

DSS-4357EL
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GENERAL INFORMATION SYSTEM
DIVISION: Office of Medicaid Management

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TO: Commissioners, Medicaid Staff and Third Party Resources Workers

FROM: Betty Rice, Director

Division of Consumer and Local District Relations

SUBJECT: Determination of "Good Cause" Not to Bill Health Insurance
for Certain Services

EFFECTIVE DATE: Immediately

CONTACT PERSON: Liaison in the Bureau of Local District Support at
(518)474-9130

The purpose of this GIS is to notify local departments of social services (LDSSs) of a change in responsibility when "good cause" is requested by a provider not to bill a patient's health insurance (HI) for services for reproductive health, including family planning and those that are pregnancy-related.

There are circumstances for these services for which the New York State Department of Health (SDOH) will determine "good cause" for a provider not to bill a patient's HI. These circumstances involve situations when billing the HI could jeopardize the emotional or physical health, safety and/or confidentiality of the Medicaid recipient. If the patient wants the service to remain confidential, the provider must contact SDOH and ask for a determination of "good cause". If this is granted, the provider must document in the patient's billing record the date of the call and the fact that "good cause" was granted by the SDOH. This information may be utilized by the provider as documentation for future audits or claims reviews.

The LDSS rather than SDOH will continue to determine "good cause" for all other types of services using existing practices and instructions.

Instructions will be issued to Medicaid reproductive health, family planning and pregnancy-related providers about one month following the release of this GIS. They will be advised to contact SDOH to obtain permission to use "good cause" not to bill a patient's HI.

If the LDSS does not want providers to call SDOH but want to use LDSS staff to make a "good cause" determination instead, contact John Brunelle at (518) 474-9193. If you call, please provide the name and telephone number of the individual that providers are to call in your agency to obtain the determination of "good cause". If you do not contact Mr. Brunelle within two weeks of the date of this GIS, we will assume that you agree to permit SDOH to make the determination on behalf of your local department of social services. Even if you agree to have the SDOH perform this function on your behalf at this time, you can have this changed in the future at any time by contacting John Brunelle.

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For those LDSSs with Medicaid recovery programs from insurance carriers, do not pursue recoveries for reproductive health, family planning or pregnancy-related services for which the provider entered "zeros" in the health insurance payment section of the Medicaid claim.