



Department of Health

KATHY HOCHUL
Governor

MARY T. BASSETT, M.D., M.P.H.
Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

March 4, 2022

Dear Administrator:

This letter provides you with information regarding your Personal Care Agency (PCA) and or Consumer Directed Medicaid reimbursement rates effective January 1, 2021 through December 31, 2021. The formula on which these rates have been promulgated in accordance with Title 18, Section 505.14 of the Compilation of Administrative Rules and Regulations.

As has been previously communicated, the first year of the newly revised Home Care Cost Report (which is 2019) will not be used for rate setting purposes in order to give the provider community a year to adjust to the new cost report without having an impact to their rates. More critically, the data collected in the 2019 cost report was substantially flawed and if used, would have resulted in significant variations in 2021 rates.

Therefore, the Department is setting this year's rates using the methodology set forth in regulations, and holding providers harmless for the unreliable data in the 2019 cost report. This is accomplished through the following:

- the non-minimum wage related growth from 2019 to 2020 was used as a proxy for growth from 2020 to 2021 (Note: Your 2021 rate was held flat if (1) your 2019 to 2020 rate change was a decrease or (2) annual growth exceeded 25 percent; and
- the applicable 2021 minimum wage was included (\$1.18 for downstate and \$.82 for upstate).

The Department's regulations allow rate appeals to be filled within **90 Days** from the date of this letter (see Attachment A). The payment for the initial rates will be made in cycle 2325, check release date March 30, 2022. If you have any questions regarding the above information, please send an email to PersonalCare-Rates@health.ny.gov and Robert Yankowski will respond to your inquiries.

Sincerely,

Laura Rosenthal
Director
Bureau of Residential Health Care Reimbursement
Division of Finance and Rate Setting
Office of Health Insurance Program

Attachments

ATTACHMENT A RATE APPEAL PROCESS

Providers have **90 Days** from the date of this letter to submit appeal(s) to the rates posted herein.

The Department will consider only those appeal requests based on the following criteria as stated in Section 505.14(h)(7)(iii)(c):

- Mathematical, statistical, fiscal or clerical errors exist including, data submission errors on the cost report.
- By reason of costs associated with programs, services, activities or initiatives mandated or approved by the Commissioner.
- The agency is seeking a lower rate(s) in order to be more competitive among providers in their District.
- Changes in your charge to the general public not properly reported in the initial 2018 cost report submission.

The following information should be provided when submitting an appeal:

- A signed letter by the Operator or Chief Executive Officer, containing a detailed summary of the items of appeal and the Declaration Control Number (DCN) of any revised cost report submission.
- Supporting schedules or any other pertinent data not related to the annual cost report may be attached in the e-mail submission.
- Any item of appeal that alters the cost data for the 2018 annual cost report requires that the revised report be filed electronically. The revised report must have a **new** DCN and must be recertified by both the operator and the independent accountant.

Please submit appeals to PersonalCare-Rates@health.ny.gov and file revised cost reports electronically through the Health Commence System.

Attachment B
Health Commerce System (HCS) application
Healthcare Financial Data Gateway
Instructions

Please be advised that all historical postings will currently be maintained on the previous application. We will advise of any migration of historical postings to the Healthcare Financial Data Gateway should that occur.

All Personal Care agencies should follow the referenced instructions to access the Healthcare Financial Data Gateway system. There has been extensive testing to ensure that access is available for all Personal Care agencies who were in the HCS system as of April 2018. For any Personal Care agencies or individuals that were not in HCS when the data was migrated, it will be necessary to request access.

The Personal Care agencies permissions to the Healthcare Financial Data Gateway can be granted utilizing the revised HCS Upload Access Request Form attached herein.

HCS Instructions – **NEW Application:**

- 1) Login to HCS: https://commerce.health.state.ny.us/public/hcs_login.html.
- 2) Enter User ID and Password.
- 3) From “My Applications”, select “Healthcare Finance Data Gateway”. Go to Step 4 if this application does not already exist in your list of applications, otherwise skip to Step 7.
- 4) From the top line menu under “My Content”, choose “All Applications”.
- 5) Select “H”, then click the Green “+” button under the Add/Remove column to add the application to your personal “My Applications” list.
- 6) You may open the application from the page you are already on by clicking “Healthcare Financial Data Gateway” or you may choose it from “My Applications” under the Home page.
- 7) Go to the **Publications** section and follow the instructions from above to access the proper Collection and Package.

If you have problems accessing your HCS account due to the expiration of your password, please contact the Commerce Accounts Management Unit (CAMU) at 1-866-529-1890