services

OMRDD recently clarified with the NYS Department of Health (State DOH) that individuals in State Operated Individual Residential Alternatives (SOIRAs) should not receive **long-term** state plan private duty nursing services separately billed to the person's Medicaid card. Additionally, long-term nursing services funded by the Medicaid card through a Certified Home Health Care agency should not be sought. Long-term nursing service represents a duplication of Medicaid funding because OMRDD has a nursing services' component in the state rate for SOIRA residential habilitation services.

State DOH will allow impacted DDSOs 6 weeks to transition to other nursing services for the 11 consumers in SOIRAs who receive long-term private duty nursing services. State DOH will notify each consumer's private duty nursing provider of the termination date. The same 6 week timeframe is being allowed to transition to other nursing services for the 13 consumers in SOIRAS receiving home health care nursing services. If a consumer and/or advocate has concerns, DDSO staff should explain the rationale for the discontinuance of this funding stream for nursing services and, that the DDSO will arrange for necessary nursing services.

Each of you has already been notified of any people in your DDSO impacted by this change for both private duty nursing and nursing through a Certified Home Health Care agency.



Short-Term Nursing Services

To accommodate the need for **short-term** services, such as a period of post hospitalization recuperation in an SOIRA, private duty nursing prior authorization can be sought. State DOH will review these requests for private duty nursing. Where a request is approved, the nursing service will be authorized for up to six weeks duration. Approval for short-term nursing through a Certified Home Health Care agency can be sought from the social services district or their representative agency. The DDSO must note that they are seeking services that do not exceed six weeks in duration. If the individual's circumstances require nursing services beyond six weeks, the DDSO itself must meet this need.

DDSO Funding For Nursing Services

Two options exist for DDSO provided nursing services. A DDSO may redeploy existing nursing staff or acquire nursing services through a contract. As a first response, we expect that a DDSO will deploy existing nursing staff to assure nursing coverage for these consumers. If needed, a DDSO with a fill level below their staffing authorization may submit requests to fill (RTFs) for nursing positions through existing procedures. If nursing coverage cannot be provided by staff, a DDSO may contract for nursing services, or increase services under an existing contract. These contracts are typically charged to the Personal Service (PS) Voucher account. If you anticipate a significant increase in PS Voucher need, please document this special need and contact Budget Services, keeping in mind that such increases may require a staffing authorization offset.

Please direct any questions on how to fund nursing services to Allison McCarthy of Central Office Budget Services at (518) 402-4469 or E-mail at MCCARTAJ. Other questions on Medicaid funding for long-term nursing services may be directed to Kevin Patricia or Marge Ciaccio of Central Office Revenue Support at (518) 402-4339 or E-mail at PATRICKJ or CIACCIME.

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