

# EXHIBIT

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**Department  
of Health**

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## **New York State Department of Health Memo**

Consumer Directed Personal Assistance Program (CDPAP) Statewide Fiscal Intermediary Transition Policy for Current Fiscal Intermediaries

**Date of Issuance: December 6, 2024**

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The purpose of this policy is to provide transition guidance for current fiscal intermediaries that were not selected as the Statewide Fiscal Intermediary (SFI) pursuant to Request for Proposals (RFP) #20524: New York State Fiscal Intermediary Services.

### ***Background***

The State Fiscal Year 2024-25 Enacted Budget amended Social Services Law Section 365-f(4-a) to require the Commissioner of Health to contract with a single statewide fiscal intermediary (SFI) to provide fiscal intermediary services to CDPAP consumers. In response to this legislative requirement, the Department of Health (the Department) issued Request for Proposals (RFP) [#20524](#) New York State Fiscal Intermediary Services on June 17, 2024.

Public Partnerships LLC (PPL) was selected as the SFI vendor and effective April 1, 2025, will be the only entity authorized to provide fiscal intermediary services for the CDPAP per Social Services Law section 365-f. See the announcement [here](#).

### ***Introduction***

The purpose of this policy is to facilitate the transition of services from entities currently providing fiscal intermediary services ("Current FIs") that will be required to cease providing fiscal intermediary services as of 11:59pm on March 31, 2025. This policy is effective immediately and provides guidance to Current FIs for required consumer transitions.

Current FIs that are subcontracted with the SFI as facilitators and who have received conditional approval from the Department should follow the guidance for subcontracted FIs.

### ***Definitions***

The following terms are defined to enhance the clarity and consistency of the transition processes described herein, and the materials specifically related to these transitions.

*Consumer* or *CDPAP consumer* means a Medicaid recipient who a social services district or Medicaid managed care plan (MMCP) has determined eligible to participate in the consumer directed personal assistance program, and who is participating in the program.

*Consumer Directed Personal Assistance Program (CDPAP)* means the program provided under section 365-f of title 11 or article 5 of the Social Services Law. CDPAP is intended to permit chronically ill and/or physically disabled individuals receiving home care services under the medical assistance program greater flexibility and freedom of choice in obtaining such services.

*Current FI* means an entity providing fiscal intermediary services to CDPAP consumers and personal assistants prior to April 1, 2025.

*Facilitator or CDPAP Facilitator* means any entity that has entered into a subcontract with the Statewide Fiscal Intermediary to provide services to CDPAP consumers and personal assistants.

*Statewide Fiscal Intermediary (SFI)* means the entity that has a contract with the New York State Department of Health to provide statewide wage and benefit processing for personal assistants under the CDPAP and other statewide fiscal intermediary responsibilities as specified in RFP [#20524](#).

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### ***Current FIs Without Department Approved Facilitator Subcontracts***

#### **Transition Notifications and Procedures**

Current FIs that were not awarded a contract as the SFI must cease providing fiscal intermediary services as of March 31, 2025. Current FI's must provide written notice at least **forty-five (45) calendar days** before discontinuing fiscal intermediary services to the affected CDPAP consumers (or the CDPAP Consumers' designated representatives), the CDPAP Consumers' personal assistants (PAs), the Local District of Social Services (LDSS) and Managed Care Plans with which the Current FI contracts, and the Department.

Current FIs must use the following templates, located on the Department's [CDPAS](#) web page, to provide such written notices:

- [FI Discontinue Services Template FI to Consumer](#)
- [FI Discontinue Services Template FI to LDD or Managed Care Plan](#)
- [FI Discontinue Services Template FI to PAs](#)

The templates include information regarding the date the Current FI plans to cease providing fiscal intermediary services and the following information.

1. Notice to the CDPAP consumer (or the consumer's representative) including the SFI contact information and indicating that the SFI will be contacting them to assist them with the transition process. In addition, the notice indicates the Current FI has also notified their Managed Care Plan or LDSS, their PA(s), and the Department.
2. Notice to the CDPAP consumer's PA(s) indicating the Current FI has notified their CDPAP consumer of the discontinuation of fiscal intermediary operations and the need for them to transition to the SFI. The notice includes the SFI contact information. The notice also indicates the Current FI has notified the Department, and the CDPAP consumer's Managed Care Plan or LDSS.
3. Notice to any Managed Care Plan or LDSS with which the Current FI contracts indicating the Current FI has notified their CDPAP consumers, the CDPAP consumer's PA(s), and the Department of their discontinuation of fiscal intermediary services. The notice must identify each CDPAP consumer that has received the notification and their PA(s).
4. Copies of all notifications must be sent to the Department via a HIPAA compliant email to [StatewideFI@health.ny.gov](mailto:StatewideFI@health.ny.gov) with the subject line: "FI Withdrawal Notices."

### Data Transfer and Procedures

No later than January 15, 2025, Current FIs must transfer data related to the CDPAP consumers they serve and their PAs to the Managed Care Plans for managed care enrollees and the Department for fee-for-service members. Data transfer to the Department will be through HCS. Data must include:

- Full names of CDPAP Consumer
- Consumer CIN
- Designated Representative and contact information (if applicable)
- Consumer contact information (phone number, email address)
- Consumer preferred language
- PA(s) for each Consumer
- PA contact information (phone number, email address)
- PA wage information

Data is to be formatted following the Department's template located here: [CDPAP Fiscal Intermediary Data Transfer Template](#).

Once a consumer and their PA(s) have registered with the SFI, the SFI, with the consent of the consumer and their PA(s), may request records from the Current FI such as PA health assessment records (including immunization records). Current FIs must comply with these record transfer requests.

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### ***Current FIs With Department Approved Facilitator Subcontracts***

#### Transition Policies and Procedures

Current FIs that have subcontracted with PPL as facilitators must provide written notice of the transition of FI services to the affected CDPAP consumers (or the CDPAP Consumers' designated representatives), the CDPAP Consumers' personal assistants (PAs), Managed Care Plans and/or LDSS with which the Current FI contacts, and the Department.

**Notice should be provided beginning, *but no sooner than*, January 6, 2025, and align with the following schedule by county:**

Notice Date	Counties
January 6, 2025	Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Oneida, Ontario, Oswego, Otsego, St. Lawrence, Schoharie, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Yates
January 20, 2025	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster
February 3, 2025	Albany, Erie, Fulton, Genesee, Madison, Monroe, Montgomery, Niagara, Onondaga, Orleans, Rensselaer, Saratoga, Schenectady, Warren, Washington, Wyoming
February 10, 2025	Bronx, Kings (Brooklyn), Nassau, New York (Manhattan), Queens, Richmond, (Staten Island), Suffolk, Westchester

Facilitators must use the following templates, located on the Department's [CDPAS](#) web page, to provide such written notices:

- [FI Transition to Facilitator Template FI to Consumer](#)
- [FI Transition to Facilitator Template FI to LDSS or Managed Care Plan](#)
- [FI Transition to Facilitator Template FI to PAs](#)

The templates include information regarding the transition to PPL and the following information:

1. Notice to the CDPAP consumer (or the consumer's representative) including the SFI contact information and indicating that the SFI will be contacting them to assist them with the transition process. In addition, the notice indicates the Current FI has also notified their Managed Care Plan or LDSS, their PA(s), and the Department.
2. Notice to the CDPAP consumer's PA(s) indicating the Current FI has notified their CDPAP consumer of the discontinuation of fiscal intermediary services and the need for them to transition to the SFI. The notice includes the SFI contact information. The notice also indicates the Current FI has notified the Department, and the CDPAP consumer's Managed Care Plan or LDSS.
3. Notice to any Managed Care Plans or LDSS with which the Current FI contracts indicating the Current FI has notified their CDPAP consumers, the CDPAP consumer's PA(s), and the Department of their discontinuation of fiscal intermediary services and their transition to a facilitator. The notice must identify each CDPAP consumer that has received the notification and their PA(s).
4. Copies of all notifications must be sent to the Department via a HIPAA compliant email to [StatewideFI@health.ny.gov](mailto:StatewideFI@health.ny.gov) with the subject line: "FI Withdrawal Notices."

*Data Transfer and Procedures*

Facilitators must follow the processes outlined in their contracts with PPL to transfer data for consumers and personal assistants.

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Questions regarding these SFI transition provisions should be directed to the Department of Health at [StatewideFI@health.ny.gov](mailto:StatewideFI@health.ny.gov)

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