



**Guide to Edits Included in the New York Medicaid Program 29-I Health Facility Licensing Guidance- Version December 2023**

Update Made	Updated Text	Location
<b>Refreshed</b> Hyper link	<a href="#">Managed Care Organization (MCO) Directory by Plan (ny.gov)</a>	Pg. 4
<b>Updated</b> HCB Service Names for alignment with current HCBS Manual	<p><del>Caregiver Family Support Services,</del>  <del>Community Self-advocacy Training and Support</del>  <b>Caregiver/Family Advocacy and Support Services</b></p> <p><del>Palliative Care: Bereavement</del>  <b>Palliative Care: Counseling and Support Services</b></p>	p. 23
<b>Updated</b> allowable practitioner type	Creative arts <del>counselor</del> -therapist	Pg. 28
<b>Revised</b> list of children Excluded from Medicaid Managed Care	<ul style="list-style-type: none"> <li><del>• Youth placed in the care and custody of the Office of Children and Family Services (except those on aftercare or “Trial Discharge” status)</del></li> <li><del>• Persons in receipt of Medicaid/Medicare (Often referred to as dual eligible)</del></li> <li><del>• Individuals with access to comprehensive private health insurance, Third Party Health Insurance (TPHI)</del></li> <li><del>• Residents of state operated psychiatric facilities</del></li> <li><del>• Residents of state certified or voluntary operated treatment facilities for children (often referred to as residential treatment facilities)</del></li> <li><del>• Medicaid eligible infants living with incarcerated mothers in state or local correctional facilities</del></li> </ul>	Pg. 54



- ~~Individuals who are expected to be MA eligible for less than six months (except pregnant women)~~
- ~~Blind or disabled children living separate from their parents for 30 days or more~~
- ~~Permanent residents, under age 21, of residential health care facilities and temporary residents of RHCs at the time of enrollment~~
- ~~Adolescents admitted to Residential Rehabilitation Services for Youth~~
- ~~Individuals receiving hospice services at time of enrollment~~
- ~~Spend-down medically needy~~
- ~~Individuals receiving family planning services only~~
- ~~Individuals receiving assistance through an assisted living program~~
- ~~District 97, fiscal responsibility of NYS OMH~~
- ~~District 98, fiscal responsibility of NYS OPWDD~~
  - **Persons in receipt of Medicaid/Medicare are excluded from MMC but can enroll in an Integrated Benefits for Dually Eligible Enrollees Program (IB-Dual) or Managed Long Term Care (MLTC). Individual is excluded from MMC and Health and Recovery Plan (HARP) unless enrolled in a qualified Managed Care Organization's D-SNP product; as long as consumer does not opt out of the D-SNP, they can remain enrolled in MMC/HARP.**
  - **Individuals enrolled in comprehensive private health insurance, Third-Party Health Insurance (TPHI)**
  - **Residents of state-operated psychiatric facilities**
  - **Residents of state-certified or voluntary-operated treatment facilities for children (often referred to as residential treatment facilities)**



	<ul style="list-style-type: none"><li>• <b>Residents of Office of Mental Health (OMH) State Operated Psychiatric Center Community Residences or Family Care Homes</b></li><li>• <b>Medicaid eligible infants living with incarcerated mothers in state or local correctional facilities</b></li> <li>• <b>Individuals who are expected to be Medicaid (MA) eligible for less than six months (except pregnant women)</b></li><li>• <b>Blind or disabled children living separate from their parents for 30 days or more.</b></li><li>• <b>Long term care residents, under age 21, of residential health care facilities (RHCF)s and temporary residents of RHCF's at the time of enrollment</b></li><li>• <b>Adolescents admitted to Residential Rehabilitation Services for Youth (RRSY)</b></li><li>• <b>Individuals receiving hospice services at time of enrollment</b></li><li>• <b>Spend-down medically needy</b></li><li>• <b>District 97, fiscal responsibility of New York State (NYS) OMH</b></li><li>• <b>District 98, fiscal responsibility of NYS Office for People with Developmental Disabilities (OPWDD)</b></li><li>• <b>Individuals under 65 years of age, who have been determined eligible by the Medicaid Cancer Treatment Program: Breast, Cervical, Colorectal, Prostate Cancer; Medicaid eligibility through District 99</b></li><li>• <b>Individuals receiving assistance through an Assisted Living Program (ALP)</b></li></ul>	
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**Revised** list of Children Exempt from Medicaid Managed Care

- ~~• Residents of intermediate care facilities for the developmentally disabled~~
- ~~• Developmentally or physically disabled individuals receiving services through a Home and Community Based Services (HCBS) Waiver~~  
An individual who has a developmental disability, is eligible for an ICF/DD level of care and has chosen OPWDD HCBS 1915(c) waiver services over institutional care.
- ~~• Individuals who are eligible to receive program services through OPWDD~~  
OPWDD-waivered services
- ~~• Individuals with chronic medical conditions being treated by a specialist not participating in any MA managed care plan in the service area (exemption limited to six months)~~
- ~~• Residents of Chemical Dependence Long Term Residential Program~~
- ~~• Native Americans~~
- ~~• Nursing Home Transition and Diversion Medicaid waiver (NHTD)~~
- ~~• Traumatic Brain Injury waiver (TBI)~~
  - **Residents of Intermediate Care Facilities (ICF) for the developmentally disabled**
  - **An individual who has a developmental disability, is eligible for an Intermediate Care Facility/Developmental Disability (ICF/DD) level of care and has chosen OPWDD HCBS 1915(c) waiver services over institutional care**
  - **Individuals who are qualified and identified by OPWDD to receive program services through OPWDD**
  - **Individuals with chronic medical conditions being treated by a specialist not participating in any MA managed care plan in the service area**
  - **(exemption limited to six months)**



Department  
of Health

Office of Children  
and Family Services

	<ul style="list-style-type: none"><li>• Residents of Chemical Dependence Long Term Residential Program</li><li>• Native Americans (NA) or Alaskan Native (AN)</li><li>• Nursing Home Transition and Diversion Medicaid waiver (NHTD)</li><li>• Traumatic Brain Injury Medicaid Waiver (TBI)</li><li>• Youth placed in the care and custody of the Office of Children and Family Services (OCFS) (except those on aftercare or “Trial Discharge” status)</li></ul>	
<b>Added Medical Nutrition Therapy to Appendix B – Web Links</b>	<a href="#">Medical Nutrition Therapy Added to the Article 29-I VFCA Health Facilities Other Limited Health Related Service Fee Schedule (ny.gov)</a>	p.72