

STATE OF NEW YORK
DEPARTMENT OF HEALTH
FULLY INTEGRATED DUALS ADVANTAGE PROGRAM

CIN# xxxx
REQUEST: April 4, 2017
FH#: 7511091M

In the Matter of the Appeal of

[REDACTED]

:

:

**DECISION
ON
STIPULATION
AFTER
INTEGRATED
APPEAL**

from a determination by Centers Plan for Healthy Living
FIDA Care Complete

:

JURISDICTION

Pursuant to Section 22 of the New York State Social Services Law, Part 358 of Title 18 of the New York Codes, Rules and Regulations, Section 1869 of Title XVIII of the Social Security Act and Part 405 of Title 42 of the Code of Federal Regulations, a hearing was held on May 2, 2017, in New York City, before [REDACTED] Integrated Appeals Officer.

For the Appellant (by telephone)

[REDACTED], son and representative

For the Fully Integrated Duals Advantage (FIDA) Plan (by telephone)

L. Parker, Hearing Representative
M. Michaelson, MD

ISSUE

Was the determination by Centers Plan for Healthy Living FIDA Care Complete (the “MCO”) to deny the Appellant’s prior approval request for a recliner with seat lift mechanism correct?

PROCEDURAL HISTORY AND FINDINGS OF FACT

1. The Appellant receives Medicare and Medicaid benefits.

2. The Appellant is enrolled in Centers Plan for Healthy Living FIDA Care Complete, a Fully Integrated Duals Advantage (“FIDA”) Managed Care Organization (“MCO”).

3. Sometime prior to January 24, 2017, the MCO received a request for a recliner chair with seat lift mechanism from the Appellant.

4. By Coverage Determination Notice dated January 24, 2017, the MCO denied the Appellant’s request for a recliner chair with a seat lift mechanism because “you already have a recliner with a seat lift mechanism. On 1/5/17, a technician assessed your seat lift mechanism and found it to be in good working order. An additional recliner seat lift mechanism is not medically necessary. The request must, therefore, be denied. See MCO Exhibit “A”

5. On March 6, 2017, the Appellant appealed the MCO’s determination. See MCO Exhibit “B”

6. By Appeal Decision Notice dated March 20, 2017, the MCO upheld its January 24, 2017 determination denying the Appellant’s request for a recliner chair with a seat lift mechanism because “... the (Appellant) has a recliner with a seat lift mechanism that is in good working order. Based upon documentation submitted, there is no medical necessity demonstrated for a different kind of chair. Denial is upheld.” See MCO Exhibit “B”

7. On or about March 20, 2017, the MCO filed an automatic Integrated Appeal on behalf of the Appellant.

DISCUSSION

The record establishes that the Appellant receives Medicare and Medicaid benefits and is enrolled in Centers Plan for Healthy Living FIDA Care Complete, a Fully Integrated Duals Advantage (“FIDA”) Managed Care Organization (“MCO”).

The record further establishes that sometime prior to January 24, 2017, the MCO received a request for a recliner chair with seat lift mechanism from the Appellant. By Coverage Determination Notice dated January 24, 2017, the MCO denied the Appellant’s request for a recliner chair with a seat lift mechanism. On March 6, 2017, the Appellant appealed the MCO’s determination. By Appeal Decision Notice dated March 20, 2017, the MCO upheld its January 24, 2017 determination denying the Appellant’s request for a recliner chair with a seat lift mechanism.

At the hearing, the MCO agreed to: (1) immediately authorize and arrange to conduct an evaluation, at which time the Appellant’s representative shall be present, to determine an appropriate chair in the Appellant’s home to be fitted with a new, separate seat lift mechanism; (2) after the evaluation is completed, immediately arrange to install a new,

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separate seat lift mechanism, at which time the Appellant's representative shall be present, and (3) notify the Appellant and her representative in writing upon compliance.

At the hearing, the Appellant's representative accepted the MCO's agreement as a complete resolution of the integrated appeal.

Based on the agreement made at the appeal, no issue remains to be decided.

DECISION AND ORDER

In accordance with its agreement, VNSNY is directed to take the following actions, if it has not already done so:

- 1, Immediately authorize and arrange to conduct an evaluation, at which time the Appellant's representative shall be present, to determine an appropriate chair in the Appellant's home to be fitted with a new, separate seat lift mechanism;
2. After the evaluation is completed, immediately authorize and arrange to install a new, separate seat lift mechanism, at which time the Appellant's representative shall be present; and
3. Notify the Appellant and her representative in writing upon compliance.

Should the MCO need additional information from the Appellant in order to comply with the above directives, it is directed to notify the Appellant and her representative promptly in writing as to what documentation is needed. If such information is requested, the Appellant must provide it to the Agency promptly to facilitate such compliance.

As required by 18 NYCRR 358-6.4, the MCO must comply immediately with the directives set forth above.

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DATED: Albany, New York
05/12/2017

NEW YORK STATE
DEPARTMENT OF HEALTH

By

A handwritten signature in black ink, appearing to be a stylized 'R' or 'P' with a large loop.

Commissioner's Designee