



**Department
of Health**

Emergency Managed Long Term Care Partial Capitation Contract Amendment for COVID-19

September 2020

Agenda

- Authority for Emergency Model Contract amendments
- Summary of amendments
- Outline of amendment process

Authority for Emergency Model Contract amendments

- CMS advises States to amend MLTC contracts to accommodate emergency requirements and flexibilities
- Families First Coronavirus Relief Act requires States to limit changes in Medicaid Managed Care enrollment to member choice or moving out of state
- Federal and State emergency orders and guidance require Managed Care Organizations to respond to ensure necessary care is provided to members in a timely manner

Summary of amendments

- All emergency amendments are contained in Articles V and X
- To resolve conflicting contract provisions, Article X (L) is edited to state that Article V (P)(7) supersedes all other provisions in the contract (except Appendix A)
- Compliance with COVID-19 guidance
- Reimbursement rates
- Enrollment and disenrollment during emergency and recovery scenarios
- Provider recredentialing
- Utilization review
- Telehealth coverage
- Emergency preparedness and response

Process:

- This is an amendment to the existing contract (for Partial Capitation, the 1/1/2017 five year contract)
- DOH provides overview to stakeholders: MCO associations and State Agency partners
- Stakeholders will have opportunity to discuss the draft amendment language and suggest edits and submit in writing to krista.mcnally@health.ny.gov
- After contract amendment language has been finalized, it must be submitted to CMS for formal approval.
- After CMS approval, a contract amendment will be immediately processed to include the COVID contract language. This amendment will only include the COVID language.

Questions?