



# Client Alert

August 5, 2024

## **Department of Health Announces Another Delay in Statewide FI RFP**

The Department of Health (DOH) has announced that it has postponed the deadline for submission of the CDPAP Request for Proposals (RFP) #20524: New York State Fiscal Intermediary Services. The new amendment extends the deadline for Responses to Written Questions Posted by DOH until August 7, 2024 by 4pm and for Submission of Proposals until August 21, 2024 at 4pm. The anticipated contract date remains as October 1, 2024.

RFP Information:

**Issuance of Request for Proposals - June 17, 2024**

**Deadline for Submission of Written Questions - July 2, 2024, at 4:00pm**

**Responses to Written Questions Posted by DOH**

**Amended: On or about August 7, 2024, at 4:00pm**

**Deadline for Submission of Proposals**

**Amended: On or before August 21, 2024, at 4:00pm**

**Anticipated Contract Start Date**

**October 1, 2024**

Please contact our office if you have any questions.

## **Managed Long Term Care plans Cut Rates for CDPAP**

Managed Long Term Care (MLTC) plans have begun to issue notices informing member agencies that pursuant to New York State Department of Health (the Department) requirements, Per Member Per Month (PMPM) reimbursement rates have gone into effect as of August 1, 2024. The Department directive mandates that Medicaid Managed Care Plans pay Fiscal intermediaries (FIs) for administrative costs at Department-determined rates. The rates are tiered into three amounts, based upon the number of hours of Personal Assistant services a Consumer receives in a month. This PMPM rate methodology replaces the previously negotiated rates between FIs and Medicaid Managed

Care Plans.

The new rates reflect a carve out of the administrative component of Fiscal Intermediary services and is being challenged through a lawsuit in Albany County Supreme Court under Article 78 of the Civil Practice Law and Rules. The lawsuit is contesting the Department's new reimbursement methodology and argues that the Department cannot impose this rate methodology without adhering to the Notice and Comment rule-making requirements of the State Administrative Procedures Act. Additionally, it claims that the PMPM methodology violates the Department's regulations and lacks a stated rationale or analysis for its imposition.

We will keep you apprised of any developments.

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