



MLTC Application Moratorium

As part of the 2020-21 [State Budget](#), from April 1, 2020 through March 31, 2022, there will be a moratorium on the processing and approval of applications seeking a certificate of authority as a managed long-term care plan, including applications seeking authorization to expand an existing managed long term care plan's approved service area or scope of eligible enrollee populations. This moratorium does not apply to:

- applications submitted to the New York State Department of Health ([DOH](#)) prior to January 1, 2020
- applications seeking approval to transfer ownership or control of an existing managed long term care plan;
- applications demonstrating to DOH that submission of the application for consideration would be appropriate to address a serious concern with care delivery, such as a lack of adequate access to managed long-term care plans in a geographic area or a lack of adequate and appropriate care, language and cultural competence, or special needs services; and
- applications seeking to operate under the PACE (Program of All-Inclusive Care for the Elderly) model

During the moratorium, DOH will assess the public need for managed long-term care plans that are not integrated with an affiliated Medicare plan, the ability of such plans to provide high quality and cost effective care for their membership, and based on such assessment develop a process and conduct an orderly wind-down and elimination of such plans.

There will also be an annual enrollment cap for each plan based on a percentage of each plan's reported enrollment as of October 1, 2020. In the event that a plan exceeds its annual enrollment cap, DOH will be authorized to retain up to 3% of the plan's premium based on the amount over which a plan exceeds its enrollment cap.

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