



# Department of Health

KATHY HOCHUL  
Governor

MARY T. BASSETT, M.D., M.P.H.  
Commissioner

KRISTIN M. PROUD  
Acting Executive Deputy Commissioner

June 29, 2022

James G. Scott, Director  
Division of Program Operations  
Centers for Medicare & Medicaid Services  
601 E. 12th St., Room 355  
Kansas City, Missouri 64106

RE: SPA #22-0042  
Non-Institutional Services

Dear Mr. Scott:

The State requests approval of the enclosed amendment #22-0042 to the Title XIX (Medicaid) State Plan for non-institutional services to be effective April 1, 2022 (Appendix I). This amendment is being submitted based on enacted legislation. A summary of the plan amendment is provided in Appendix II.

The State of New York reimburses these services through the use of rates that are consistent with efficiency, and economy, and quality of care and are sufficient to enlist enough providers so that care and services are available under the plan at least to the extent that such care and services are available to the general population in the geographic area as required by § 1902(a)(30) of the Social Security Act and 42 CFR § 447.204.

A copy of pertinent sections of enacted legislation is enclosed for your information (Appendix III). Copies of the public notice of this plan amendment, which were given in the New York State Register on March 30, 2022, and subsequently clarified on June 8, 2022, are also enclosed for your information (Appendix IV).

If you have any questions regarding this State Plan Amendment submission, please do not hesitate to contact Regina Deyette, Medicaid State Plan Coordinator, Division of Finance and Rate Setting, Office of Health Insurance Programs at (518) 473-3658.

Sincerely,

Amir Bassiri  
Acting Medicaid Director  
Office of Health Insurance Programs

Enclosures

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

1. TRANSMITTAL NUMBER

2. STATE

3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT

XIX

XXI

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

4. PROPOSED EFFECTIVE DATE

5. FEDERAL STATUTE/REGULATION CITATION

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY \_\_\_\_\_ \$ \_\_\_\_\_

b. FFY \_\_\_\_\_ \$ \_\_\_\_\_

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)

9. SUBJECT OF AMENDMENT

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

13. TITLE

14. DATE SUBMITTED June 29, 2022

15. RETURN TO

**FOR CMS USE ONLY**

16. DATE RECEIVED

17. DATE APPROVED

**PLAN APPROVED - ONE COPY ATTACHED**

18. EFFECTIVE DATE OF APPROVED MATERIAL

19. SIGNATURE OF APPROVING OFFICIAL

20. TYPED NAME OF APPROVING OFFICIAL

21. TITLE OF APPROVING OFFICIAL

22. REMARKS

**Appendix I**  
**2022 Title XIX State Plan**  
**Second Quarter Amendment**  
**Amended SPA Pages**



# Alternative Benefit Plan

State Name:

Attachment 3.1-L-

OMB Control Number: 0938-1148

Transmittal Number: NY - 22 - 0042

## Alternative Benefit Plan Populations ABP1

Identify and define the population that will participate in the Alternative Benefit Plan.

Alternative Benefit Plan Population Name:

Identify eligibility groups that are included in the Alternative Benefit Plan's population, and which may contain individuals that meet any targeting criteria used to further define the population.

Eligibility Groups Included in the Alternative Benefit Plan Population:

Add	Eligibility Group:	Enrollment is mandatory or voluntary?	Remove
Add	<input type="text"/>	<input type="text"/>	Remove

Enrollment is available for all individuals in these eligibility group(s).

### Geographic Area

The Alternative Benefit Plan population will include individuals from the entire state/territory.

Any other information the state/territory wishes to provide about the population (optional)

### PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20181119



# Alternative Benefit Plan

State Name:

Attachment 3.1-L-

OMB Control Number: 0938-1148

Transmittal Number: NY - 22 - 0042

**Voluntary Benefit Package Selection Assurances - Eligibility Group under Section 1902(a)(10)(A)(i)(VIII) of the Act** **ABP2a**

The state/territory has fully aligned its benefits in the Alternative Benefit Plan using Essential Health Benefits and subject to 1937 requirements with its Alternative Benefit Plan that is the state's approved Medicaid state plan that is not subject to 1937 requirements. Therefore the state/territory is deemed to have met the requirements for voluntary choice of benefit package for individuals exempt from mandatory participation in a section 1937 Alternative Benefit Plan.

Yes

Explain how the state has fully aligned its benefits in the Alternative Benefit Plan using Essential Health Benefits and subject to 1937 requirements with its Alternative Benefit Plan that is the state's approved Medicaid state plan that is not subject to 1937 requirements.

The state first chose the Standard Blue Cross/Blue Shield Preferred Provider Option offered through the Federal Employee Health Benefit Program as the benchmark plan and compared it to the Essential Health Benefits and to the Medicaid State Plan. The Medicaid State Plan covers all the benefits in the benchmark plan except chiropractic services. The state is proposing to substitute personal care services from the Medicaid State Plan for this benchmark covered benefit. In addition to EHBs, the ABP includes the 1937 covered benefits in the Medicaid State Plan.

### PRA Disclosure Statement

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V.20160722



# Alternative Benefit Plan

State Name:

Attachment 3.1-L-

OMB Control Number: 0938-1148

Transmittal Number:  -  -

## Selection of Benchmark Benefit Package or Benchmark-Equivalent Benefit Package ABP3

Select one of the following:

- The state/territory is amending one existing benefit package for the population defined in Section 1.
- The state/territory is creating a single new benefit package for the population defined in Section 1.

Name of benefit package:

### Selection of the Section 1937 Coverage Option

The state/territory selects as its Section 1937 Coverage option the following type of Benchmark Benefit Package or Benchmark-Equivalent Benefit Package under this Alternative Benefit Plan (check one):

- Benchmark Benefit Package.
- Benchmark-Equivalent Benefit Package.

The state/territory will provide the following Benchmark Benefit Package (check one that applies):

- The Standard Blue Cross/Blue Shield Preferred Provider Option offered through the Federal Employee Health Benefit Program (FEHBP).
- State employee coverage that is offered and generally available to state employees (State Employee Coverage):
- A commercial HMO with the largest insured commercial, non-Medicaid enrollment in the state/territory (Commercial HMO):
- Secretary-Approved Coverage.
  - The state/territory offers benefits based on the approved state plan.
  - The state/territory offers an array of benefits from the section 1937 coverage option and/or base benchmark plan benefit packages, or the approved state plan, or from a combination of these benefit packages.
    - The state/territory offers the benefits provided in the approved state plan.
    - Benefits include all those provided in the approved state plan plus additional benefits.
    - Benefits are the same as provided in the approved state plan but in a different amount, duration and/or scope.
    - The state/territory offers only a partial list of benefits provided in the approved state plan.
    - The state/territory offers a partial list of benefits provided in the approved state plan plus additional benefits.

Please briefly identify the benefits, the source of benefits and any limitations:

### Selection of Base Benchmark Plan



# Alternative Benefit Plan

The state/territory must select a Base Benchmark Plan as the basis for providing Essential Health Benefits in its Benchmark or Benchmark-Equivalent Package.

The Base Benchmark Plan is the same as the Section 1937 Coverage option.

Indicate which Benchmark Plan described at 45 CFR 156.100(a) the state/territory will use as its Base Benchmark Plan:

- Largest plan by enrollment of the three largest small group insurance products in the state's small group market.
- Any of the largest three state employee health benefit plans by enrollment.
- Any of the largest three national FEHBP plan options open to Federal employees in all geographies by enrollment.
- Largest insured commercial non-Medicaid HMO.

Plan name:

Other Information Related to Selection of the Section 1937 Coverage Option and the Base Benchmark Plan (optional):

The state assures that all services in the base benchmark have been accounted for throughout the benefit chart found in ABP5.  
The state assures the accuracy of all information in ABP5 depicting amount, duration and scope parameters of services authorized in the currently approved Medicaid state plan.

### PRA Disclosure Statement

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V.20160722



# Alternative Benefit Plan

State Name:

Attachment 3.1-L-

OMB Control Number: 0938-1148

Transmittal Number: NY - 22 - 0042

## Alternative Benefit Plan Cost-Sharing

**ABP4**

Any cost sharing described in Attachment 4.18-A applies to the Alternative Benefit Plan.

Attachment 4.18-A may be revised to include cost sharing for ABP services that are not otherwise described in the state plan. Any such cost sharing must comply with Section 1916 of the Social Security Act.

The Alternative Benefit Plan for individuals with income over 100% FPL includes cost-sharing other than that described in Attachment 4.18-A.

Other Information Related to Cost Sharing Requirements (optional):

Existing state plan cost-sharing rules apply to the Adult Group the same as applied to all other Medicaid populations.

### PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20160722





# Alternative Benefit Plan

State Name:

Attachment 3.1-L-

OMB Control Number: 0938-1148

Transmittal Number: NY - 22 - 0042

## Benefits Description

**ABP5**

The state/territory proposes a "Benchmark-Equivalent" benefit package.

### Benefits Included in Alternative Benefit Plan

Enter the specific name of the base benchmark plan selected:

Enter the specific name of the section 1937 coverage option selected, if other than Secretary-Approved. Otherwise, enter "Secretary-Approved."

The Alternative Benefit Plan will include all mandatory and optional benefits defined in the New York Medicaid State Plan under the categorically needy population designation (3.1A).  
Utilization thresholds and authorization requirements which apply to the fee-for-service delivery system do not apply to managed care service delivery.



# Alternative Benefit Plan

1. Essential Health Benefit: Ambulatory patient services

Collapse All

Benefit Provided:

Physician services

Source:

State Plan 1905(a)

Remove

Authorization:

Prior Authorization

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No limitation

Duration Limit:

None

Scope Limit:

Services include acupuncture services provided by a licensed physician.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A, 5(a) physician services whether furnished in the office, the patient's home, a hospital or elsewhere. Includes services physician directed mental health and substance use disorder services.

Benefit Provided:

Outpatient hospital services

Source:

State Plan 1905(a)

Remove

Authorization:

None

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Includes ambulatory surgical centers, free standing clinic, health center and renal dialysis services.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A, 2(a)(d)

Benefit Provided:

Medical Services

Source:

State Plan 1905(a)

Remove

Authorization:

None

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Services provided by licensed practitioners within the scope of their practice as defined by state law. Includes Cognitive Rehabilitative Therapy (CRT) provided by licensed providers.



# Alternative Benefit Plan

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A, 6(a,b,d) includes; nurse, podiatrist, psychologist, social worker, nutritionist, physician assistant, nurse practitioner and other licensed medical service providers.

Benefit Provided:

Clinic services

Source:

State Plan 1905(a)

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan

Amount Limit:

no limitation if medically necessary

Duration Limit:

benefit year

Scope Limit:

Includes specialty clinic services.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A, (9)

Clinic services provided to Medicaid recipients enrolled in managed care plans are exempt from the NYS Utilization Threshold program. Individuals in the new adult group will be enrolled in managed care plans. This population will not be subject to the service limits defined in the UT Program.

Medicaid enrollees who access their covered benefits via the Fee-For-Service delivery system are subject to service limits for non-exempt clinic services as defined in the NYS Medicaid Utilization Threshold (UT) Program. The UT Program places limits on the number of non-exempt clinic services a Medicaid member may receive in a benefit year. These service limits are established based on each member's clinical information. This information includes diagnoses, procedures, prescription drugs, age and gender. As a result, most Medicaid members have clinically appropriate service limit levels and will not need additional services authorized through the Threshold Override Application (TOA) process. Medicaid enrollees may receive services in excess of the UT Program limits upon the request of the licensed provider for additional services and the submission of documentation supporting the need for continued medical care above the threshold limit. Non-exempt clinic services may be provided to an enrollee who has exceeded the threshold without a request for additional services submitted by the licensed provider (outside the TOA process) in the following instances: immediate/urgent need, services rendered in retroactive period, emergency care, member has temporary Medicaid, request from county for second opinion to determine if member can work, or a request for UT override is pending. These exemptions along with the TOA process ensures that no one receives less than the benchmark benefit or the Medicaid state plan benefit, whichever is greater.

Clinic services, by specialty code that are subject to the UT Program threshold (non-exempt) in the FFS delivery system are: 321, 901, 902, 903, 905, 909, 914 THRU 917, 919 THRU 921, 923 THRU 933, 935, 950 THRU 958, 965, 966, 999. For code definitions see: DATA DICTIONARY, NEW YORK STATE DEPARTMENT OF HEALTH Office of Health Insurance Programs, Provider Network Data System (PNDS), Version 6.7 revised (January 2014)

Clinic services exempt from the UT Program: pediatric general medicine and specialties, child teen health program (CTHP), school supportive health services program, dialysis, oncology, OPWDD clinic treatment and specialty programs, TB/Directly Observed Therapy, Prenatal Care.

Benefit Provided:

Hospice Services

Source:

State Plan 1905(a)

Remove



# Alternative Benefit Plan

Authorization:

Prior Authorization

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No limitation

Duration Limit:

None

Scope Limit:

Services are palliative in nature, include supportive medical, social, emotional and spiritual services to terminally ill persons as well as emotional support for family members. Services may be delivered at home, nursing home or hospice residence.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A, (18)  
Hospice services are provided to an individual who has been certified (diagnosed) by a physician as being terminally ill, with a life expectancy of approximately twelve months or less. Services include curative treatment for children under age 21.  
Medicaid Managed Care Enrollees receive coverage for hospice services through the Medicaid fee-for-service program.

Benefit Provided:

Personal care services - provided in the home

Source:

State Plan 1905(a)

Remove

Authorization:

Prior Authorization

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No limitation

Duration Limit:

None

Scope Limit:

In-home and community services prescribed in accordance with a plan of treatment, provided by a qualified person under supervision of a registered nurse. Attendant services and supports to assist in accomplishing (ADLs) and health related tasks.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A.(26)

Benefit Provided:

Other laboratory and x-ray services

Source:

State Plan 1905(a)

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None



# Alternative Benefit Plan

**Scope Limit:**

Includes diagnostic radiology, diagnostic ultrasound, nuclear medicine, radiation oncology services and magnetic resonance imaging (MRI) performed upon the order of a physician or qualified licensed provider.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A (3)  
18 NYCRR 505.17(c)  
Certain radiology services require prior authorization.

**Benefit Provided:**

Abortion Services

**Source:**

State Plan 1905(a)

Remove

**Authorization:**

None

**Provider Qualifications:**

Medicaid State Plan

**Amount Limit:**

No Limitations

**Duration Limit:**

None

**Scope Limit:**

Services, drugs and supplies related to abortion when the life of the mother would be endangered if the fetus were carried to term or when pregnancy is a result of an act of rape or incest.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid State Plan 3.1A (20) Covered services for pregnant women

Add



# Alternative Benefit Plan

2. Essential Health Benefit: Emergency services

Collapse All

Benefit Provided:	Source:	Remove
Other medical services - emergency hospital	State Plan 1905(a)	
Authorization:	Provider Qualifications:	
None	Medicaid State Plan	
Amount Limit:	Duration Limit:	
No Limitations	None	
Scope Limit:		
Procedures, treatments or services needed to evaluate or stabilize an emergency medical condition including psychiatric stabilization and medical detoxification from drugs or alcohol.		
Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:		
Medicaid state plan attachment 3.1A 24(e)		

Benefit Provided:	Source:	Remove
Other medical services - emergency transportation	State Plan 1905(a)	
Authorization:	Provider Qualifications:	
None	Medicaid State Plan	
Amount Limit:	Duration Limit:	
No Limitations	None	
Scope Limit:		
Emergency ambulance transportation (incl. air ambulance) for the purpose of obtaining hospital services for a person suffering from a severe, life-threatening or potentially disabling condition which requires emergency services during transport.		
Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:		
Medicaid state plan attachment 3.1A 24(a)		

Add



# Alternative Benefit Plan

## 3. Essential Health Benefit: Hospitalization

Collapse All

Benefit Provided:

Inpatient hospital services

Source:

State Plan 1905(a)

Remove

Authorization:

None

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

None

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A (1) inpatient hospital services other than inpatient services provided in institutions for mental disease.

Benefit Provided:

Organ transplant services - inpatient hospital

Source:

State Plan 1905(a)

Remove

Authorization:

Concurrent Authorization

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Organ transplant services include transplant of the pancreas, kidneys, heart, lung, small intestine, liver, blood or marrow cell, cornea, single or double lobar lung.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan 3.1E

Organ transplant must be performed in a hospital approved by the Commissioner of Health and the hospital must be a member of the Organ Procurement and Transplantation Network approved by HHS.

Solid organ and cell transplant service covered in the New York Medicaid State Plan include the solid organ and cells covered in the BC/BS Federal Employee Standard Benefit Plan.

Benefit Provided:

Hospice Care - Inpatient

Source:

State Plan 1905(a)

Remove

Authorization:

Prior Authorization

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

No Limitations

Scope Limit:

Services delivered in an inpatient setting that are palliative in nature, include supportive medical,



# Alternative Benefit Plan

social, emotional and spiritual services to terminally ill persons as well as emotional support for family members.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A, (18)  
Hospice services are provided to an individual who has been certified (diagnosed) by a physician as being terminally ill, with a life expectancy of approximately twelve months or less. Services include curative treatment for children under age 21.  
Medicaid Managed Care Enrollees receive coverage for hospice services through the Medicaid fee-for-service program.

Add





# Alternative Benefit Plan

4. Essential Health Benefit: Maternity and newborn care

Collapse All

Benefit Provided:	Source:	Remove
Physician services - Obstetrical and Maternal	State Plan 1905(a)	
Authorization:	Provider Qualifications:	
None	Medicaid State Plan	
Amount Limit:	Duration Limit:	
None Limitations	None	
Scope Limit:		
None		
Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:		
Medicaid state plan attachment 3.1A 5(a)		

Benefit Provided:	Source:	Remove
Inpatient hospital - Obstetrical and Maternal	State Plan 1905(a)	
Authorization:	Provider Qualifications:	
None	Medicaid State Plan	
Amount Limit:	Duration Limit:	
No Limitations	Nope	
Scope Limit:		
None		
Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:		
Medicaid state plan attachment 3.1A (1)		

Benefit Provided:	Source:	Remove
Nurse-midwife services	State Plan 1905(a)	
Authorization:	Provider Qualifications:	
None	Medicaid State Plan	
Amount Limit:	Duration Limit:	
No Limitations	None	
Scope Limit:		
Includes the management of normal pregnancy, childbirth and postpartum care as well as primary preventive reproductive health care to healthy women. Includes newborn evaluation, resuscitation and referral for infants.		



# Alternative Benefit Plan

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A (17)  
Care may be provided on an inpatient or outpatient basis including in a birthing center or in the patient's home.

Add



# Alternative Benefit Plan

5. Essential Health Benefit: Mental health and substance use disorder services including behavioral health treatment

Collapse All

The state/territory assures that it does not apply any financial requirement or treatment limitation to mental health or substance use disorder benefits in any classification that is more restrictive than the predominant financial requirement or treatment limitation of that type applied to substantially all medical/surgical benefits in the same classification.

Benefit Provided:	Source:	Remove
Inpatient hospital services - MH and SUD	State Plan 1905(a)	
Authorization:	Provider Qualifications:	
None	Medicaid State Plan	
Amount Limit:	Duration Limit:	
No Limitations	None	
Scope Limit:		
Medically supervised inpatient services to treat persons with mental illness and/or substance use disorders.		
Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:		
Medicaid state plan attachment 3.1A (1) Services provided to persons other than those residing in New York State certified psychiatric centers and institutions for mental diseases.		

Benefit Provided:	Source:	Remove
Medical care provided by licensed providers	State Plan 1905(a)	
Authorization:	Provider Qualifications:	
None	Medicaid State Plan	
Amount Limit:	Duration Limit:	
No Limitations	None	
Scope Limit:		
Includes the medically necessary services of licensed; clinical psychologists, social workers, pharmacists, nurse practitioners and other providers of medically necessary services. Includes Cognitive Rehabilitative Therapy by licensed providers.		
Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:		
Medicaid state plan 3.1A 6(d) Services provided to persons other than those residing in New York State certified psychiatric centers and institutions for mental diseases.		

Benefit Provided:	Source:	Remove
Clinic services	State Plan 1905(a)	
Authorization:	Provider Qualifications:	
None	Medicaid State Plan	



# Alternative Benefit Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Includes MH Continuing Day Treatment Programs, MH Continuing Treatment Programs, Substance Use Disorder Treatment Programs, Methadone Maintenance Treatment Programs, Developmental Disability Clinic Treatment and other specialty treatment programs.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A (9) Clinic services listed above are claimed under the clinic category in the NY Medicaid State plan. Clinic services for developmental disability specialty, MMTP, alcohol/SUD treatment, mental health, are exempt from the NYS Utilization Threshold program. Physician services in the managed care delivery system are exempt from the UT program. Clinic services are provided to persons other than those residing in New York State certified psychiatric centers and institutions for mental diseases.

Benefit Provided:

Physician Services - MH and SUD

Source:

State Plan 1905(a)

Remove

Authorization:

None

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

None

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A, 5(a) physician services whether furnished in the office, the patient's home, a hospital or elsewhere for treatment of mental health and substance use disorders. Services provided to persons other than those residing in New York State certified psychiatric centers and institutions for mental diseases.

Add



# Alternative Benefit Plan

6. Essential Health Benefit: Prescription drugs

- The state/territory assures that the ABP prescription drug benefit plan is the same as under the approved Medicaid State Plan for prescribed drugs.

Benefit Provided:

Coverage is at least the greater of one drug in each U.S. Pharmacopeia (USP) category and class or the same number of prescription drugs in each category and class as the base benchmark.

Prescription Drug Limits (Check all that apply.):

- Limit on days supply
- Limit on number of prescriptions
- Limit on brand drugs
- Other coverage limits
- Preferred drug list

Authorization:

Yes

Provider Qualifications:

State licensed

Coverage that exceeds the minimum requirements or other:

Medicaid state plan 3.1A (12)

The State of New York's ABP prescription drug benefit plan is the same as under the approved Medicaid state plan for prescribed drugs.



# Alternative Benefit Plan

7. Essential Health Benefit: Rehabilitative and habilitative services and devices

Collapse All

- The state/territory assures that it is not imposing limits on habilitative services and devices that are more stringent than limits on rehabilitative services (45 CFR 156.115(a)(5)(ii)). Further, the state/territory understands that separate coverage limits must also be established for rehabilitative and habilitative services and devices. Combined rehabilitative and habilitative limits are allowed, if these limits can be exceeded based on medical necessity.

Benefit Provided:	Source:	Remove
Physical therapy - rehabilitative/habilitative	Secretary-Approved Other	
Authorization:	Provider Qualifications:	
Prior Authorization	Medicaid State Plan	
Amount Limit:	Duration Limit:	
No Limitations	None	
Scope Limit:		
Services provided by a physical therapist for the maximum reduction of physical disability and restoration to the patient's best functional level. Habilitative services are provided to the patient to acquire a skill and avert the loss of functions.		
Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:		
Medicaid state plan attachment 3.1 A (11) (a)		

Benefit Provided:	Source:	Remove
Occupational therapy - rehabilitative/habilitative	Secretary-Approved Other	
Authorization:	Provider Qualifications:	
Prior Authorization	Medicaid State Plan	
Amount Limit:	Duration Limit:	
No Limitations	None	
Scope Limit:		
Services provided by an occupational therapist for the maximum reduction of physical disability and restoration to the patients best functional level . Habilitative services are provided to acquire a skill and avert the loss of functions.		
Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:		
Medicaid state plan attachment 3.1A (11) (b)		

Benefit Provided:	Source:	Remove
Speech and Language Services - rehab/hab	Secretary-Approved Other	
Authorization:	Provider Qualifications:	
Prior Authorization	Medicaid State Plan	



# Alternative Benefit Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Services provided by a speech -language pathologist for the maximum reduction of physical disability and restoration to the best functional level. Habilitative services are provided to acquire a skill and avert the loss of functions.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A (11) (c)

Benefit Provided:

Home Health Services

Source:

State Plan 1905(a)

Remove

Authorization:

None

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Includes nursing services, physical therapy, occupational therapy, or speech pathology, audiology and health aides services supervised by a registered nurse or therapist.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A 7(a)

Benefit Provided:

Home Health Services - Supplies and Equipment

Source:

State Plan 1905(a)

Remove

Authorization:

None

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Medical necessary supplies, equipment and appliances, suitable for use in the home prescribed by a physician, consistent with 440.70. Includes durable medical equipment.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A 7(c)



# Alternative Benefit Plan

Benefit Provided:		Source:	Remove
Hearing aid services and products		State Plan 1905(a)	
Authorization:	Provider Qualifications:		Remove
None	Medicaid State Plan		
Amount Limit:	Duration Limit:		Remove
No Limitations	None		
Scope Limit:			
Audiology services include audiometric exam and testing, hearing aid evaluation and prescription. Hearing aid services include selecting, fitting and dispensing hearing aids, batteries and repair.			
Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:			
Medicaid state plan attachment 3.1A 13(d)			
Benefit Provided:		Source:	Remove
Hearing Services		State Plan 1905(a)	
Authorization:	Provider Qualifications:		Remove
None	Medicaid State Plan		
Amount Limit:	Duration Limit:		Remove
No Limitations	None		
Scope Limit:			
Audiology services and hearing evaluations conducted by a licensed audiologist. Hearing tests are performed for diagnostic as well as rehabilitative purposes.			
Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:			
Medicaid state plan attachment 3.1A 13(d)			
			Add





# Alternative Benefit Plan

8. Essential Health Benefit: Laboratory services

Collapse All

Benefit Provided:

Laboratory services

Source:

State Plan 1905(a)

Remove

Authorization:

None

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

All laboratory examinations, which must be medically necessary and related to the specific needs, complaints, or symptoms of the patient, require written order of a physician or qualified practitioner.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A 3

Utilization Thresholds do not apply to services otherwise subject to thresholds when provided as managed care services furnished by or through a managed care program qualified by the NYS Department of Health to persons enrolled in and receiving medical care from such program.

Add



# Alternative Benefit Plan

9. Essential Health Benefit: Preventive and wellness services and chronic disease management Collapse All

The state/territory must provide, at a minimum, a broad range of preventive services including: “A” and “B” services recommended by the United States Preventive Services Task Force; Advisory Committee for Immunization Practices (ACIP) recommended vaccines; preventive care and screening for infants, children and adults recommended by HRSA’s Bright Futures program/project; and additional preventive services for women recommended by the Institute of Medicine (IOM).

<b>Benefit Provided:</b> <input type="text" value="Physician and licensed provider services"/>	<b>Source:</b> <input type="text" value="State Plan 1905(a)"/>	<input type="button" value="Remove"/>
		<input type="button" value="Add"/>



# Alternative Benefit Plan

10. Essential Health Benefit: Pediatric services including oral and vision care

Collapse All

Benefit Provided:

Medicaid State Plan EPSDT Benefits

Source:

State Plan 1905(a)

Remove

Authorization:

None

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Early and periodic screening, diagnostic and treatment services for individuals under 21 years and treatment of conditions found. No limitation in scope of benefit.

Other information regarding this benefit, including the specific name of the source plan if it is not the base benchmark plan:

Medicaid state plan attachment 3.1A (4) (b)

Add



# Alternative Benefit Plan

11. Other Covered Benefits from Base Benchmark Collapse All

<p>Other Base Benefit Provided:</p> <input type="text"/>	<p>Source:</p> <input type="text" value="Base Benchmark"/>	<input type="button" value="Remove"/>
		<input type="button" value="Add"/>



# Alternative Benefit Plan

12. Base Benchmark Benefits Not Covered due to Substitution or Duplication Collapse All

Base Benchmark Benefit that was Substituted:

Chiropractic services

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Personal care services will substitute for adult chiropractic services covered in the Standard BC/BS Federal Employee Benefit.  
Personal care services are covered in the New York Medicaid state plan attachment 3.1A (26)  
EHB 1

Base Benchmark Benefit that was Substituted:

Benefit Provided: Outpatient Surgery & diagnostics

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Outpatient surgery and related diagnostics is a duplication of outpatient hospital services covered in the New York Medicaid State Plan.  
EHB 1 - Ambulatory Services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Physician services

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Physician services is a duplication of physician services covered in the New York Medicaid State Plan.  
EHB 1 - Ambulatory services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Routine immunizations

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Routine immunizations available at participating retail pharmacy is a duplication of prescription drug services covered under the New York Medicaid State Plan.  
EHB 6 - Prescription drugs

Base Benchmark Benefit that was Substituted:

Benefit Provided: Podiatry services

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Podiatry services is a duplication of medical care provided by licensed practitioners -podiatrist, covered in the New York Medicaid State Plan.  
EHB 1 - Ambulatory services



# Alternative Benefit Plan

Base Benchmark Benefit that was Substituted:

Benefit Provided: Hospice Services - ambulatory

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Hospice services is a duplication of Hospice Services covered in the New York Medicaid State Plan. Hospice Service may be delivered ambulatory or non-inpatient setting.  
EHB 1 - Ambulatory services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Acupuncture services

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Acupuncture services is a duplication of acupuncture services provided by a licensed physician covered in the New York Medicaid State Plan.  
EHB 1 - Ambulatory Services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Medical emergency facility svcs

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Medical emergency facility services is a duplication other medical services - emergency hospital services covered in the New York Medicaid State Plan.  
EHB 2 - Emergency services

Base Benchmark Benefit that was Substituted:

Benefit provided: Medical emergency professional

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Medical emergency professional services is a duplication of physician services and medical care provided by licensed practitioners covered in the NYS Medicaid State Plan.  
EHB 1- Ambulatory service

Base Benchmark Benefit that was Substituted:

Benefit Provided: Prescription drug benefit

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Prescription drug benefit is a duplication of drugs prescribed by a physician or licensed provider covered in the New York Medicaid State Plan.  
EHB 6 - Prescription drugs



# Alternative Benefit Plan

Base Benchmark Benefit that was Substituted:

Benefit Provided: Well child care to age 22

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Well child care to age 22, is a duplication of EPSDT services for persons < 21yrs and preventive services for persons age 21 -22 covered in the New York State Plan  
EHB 10 - Pediatric services  
EHB 9 - Preventive and wellness services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Bright Futures preventive

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Bright futures preventive services are a duplication of preventive services covered in the New York Medicaid State Plan.  
EHB 9 - Preventive and wellness services

Base Benchmark Benefit that was Substituted:

Benefit provided: Routine physical exam

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Routine physical exams is duplication of routine physical exam as a preventive services which is covered in the New York Medicaid State Plan.  
EHB 9 - Preventive services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Routine laboratory tests

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Routine laboratory tests is a duplication of laboratory services covered in the New York Medicaid State Plan.  
EHB 8 - Laboratory services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Routine hearing screening

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Routine hearing screening services is a duplication of hearing services covered in the New York Medicaid State Plan.  
EHB 7 - Rehabilitative and habilitative



# Alternative Benefit Plan

Base Benchmark Benefit that was Substituted:

Benefit Provided: Pediatric oral exam

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Pediatric oral exam is a duplication of pediatric dental services covered with EPSDT in the New York Medicaid State Plan.  
EHB 10 - Pediatric services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Cognitive rehabilitative therapy

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Cognitive rehabilitative therapy is a duplication of physician services, services provided by licensed practitioners and services provided by a physical therapist, occupational therapist or speech therapist in the Medicaid State Plan. CRT encompasses an array of services provided by physicians and licensed practitioners with different specialties in varied medical settings. The NY Medicaid State Plan provides a greater benefit for therapy services due to no limitations on amount, duration and scope of CRT coverage under both medical and behavioral therapy.  
EHB 1  
EHB 5  
EHB 7

Base Benchmark Benefit that was Substituted:

Benefit Provided: Durable Medical Equipment

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Durable Medical Equipment is a duplication of home health services - supplies and equipment covered in the NYS Medicaid State Plan.  
EHB 7 - Rehabilitation and Habilitation services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Hearing tests and hearing aids

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Hearing tests and hearing aids is a duplication of audiology and hearing aid services covered in the New York Medicaid State Plan.  
EHB 7 - Rehabilitation and Habilitation services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Physician care delivery

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Physician care including delivery, pre and post-natal and postpartum care are a duplication physician





# Alternative Benefit Plan

services covered in the New York Medicaid State Plan.

EHB 4 - Maternity and newborn care

Base Benchmark Benefit that was Substituted:

Benefit Provided: Inpatient hospital maternity

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Inpatient hospital maternity and physician care is a duplication of inpatient hospital services and physician services covered in the New York Medicaid State Plan. Includes newborn examination and screening prior to discharge from hospital or birthing center. EHB 4 - Maternity and newborn care

Base Benchmark Benefit that was Substituted:

Benefit Provided: Inpatient hospital room/board

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Inpatient room and board and other inpatient services is a duplication of inpatient hospital services covered in the New York Medicaid State Plan.  
EHB 3 - Hospitalization

Base Benchmark Benefit that was Substituted:

Benefit Provided: Diagnostic, screening preventive

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Diagnostic, screening and preventive services is a duplication of diagnostic, screening and preventive services covered in the New York Medicaid State Plan.  
EHB 9- Preventive and wellness services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Outpatient services

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Outpatient services including medical emergency care is a duplication of physician services, clinic services, outpatient hospital services covered in the New York Medicaid State Plan.  
EHB 1- Ambulatory Care

Base Benchmark Benefit that was Substituted:

Benefit Provided: Organ transplant- hospital

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Organ transplant inpatient hospital services are a duplication of organ transplant-inpatient hospital services covered in the New York Medicaid State Plan. The solid organs, blood and cells covered for transplant in the BC/BS FEBC are covered in the Medicaid State Plan.



# Alternative Benefit Plan

EHB 3 - Hospitalization

Base Benchmark Benefit that was Substituted:

Benefit Provided: MH and SUD inpatient hospital

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Mental health and substance use disorder inpatient hospital services are a duplication of inpatient hospital services MH and SUD covered in the NYS Medicaid State Plan.  
EHB 5 - Mental Health and Substance Use Disorder Services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Outpatient MH/SUD facility care

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Outpatient MH/SUD facility care is a duplication of physician services, medical care provided by licensed practitioners and clinic services covered in the New York Medicaid State Plan.  
EHB 5 - Mental Health and Substance Use Disorder Services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Inpatient professional MH/SUD

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Inpatient professional MH/SUD care is a duplication of physician services and medical care provided by licensed practitioners covered in the New York Medicaid State Plan.  
EHB 5 - Mental Health and Substance Use Disorder Services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Professional outpatient MH/SUD

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Professional outpatient MH/SUD care is a duplication of physician services, medical care provided by licensed practitioners and clinic services covered in the New York Medicaid State Plan.  
EHB 5 - Mental Health and Substance Use Disorder Services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Routine dental for children

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Routine dental services for children is a duplication of EPSDT services covered in the New York Medicaid State Plan.  
EHB 10 - Pediatric Services



# Alternative Benefit Plan

Base Benchmark Benefit that was Substituted:

Benefit Provided: Diagnostic tests

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Diagnostic tests including radiology and laboratory services is a duplication of other laboratory and x-ray services covered in the New York Medicaid State Plan.

EHB 1 - Ambulatory Patient Services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Emergency transportation

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Emergency transportation is a duplication of other medical services-emergency transportation, covered in the New York Medicaid state plan.

EHB 2 - Emergency services

Base Benchmark Benefit that was Substituted:

Benefit Provided: Licensed provider services

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Medical services provided by licensed providers is a duplication of medical care provided by licensed practitioners covered in the New York Medicaid State Plan.

EHB 1 - Ambulatory Care

Base Benchmark Benefit that was Substituted:

Benefit Provided: IP professional care- maternity

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Maternity services provided by inpatient professionals is a duplication of Nurse-midwife services covered in the New York Medicaid State Plan.

EHB 4 Maternity and Newborn Care

Base Benchmark Benefit that was Substituted:

Benefit: Freestanding Ambulatory Facility Services

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Freestanding Ambulatory Facility Services is a duplication of clinic services covered in the New York Medicaid State Plan.

EHB 1 - Ambulatory Care



# Alternative Benefit Plan

Base Benchmark Benefit that was Substituted:

Benefit Provided: Hospice Care - Inpatient

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Hospice Care-Inpatient is a duplication of the Inpatient Hospice services covered in the New York Medicaid State Plan.  
EHB 3 - Hospitalization

Base Benchmark Benefit that was Substituted:

Benefit Provided: Abortion services

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Abortion services is a duplication of abortion services covered in the New York State Plan. Abortion services, drugs and supplies related to abortion are covered in the New York State Plan when the life of the mother would be endangered if the fetus were carried to term or when pregnancy is a result of an act of rape or incest.  
EHB 1- Ambulatory services

Base Benchmark Benefit that was Substituted:

Benefit: Physical Therapy - rehab/habilitative

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Physical therapy services in the BC/BS FEBP is a duplication of services covered in the secretary approved physical therapy benefit in the New York State Plan.  
EHB 7- Rehabilitative and Habilitative services

Base Benchmark Benefit that was Substituted:

Benefit: Occupational therapy-rehab/habilitative

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Occupational therapy services in the BC/BS FEBP is a duplication of services covered in the secretary approved occupational therapy benefit in the New York State Plan.  
EHB 7 - Rehabilitative and Habilitative services

Base Benchmark Benefit that was Substituted:

Benefit: Speech and Language therapy- rehab/hab

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Speech and language therapy services in the BC/BS FEBP are a duplication of services covered in the secretary approved speech therapy benefit in the New York State Plan.  
EHB 7 - Rehabilitative and Habilitative



# Alternative Benefit Plan

Base Benchmark Benefit that was Substituted:

Benefit Provided: Home health care

Source:

Base Benchmark

Remove

Explain the substitution or duplication, including indicating the substituted benefit(s) or the duplicate section 1937 benchmark benefit(s) included above under Essential Health Benefits:

Home health care covered in the BC/BS FEBP is a duplication of home health services covered in the New York Medicaid State Plan. The BC/BS FEBP Home Health Care benefit covers home nursing care for two (2) hours per day when a registered nurse (R.N.) or licensed practical nurse (L.P.N.) provides the services; and a physician orders the care. The BC/BS FEBP home nursing care benefit is limited to 50 visits per person, per calendar year. The New York State Plan Home Health Services benefit exceeds the BC/BS benefit in services covered and duration of care, as medically needed.  
EHB 7 - Rehabilitative and Habilitative services

Add



# Alternative Benefit Plan

13. Other Base Benchmark Benefits Not Covered

Collapse All

Base Benchmark Benefit not Included in the Alternative Benefit Plan:

Wellness Incentives

Source:

Base Benchmark

Remove

Explain why the state/territory chose not to include this benefit:

These features in the BC/BS FEHB plan are essentially monetary rewards and are not incentives that have a relationship to health/wellness.

Base Benchmark Benefit not Included in the Alternative Benefit Plan:

Adult routine dental services

Source:

Base Benchmark

Remove

Explain why the state/territory chose not to include this benefit:

This is not an EHB for the new adult group as it is an excepted benefit.

Base Benchmark Benefit not Included in the Alternative Benefit Plan:

Routine Vision Services

Source:

Base Benchmark

Remove

Explain why the state/territory chose not to include this benefit:

This is not an EHB for the new adult group as it is an excepted benefit.

Base Benchmark Benefit not Included in the Alternative Benefit Plan:

Healthy Newborn visits and screening

Source:

Base Benchmark

Remove

Explain why the state/territory chose not to include this benefit:

This is not an EHB for the new adult group as it is an excepted benefit claimed under the child's eligibility.

Add



# Alternative Benefit Plan

14. Other 1937 Covered Benefits that are not Essential Health Benefits

Collapse All

Other 1937 Benefit Provided: Non-emergency transportation	Source: Section 1937 Coverage Option Benchmark Benefit Package	Remove
Authorization: Prior Authorization	Provider Qualifications: Medicaid State Plan	
Amount Limit: No Limitations	Duration Limit: None	
Scope Limit: Transportation to medically necessary services		
Other: Medicaid State Plan 3.1A (24)		

Other 1937 Benefit Provided: Intermediate Care Facility services	Source: Section 1937 Coverage Option Benchmark Benefit Package	Remove
Authorization: Concurrent Authorization	Provider Qualifications: Medicaid State Plan	
Amount Limit: No Limitations	Duration Limit: None	
Scope Limit: Intermediate Care Facility services comprehensive and individualized health care and rehabilitation services to individuals with intellectual disabilities (IID) to promote functional status and independence.		
Other: Medicaid State Plan 3.1 A (15) (a)(b) Including such services in a public institution (or district part thereof) for the developmentally disabled or persons with related conditions. Other than such services provided in an institution for mental diseases.		

Other 1937 Benefit Provided: Nursing Facility Services	Source: Section 1937 Coverage Option Benchmark Benefit Package	Remove
Authorization: Concurrent Authorization	Provider Qualifications: Medicaid State Plan	
Amount Limit: No Limitations	Duration Limit: see other below	
Scope Limit: Services which help meet both the medical and non-medical needs of people with a chronic illness or		



# Alternative Benefit Plan

disability who cannot care for themselves for long periods of time. Other than services provided in an institution for mental diseases.

Other:

Medicaid State Plan 3.1 A (4)(a)

Other 1937 Benefit Provided:

Extended Services for Pregnant Women

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitatons

Duration Limit:

During pregnancy + 60 days postpartum

Scope Limit:

Extended services to pregnant women includes all major categories of services as long as the services are determined to be medically necessary and related to pregnancy.

Other:

Medicaid State Plan 3.1A (20)

Other 1937 Benefit Provided:

Private Duty Nursing services

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Concurrent Authorization

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Medically necessary nursing services, may be intermittent, part-time or continuous and must be provided in the home under the direction of a physician.

Other:

Medicaid State Plan 3.1A (8)

Other 1937 Benefit Provided:

Rural Health Clinic Services

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan





# Alternative Benefit Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Services provided as defined by the Rural Health Clinic Services Act of 1977 (Public Law 95-210).

Other:

Other 1937 Benefit Provided:

Federally Qualified Health Clinic (FQHC)

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Covered Federally Qualified Health Center (FQHC) Services as defined by Section 1861(aa) of the Social Security Act (the Act) was amended by Section 4161 of the Omnibus Budget Reconciliation Act of 1990.

Other:

Medicaid state plan attachment 3.1A, 2(c)  
Includes both FQHCs receiving a grant under Section 330 of the Public Health Service (PHS) Act and FQHCs not grant funded under Section 330 of the PHS, known as FQHC (look-alike) clinics based on the recommendation of the Health Resources and Services Administration.

Other 1937 Benefit Provided:

Routine adult dental services

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Preventive, prophylactic and other routine dental care, services, supplies and dental prosthetics required to alleviate a serious health condition.

Other:

Medicaid State plan 3.1A (10) Dental Services  
Covered if included in the managed care contractor's benefit package or as a Medicaid FFS benefit. All orthodontia is covered as a Medicaid FFS benefit.



# Alternative Benefit Plan

Other 1937 Benefit Provided: Family Planning Services	Source: Section 1937 Coverage Option Benchmark Benefit Package	Remove
Authorization: Other	Provider Qualifications: Medicaid State Plan	
Amount Limit: No Limitations	Duration Limit: None	
Scope Limit: The offering, arranging and furnishing of those health services which enable enrollees, including minors who may be sexually active, to prevent or reduce the incidence of unwanted pregnancy. Fertility services are limited .		
Other: Covered if included in the managed care contractor's benefit package or as a Medicaid FFS benefit. Fertility services are limited to the provision of office visits, hysterosalpingogram services, pelvic ultrasounds, and blood testing for women in the process of ovulation enhancing drugs.		
Other 1937 Benefit Provided: Prosthetic/Orthotic devices, Orthopedic footwear	Source: Section 1937 Coverage Option Benchmark Benefit Package	Remove
Authorization: Other	Provider Qualifications: Medicaid State Plan	
Amount Limit: No Limitations	Duration Limit: None	
Scope Limit: Prosthetic appliances or devices which replace or perform the function of any missing part of the body. Orthotic appliances or devices used to support a weak or deformed body part or to restrict or eliminate motion in a body part.		
Other: Orthopedic footwear includes shoes, shoe modifications or additions used to correct, accommodate or prevent a physical deformity or range of motion malfunction.		
Other 1937 Benefit Provided: Personal Emergency Response Systems (PERS)	Source: Section 1937 Coverage Option Benchmark Benefit Package	Remove
Authorization: Prior Authorization	Provider Qualifications: Medicaid State Plan	
Amount Limit: No Limitations	Duration Limit: None	
Scope Limit: An electronic device which enables high risk patients to secure help in the event of a physical, emotional or		



# Alternative Benefit Plan

environmental emergency. Usually connected to the patient's phone, will signal a response center when help button is activated.

Other:

Medicaid State Plan 3.1A (7)(c)

Other 1937 Benefit Provided:

Nurse Practitioner services

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

All nurse practitioner specialties recognized under state law.

Other:

New York Medicaid State Plan 3.1A (23)

Other 1937 Benefit Provided:

Dentures

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Prior Authorization

Provider Qualifications:

Medicaid State Plan

Amount Limit:

Replacement of missing teeth or dentures

Duration Limit:

None

Scope Limit:

Removable replacement for missing teeth and surrounding tissues. Two types of dentures; complete and partial dentures. Services include replacement of dentures.

Other:

New York Medicaid State Plan 3.1A (12)(b)

Other 1937 Benefit Provided:

Eyeglasses and corrective lens

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan



# Alternative Benefit Plan

Amount Limit:

One pair or glasses or corrective lenses

Duration Limit:

every 24 months

Scope Limit:

Frames bearing lenses worn in front of the eyes or lenses worn on the eye normally used for vision correction.

Other:

New York Medicaid State Plan 3.1A (12)(d)  
Prior approval required for artificial eyes, certain special lenses and eye services.

Other 1937 Benefit Provided:

Optometrists' services

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan

Amount Limit:

One examination including refraction

Duration Limit:

every 24 Months

Scope Limit:

Licensed practitioners trained in the health of the eyes and related structures, as well as vision, visual systems, and vision information processing.

Other:

New York Medicaid State Plan 3.1A (6)(b)

Other 1937 Benefit Provided:

Directly Observed Therapy - rehabilitative

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

None

Scope Limit:

Services to treat, control, monitor and measure Tuberculosis and other communicable diseases.

Other:

Medicaid State Plan 3.1A (13)(d)

Other 1937 Benefit Provided:

Health Home Services



# Alternative Benefit Plan

Source:

Remove

Section 1937 Coverage Option Benchmark Benefit Package

Authorization:

Concurrent Authorization

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

No Limitations

Scope Limit:

An inter-disciplinary array of medical care, behavioral health care, and community-based social services and supports for adults with chronic conditions.

Other:

Medicaid State Plan 1945, 3.11 A (H)

Other 1937 Benefit Provided:

Community First Choice - personal care services

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Prior Authorization

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

No Limitations

Scope Limit:

Consumer controlled enhanced personal attendant services and supports that include; functional skills training, coaching and prompting the individual to accomplish the ADL, IADL and health-related skills.

Other:

Medicaid State Plan 1915(k), 3.1-A 3(d)(B), 3(d)(C)

Other 1937 Benefit Provided:

Rehabilitative Residential services

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Concurrent Authorization

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

No Limitations

Scope Limit:

Interventions, therapies and activities which are medically therapeutic and remedial in nature, and are medically necessary for the maximum reduction of functional and adaptive behavior deficits associated with the individual's mental disease.



# Alternative Benefit Plan

Other:

Medicaid State Plan 3.1 A (13)(d)  
Rehabilitative residential services are provided to persons residing in community residences licensed by the NYS Office of Mental Health. Services provided to persons other than those residing in New York State certified psychiatric centers and institutions for mental diseases.

Other 1937 Benefit Provided:

Routine Costs Associated with Clinical Trials

Source:

Section 1937 Coverage Option Benchmark Benefit Package

Remove

Authorization:

Other

Provider Qualifications:

Medicaid State Plan

Amount Limit:

No Limitations

Duration Limit:

No Limitations

Scope Limit:

Routine patient costs associated with participation in qualifying clinical trials are covered in accordance with definitions set forth in Section 210 of the Consolidated Appropriations Act of 2021, amending section 1905(a) of the Social Security Act.

Other:

Assurances: Coverage of routine patient cost for items and services as defined in section 1905(gg)(1) that are furnished in connection with participation in a qualified clinical trial.  
A qualified clinical trial is a clinical trial that meets the definition at section 1905(gg)(2).  
A determination with respect to coverage for an individual participating in a qualified clinical trial will be made in accordance with section 1905(gg)(3).

Add



# Alternative Benefit Plan

<input type="checkbox"/> 15. Additional Covered Benefits (This category of benefits is not applicable to the adult group under section 1902(a)(10)(A)(i)(VIII) of the Act.)	Collapse All <input type="checkbox"/>
---	---------------------------------------

### PRA Disclosure Statement

Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) for the purpose of standardizing data. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children’s Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to average 5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20190808



# Alternative Benefit Plan

OMB Control Number: 0938-1148

OMB Expiration date:

Attachment 3.1-C-

## Benefits Assurances

ABP7

### EPSDT Assurances

If the target population includes persons under 21, please complete the following assurances regarding EPSDT. Otherwise, skip to the Prescription Drug Coverage Assurances below.

The alternative benefit plan includes beneficiaries under 21 years of age.  Yes

The state/territory assures that the notice to an individual includes a description of the method for ensuring access to EPSDT services (42 CFR 440.345).

The state/territory assures EPSDT services will be provided to individuals under 21 years of age who are covered under the state/territory plan under section 1902(a)(10)(A) of the Act.

Indicate whether EPSDT services will be provided only through an Alternative Benefit Plan or whether the state/territory will provide additional benefits to ensure EPSDT services:

- Through an Alternative Benefit Plan.
- Through an Alternative Benefit Plan with additional benefits to ensure EPSDT services as defined in 1905(r).

Other Information regarding how EPSDT benefits will be provided to participants under 21 years of age (optional):

### Prescription Drug Coverage Assurances

The state/territory assures that it meets the minimum requirements for prescription drug coverage in section 1937 of the Act and implementing regulations at 42 CFR 440.347. Coverage is at least the greater of one drug in each United States Pharmacopeia (USP) category and class or the same number of prescription drugs in each category and class as the base benchmark.

The state/territory assures that procedures are in place to allow a beneficiary to request and gain access to clinically appropriate prescription drugs when not covered.

The state/territory assures that when it pays for outpatient prescription drugs covered under an Alternative Benefit Plan, it meets the requirements of section 1927 of the Act and implementing regulations at 42 CFR 440.345, except for those requirements that are directly contrary to amount, duration and scope of coverage permitted under section 1937 of the Act.

The state/territory assures that when conducting prior authorization of prescription drugs under an Alternative Benefit Plan, it complies with prior authorization program requirements in section 1927(d)(5) of the Act.

### Other Benefit Assurances

The state/territory assures that substituted benefits are actuarially equivalent to the benefits they replaced from the base benchmark plan, and that the state/territory has actuarial certification for substituted benefits available for CMS inspection if requested by CMS.

The state/territory assures that individuals will have access to services in Rural Health Clinics (RHC) and Federally Qualified Health Centers (FQHC) as defined in subparagraphs (B) and (C) of section 1905(a)(2) of the Social Security Act.

The state/territory assures that payment for RHC and FQHC services is made in accordance with the requirements of section 1902(bb) of the Social Security Act.





# Alternative Benefit Plan

State Name:

Attachment 3.1-L-

OMB Control Number: 0938-1148

Transmittal Number: NY - 22 - 0042

## Service Delivery Systems

ABP8

Provide detail on the type of delivery system(s) the state/territory will use for the Alternative Benefit Plan's benchmark benefit package or benchmark-equivalent benefit package, including any variation by the participants' geographic area.

Type of service delivery system(s) the state/territory will use for this Alternative Benefit Plan(s).

Select one or more service delivery systems:

- Managed care.
  - Managed Care Organizations (MCO).
  - Prepaid Inpatient Health Plans (PIHP).
  - Prepaid Ambulatory Health Plans (PAHP).
  - Primary Care Case Management (PCCM).
- Fee-for-service.
- Other service delivery system.

## Managed Care Options

### Managed Care Assurance

- The state/territory certifies that it will comply with all applicable Medicaid laws and regulations, including but not limited to sections 1903(m), 1905(t), and 1932 of the Act and 42 CFR Part 438, in providing managed care services through this Alternative Benefit Plan. This includes the requirement for CMS approval of contracts and rates pursuant to 42 CFR 438.6.

### Managed Care Implementation

Please describe the implementation plan for the Alternative Benefit Plan under managed care including member, stakeholder, and provider outreach efforts.

The State has provided Medicaid recipients enrollment in managed care plans since 1997. At the time the Alternative Benefits Plan (ABP) was initiated, Medicaid Managed Care enrollment statewide was three million households. Another 400,000 adults were enrolled in managed care through an 1115 waiver program, Family Health Plus. Over 90 percent of Family Health Plus enrollees were eligible for Medicaid under the new eligibility levels and are already enrolled in managed care. The state anticipated that only 77,000 enrollees would be newly eligible statewide in the adult group. As such, there was no need for an implementation plan for member or provider outreach. The state engaged stakeholders in all aspects of the Affordable Care Act (ACA) implementation, including the Medicaid expansion and the ABP. Due to changes under the ACA, the Family Health Plus Program was eliminated on December 31, 2014. In April 2021, there were 5,066,688 enrollees in Medicaid Managed Care inclusive of the ABP.

### MCO: Managed Care Organization

The managed care delivery system is the same as an already approved managed care program.

The managed care program is operating under (select one):

- Section 1915(a) voluntary managed care program.
- Section 1915(b) managed care waiver.
- Section 1932(a) mandatory managed care state plan amendment.



# Alternative Benefit Plan

- Section 1115 demonstration.
- Section 1937 Alternative (Benchmark) Benefit Plan state plan amendment.

Identify the date the managed care program was approved by CMS:

Describe program below:

The Section 1115 demonstration Medicaid Redesign Team Waiver's transfer of authority advanced the statewide managed care delivery system to create efficiencies in the Medicaid program and enable the extension of coverage to certain individuals who would otherwise be without health insurance.

## Additional Information: MCO (Optional)

Provide any additional details regarding this service delivery system (optional):

## Fee-For-Service Options

Indicate whether the state/territory offers traditional fee-for-service and/or services managed under an administrative services organization:

- Traditional state-managed fee-for-service
- Services managed under an administrative services organization (ASO) arrangement

Please describe this fee-for-service delivery system, including any bundled payment arrangements, pay for performance, fee-for-service care management models/non-risk, contractual incentives as well as the population served via this delivery system.

Traditional fee-for-service payment model. Providers are reimbursed at established rates for covered medically necessary services provided to enrollees prior to enrollment in managed care. Persons determined eligible for coverage have ten (10) days to select a health plan prior to auto assignment to a health plan. Enrollees may access state certified fee-for-service providers for medically necessary covered services not included in the managed care benefit package or not covered by the enrollee's health plan. These services are included in the "Additional Information: Fee For Service" section below. Managed care plans do not impose treatment limitations on MH/SUD services that are more restrictive than limitations defined in 3.1 A of the New York Medicaid state plan. MH and SUD benefits in the managed care benefit package are aligned with the state plan, in addition, the 1115 Medicaid Redesign Team Waiver authorizes demonstration-only MH and SUD benefits for managed care members.

## Additional Information: Fee-For-Service (Optional)

Provide any additional details regarding this service delivery system (optional):

All New York Medicaid Managed Care health plans provide members with a Member Handbook. The handbook explains the services covered by the health plan and the non-plan covered services that the enrollee must access via the fee for service delivery system. The New York Medicaid Managed Care Model Member Handbook is used by all participating health plans as an enrollee resource tool. Language in the handbook explains how to access both health plan covered services and services covered in the state plan that are not covered by the MMC plan contract; "Medicaid managed care provides a number of services you get in addition to those you get with regular Medicaid. [Insert Plan Name] will provide or arrange for most services that you will need. You can get a few services, however, without going through your PCP. These include emergency care; family planning/HIV testing and counseling; and specific self referral services, including those you can get from within the plan and some that you can choose to go to any Medicaid provider of the service."

There are medical services managed care enrollees must access via the FFS delivery system, as follows:

- A) Nursing Home Services - Services provided in a nursing home to an enrollee under age 21 who is determined by the LDSS to be in Long Term Placement Status.
- B) Emergency and Non-Emergency Transportation
- C) Mental Health Services
  - 1. Day Treatment Programs Serving Children
  - 2. Rehabilitation Services Provided to Residents of OMH Licensed Community Residences and Family Based Treatment



# Alternative Benefit Plan

Programs

- 3. Residential Treatment Facilities for Children and Youth
- D) SUD Services - Residential Rehabilitation Services for Youth (RRSY)
- E) OPWDD Services (Office of Persons with Developmental Disabilities)
  - 1. Long Term Article 16 Clinic Services
  - 2. Day Treatment
  - 3. Care Coordination Organization (CCO)
  - 4. Home and Community Based Services Waiver (HCBS)
- F) Other Non-Covered Services:
  - 1. The Early Intervention Program
  - 2. Preschool Supportive Health Services
  - 3. School Supportive Health Services
  - 4. School Based Health Centers

### PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20181119



# Alternative Benefit Plan

- The state/territory assures that it will comply with the requirement of section 1937(b)(5) of the Act by providing, effective January 1, 2014, to all Alternative Benefit Plan participants at least Essential Health Benefits as described in section 1302(b) of the Patient Protection and Affordable Care Act.
- The state/territory assures that it will comply with the mental health and substance use disorder parity requirements of section 1937(b)(6) of the Act by ensuring that the financial requirements and treatment limitations applicable to mental health or substance use disorder benefits comply with the requirements of section 2705(a) of the Public Health Service Act in the same manner as such requirements apply to a group health plan.
- The state/territory assures that it will comply with section 1937(b)(7) of the Act by ensuring that benefits provided to Alternative Benefit Plan participants include, for any individual described in section 1905(a)(4)(C), medical assistance for family planning services and supplies in accordance with such section.
- The state/territory assures transportation (emergency and non-emergency) for individuals enrolled in an Alternative Benefit Plan in accordance with 42 CFR 431.53.
- The state/territory assures, in accordance with 45 CFR 156.115(a)(4) and 45 CFR 147.130, that it will provide as Essential Health Benefits a broad range of preventive services including: “A” and “B” services recommended by the United States Preventive Services Task Force; Advisory Committee for Immunization Practices (ACIP) recommended vaccines; preventive care and screening for infants, children and adults recommended by HRSA’s Bright Futures program/project; and additional preventive services for women recommended by the Institute of Medicine (IOM).

## PRA Disclosure Statement

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V.20130807



# Alternative Benefit Plan

OMB Control Number: 0938-1148

OMB Expiration date: 10/31/2014

Attachment 3.1-C-

## Employer Sponsored Insurance and Payment of Premiums

**ABP9**

The state/territory provides the Alternative Benefit Plan through the payment of employer sponsored insurance for participants with such coverage, with additional benefits and services provided through a Benchmark or Benchmark-Equivalent Benefit Package.

Yes

Provide a description of employer sponsored insurance, including the population covered, the amount of premium assistance by population, employer sponsored insurance activities including required contribution, cost-effectiveness test requirements, and benefit information:

Medicaid will pay the cost of employer sponsored insurance if it is cost effective. The scope of the employer sponsored benefit package is provided by the applicant. The employer's health plan must meet certain standards for covered benefits and costs. The state assesses cost effectiveness by comparing the ESI premium to the average Medicaid managed care rate which can vary by sex, age and location in the state. Medicaid fee-for-service will reimburse providers for any medically necessary service covered in the ABP that is not covered by the employer sponsored plan. No employer contribution is required.

The state/territory otherwise provides for payment of premiums.

No

Other Information Regarding Employer Sponsored Insurance or Payment of Premiums:

Section 4.22 C of the New York Medicaid State Plan defines the state method for determining the cost effectiveness of employer sponsored health insurance.

ESI enrollees may access fee-for-service providers for medically necessary services covered in the Medicaid state plan that are limited by their employer sponsored benefit package. ESI enrollees are not enrolled in the NYS Medicaid Managed Care Program. All ESI enrollees receive an program guide that explains how to access medically necessary services via the FFS delivery system.

### PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.



# Alternative Benefit Plan

OMB Control Number: 0938-1148

OMB Expiration date: 10/31/2014

Attachment 3.1-C-

## General Assurances

ABP10

### Economy and Efficiency of Plans

- The state/territory assures that Alternative Benefit Plan coverage is provided in accordance with Federal upper payment limit requirements and other economy and efficiency principles that would otherwise be applicable to the services or delivery system through which the coverage and benefits are obtained.

Economy and efficiency will be achieved using the same approach as used for Medicaid state plan services.

Yes

### Compliance with the Law

- The state/territory will continue to comply with all other provisions of the Social Security Act in the administration of the state/territory plan under this title.
- The state/territory assures that Alternative Benefit Plan benefits designs shall conform to the non-discrimination requirements at 42 CFR 430.2 and 42 CFR 440.347(e).
- The state/territory assures that all providers of Alternative Benefit Plan benefits shall meet the provider qualification requirements of the Base Benchmark Plan and/or the Medicaid state plan.

### PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20130807



# Alternative Benefit Plan

OMB Control Number: 0938-1148

OMB Expiration date: 10/31/2014

Attachment 3.1-C-

## Payment Methodology

**ABP11**

### Alternative Benefit Plans - Payment Methodologies

- The state/territory provides assurance that, for each benefit provided under an Alternative Benefit Plan that is not provided through managed care, it will use the payment methodology in its approved state plan or hereby submits state plan amendment Attachment 4.19a, 4.19b or 4.19d, as appropriate, describing the payment methodology for the benefit.

**An attachment is submitted.**

### PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

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**Appendix II**  
**2022 Title XIX State Plan**  
**Second Quarter Amendment**  
**Summary**



**SUMMARY**  
**SPA #22-0042**

This State Plan Amendment proposes to revise the State Plan to include routine patient costs for items and services furnished in connection with participation by Medicaid beneficiaries in qualifying clinical trials, including those beneficiaries enrolled in Alternative Benefit Plans, pursuant to the Center for Medicaid and CHIP Services requirements.

**Appendix III**  
**2022 Title XIX State Plan**  
**Second Quarter Amendment**  
**Authorizing Provisions**

PL 116-260, December 27, 2020, 134 Stat 1182

UNITED STATES PUBLIC LAWS

PL 116–260 [HR 133]

December 27, 2020

CONSOLIDATED APPROPRIATIONS ACT, 2021

**SEC. 210. PROMOTING ACCESS TO LIFE-SAVING THERAPIES FOR MEDICAID ENROLLEES BY ENSURING COVERAGE OF ROUTINE PATIENT COSTS FOR ITEMS AND SERVICES FURNISHED IN CONNECTION WITH PARTICIPATION IN QUALIFYING CLINICAL TRIALS.**

(a) IN GENERAL.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (a)—

(A) in paragraph (29), by striking “and” at the end;

(B) by redesignating paragraph (30) as paragraph (31); and

(C) by inserting after paragraph (29) the following new paragraph:

“(30) subject to subsection (gg), routine patient costs for items and services furnished in connection with participation in a qualifying clinical trial (as defined in such subsection); and”; and

(2) by adding at the end the following new subsection:

“(gg)(1) ROUTINE PATIENT COSTS.—For purposes of subsection (a)(30), with respect to a State and an individual enrolled under the State plan (or a waiver of such plan) who participates in a qualifying clinical trial, routine patient costs—

“(A) include any item or service provided to the individual under the qualifying clinical trial, including—

**\*2990**

“(i) any item or service provided to prevent, diagnose, monitor, or treat complications resulting from such participation, to the extent that the provision of such an item or service to the individual outside the course of such participation would otherwise be covered under the State plan or waiver; and

“(ii) any item or service required solely for the provision of the investigational item or service that is the subject of such trial, including the administration of such investigational item or service; and

“(B) does not include—

“(i) an item or service that is the investigational item or service that is—

“(I) the subject of the qualifying clinical trial; and

“(II) not otherwise covered outside of the clinical trial under the State plan or waiver; or

“(ii) an item or service that is—

“(I) provided to the individual solely to satisfy data collection and analysis needs for the qualifying clinical trial and is not used in the direct clinical management of the individual; and

“(II) not otherwise covered under the State plan or waiver.

“(2) QUALIFYING CLINICAL TRIAL DEFINED.—

“(A) IN GENERAL.—For purposes of this subsection and subsection (a)(30), the term ‘qualifying clinical trial’ means a clinical trial (in any clinical phase of development) that is conducted in relation to the prevention, detection, or treatment of any serious or life-threatening disease or condition and is described in any of the following clauses:

“(i) The study or investigation is approved, conducted, or supported (which may include funding through in-kind contributions) by one or more of the following:

“(I) The National Institutes of Health.

“(II) The Centers for Disease Control and Prevention.

“(III) The Agency for Healthcare Research and Quality.

“(IV) The Centers for Medicare & Medicaid Services.

“(V) A cooperative group or center of any of the entities described in subclauses (I) through (IV) or the Department of Defense or the Department of Veterans Affairs.

“(VI) A qualified non-governmental research entity identified in the guidelines issued by the National Institutes of Health for center support grants.

“(VII) Any of the following if the conditions described in subparagraph (B) are met:

“(aa) The Department of Veterans Affairs.

“(bb) The Department of Defense.

“(cc) The Department of Energy.

“(ii) The clinical trial is conducted pursuant to an investigational new drug exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act or an exemption for a biological product undergoing investigation under section 351(a)(3) of the Public Health Service Act.

**\*2991**

“(iii) The clinical trial is a drug trial that is exempt from being required to have an exemption described in clause (ii).

“(B) CONDITIONS.—For purposes of subparagraph (A)(i)(VII), the conditions described in this subparagraph, with respect to a clinical trial approved or funded by an entity described in such subparagraph (A)(i)(VII), are that the clinical trial has been reviewed and approved through a system of peer review that the Secretary determines—

“(i) to be comparable to the system of peer review of studies and investigations used by the National Institutes of Health; and

“(ii) assures unbiased review of the highest scientific standards by qualified individuals with no interest in the outcome of the review.

“(3) COVERAGE DETERMINATION REQUIREMENTS.—A determination with respect to coverage under subsection (a)(30) for an individual participating in a qualifying clinical trial—

“(A) shall be expedited and completed within 72 hours;

“(B) shall be made without limitation on the geographic location or network affiliation of the health care provider treating such individual or the principal investigator of the qualifying clinical trial;

“(C) shall be based on attestation regarding the appropriateness of the qualifying clinical trial by the health care provider and principal investigator described in subparagraph (B), which shall be made using a streamlined, uniform form developed for State use by the Secretary and that includes the option to reference information regarding the qualifying clinical trial that is publicly available on a website maintained by the Secretary, such as [clinicaltrials.gov](http://clinicaltrials.gov) (or a successor website); and

“(D) shall not require submission of the protocols of the qualifying clinical trial, or any other documentation that may be proprietary or determined by the Secretary to be burdensome to provide.”.

(b) REQUIRING MANDATORY COVERAGE UNDER STATE PLAN.—Section 1902(a)(10)(A) of such Act is amended, in the matter preceding clause (i), by striking “and (29)” and inserting “(29), and (30)”.

(c) INCLUSION IN BENCHMARK COVERAGE.—Section 1937(b)(5) of such Act is amended by inserting before the period at the end the following: “, and beginning January 1, 2022, coverage of routine patient costs for items and services furnished in connection with participation in a qualifying clinical trial (as defined in section 1905(gg))”.

(d) EXEMPTION OF ADDITIONAL EXPENDITURES FROM PAYMENT LIMITS FOR TERRITORIES.—Section 1108(g)(4) of the Social Security Act (42 U.S.C. 1308(g)(4)) is amended—

(1) by striking “With respect to” and inserting the following:

“(A) IN GENERAL.—With respect to”; and

(2) by adding at the end the following new subparagraph:

“(B) ADDITIONAL EXEMPTION.—Payments under section 1903 for medical assistance consisting of routine patient costs (as defined in section 1905(gg)(1)) shall not be taken into account in applying subsection (f).”.

(e) EFFECTIVE DATE.—

**\*2992**

(1) IN GENERAL.—The amendments made by this section shall apply with respect to items and services furnished on or after January 1, 2022.

(2) EXCEPTION FOR STATE LEGISLATION.—In the case of a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), or waiver of such plan, that the Secretary of Health and Human Services determines requires State legislation in order for the respective plan to meet any requirement imposed by amendments made by this section, the respective plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet such an additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be considered to be a separate regular session of the State legislature.

**Appendix IV**  
**2022 Title XIX State Plan**  
**Second Quarter Amendment**  
**Public Notice**

Effective on or after April 1, 2022, this notice proposes to establish Medical Assistance coverage and rates of payment for crisis intervention services to stabilize and treat mental health and substance use disorder conditions, provided by mobile crisis teams and residential crisis settings for adults, as well as crisis stabilization centers for adults and children.

More specifically, crisis intervention services provided by multidisciplinary mobile crisis teams in accordance with Section 9813 of the American Rescue Plan Act provide an array of crisis intervention services, including telephonic triage for both adults and children, mobile crisis response, and mobile or telephonic follow-up services, in a variety of settings in the community.

Crisis intervention services provided in crisis stabilization centers will provide urgently needed immediate evaluation, treatment, and support services, including coordination with other mental health and substance use services, for children and adults experiencing or at risk of a mental health or substance use disorder crisis.

Crisis intervention services will also be provided in residential crisis settings, which are short-term, voluntary, non-IMD, sub-acute settings, and address a spectrum of acuity levels in which an individual may present in a mental health or substance use disorder crisis. Services stabilize crisis symptoms and restore functionality to enable transition back to the community and to prevent or reduce future psychiatric crises.

The estimated annual net aggregate increase in gross Medicaid expenditures related to this State Plan Amendment for State Fiscal Year 2023 is \$16M and for State Fiscal Year 2024 is \$44.5 million.

Effective on or after April 1, 2022, and for each State Fiscal Year thereafter, the State proposes to revise the method of distributing the funding for the Clinic Safety Net (CSN) distribution for comprehensive diagnostic and treatment centers that are other than Federally Qualified Health Centers (referred to as the non-FQHC CSN distribution).

There is no change to the annual gross Medicaid expenditures as a result of this proposed amendment.

Effective on or after April 1, 2022, the State proposes to enter into outcomes-based contract arrangements with drug manufacturers for drugs provided to Medicaid beneficiaries through supplemental rebate agreements.

The estimated annual net aggregate decrease in gross Medicaid expenditures attributable to this initiative contained in the budget for State Fiscal Year 2023 is (\$5 million).

Effective on or after April 1, 2022, this notice proposes to enhance (increase) state established reimbursement rates as follows:

Contingent upon CMS approval of the Spending Plan submitted by the state, established rates will be enhanced for state-plan approved private duty nursing (PDN) services for members 23 years of age and older by an additional 30 percent for the medically fragile training and experience and 45 percent for the private duty nursing directory starting April 1, 2022.

The estimated annual net aggregate increase in gross Medicaid expenditures as a result of the proposed amendments for PDN services for State Fiscal Year 2023 is \$38.9 million.

Effective on or after April 1, 2022, pursuant to the Centers for Medicare and Medicaid Services, Medicaid coverage must include routine patient costs for items and services furnished in connection with participation by beneficiaries in qualifying clinical trials. The Department will submit a State Plan Amendment for Medicaid to formalize federal approval of existing coverage in accordance with the requirements. Routine patient costs and qualifying clinical trials are defined in Section 1905(a)30 and Section 1905(gg) of the Social Security Act (the Act), respectively. This includes clinical trials in any clinical phase of development that is conducted in relation to the prevention, detection, or treatment of any serious or life-threatening disease or condition and is described in any of clauses (i)-(iii) of section 1905(gg) of the Act. Routine patient costs do not include any investigational item or service that is the subject of the qualifying clinical trial and is not otherwise covered outside of the clinical trial under the state plan, waiver, or demonstration project.

There is no estimated annual change to gross Medicaid expenditures as a result of this proposed amendment, since these benefits are already covered under long-standing NYS Medicaid policy.

Effective on or after April 1, 2022, pursuant to the Centers for Medicare and Medicaid Services, Alternative Benefit Plans (ABP) coverage must include routine patient costs for items and services furnished in connection with participation by beneficiaries in qualifying clinical trials. The Department will submit a State Plan Amendment for ABP to formalize federal approval of existing coverage in accordance with the requirements. Routine patient costs and qualifying clinical trials are defined in Section 1905(a)30 and Section 1905(gg) of the Social Security Act (the Act), respectively. This includes clinical trials in any clinical phase of development that is conducted in relation to the prevention, detection, or treatment of any serious or life-threatening disease or condition and is described in any of clauses (i)-(iii) of section 1905(gg) of the Act. Routine patient costs do not include any investigational item or service that is the subject of the qualifying clinical trial and is not otherwise covered outside of the clinical trial under the state plan, waiver, or demonstration project.

There is no estimated annual change to gross Medicaid expenditures as a result of this proposed amendment, since these benefits are already covered under long-standing NYS Medicaid policy.

Effective April 1, 2022, the Medicaid Program is proposing to incentivize ABA provider enrollment and participation by increasing Medicaid reimbursement amounts, aligning fees with those paid by the Child Health Plus program. "Applied behavior analysis" or "ABA" is the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relationship between environment and behavior. ABA services are provided to individuals who have a diagnosis of autism spectrum or related disorder. As of August 1, 2021, Medicaid began accepting enrollment of Licensed Behavior Analysts as independent practitioners to provide ABA to Medicaid members under age 21 with a diagnosis of Autism Spectrum Disorder or Rhetts's Syndrome. However, Medicaid Managed Care Plans (MMC) and ABA providers indicated that the Medicaid reimbursement rate is below rates paid by CHP and commercial plans. Subsequently, very few ABA providers have been willing to enroll as Medicaid managed care and/or fee-for-service providers.

The estimated annual net aggregate increase in gross Medicaid expenditures as a result of the proposed amendment for State Fiscal Year 2023 is \$73.2 million.

Effective on or after April 1, 2022, this proposal to amend the State Plan to align with Subdivision 2 of section 365-a of the social services law, that authorizes clinical social workers, licensed pursuant to Article 154 of the Education law, to bill Medicaid directly for their services within their scope of practice, effective April 1, 2022.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for State Fiscal Year 2023 is \$24.2 million.

Effective on or after April 1, 2022, this proposal to amend the State Plan to align with Subdivision 2 of section 365-a of the social services law, that authorizes licensed mental health counselors and marriage and family therapists, licensed pursuant to Article 163 of the Education law, to bill Medicaid directly for their services within their scope of practice, effective April 1, 2022.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for State Fiscal Year 2023 is \$4.2 million.

Effective on or after July 1, 2022, Medicaid reimbursement rates for non-facility physician services will be updated to 70% of current Medicare rates. This update will apply to Evaluation & Management (E&M) and Medicine procedure codes. Most Medicaid physician reimbursement rates have not been updated since 2009 and New York Medicaid is currently reimbursing physicians, on average, at 45% of Medicare for E&M codes and 58% of Medicare for Medicine codes. Updating the Medicaid physician fee schedule is intended to increase the use of primary care and preventative services and reduced utilization of costlier downstream care.



# MISCELLANEOUS NOTICES/HEARINGS

## Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311  
or visit our web site at:  
[www.osc.state.ny.us](http://www.osc.state.ny.us)

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

## PUBLIC NOTICE

### Deferred Compensation Board

Pursuant to the provisions of 9 NYCRR, Section 9003.2 authorized by Section 5 of the State Finance Law, the New York State Deferred Compensation Board, beginning Wednesday, June 8, 2022 is soliciting proposals from Administrative Service Agencies and Financial Organizations to provide Administrative Services, Communication Services and Financial Guidance/Advice for the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions, a plan meeting the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto. A copy of the request for proposals may be obtained from Ben Taylor, Callan LLC, 600 Montgomery Street. San Francisco, CA 94111, (415) 974-5060, [taylorb@callan.com](mailto:taylorb@callan.com).

A copy of the RFP is also available on the Board's website: [www.deferredcompboard.ny.gov](http://www.deferredcompboard.ny.gov)

All proposals must be received electronically by Callan LLC no later than 5:00 p.m. CST on Monday, July 25, 2022. Additionally, a pdf copy must be sent to James Reeves at [james.reeves@nysdcp.com](mailto:james.reeves@nysdcp.com) by this date.

## PUBLIC NOTICE

### Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to revise provisions for beneficiaries in qualifying clinical trials enrolled in Alternative Benefit Plans (ABP). The following changes are proposed:

#### Non-Institutional Services

The following is a clarification to the March 30, 2022 noticed provision for beneficiaries in qualifying clinical trials enrolled in ABP.

With clarification, the Department assures access to early and periodic screening, diagnostic and treatment (EPSDT) services in compliance with § 440.345 will continue unchanged. Tribal consultation was conducted in compliance with 5006(e) of the American Recovery and Reinvestment Act of 2009.

There is no estimated annual change to gross Medicaid expenditures as a result of this proposed amendment, since these benefits are already covered under long-standing NYS Medicaid policy.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at [http://www.health.ny.gov/regulations/state\\_plans/status](http://www.health.ny.gov/regulations/state_plans/status). Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County  
250 Church Street  
New York, New York 10018

Queens County, Queens Center  
3220 Northern Boulevard  
Long Island City, New York 11101

Kings County, Fulton Center  
114 Willoughby Street  
Brooklyn, New York 11201

Bronx County, Tremont Center  
1916 Monterey Avenue  
Bronx, New York 10457

Richmond County, Richmond Center  
95 Central Avenue, St. George  
Staten Island, New York 10301

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, [spa\\_inquiries@health.ny.gov](mailto:spa_inquiries@health.ny.gov)

## PUBLIC NOTICE

### Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services for coverage and reimbursement for Medicaid services. The following changes are proposed:

#### Non-Institutional Services

Effective on or after July 1, 2022, the Medicaid State Plan will be amended to establish and authorize payment for Nutrition Services provided to children/youth by providers licensed under Article 29-I.

There is no estimated annual change to gross Medicaid expenditures as a result of this proposed amendment.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at [http://www.health.ny.gov/regulations/state\\_plans/status](http://www.health.ny.gov/regulations/state_plans/status). Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

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250 Church Street  
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Long Island City, New York 11101

Kings County, Fulton Center  
114 Willoughby Street  
Brooklyn, New York 11201

Bronx County, Tremont Center  
1916 Monterey Avenue  
Bronx, New York 10457

Richmond County, Richmond Center  
95 Central Avenue, St. George  
Staten Island, New York 10301

*For further information and to review and comment, please contact:*  
Department of Health, Division of Finance and Rate Setting, 99  
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY  
12210, [spa\\_inquiries@health.ny.gov](mailto:spa_inquiries@health.ny.gov)

## PUBLIC NOTICE

### Deferred Compensation Board

The New York City Deferred Compensation Plan (the "Plan") is seeking qualified vendors to provide international value equity investment management services for the International Equity Fund (the "Fund") investment option of the Plan. The objective of the Fund is to provide exposure to the broad international equity market. Qualified vendors that do not currently provide product capabilities to eVestment must submit product information to NEPC, LLC at the following e-mail address: [bvertucci@nepc.com](mailto:bvertucci@nepc.com). Please complete the submission of product information no later than 4:30 P.M. Eastern Time on June 29, 2022.

Consistent with the policies expressed by the City, proposals from certified minority-owned and/or women-owned businesses or proposals that include partnering arrangements with certified minority-owned and/or women-owned firms are encouraged. Additionally, proposals from small and New York City-based businesses are also encouraged.

## PUBLIC NOTICE

### Department of State Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2022-0104 Matter of MTA - NYC Transit, Two Broadway, New York, NY 10004, for a variance concerning safety requirements, including area of refuge, required number of exits, and exhaust discharge. Involved is an existing subterranean transit station, known

as the 68th Street-Hunter College Station, located at East 68th Street and Lexington Avenue, City of New York, Borough of Manhattan, State of New York.

2022-0171 Matter of Paul Davis Restoration, 1075 Buffalo Road, Rochester, NY 14624, for a variance concerning safety requirements, including basement ceiling height. Involved is an existing one-family dwelling located at 66 Carverdale Drive, Town of Brighton, County of Monroe, State of New York.

2022-0236 Matter of Thomas D. Armentano, 518 Backus Road, Webster, NY 14580, for a variance concerning safety requirements, including permanent barriers. Involved is an existing one-family dwelling located at 518 Backus Road, Town of Webster, County of Monroe, State of New York.

2022-0237 Matter of Justin Sudore, 743 Close Circle, Webster, NY 14580, for a variance concerning safety requirements, including permanent barriers. Involved is an existing one-family dwelling located at 743 Close Circle, Town of Webster, County of Monroe, State of New York.

2022-0241 Matter of Freier Building LLC, 119 Hinkleyville Road, Spencerport, NY 14559, for a variance concerning safety requirements, including required water supply. Involved is a one-family dwelling located at 1688 Clarkson Parma Town Line Road, Town of Parma, County of Monroe, State of New York.

2022-0267 Matter of Jeffrey Halsdofer, 1384 Meadow Breeze Lane, Webster, NY 14580, for a variance concerning safety requirements, including permanent barriers. Involved is an existing one-family dwelling located at 1384 Meadow Breeze Lane, Town of Webster, County of Monroe, State of New York.

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2022-0264 Matter of Elsasser Expediting Services, John Roy, 1134B, Route 25, Selden, NY 11784, for a variance concerning safety requirements, including the ceiling height and the height under a girder/soffit. Involved is an existing one-family dwelling located at 328 Miller Place Road, Miller Place, Town of Brookhaven, 11764, County of Suffolk, State of New York.

2022-0266 Matter of Thomas Sigismonti, 20 Cypress Street, Floral Park, NY 11001, for a variance concerning safety requirements, including the ceiling height and the height under a girder/soffit. Involved is an existing one-family dwelling located at 20 Cypress Street, Village of Floral Park, 11001, County of Nassau, State of New York.

## PUBLIC NOTICE

### Department of State Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2022-0270 in the Matter of Get My Co Corp, Timothy Lener, 57 Wheeler Ave., Suite 203, Pleasantville, NY 10570, for a variance