

Children's Waiver HCBS Provider De-Designation

Policy Title: HCBS Provider De-Designation Procedure

Policy number: CW0003

Effective date: September 1, 2020

Last revised:

Applicable to: Designated Home and Community Based Services (HCBS) Providers

The New York State Department of Health (DOH), Office for People with Developmental Disabilities (OPWDD), Office of Mental Health (OMH), Office of Addiction Services and Supports (OASAS), and Office of Children and Family Services (OCFS) is providing this guidance to New York State Home and Community Based Services (HCBS) providers serving children/youth under the 1915(c) Children's Waiver, pertaining to HCBS Provider De-designation process.

Background:

The transformation of the children's Medicaid system created an expanded array of services for children and youth under a consolidated Home and Community Based Services (HCBS) Children's Waiver. Agencies must be designated for the Children's HCBS Waiver by the New York State Children's Provider Designation Review Team, comprised of DOH, OPWDD, OMH, OASAS, and OCFS. The Children's Waiver requires a process to designate, de-designate, and re-designate HCBS providers.

Provider Initiated HCBS De-Designations

HCBS De-Designation Process:

When an agency has made a decision to de-designate from a service, site, or county, a formal request must be submitted in writing to the NYS Children's Provider Designation Team at (OMH-Childrens-Designation@omh.ny.gov). The agency should provide the following information:

- Service(s), site(s), or county(s) in which the agency plans to de-designate
- Anticipated timeline of de-designation
- Detailed reasoning for de-designation
- Whether individuals are currently being served for this service/area

HCBS De-Designation when agency *is* serving children at the time of request

When the agency has decided to de-designate from a service that children/youth are currently receiving from their agency, the agency maintains responsibility for providing the service to those children/youth until the provider receives a formal approval letter from the State.

Once the State is notified of the agency's interest to de-designate with children/youth receiving services, a call will be scheduled between the NYS Children's Provider Designation Team and the agency to discuss a transition plan and processes. Agencies must coordinate with the children's Health Home care managers and notify the Managed Care Plan of the transition. De-designation cannot occur until all the children/youth have been fully transitioned to another designated service provider or no longer require services as determined in collaboration with the child's Health Home Care Manager (HHCM). A de-designation would occur only after the NYS Children's Provider

Designation Team has confirmed that the affected children/youth enrolled with the agency have been appropriately transitioned.

HCBS De-Designation when agency is not serving children at the time of request

When an HCBS provider submits a formal de-designation request in writing of a service, site, or county and is not currently serving any children/youth that need to be transitioned, then the NYS Children’s Provider Designation Team will review, make changes to the designation application accordingly, and provide an updated letter reflecting the requested changes.

State-Initiated HCBS De-designations

In order to reflect accurate service availability and access, the State monitors service utilization on an on-going basis. As outlined in the designation letter, providers who have not submitted claims for their designated service(s) and have not contacted the Provider Designation team to request de-designation will be de-designated from those services.

Providers Designated prior to August 1, 2020:

- The State will identify providers who have not rendered services within the past *90 days* and those providers will be considered for State-Initiated De-Designation.
- The State will send a de-designation letter to providers at risk of de-designation and allow the provider 30-days to contact the State if they do not want to be de-designated or want to discuss their designation status prior to the provider being de-designated by the State. This will allow providers the opportunity to respond and perhaps request the State to reconsider based on their individual circumstance.
- At any time, the provider can request re-designation when they are ready to provide services. The State is available to discuss with providers individual challenges to providing services. Providers are encouraged to contact the NYS Children’s Designation Team (OMH-Childrens-Designation@omh.ny.gov).

Designated Providers

- The State will identify providers who have not rendered services within the past *6 months*.
- The State will contact providers at risk of de-designation prior to the de-designation letter being issued. This will allow providers the opportunity to respond and perhaps request the State to reconsider based on their individual circumstance.
- Once any previous challenges are resolved, the provider is encouraged to contact the NYS Children’s Designation Team to re-designate (OMH-Childrens-Designation@omh.ny.gov).