

## **Table of Contents**

**State/Territory Name: NY**

**State Plan Amendment (SPA): NY-23-0032**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

**DEPARTMENT OF HEALTH & HUMAN SERVICES**

Centers for Medicare & Medicaid Services  
Center for Medicaid & CHIP Services  
233 North Michigan Ave., Suite 600  
Chicago, Illinois 60601



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**Financial Management Group**

March 19, 2024

Amir Bassiri  
New York State  
Department of Health (DOH)  
Medicaid Director  
99 Washington Ave-One Commerce Plaza Suite 1432  
Albany, NY 12210

**RE: New York Plan Amendment (SPA) Transmittal Number 23-0032**

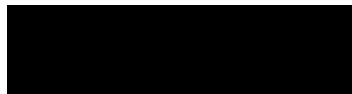
Dear Director Bassiri:

We have reviewed the proposed New York State Plan Amendment (SPA) to Attachment 4.19-B submitted under TN-NY-23-0032, which was submitted to the Centers for Medicare & Medicaid Services (CMS) on March 30<sup>th</sup>, 2023. This plan proposes to implement a 5% rate increase for Addiction Services and Supports (OSAS) services.

Based upon the information provided by the State, we have approved the amendment with an effective date of January 1<sup>st</sup>, 2023. We are enclosing the approved CMS-179 and a copy of the new state plan pages.

If you have any additional questions or need further assistance, please contact Jerica Bennett at 1-410-786-1167 or [jerica.bennett@cms.hhs.gov](mailto:jerica.bennett@cms.hhs.gov).

Sincerely,



Todd McMillion  
Director  
Division of Reimbursement Review

Enclosures

**TRANSMITTAL AND NOTICE OF APPROVAL OF  
STATE PLAN MATERIAL  
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER <u>2 3</u> — <u>0 0 3 2</u>	2. STATE <u>NY</u>
3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT <input checked="" type="radio"/> XIX <input type="radio"/> XXI	

TO: CENTER DIRECTOR  
CENTERS FOR MEDICAID & CHIP SERVICES  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE  
**January 1, 2023**

5. FEDERAL STATUTE/REGULATION CITATION  
**§ 1905(a)(13) Other Diagnostic, Screening, Preventive, and Rehabil**

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)  
a. FFY 01/01/23-09/30/23 \$ 1,683,858  
b. FFY 10/01/23-09/30/24 \$ 2,245,144

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT  
  
**Attachments 4.19-B Pages: 10(a.1)(a), 10(a.3.i), 10(a.5), 10(a.6)(a), 10(a.7)(a)**

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)  
  
**Attachments 4.19-B Pages: 10(a.1)(a), 10(a.3.i), 10(a.5), 10(a.6)(a), 10(a.7)(a)**

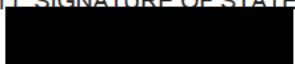
9. SUBJECT OF AMENDMENT

**OASAS 5.0% Rate Adjustment-NI**

10. GOVERNOR'S REVIEW (Check One)

GOVERNOR'S OFFICE REPORTED NO COMMENT  
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED  
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL  


12. TYPED NAME  
**Amir Bassiri**

13. TITLE  
**Medicaid Director**

14. DATE SUBMITTED  
**March 30, 2023**

15. RETURN TO  
New York State Department of Health  
Division of Finance and Rate Setting  
99 Washington Ave – One Commerce Plaza  
Suite 1432  
Albany, NY 12210


**FOR CMS USE ONLY**

16. DATE RECEIVED  
**03/30/2023**

17. DATE APPROVED  
**March 19, 2024**

**PLAN APPROVED - ONE COPY ATTACHED**

18. EFFECTIVE DATE OF APPROVED MATERIAL  
**01/01/2023**

19. SIGNATURE OF APPROVING OFFICIAL  


20. TYPED NAME OF APPROVING OFFICIAL  
**Todd McMillion**

21. TITLE OF APPROVING OFFICIAL  
**Director, Division of Reimbursement Review**

22. REMARKS

New York  
10(a.1)(a)

**1905(a)(13) Other Diagnostic, Screening, Preventive, and Rehabilitative Services**

**Rehabilitative Services - Addiction Services**

**Addiction Residential Services (cont.)**

Effective April 1, 2022, and through June 30, 2022, the November 1, 2021, fees for Residential Stabilization, Residential Rehabilitation, and Residential Reintegration will receive a 5.4% cost-of-living adjustment (COLA). Effective July 1, 2022, the existing July 1, 2022, fees for Residential Stabilization, Residential Rehabilitation, and Residential Reintegration will receive a 5.4% COLA. Effective January 1, 2023, fees for Residential Stabilization, Residential Rehabilitation, and Residential Reintegration will receive a 5.0% rate increase. All fees associated with these adjustments will be posted on the OASAS website at:

<https://oasas.ny.gov/reimbursement/non-ambulatory>

TN     #23-0032    

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Supersedes TN     #22-0062    

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**New York  
10(a.3.i)**

**1905(a)(13) Other Diagnostic, Screening, Preventive, and Rehabilitative Services**

**Reimbursement methodology (cont.)**

OASAS freestanding APG base rates effective July 1, 2022, are as follows.

<b>Service Type</b>	<b>7-1-22 Fee</b>	
	<b>Upstate</b>	<b>Downstate</b>
Outpatient Addiction Rehab	\$150.11	\$175.64
Outpatient Addiction Day Rehab	\$150.52	\$176.12
Opioid Treatment Program	\$138.31	\$161.82

OASAS freestanding APG base rates for in-community services effective July 1, 2022, with all three services sharing the same in-community APG base rates, are as follows:

<b>Service Type</b>	<b>7-1-22 Fee</b>	
	<b>Upstate</b>	<b>Downstate</b>
Outpatient Addiction Rehab - In-Community	\$150.52	\$176.12
Outpatient Addiction Day Rehab - In-Community	\$150.52	\$176.12
Opioid Treatment Program - In-Community	\$150.52	\$176.12

Effective April 1, 2022, the November 1, 2021, rates for Outpatient Addiction Rehab, Outpatient Addiction Day Rehab, and Opioid Treatment Programs (including in-community services) will receive a 5.4% cost-of-living adjustment (COLA). The July 1, 2022, rates for the same services will also receive the same 5.4% COLA. Effective January 1, 2023, rates for Outpatient Addiction Rehab, Outpatient Addiction Day Rehab, and Opioid Treatment Programs, as well as the in-community fees for the same services, will receive a 5.0% rate increase. Also, effective January 1, 2023, in-community rates will receive an additional, compounding 40% off-site rate enhancement. All rates will be posted at:

<https://oasas.ny.gov/reimbursement/ambulatory-providers>

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**New York  
10(a.5)**

**1905(a)(13) Other Diagnostic, Screening, Preventive, and Rehabilitative Services**

Statewide RMSW fees:

<b>Bed Size</b>	<b>RMSW Fees</b>
6	\$ 408.97
7	\$ 401.53
8	\$ 395.20
9	\$ 389.70
10	\$ 384.85
11	\$ 380.51
12	\$ 376.59
13	\$ 373.01
14	\$ 369.74
15	\$ 366.72
16	\$ 363.91

The geographic regions and regional cost factors applicable to the statewide fees derived from the table above and used to determine the final facility-specific free-standing residential medically supervised withdrawal fees are as follows:

<b>Region</b>	<b>Factor</b>	<b>Counties</b>
1	1.2267	Bronx, Kings, New York, Richmond, Queens
2	1.2001	Westchester
3	1.1825	Nassau, Suffolk, Rockland, Orange, Putnam
4	1.1009	Dutchess
5	1.0317	Erie, Niagara
6	0.9710	Madison, Onondaga, Oswego, Tompkins, Jefferson, Herkimer, Oneida
7	0.9192	Rest of State

Effective April 1, 2022, the January 1, 2019, fees in the table above will receive a 5.4% cost-of-living adjustment. Effective January 1, 2023, the RMSW, fees will receive a 5.0% rate increase. All fees will be posted on the OASAS website at:

<https://oasas.ny.gov/reimbursement/non-ambulatory>

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New York  
10(a.6)(a)

**1905(a)(13) Other Diagnostic, Screening, Preventive, and Rehabilitative Services**

**Chemical Dependence Freestanding Residential Rehabilitation Services (cont.)**

Effective April 1, 2022, the January 1, 2019, fees for Freestanding Residential Rehabilitation Services will receive a 5.4% cost-of-living adjustment (COLA). Effective January 1, 2023, fees for Freestanding Residential Rehabilitation Services will receive a 5.0% rate increase. All fees associated with these adjustments will be posted on the OASAS website at:

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New York  
10(a.7)(a)

**1905(a)(13) Other Diagnostic, Screening, Preventive, and Rehabilitative Services**

**OASAS Opioid Treatment Programs (OTPs) Alternative Reimbursement Methodology  
– Freestanding Weekly Bundles (cont.)**

Effective April 1, 2022, and through June 30, 2022, the November 1, 2021, freestanding OTP weekly bundle fees will receive a 5.4% cost-of-living adjustment (COLA). Effective July 1, 2022, freestanding OTP weekly bundle fees will receive a 5.4% COLA. Effective January 1, 2023, freestanding OTP weekly bundle fees will receive an additional 5.0% rate increase. All fees associated with these adjustments will be posted on the OASAS website at:

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