



MLTC Moratorium

On July 7, 2020, the New York State Department of Health ([DOH](#)) issued a [policy](#) regarding the two (2) year MLTC moratorium that took effect on April 1, 2020 and ends March 31, 2022. The scope of the moratorium applies to the processing and approval of Managed Long Term Care Partial Capitation Plan (MLTCP) applications that:

1. Seek a new certificate of authority to operate a MLTCP;
2. Expand the service area of an existing MLTCP; and
3. Expand the scope of eligible MLTCP enrollees.

The moratorium does not apply to applications:

1. Submitted to DOH and not withdrawn prior to January 1, 2020;
2. To transfer or acquire ownership or control of an existing MLTCP;
3. That address to DOH's satisfaction a serious concern with care delivery; and
4. For the Program of All-Inclusive Care for the Elderly (PACE) model, Medicaid Advantage Plus or Medicaid Advantage.

Qualifying serious concerns include inadequate access to MLTCPs in a geographic area, or lack of adequate and appropriate care, special needs services or linguistic and culturally competent plans. There is a presumption of adequate access if there are two or more MLTCPs already operating and capable of enrolling members in the applicable service area. If there are two or more MLTCPs operating in the applicable service area, the applicant must:

1. Articulate the serious concerns being addressed by the application, including specific access issues or any special needs or populations not addressed by current MLTCP in the service area;
2. Submit substantial, data-driven proof of lack of access or lack of appropriate or adequate care in the service area;
3. Provide satisfactory documentation that no existing MLTCPs in the service area are able to provide appropriate care to populations in the service area; and
4. If more than one county is requested, include all required material for each county individually.

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