

From: "doh.sm.MLTCinfo" <mltcinfo@health.ny.gov>

Date: July 29, 2021 at 1:20:28 PM EDT

Subject: Clarification on Rescinded NYSDOH CBLTSS COVID-19 Guidance

Dear Health Plan Administrators and Associations:

In response to questions presented by Managed Medicaid Care Plans (MMCPs) regarding the Rescission of Updated COVID-19 Guidance for the Authorization of Community Based Long Term Services and Supports Covered by Medicaid, as issued by the Department of Health on July 26, 2021 ([the Guidance](#)), the following instructions and clarifications should guide MMCPs and Local Departments of Social Services (LDSS) on their interpretation and implementation of the Guidance regarding the resumption of the in-person Community Health Assessment (CHA) (both initial assessments and reassessments):

1. In order to accommodate a previously scheduled telehealth or telephonic CHA, or to transition assessor staff scheduling, MMCPs and LDSS may continue to use telehealth or telephonic CHA until August 13, 2021 and should continue to document in the CHA when assessments are conducted via these modalities. After August 13, 2021, MMCPs or LDSS will not be permitted to conduct further telehealth or telephonic CHAs and a "hybrid" approach of in-person and telehealth/telephonic CHA will *not* be permitted.
2. MMCPs and LDSS should make reasonable efforts to complete periodic reassessments per the schedule detailed in the Guidance. If an enrollee refuses the periodic reassessment, the refusal should be noted in the enrollee's case file as services continue. The Department will provide future guidance on the timing of resumption of regular rules relating to reassessment refusals.
3. The program rules requiring a CHA to begin provision of CBLTSS in the Medicaid program, and when applicable enrollment into an MLTC plan, have not changed.

Additionally, in response to questions regarding the resumption of CDPAP personal assistant annual health assessments, all personal assistants may continue working until September 30, 2021 while they have their annual health assessment scheduled and completed, even if the due date of the assessment is after July 26, i.e., the effective date of the [Guidance](#). If the annual health assessment is not completed by September 30, 2021, the personal assistant would have to discontinue working until it has been completed per regulations.

Please share this information as needed. Additional questions can be sent to MLTCinfo@health.ny.gov.

Thank you.

Division of Long Term Care
Office of Health Insurance Programs
NYS Department of Health