



## Department of Health

ANDREW M. CUOMO  
Governor

HOWARD A. ZUCKER, M.D., J.D.  
Commissioner

SALLY DRESLIN, M.S., R.N.  
Executive Deputy Commissioner

### Office of Health Insurance Programs

#### Division of Long Term Care

#### MLTC Policy 15.01: Social Adult Day Care and Managed Long Term Care:

#### Implementation of New Social Adult Day Care Certification Process

Date of Issuance: May 8, 2015

---

The Department of Health (the Department), in conjunction with the Office of the Medicaid Inspector General (OMIG) and the New York State Office for the Aging (NYSOFA) have established a new Certification process for Social Adult Day Care (SADC) entities that wish to contract with Managed Long Term (MLTC) Care plans.

Effective immediately, certification will now be mandatory for all SADC entities that:

- Are currently contracting with a MLTC plan; or
- Wish to enter into a contract with a MLTC plan.

Those SADC entities with existing contracts with a MLTC plan will have **30 days** to complete the Certification. A Certification must be completed for **each** SADC site.

Completion of the Certification will attest to an SADCs compliance with Title 9 NYCRR section 6654.20, as required under Article VII, section C of the Managed Long Term Care model contract.

#### Impact on MLTC Plans

It is the responsibility of the MLTC plan to ensure that SADCs under contract have completed the Certification. Further, a MLTC plan may not enter into a new contract with an SADC until Certification has been successfully completed. Certification applies to existing and new contracts with SADC entities.

The Plan must request a copy of the confirmation notice generated upon the SADC's successful completion of the electronic Certification and maintain this for their records.

It is important to remember MLTC plans must consider the individual needs of each enrollee during the assessment process and must clearly identify the need for SADC as a service in the plan of care. MLTC plans should not enroll a recipient in SADC unless the recipient has a functional or clinical need for community based long term care services (CBLTCS) – defined specifically as personal care services in the home, home health care, private duty nursing, consumer directed personal assistance services, and adult day health care. SADC can contribute to the total care plan but **cannot** represent the primary service provided to the enrollee.

Prior policy and guidance documents remain in effect and we strongly encourage you to review them. They may be found at:

[http://www.health.ny.gov/health\\_care/medicaid/redesign/mrt\\_90.htm](http://www.health.ny.gov/health_care/medicaid/redesign/mrt_90.htm)

#### Additional Certification Process Information

- In order to complete the Certification, an SADC will need to:
  - Provide the SADC owner and program director's information, including Social Security Number;
  - Answer a series of questions attesting to compliance;
  - List any MLTC plans the SADC contracts with; and
  - Certify that the information provided is true.
- Successful Certification
  - After Certification is completed and submitted electronically, a confirmation page will appear indicating in red letters if the submission was successful or not.
  - This confirmation MUST be saved and kept as proof of completion. This will need to be provided to the MLTC plan should the SADC have a contract already in place or if a new contract is being entered into.
  - This confirmation will also be emailed to the address provided on the electronic Certification form.
  - In the event that a Certification is submitted but is not accepted, a MLTC plan may not enter into a contract with the SADC.
  - Certification will need to be completed on an annual basis.

Note: While Certification is required for those entities that enter into contracts with MLTC plans, Certification is available to all SADC entities that wish to complete it. Any SADC looking to enter into a new contract with a MLTC plan would need to complete the Certification first, and provide the confirmation page to the MLTC plan as proof of completion.

- Contract Termination
  - In the event that a contract between an SADC and MLTC plan is terminated:
    - The MLTC plan should follow existing protocols for quarterly reporting.
    - The SADC must notify both the OMIG and the Department. This may be done by sending an e-mail notification to the following e-mail address: [SADCCertification@omig.ny.gov](mailto:SADCCertification@omig.ny.gov). The information in this notification must include:
      - The SADC information-FEIN, SADC/Corporation Name or DBA name, address and phone number;
      - Owner and Director information- First and last name, Title, phone number and e-mail address; and
      - The name and phone number of the affected MLTC plan(s).