



New York State Department of Health

Semi-Annual Report: Spending Narrative for Implementation of American Rescue Plan Act of 2021, Section 9817

**Support for Medicaid Home and Community-Based Services
(HCBS) during the COVID-19 Emergency**

Federal Fiscal Year 2024 – Quarter 3 Report

February 14, 2024

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Letter of Attestation from State of New York

February 14, 2024

BY E-MAIL

Mr. Daniel Tsai
Deputy Administrator
Director, Center for Medicaid & CHIP Services
Centers for Medicare & Medicaid Services
7500 Security Blvd, Mail Stop S2-25-26
Baltimore, MD 21244-1850
HCBSIncreasedFMAP@cms.hhs.gov

Re: **New York State Federal Fiscal Year 2024 Quarter 3 Semi-Annual Report:**
Implementation of American Rescue Plan Act of 2021, Section 9817

Dear Mr. Tsai:

On behalf of the New York State Department of Health (the Department or DOH) as the single state Medicaid agency, I write to provide the Federal Fiscal Year (FFY) 2024 Quarter 3 Report for New York State (the State or New York) regarding certain Medicaid expenditures for Home and Community-Based Services (HCBS) provided by Section 9817 of the American Rescue Plan Act of 2021 (ARPA) (Pub. L. 117-2). In connection with the receipt of increased Federal Medical Assistance Percentage (FMAP) for these categories of HCBS, I attest to the following:

- The State is using the federal funds attributable to the increased FMAP to supplement and not supplant existing state funds expended for Medicaid HCBS in effect as of April 1, 2021;
- The State is using the state funds equivalent to the amount of federal funds attributable to the increased FMAP to implement or supplement the implementation of one or more activities to enhance, expand, or strengthen HCBS under the Medicaid program;
- The State is not imposing stricter eligibility standards, methodologies, or procedures for HCBS programs and services than were in place on April 1, 2021;
- The State is preserving covered HCBS, including the services themselves and the amount, duration, and scope of those services, in effect as of April 1, 2021; and
- The State is maintaining HCBS provider payments at a rate no less than those in place as of April 1, 2021.

As reflected in the enclosed semi-annual report, the State has made meaningful progress in implementing the Spending Plan and narrative that it submitted to CMS on July 8, 2021. Critically, on October 2, 2023, the State received approval from CMS for all proposals submitted in the original Spending Plan and previous quarterly reports. As of this update, the New York Spending Plan contains **38** separate proposals across three categories.

In this update, per the methodology CMS approved for accounting for HCBS spending in our managed care programs, the State applied the relevant percentages of managed care spending attributable to HCBS between April 2021 and March 2022 to all managed care spending. We also provide our current best estimate for projected HCBS expenditures subject to increased FMAP. We look forward to furthering the goals of Section 9817 of ARPA and supporting critical HCBS in the State through the proposals included in this report.

Please do not hesitate to contact me with any questions.

Very truly yours,

Amir Bassiri
Medicaid Director
Office of Health Insurance Programs
NYS Department of Health

Enclosure

cc: Ralph Lollar, CMS
Nicole McKnight, CMS
Frankeena McGuire, CMS
Martha Egan, CMS
Michael Ogborn, DOH
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Executive Summary

The American Rescue Plan Act (ARPA) was signed into law on March 11, 2021. Section 9817 of ARPA provides a 10 percent increase in Federal Medical Assistance Percentage (FMAP) to state Medicaid programs from April 1, 2021 to March 31, 2022, to supplement existing state expenditures on home and community-based services (HCBS). As detailed in State Medicaid Director Letter #21-003, issued by the Centers for Medicare & Medicaid Services (CMS) on May 13, 2021 (the SMDL), CMS affords states the ability to invest or reinvest these funds in a variety of ways that expand and enhance investments in Medicaid-covered HCBS, address COVID-related needs, and build HCBS capacity. While these enhanced funds were generated until March 31, 2022, states may expend these funds any time before March 31, 2025.

This opportunity enables New York State (the State, New York, or NYS) to make significant investments that expand, enhance, or strengthen HCBS for Medicaid members. This federal funding arrived at an opportune moment, as providers are working to rebuild and expand service capacity, adjust to the realities of post-pandemic service provision, address increases in demand, and build workforce capacity. To these ends, The State proposed to make investments that will support the needs of our most vulnerable populations. The States approach prioritizes investments with long-term sustainable benefits, including building workforce capacity and digital infrastructure to streamline service delivery, and that work to improve the quality and efficiency of services in the more immediate term, including helping HCBS providers overcome pandemic-related service disruptions and expenses. The State is pleased to update CMS about our progress in advancing these proposals.

As of this update, the New York Spending Plan contains **38** separate proposals across three categories. Those three categories include:

1. Supporting and Strengthening the Direct Care Workforce
2. Building HCBS Capacity through Innovations and Systems Transformation; and
3. Investing in Digital Infrastructure

Critically, these 38 proposals are the result of an ongoing collaborative process among six State Partner Agencies that oversee the categories of HCBS funded by Section 9817 of ARPA. These agencies include: the Department of Health (DOH), the Office for People With Developmental Disabilities (OPWDD), the Office of Mental Health (OMH), the Office of Children and Family Services (OCFS), the Office of Addiction Services and Supports (OASAS), and the State Office for the Aging (NYSOFA). DOH and the Partner Agencies engaged with stakeholders to inform the development of these proposals for recommendations on the use of the funds. DOH is maintaining a public website to keep stakeholders apprised of developments and progress regarding approval and implementation of New York's Spending Plan, which links to specific updates from the Partner Agencies on their respective websites, where applicable.

This website may be accessed here:

https://www.health.ny.gov/health_care/medicaid/redesign/hcbs/enhanced_funding/.

At present, the State is largely focused on implementing activities and preparing to launch activities. The State has made progress spending ARPA HCBS enhanced FMAP funding on a number of proposals approved by CMS. The State has worked diligently to design the foundational components for the 38 approved activities. The details of these proposals and the related progress can be found, organized by activity, in [Appendix A](#) of this document, and summarized in the [Summary of Proposals](#) section. In this Spending Plan Update, the State removed the “Incentivize Child Welfare Step-Down Programs,” “Invest in a Community Engagement Initiative - HCBS Day Services,” and “Integrated Living Transformation Grant” proposals.

Sustainability Plan

The State remains committed to leveraging this significant investment to foster long-term positive impacts on the HCBS system. Twelve of the proposed activities work to strengthen and support the direct care workforce across the state. Workforce shortages and instability were exacerbated by the COVID-19 Public Health Emergency. Investments in the HCBS workforce will help address these challenges while having long lasting impacts both on access to care for vulnerable populations in need of these services and on the quality of care that those members receive. Additional training and enhanced benefits for the HCBS workforce will play an instrumental role in improving the delivery system over the coming years. Upon evaluation of these proposals, the State will assess the impact and outcomes of each proposal and will explore the benefits of continuing these efforts beyond the initial period.

Twenty-one of the proposed activities aim to increase and strengthen service capacity, foster innovation, and create systems transformation for HCBS. Program designs have been developed to encourage investment focused on long-term impact resulting from the COVID-19 pandemic. The State is tracking possible opportunities to keep successful activities and enhancements beyond the conclusion of the ARPA HCBS funding.

Five of the activities aim to strengthen the digital infrastructure for HCBS provider agencies in New York. These investments will allow HCBS provider agencies to reopen strategically during times when face-to-face interactions come with a risk, while also supporting the integration of modern technology into service delivery, documentation, and care. The State has prioritized activities that are innovative enough to endure beyond the conclusion of the ARPA HCBS funding.

Summary of Proposals

The below table provides a brief overview of individual activity updates. Progress updates below are categorized into six distinct categories as follows:

- 1. Proposal Approved and Federal Spending Authority Approved or Not Required** – Proposals that have received CMS approval and federal spending authority approval.¹
- 2. Proposal Approved and Federal Spending Authority Submitted** – Proposals that have received CMS approval and for which the State has submitted and awaits approval of needed federal spending authorities.
- 3. Proposal Approved and Federal Spending Authority in Progress or Partially Approved** – Proposals that have received CMS approval and for which federal spending authorities are under development.
- 4. Approval Needed and Federal Spending Authority in Progress** – Proposals that have not yet received CMS approval and for which federal spending authorities are under development.
- 5. Approval Needed and Federal Spending Authority Approved** – Proposals that have not yet received CMS approval and for which federal spending authorities are approved.
- 6. Approval Needed and Federal Spending Authority Not Required**—Proposals that have not yet received CMS approval and for which federal spending authority is not required.

¹ This status also includes proposals that do not require federal authority.

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|--|--------------|---|--|--|---|
| <p>I. A: Transform the LTC Workforce and Achieve Value-Based Payment (VBP) Readiness</p> <p><i>3/31/2022 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>Top third of LHCSAs based on 2019 utilization with MLTCP/MAP contracts</p> | <p>\$141.8M; Funds disbursed</p> | <p>CMS approved directed payment preprint on March 4, 2022.</p> | <p>No Modifications</p> |
| <p>I. B: Improve the OPWDD Workforce</p> <p><i>3/23/2022 Implementation for Retention and Longevity Bonuses; 11/16/2022 Implementation for COVID-19 Service and Vaccine Incentives; 3/31/2022 Implementation for Workforce Innovation Grants; 12/31/2023 Ongoing Implementation for Workforce Recruitment RFAs and Direct Contracts</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OPWDD</p> | <p>Licensed or certified OPWDD providers</p> | <p>\$505.7M; Funds are being disbursed</p> | <p>CMS approved an Appendix K to the NYS OPWDD Comprehensive Waiver (0238.R06.00) on November 16, 2021; CMS approved directed payment preprint on March 18, 2022, for CY2021 rates and on April 19, 2023, for CY 2023 rates.</p> | <p>Updated Funding Allocation</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|--|--------------|---|---|---|---|
| <p>I. C: Improve the OMH Workforce</p> <p><i>Payment Effective Dates Vary; Implementation Began March 2022</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OMH</p> | <p>OMH-licensed mental health providers</p> | <p>\$55.6M; Funds are being disbursed</p> | <p>CMS approved Adult Behavioral Health HCBS and Rehabilitation Services preprint on March 18, 2022. CMS approved SPA 22-0046 for Mental Health Outpatient Treatment and Rehabilitation services on June 27, 2022. CMS approved Disaster Relief SPA 21-0073 on June 28, 2023.</p> | <p>Updated Funding Allocation</p> |
| <p>I. D: Improve the OASAS Workforce</p> <p><i>Payments Effective 11/1/2021; Implementation Began 3/1/2022 for Outpatient services and 3/24/22 for Residential services</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OASAS</p> | <p>OASAS service providers</p> | <p>\$5.4M; Funds are being disbursed</p> | <p>CMS approved Disaster Relief SPA 21-0073 on June 28, 2023. The rate package was approved. This proposal is now fully implemented. Following expiration of the federal public health emergency, OASAS will use separate SPA authority to continue provider payments.</p> | <p>No Modifications</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|---|-------------|---|--------------------------|---|--|
| I. E: Increase Medicaid Rehabilitation Rates for OMH Community Residence Programs <i>Payments Effective 10/1/2021; Implementation Began March 2022</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | OMH | OMH-licensed Rehabilitation for Community Residence providers | \$10.3M; Funds disbursed | CMS approved Disaster Relief SPA 21-0073 on June 28, 2023, for payments retroactive to October 1, 2022. Following expiration of the federal public health emergency, OMH will use separate SPA authority to continue provider payments. | Updated Funding Allocation |
| I. F: Enhance the Children's Services Workforce <i>10/1/2023 Implementation</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | DOH | CFTSS providers; Children's HCBS providers; Voluntary Foster Care Agency (VFCA) 29-I Health Facilities | \$4.8M; Funds disbursed | CMS approved directed payment preprint on April 6, 2022. Additional directed payment preprint for qualifying Health Homes approved on May 9, 2023. | No Modifications |
| I. G: Expand Training and Implementation Support for Evidence-Based Practices (EBP) <i>3/1/2023 Implementation</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | OMH | Training and technical assistance agencies with expertise in EBP dissemination; State University of New York; higher education institutions | \$8.6M; Funds disbursed | No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount. | No Modifications |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|---|--|-------------|---|------------------------------------|---|-------------------------|
| <p>I. H: Expand Recruitment and Retention of Culturally Competent, Culturally Responsive and Diverse Personnel</p> <p><i>Payments Effective 3/1/2023; Implementation Began June 2022</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OMH</p> | <p>SUNY and CUNY educational institutions</p> | <p>\$4.0M; Funds disbursed</p> | <p>No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount.</p> | <p>No Modifications</p> |
| <p>I. I: Expand Certified and Credentialed Peer Capacity</p> <p><i>Payments Effective 3/1/2023; Implementation Began February 2022</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OMH</p> | <p>Providers of State Plan rehabilitative services authorized pursuant to 42 CFR § 440.130(d)</p> | <p>\$4.0M; Funds disbursed</p> | <p>No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount.</p> | <p>No Modifications</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|---|--|-------------|---|---|---|---|
| <p>I. J: Improve and Support the Assisted Living Program (ALP) Workforce</p> <p><i>3/1/2024 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>DOH-certified ALP providers</p> | <p>\$20.0M</p> | <p>CMS approved SPA #23-0064 on February 7, 2024</p> | <p>No Modifications</p> |
| <p>I. K: Home Care Minimum Wage Increase</p> <p><i>10/1/2022 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>Existing providers of personal care services and CDPAS, enrolled in the FFS program or serving as participating providers in Medicaid Managed Care</p> | <p>\$1.27B; Funds are being disbursed</p> | <p>DOH submitted a SPA 22-75 on September 30, 2022, for FFS rate increases and included the minimum wage increase for managed care providers in the managed care rates. CMS approved the SPA on December 15, 2022</p> | <p>Updated Funding Allocation</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|---|--|--------------|---|---|--|---|
| <p>I. L: Further Improve the OPWDD Workforce</p> <p><i>3/31/2023 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OPWDD</p> | <p>Providers licensed or certified by OPWDD under the 1915(c) OPWDD Comprehensive Waiver</p> | <p>\$69.6M; Funds are being disbursed</p> | <p>OPWDD's Appendix K to the NYS OPWDD Comprehensive Waiver was approved by CMS in February 2023.</p> | <p>Updated Funding Allocation</p> |
| <p>II. A: Expand Capacity in Nursing Home Transition and Diversion and Traumatic Brain Injury</p> <p><i>5/13/2022 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>Structured Day Program providers; Home and Community Support Services; Community Integration Counseling; Independent Living Skills Training; Positive Behavioral Interventions and Supports; Regional Resource Development Centers</p> | <p>\$39.4M; Funds are being disbursed</p> | <p>DOH resubmitted Appendix K on July 13, 2022, with the effective date for nursing visits. The Appendix K was approved by CMS on August 18, 2022.</p> | <p>Updated Funding Allocation</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|--|--------------|---|---|---|---|
| <p>II. B: Support the Unique Program of All-Inclusive Care for the Elderly (PACE)</p> <p><i>6/21/2023 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>PACE Organizations</p> | <p>\$40.0M; Funds disbursed</p> | <p>No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount.</p> | <p>No Modifications</p> |
| <p>II. C: Improve the OPWDD Delivery System</p> <p><i>5/1/2022 Implementation for Improvement of Assistive Technology, Environmental Modifications, and Vehicle Modification Process</i></p> <p><i>10/1/2023 Implementation for Service Delivery Contracts</i></p> <p><i>Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OPWDD</p> | <p>Not-for-profit organizations (including OPWDD providers; Local Departments of Social Services; higher education institutions and qualified vendors meeting state-specified requirements)</p> | <p>\$42.6M; Funds are being disbursed</p> | <p>No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount.</p> | <p>Updated Funding Allocation</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|--|--------------|--|---|--|---|
| <p>II. D: Invest in Diversity, Equity, and Inclusion for People with I/DD</p> <p><i>8/1/2022 Implementation of DEI Evaluation; 1/1/2024 Implementation of DEI Innovation Grants</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OPWDD</p> | <p>Not-for-profit organizations (including OPWDD providers); local government authorities; higher education institutions</p> | <p>\$10.7M; Funds are being disbursed</p> | <p>No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount.</p> | <p>Updated Funding Allocation</p> |
| <p>II. E: Adjust Residential Addiction Treatment Services Rate</p> <p><i>Payments Effective 11/1/2021; Implementation Began 5/24/2022</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OASAS</p> | <p>Residential Addiction Treatment providers licensed or certified by OASAS</p> | <p>\$5.4M; Funds are being disbursed</p> | <p>CMS approved Disaster Relief SPA 21-0073 on June 28, 2023. The rate package has been approved and OASAS provided the approved rates and billing guidance to plans, providers, and other stakeholders. Following expiration of the federal public health emergency, OASAS will use separate SPA authority to continue provider payments.</p> | <p>No Modifications</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|--|--------------------|--|---------------------------------|--|---|
| <p>II. F: Expand and Implement HCBS and Community Oriented Recovery and Empowerment (CORE) Services</p> <p><i>Payments Effective 10/1/2021; 1/1/2023 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH and OMH</p> | <p>Adult Behavioral Health (BH) HBCS providers; Adult CORE providers</p> | <p>\$4.6M; Funds disbursed</p> | <p>The first Section 438.6(c) preprint was approved by CMS on March 18, 2022. The second Section 438.6(c) preprint was approved by CMS on May 9, 2023.</p> | <p>Updated Funding Allocation</p> |
| <p>II. G: Support the Transition to Voluntary Foster Care Agencies Core Limited Health Related Services</p> <p><i>Payments Effective 4/1/2021; 8/24/2022 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>Article VFCA 29-I Health Facilities</p> | <p>\$15.5M; Funds disbursed</p> | <p>Disaster SPA 21-0054 submitted to CMS on October 8, 2021, and approved by CMS on June 28, 2023.</p> | <p>Updated Funding Allocation</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|---|--|--------------|--|---|--|---|
| <p>II. H: Expand Crisis Services for People with I/DD</p> <p><i>8/1/2021 Implementation for Expand CSIDD Services; 11/1/2021 Implementation for Enhanced Rates for Intensive Behavioral Services (IBS); 5/1/2022 Implementation for Connecting I/DD Service System and County-Based Crisis Services Funding Support Services</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OPWDD</p> | <p>CSIDD state plan providers licensed by OPWDD and providers licensed or certified by OPWDD; providers licensed or certified by OPWDD; providers licensed or certified by OPWDD; Conference of Local Mental Hygiene Directors</p> | <p>\$12.0M; Funds are being disbursed</p> | <p>CMS approved Appendix K Waiver submitted on September 7, 2021, for CSIDD Services; CMS approved the Appendix K for the enhanced rate for IBS on November 1, 2021; No need for separate federal authority for enhanced rates for intensive behavioral or connecting I/DD service system and county-based crisis services funding as funding will be limited to the expenditure of State Funds Equivalent amount.</p> | <p>Updated Funding Allocation</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|--|--------------|---|---|--|---|
| <p>II. I: Enhanced Rates for Private Duty Nursing (PDN)</p> <p><i>11/1/2021 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>PDN providers</p> | <p>\$27.2M; Funds are being disbursed</p> | <p>CMS approved Disaster Relief SPA 21-0073 on June 28, 2023. DOH submitted SPA 22-0037 on June 30, 2022. SPA 22-0037 was subsequently withdrawn and replaced with SPA 23-0067. SPA 23-0067 was approved by CMS on September 27, 2023.</p> | <p>Updated Funding Allocation</p> |
| <p>II. J: Supportive Residential Habilitation Transformation Grant</p> <p><i>7/31/2023 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OPWDD</p> | <p>Residential Habilitation providers</p> | <p>\$9.3M</p> | <p>No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount.</p> | <p>Updated Funding Allocation</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|--|--------------|--|--|---|-------------------------|
| <p>II. K: Invest in OASAS Outpatient Addiction Rehabilitation Treatment Services Adjustments</p> <p><i>Payments Effective 11/1/2021; Implementation Began 3/31/2022</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OASAS</p> | <p>OASAS-licensed or certified Outpatient Addiction Rehabilitation Treatment Service providers</p> | <p>\$4.2M; Funds are being disbursed</p> | <p>CMS approved Disaster Relief SPA 21-0073 on June 28, 2023.</p> | <p>No Modifications</p> |
| <p>II. L: Invest in Personalized Recovery Oriented Services (PROS) Redesign</p> <p><i>Payments Effective 10/14/2021; Implementation Began 3/28/2022</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OMH</p> | <p>OMH-licensed rehabilitation for PROS providers</p> | <p>\$5.1M; Funds disbursed</p> | <p>CMS approved Disaster Relief SPA 21-0073 on June 28, 2023, for payments retroactive to October 14, 2021. Following expiration of the federal public health emergency, OMH will use separate SPA authority to continue provider payments.</p> | <p>No Modifications</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|---|---|-------------|----------------------------|-----------------------------------|---|--|
| II. M: CFTSS Rate Adjustments <i>Payments Effective 3/23/2022; 2/18/2022 Implementation</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | DOH | CFTSS providers | \$7.7M; Funds are being disbursed | Disaster SPA 21-0054 submitted to CMS on October 8, 2021, and approved by CMS on June 28, 2023. | Updated Funding Allocation |
| II. N: Children's Waiver HCBS Rate Adjustments <i>Payments Effective 4/1/2021; 3/31/2022 Implementation</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | DOH | Children's HCBS providers | \$150.1M; Funds disbursed | CMS approved Appendix K on February 1, 2022. | Updated Funding Allocation |
| II. O: Invest in Assertive Community Treatment (ACT) Services <i>Payments Effective 10/7/2021; Implementation Began 3/14/2022</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | OMH | OMH-licensed ACT providers | \$3.5M; Funds disbursed | CMS approved Disaster Relief SPA 21-0073 on June 28, 2023, for payments retroactive to October 6, 2021. Following expiration of the federal public health emergency, OMH will use separate SPA authority to continue provider payments. | No Modifications |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|--|-------------|---|-------------------------|--|---|
| <p>II. P: Health Home Serving Children Rate Adjustments</p> <p><i>Payments Effective 4/1/2021; Implementation 2/1/2024</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>Health Homes Serving Children</p> | <p>\$0.73M</p> | <p>CMS approved Disaster SPA 21-0054 on June 28, 2023. Disaster SPA 22-0088 was approved by CMS on March 27, 2023.</p> | <p>Updated Funding Allocation</p> |
| <p>II. Q: Support for Adult Day Health Centers (ADHCs) and Social Adult Day Centers (SADCs) Reopening</p> <p><i>1/1/2024 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>Adult Day Health Centers; Social Adult Day Centers</p> | <p>\$10.0M</p> | <p>CMS approved a Section 438.6(c) preprint for SADCs on October 31, 2023. CMS approved SPA 23-0020 for ADHC on June 21, 2023.</p> | <p>No Modifications</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|---|---|--------------|---|------------------------------------|---|--|
| II. R: Invest in Mental Health Outpatient Treatment and Rehabilitative Services <i>Payments Effective 2/1/2022; 9/1/2022 Implementation</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | OMH | OMH-Licensed Mental Health Outpatient Treatment and Rehabilitation Services providers | \$32.6M; Funds are being disbursed | SPA 22-0014 approved by CMS on June 23, 2022. An enhanced rate package for OMH-Licensed Mental Health Outpatient Treatment and Rehabilitation Services was developed and rates were loaded in September 2022. | Updated Funding Allocation |
| II. S: Continuation and Expansion of the Community Care Connections Program Model Funding <i>1/1/2023 Implementation</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | SOFA and DOH | N/A | \$2.8M | No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount. | No Modifications |
| II. T: Personalized Recovery Oriented Services (PROS) – Enhance Community Access <i>7/1/2023 Implementation</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | OMH | OMH-licensed rehabilitation PROS providers | \$9.9M | No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount. | No Modifications |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|---|-------------|--|-------------------------|--|--|
| II. U: Invest in Certified Community Behavioral Health Clinics (CCBHC) <i>7/1/2023 Implementation</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | OMH | Certified Community Behavioral Health Clinics | \$5.1M | No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount. | No Modifications |
| III. A: Modernize OPWDD IT Infrastructure to Support Medicaid Enterprise & Investments to Expand Operational Capacity <i>12/31/2023 Implementation</i> | Proposal Approved and Federal Spending Authority Approved or Not Required | OPWDD | Qualified Medicaid Health Information Technology (HIT) vendors | \$12.3M | No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount. | Updated Funding Allocation |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|--|---------------------|---|--|--|---|
| <p>III. B: Strengthen NY Connects Infrastructure</p> <p><i>10/1/2021 Implementation; 4/3/2023 Implementation for NY Connects Resource Directory and Training; 6/1/2023 for Data Collection and Reporting System</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>SOFA and DOH</p> | <p>N/A</p> | <p>\$30.1M Funds are being disbursed</p> | <p>No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount.</p> | <p>Updated Funding Allocation</p> |
| <p>III. C: Advance Children's Services IT Infrastructure</p> <p><i>10/1/2023 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>CFTSS providers; HCBS providers; VFCA 29-I Health Facilities</p> | <p>\$5.6M; Funds disbursed</p> | <p>CMS approved directed payment preprints on April 6, 2022. A directed payment preprint for qualifying Health Homes was approved by CMS on May 9, 2023.</p> | <p>Updated Funding Allocation</p> |

| Proposal | Progress Update | Lead Agency | Eligible Providers | Projected Funding (SFE) | Spending Authority & Status | Modifications |
|--|--|-------------|---|--|---|-------------------------|
| <p>III. D: Extend Support for Behavioral Health Care Collaboratives (BHCC)</p> <p><i>First payment in 9/1/2022; Second Payment 6/1/2023</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>OMH</p> | <p>Existing BHCCs operating as BH Independent Practice Associations</p> | <p>\$10.0M; Funds disbursed</p> | <p>Directed payment preprint approved on March 30, 2022. First payment was made in September 2022 and was retroactive to April 1, 2022. The second payment was made in June 2023.</p> | <p>No Modifications</p> |
| <p>III. E: Strengthen the NYS Multiple Systems Navigator</p> <p><i>7/1/2023 Implementation</i></p> | <p>Proposal Approved and Federal Spending Authority Approved or Not Required</p> | <p>DOH</p> | <p>N/A</p> | <p>\$1.5M; Funds are being disbursed</p> | <p>No need for separate federal authority as funding will be limited to the expenditure of the State Funds Equivalent amount.</p> | <p>No Modifications</p> |

Appendix A: Individual Activity Updates

I. Supporting & Strengthening the Direct Care Workforce

A. Transform the Long Term Care (LTC) Workforce and Achieve Value-Based Payment (VBP) Readiness

New York seeks to leverage a significant portion of additional FMAP to increase the capacity and quality of its HCBS workforce, such that Licensed Home Care Services Agencies (LHCSAs) can implement evidence-based care interventions, promote quality, and participate effectively in value-based payment (VBP) arrangements, including Managed Long Term Care Plans (MLTCs) and Medicaid Advantage Plus plans (MAPs). Specifically, investing in evidence-based programs that help LHCSAs recruit, retain, train, and support their direct care workers will ensure that New York has adequate, high-quality personnel to meet the anticipated growth in demand. Providers may not use the funding for capital investments; however, they may use a portion to improve internet connectivity. This component is intended to strengthen HCBS by allowing providers to better access resources and supports to provide higher quality care and can be used to support real-time data collection in preparation for VBP; any spending on this portion will be tracked separately from other spending.

Eligible Providers:

LHCSAs that fall into the top third of providers in their designated regions based on 2019 utilization and that contract with MLTCPs and MAPs; these providers offer home care services such as personal care services.

Implementation Date: March 31, 2022

Amount of Funding (SFE) Projected to Be Spent: \$141.8M

DOH has received approval and made payment pursuant to a directed payment preprint that allocates \$141.8M of SFE funds to providers in the defined provider class. The gross funds available under this pre-print remain materially the same as previous reports. The decrease in SFE used under this proposal are offset by an increase in the FMAP from 50% to 60%.

Status Update Overall:

DOH submitted the initial Section 438.6(c) preprint to CMS on November 15, 2021, to direct payments through the MLTCP and MAP HCBS managed care programs using historical utilization data in these programs. CMS provided feedback on December 13, 2021, and DOH submitted a revised preprint to CMS on December 23, 2022, which was formally accepted for review. On February 2, 2022, DOH responded to questions received from CMS on January 25, 2022. CMS approved the preprint on March 4, 2022. DOH made payments to plans in March 2022 and has briefed plans and providers regarding reporting

requirements and implementation processes. All plans reported to DOH that they made all payments to participating LHCSAs within the approved provider class from the directed payment preprint. DOH issued guidance to providers that clarifies that ongoing internet connectivity costs are not eligible uses of funds.

Status for Federal Approval of Spending Plan:

Approved by CMS on October 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

Section 438.6(c) preprint for this proposal was submitted to CMS on November 15, 2021. CMS provided verbal feedback on December 13, 2021, regarding the type of directed payment and the provider class. DOH submitted a revised preprint to CMS on December 23, 2022. CMS approved the preprint on March 4, 2022.

B. Improve the OPWDD Workforce

There are over 100,000 Direct Support Professionals (DSPs) and Family Care Providers in the New York statewide OPWDD system, who are dedicated to helping people with intellectual and developmental disabilities (I/DD) to live independent, productive lives. However, there has been considerable turnover and attrition in this space. New York seeks to improve and sustain the workforce by implementing COVID-19 workforce performance incentives, I/DD workforce longevity and retention bonuses, DSP workforce development grants to improve quality, and a workforce recruitment initiative. For the grants distributed via this activity, the State will reinvest ARPA funds and is not seeking an additional match.

Eligible Providers:

Providers licensed or certified by OPWDD under the 1915(c) OPWDD Comprehensive Waiver and other not-for-profit organizations, associations, higher education institutions, secondary education organizations, and/or vendors of market research/recruitment/communication or training equipment.

Implementation Dates:

March 23, 2022, Implementation for Retention and Longevity Bonuses; November 16, 2022, Implementation for COVID-19 Service and Vaccine Incentives; March 31, 2022, Implementation for Workforce Innovation Grants; Ongoing implementation for Workforce Recruitment Request for Applications (RFAs) and Direct Contracts, with all contracts expected to be implemented by December 31, 2023.

Amount of Funding (SFE) Projected to Be Spent: \$505.7M

Status Update Overall:

OPWDD developed two surveys to send to providers to collect information to determine funding allocations for two of the four supplemental one-time payments. The surveys were related to COVID-19 Service and Vaccination Incentives. These surveys were released in January 2022 with responses due on February 14, 2022, for the Vaccination Incentive and January 31, 2022, for the COVID-19 Incentive. The submission of a provider attestation is required prior to the disbursement of any supplemental payments to a provider.

OPWDD developed and posted a Frequently Asked Questions document related to the Workforce Stabilization Initiatives on their webpage in January 2022 to provide additional detail and be responsive to inquiries received by the provider community. OPWDD finalized and sent providers the fee-for-service funds associated with the Longevity and Retention payments with providers receiving funding on March 23 and March 31, 2022, and OPWDD effectuated payment of the COVID-19 Service and Vaccination Incentives to fee-for-service providers on November 16, 2022. With respect to Waiver providers supporting people enrolled

in the FIDA program, the balance of the funds owed for the Longevity and COVID-19 Service Incentives were also made available on November 16, 2022; the remainder of the funds owed to providers for the Retention and Vaccination Incentives are expected to be paid in the third calendar quarter of 2023 following federal approval on April 19, 2023 of a second pre-print submission.

OPWDD is determining possible metrics and developing reporting processes to understand the impact of these payments and grants on worker retention, attraction, and vaccination rates.

OPWDD is drafting RFAs for additional workforce-related grant programs. Grant selection, awards, and contract execution are planned to occur during the fourth calendar quarter in 2023.

Currently, OPWDD seeks to directly contract with several organizations to execute additional workforce-related grants.

Status for Federal Approval of Spending Plan:

Approved by CMS on August 25, 2021.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

For the four supplemental one-time payments, OPWDD submitted an Appendix K to the NYS OPWDD Comprehensive Waiver (0238.R06.00) on September 7, 2021 and received CMS approval on November 16, 2021. OPWDD also submitted a preprint modifying the Fully Integrated Duals Advantage for I/DD program within managed care on December 30, 2021, provided responses to CMS questions on February 29, 2022, and received CMS approval on March 18, 2022 for CY2021 rates and on April 19, 2023 for CY 2023 rates.

C. Improve the OMH Workforce

This proposal would provide prescribers, licensed practitioners, and program staff in community, rehabilitation, and housing settings to receive targeted loan forgiveness, tuition reimbursement, hiring and signing bonuses, longevity payments, shift differential pay, expanded retirement contributions, relocation incentives, and internship, fellowship and/or other career development opportunities. Funds will be implemented through Medicaid fee-for-service rates and a directed payment preprint to Medicaid MCOs administered uniform rate increases to adult home and community-based service providers based on service utilization. Funding would go directly to mental health providers.

Eligible Providers:

OMH-licensed mental health providers: these providers diagnose mental health conditions and provide treatment.

Implementation Dates:

Payments were effective for Adult Behavioral Health HCBS and Rehabilitation and Community Residences on October 1, 2021, ACT on October 7, 2021, PROS on October 14, 2021; implementation began in March 2022. Payments were effective for Mental Health Outpatient Treatment and Rehabilitation Services on February 1, 2022. Implementation began in September 2022. Pursuant to CMS guidance clarifying that Certified Community Behavioral Health Clinics (CCBHC) are eligible providers under Section 9817 of ARP, these demonstration providers will receive comparable OMH Workforce funding, effective July 1, 2022.

Amount of Funding (SFE) Projected to Be Spent: \$55.6M

Status Update Overall:

Federal Public Notices have been published with NYS Department of State for the applicable dates for each state plan rehabilitative services authorized pursuant to 42 Code of Federal Regulations (CFR)§ 440.130(d) program including Personalized Recovery Oriented Services (PROS) (SPA 16-0041), Assertive Community Treatment (ACT) (SPA 01-0001; pending 21-0015), Rehabilitation Services in Community Residences for adults and children (SPA 94-0027), Behavioral Health (BH) HCBS authorized pursuant to a section 1115(a) waiver, and Community Oriented Recovery and Empowerment (CORE) services proposed to be authorized in a recent amendment to a section 1115(a) waiver. Rate packages for Community Residences, ACT, and PROS have been finalized. OMH loaded the rates in the last qualifying cycle for SFY23. OMH continues to facilitate communication between providers and stakeholders, including specific provider impacts.

A Federal Public Notice was published on January 26, 2022, for Mental Health Outpatient Treatment and Rehabilitation services, and the State Plan

Amendment (SPA 22-0046) was approved by CMS on June 27, 2022. OMH, in collaboration with State Partners, finalized the enhanced rate package for Mental Health Outpatient Treatment and Rehabilitation Services and the rates were loaded to eMedNY on September 27, 2022.

OMH, working in collaboration with CMS's PPS Technical Assistance Team, State Agency Partners, and providers, developed workforce adjustments for CCBHC demonstration projects, for the period beginning July 1, 2022. These adjustments were approved and included in the CCBHC Medicaid rates effective July 1, 2022, as per agreement with CMS's CCBHC Medicaid Team. The CMS CCBHC Medicaid Team approved continuation of these adjustments in the CCBHC Medicaid rates effective July 1, 2023.

Status for Federal Approval of Spending Plan:

Investments in Adult Behavioral Health HCBS and Rehabilitation and Community Residences, ACT, and PROS were approved by CMS on January 31, 2022. Investment in Mental Health Outpatient Treatment and Rehabilitation Services was approved by CMS on May 18, 2022. Investments for CCBHC demonstration providers are included in the Spending Plan accompanying this report.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

DOH and OMH have completed rate enhancements under the Disaster Relief SPA 21-0073 which was approved on June 28, 2023. Federal approval for BH HCBS and Community Oriented Recovery and Empowerment (CORE) services were approved through a Section 438.6(c) preprint on March 18, 2022. CMS approved SPA 22-0046 for Mental Health Outpatient Treatment and Rehabilitation services on June 27, 2022.

D. Improve the OASAS Workforce

To sustain staffing levels and maintain services while also allowing for maximum flexibility, OASAS proposes to use a temporary rate increase to provide funding for OASAS providers to offer one or more workforce development strategies. OASAS has set specific goals for this funding to impact capacity building and lower waitlists. The funding will be evaluated for specific outcomes.

Eligible Providers:

OASAS providers: these providers offer substance use disorder and/or problem gambling services.

Implementation Date:

March 1, 2022 for outpatient services, March 24, 2022 for residential services; payments will be retroactive to November 1, 2021.

Amount of Funding (SFE) Projected to Be Spent: \$5.4M

Status Update Overall:

These are rehabilitative services authorized to be delivered consistent with 42 § CFR 440.130(d) and pursuant to SPA 16-0004.

Federal Public Notice for OASAS Workforce rate changes was published by the NYS Department of State on November 1, 2021. The Disaster Relief SPA 21-0073 was submitted to CMS as a draft on September 18, 2022, with a revision submitted at CMS's request on November 28, 2022, and approved on June 28, 2023. The rate package has been approved and outpatient and residential rates have been loaded and paid. OASAS has notified plans and developed billing and programmatic guidance to circulate to providers to support implementation of this proposal. This proposal is now fully implemented.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

Federal Public Notice for OASAS Workforce rate changes was published by the NYS Department of State on November 1, 2021. The Disaster Relief SPA 21-0073 was submitted to CMS as a draft on September 18, 2022, with a revision submitted at CMS's request on November 28, 2022, and a further revision submitted in May 2023 (also at CMS's request). The SPA was approved on June 28, 2023.

E. Increase Medicaid Rehabilitation Rates for OMH Community Residence Programs

Rate increases will be targeted towards direct care staff costs in order to meet critical challenges to workforce recruitment and retention, which are needed to operate these programs more effectively and to address the current critical workforce shortages. Funding will be disbursed through rate increases paid across fee-for-service (FFS) Medicaid claims as services are provided to eligible Medicaid recipients.

Eligible Providers:

OMH-licensed Rehabilitation for Community Residence providers; these providers offer interventions, therapies, and activities to people in community residences to reduce functional and adaptive behavior deficits associated with mental illness.

Implementation Date:

Payments were effective October 1, 2021. Implementation began March 2022.

Amount of Funding (SFE) Projected to Be Spent: \$10.3M

Status Update Overall:

Rate packages for Community Residences have been finalized and paid out and the providers have been notified of their specific provider impacts.

Status for Federal Approval of Spending Plan:

Approved by CMS on August 25, 2021.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

NYS submitted the consolidated Disaster Relief SPA 21-0073 in draft on September 18, 2022, with a revision submitted at CMS's request on November 28, 2022. The SPA was approved on June 28, 2023.

F. Enhance the Children's Services Workforce

Due to provider diversity and differing needs of agencies regarding staffing, as well as to ensure the maximum ability to maintain or build service capacity, a model is recommended that would offer eligible providers flexibility in utilizing the enhanced FMAP. Specific goals will be attached to this funding to impact capacity building and eliminate waitlists, and agencies receiving funds will be evaluated for specific outcomes.

Eligible Providers:

Children and Family Treatment and Support Services (CFTSS) providers: these providers offer services and benefits to better meet the behavioral health needs at earlier junctures in a child/youth's life to prevent the onset or progression of behavioral health conditions.

Children's HCBS providers: these providers offer support and services to children and youth in non-institutionalized settings that enable them to remain at home and in the community or return to their community from an institutional setting.

Voluntary Foster Care Agencies (VFCA) Health Facilities, which are licensed under Article 29-I of the New York Public Health Law (referred to as 29-I Health Facilities): these providers offer five health-related core services including skill building and Medicaid treatment and discharge planning helping children and youth move to and remain in home and community settings.

Implementation Date: October 1, 2023

Amount of Funding (SFE) Projected to Be Spent: \$4.8M

Status Update Overall:

On April 6, 2022, CMS approved two Section 438.6(c) preprints for this proposal (NY_Fee_HCBS.BHO2_New_20210401-20220331 and NY_Fee_HCBS.BHO1_New_20210401-20220331) which establish a methodology to award 84% of the funding to 86% of targeted providers. DOH drafted communications to both providers and plans regarding these approvals and detailed necessary next steps. An additional Section 438.6(c) preprint for this proposal (NY_Fee_HCBS5_New_20220401-20230331) that establishes a methodology to award qualifying Health Homes additional funds was approved by CMS on May 9, 2023.

Funding disbursement for these initiatives was completed by October 20, 2023.

Based on the data submitted by providers, licensing information available to DOH regarding licensure by other state agencies of residential programs, and the CMS guidance regarding Institutions of Mental Disease (IMD) criteria, DOH is currently working to make preliminary assessments of all providers of child welfare

residential programs. When complete, these determinations will be shared with providers and providers will be given the opportunity to clarify or provide additional information before site visits are scheduled to validate determinations. Many providers offer a variety of services to children/youth/families. A number of providers are authorized to provide community-based services, including HCBS and CFTSS and 29-I health-related services, while also providing residential services or running group boarding homes, as an example. NYS will ensure that the funding is provided to build service capacity for children/youth who need community-based services to prevent higher level of care and or assist with stepping down from a higher level of care. This funding will be utilized to build and expand preventive and community-based services to serve children/youth in the least restrictive setting. ARPA funding will not be used for services provided in inpatient facilities, including facilities that may meet the definition of an IMD or Psychiatric Residential Treatment Facility (PRTF).

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

Section 438.6(c) preprints for this proposal were approved by CMS on April 6, 2022, to distribute 84% of available funds. DOH is pursuing State Share Only payments for remaining providers, for which CMS approval is not needed. An additional Section 438.6(c) preprint for this proposal which establishes a methodology to award qualifying Health Homes additional funds was approved on May 9, 2023.

G. Expand Training and Implementation Support for Evidence-Based Practices (EBP)

OMH has undertaken a significant system redesign initiative to foster provision of evidence-based practices, recovery-oriented care, and psychiatric rehabilitation services. Under this redesign, OMH must expand training and implementation support in EBP, including diagnosis and treatment across the provider continuum, with incentivization of EBP uptake and fidelity, with particular focus on the assessment and treatment of co-occurring disorders, treatment of marginalized and underrepresented demographics, and specialty clinical populations (including but not limited to clinical high risk for psychosis and obsessive-compulsive disorder), leadership training, addressing provider costs associated with training attendance, and development/expansion of rehabilitation programs and services with in-person training leading to Certified Psychiatric Rehabilitation Practitioner (CPRP) credential. The adult services component will include leadership and workforce training and implementation support in psychiatric rehabilitation. A Psychiatric Rehabilitation Academy will be established to provide in-person and web-based technical assistance and training, continuing education opportunities, and certifications leading to the increase in applicable direct care staff obtaining the CPRP credential. The children's services component will include workforce training in EBP and will support the development and expansion of training and technical assistance programs to allow providers to implement such practices with fidelity and sustainability. Specific practices will include those with a focus on the family unit and on supporting youth in high-risk situations.

Funding will be dispersed via existing or new contracts with training and technical assistance agencies and the State University of New York (SUNY) or other institutions of higher education to enhance training in best practices for psychiatric rehabilitation for the behavioral health workforce. This workforce is critical to enhance and strengthen HCBS in Medicaid.

The training and technical assistance will target providers of children's mental health services which are State Plan-authorized rehabilitative services pursuant to 42 CFR § 440.130(d), including Children's Rehabilitation Services in Community Residences (SPA 94-0027), Other Licensed Practitioner Services (SPA 19-0003), which are State Plan-authorized Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services which could be authorized under 42 CFR § 440.130(d). Other targeted providers deliver services that could be authorized under 42 CFR § 440.130(d). The State will reinvest ARPA funds for this activity and is not seeking an additional match.

Eligible Providers:

Training and Technical Assistance agencies with expertise in EBP dissemination; these are agencies designed to improve the operation and performance of Evidence-Based Practices training and implementation dissemination.

The State University of New York (SUNY): a system of public colleges and universities in New York State.

Other institutions of higher education.

Implementation Date: March 1, 2023

Amount of Funding (SFE) Projected to Be Spent: \$8.6M

Status Update Overall:

OMH finalized and submitted the programmatic design for this proposal. OMH has identified a contractor and has finalized the contract with the New York Association for Psychiatric Rehabilitation Services (NYAPRS) to implement the New York Psychiatric Rehabilitation Training Academy (NYPRTA). NYAPRS has engaged in assertive outreach and education for providers and has enrolled more than 700 direct service staff and more than 200 supervisors into the first training cohort. Formal kick-off events were held in-person in each region in January 2023. NYPRTA has since hosted monthly webinars and released their first set of online modules in June 2023. In-person trainings have been held throughout the state starting in July 2023. NYPRTA has implementation specialists who work directly with organizations to ensure continued engagement in the training academy. The second training cohort is scheduled to begin in January 2024.

On the children's services side, OMH has identified specific evidence-based models and approaches to disseminate. Implementation activities include a needs assessment and design of a state-wide implementation plan of EBPs, expanding training from EBP model developers, and procuring training on diagnostic and case consultation EBP approaches. A solicitation of interest (SOI) was issued in December 2022 for EBP needs assessment for children's mental health services and for EBP diagnostic and case conceptualization. NYS has identified four awardees for the Children's EBP funds and is currently in the process of contracting. The EBP expansion of training is being implemented through an existing contract with New York University (NYU) for continuation of training services at the Evidence-Based Treatment Dissemination Center (EBTDC). These projects will each be implemented and rolled out throughout 2023. The NYS projects that are currently being implemented include the piloting of an evidence based screening tool in children's clinic settings, the piloting of computerized structured diagnostic assessment in children's inpatient and Psychiatric Residential Treatment Facility (PRTF) settings, the creation and testing of a module on case conceptualization to add to the Managing and Adaptive Practice training offered free of charge by NYS to all OMH clinicians, and a statewide needs assessment on EBPs in the mental health system to drive strategic planning for further EBP implementation.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The State does not anticipate the need for federal authority to execute this proposal. Specific payments will be confirmed as part of contract finalization.

H. Expand Recruitment and Retention of Culturally Competent, Culturally Responsive and Diverse Personnel

OMH has funded the State University of New York (SUNY) and City University of New York (CUNY) to support culturally and/or linguistically diverse students with achieving mental health degree program completion (e.g., social work, psychology, etc.).

These funds are being used to support educational attainment for underserved students by providing the students with financial support (tuition assistance, paid internships, direct stipends, credentialing costs) to facilitate their employment in State Plan rehabilitative services authorized pursuant to 42 CFR § 440.130(d), including PROS (SPA 16-0041), ACT (SPA 01-0001; pending 21-0015), Rehabilitation Services in Community Residences for adults and children (SPA 94-0027), BH HCBS authorized pursuant to a section 1115(a) waiver, and CORE services proposed to be authorized in a recent amendment to a section 1115(a) waiver. The State will reinvest ARPA funds for this activity and is not seeking an additional match.

Eligible Providers:

SUNY and CUNY educational institutions: these are a system of public colleges and universities in New York State and New York City.

Implementation Date: June 30, 2022

Amount of Funding (SFE) Projected to Be Spent: \$4.0M

Status Update Overall:

OMH finalized the programmatic design for this proposal, executed a Memorandum of Understanding (MOU) with SUNY and CUNY, and provided direct funding to both systems. NYS published an announcement of the program on August 25, 2022. The program began in the Fall 2022 semester.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The State does not anticipate the need for additional federal authority to execute this proposal.

I. Expand Certified and Credentialed Peer Capacity

New York proposes to expand certified peer capacity (inclusive of adult peer, youth peer, family peer) in OMH programs through investment in resources for recruitment, education/training, and career pipeline investments. As New York continues to grow its capacity to provide Peer Support services across the OMH system of care, agencies that currently do not offer Peer Support services need additional guidance on how to implement these services effectively in their settings. Additionally, training expansion and capacity to best support underserved and emerging populations, such as justice-involved individuals and older adults with mental illness, will be needed to ensure the Peer Support workforce is adequately equipped to provide effective services to these groups.

Eligible providers for this activity include PROS (SPA 16-0041), ACT (SPA 01-0001; pending #21-0015), Rehabilitation Services in Community Residences for adults and children; Family Peer Support Services; Youth Peer Support Services; BH HCBS authorized pursuant to a section 1115(a) waiver; CORE services authorized in a recent amendment to a section 1115(a) waiver; and other provider types, not currently receiving Medicaid funding for the provision of rehabilitative services, that utilize peers to engage individuals with mental health conditions in the mental health system and whose efforts will expand HCBS in Medicaid by promoting awareness about and engagement in HCBS. The State will reinvest ARPA funds for this activity and is not seeking an additional match.

Eligible Providers:

Providers of State Plan rehabilitative services authorized pursuant to 42 CFR. § 440.130(d).

Implementation Date: February 21, 2022

Amount of Funding (SFE) Projected to Be Spent: \$4.0M

Status Update Overall:

OMH finalized the programmatic detail, payment mechanism, guidance for providers, and monitoring and evaluation strategy. OMH sent guidance out to eligible providers, published a press release, and offered informational sessions for eligible providers about the procurement request. OMH initiated grant payments to mental health providers in February 2022.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The State does not anticipate the need for additional federal authority to execute this proposal.

J. Improve and Support the Assisted Living Program (ALP) Workforce

New York's ALP program serves individuals who are medically eligible for nursing home placement but serves them in a less medically intensive, lower cost HCBS setting. To these ends, ALP provides personal care, room, board, housekeeping, supervision, home health aides, personal emergency response services, nursing, physical therapy, occupational therapy, speech therapy, medical supplies and equipment, adult day health care, a range of home health services, and the case management services of a registered professional nurse, and thus qualify as an appropriate service category for HCBS funding under Section 9817 of ARPA.

Similar to investments in other HCBS sectors, to sustain staffing levels and maintain services while also allowing for maximum flexibility in ALPs, DOH proposes to use a time-limited program, which would provide payments to ALP service providers who offer one or more workforce development strategies. As a Medicaid service that requires significant training and experience in order to serve older adults with functional and/or cognitive impairment and who need these valuable services to remain in a home and community-based setting, DOH will set specific goals for this funding to impact recruitment and retention rates. Recommendations for implementation include:

- *Tuition reimbursement;*
- *Loan forgiveness;*
- *Hiring and sign-on incentives;*
- *Longevity pay;*
- *Training funding inclusive of home health aide and personal care aide certification, continuing education units (CEUs) and professional licenses; the development of mentoring or apprenticeship programs; and the development of infection prevention and control;*
- *Differential pay for nights and weekends;*
- *Retirement contributions, extending health insurance benefits, supporting day care, or other fringe benefits for staff; and*
- *Build appropriate personal protected equipment (PPE) stockpiles from state authorized sources for ensuring that ALP workers are able to deliver care in a safe and effective manner through the end of COVID-19 and beyond.*

Eligible Providers:

DOH certified ALP providers; these providers deliver services to people who are medically eligible for nursing home placement in a less medically intensive, less restrictive setting.

Implementation Date: March 1, 2024

Amount of Funding (SFE) Projected to Be Spent: \$20.0M

Status Update Overall:

This program is in the initial planning stages and more information will be included in the next semi-annual report.

Status for Federal Approval of Spending Plan:

Approved by CMS on May 18, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

DOH is pursuing a SPA (SPA #23-0064) to administer the funds via a one-time lump sum payment to ALP providers. The FPN was published in the NYS Register on May 17, 2023, and the SPA was submitted to CMS June 29, 2023. CMS approved SPA #23-0064 on February 7, 2024. DOH continues to develop provider eligibility criteria and draft guidance documents. Specific provider payments will be confirmed as part of the authority approval.

K. Home Care Minimum Wage Increase

As part of the Enacted Budget for State Fiscal Year (SFY) 2022-23, New York included a \$3 increase to the minimum wage for home care workers, which was initially planned to be phased-in over SFY2022-2023 and SFY 2023-2024. This minimum wage increase serves to both recognize the tireless efforts of home care workers in continuing to provide services for some of our most vulnerable New Yorkers through the COVID-19 pandemic and to attract and retain talented people in the profession at a time of such significant strain.

On October 1, 2022, the minimum wage increased by \$2. Subsequently, on October 1, 2023, the minimum wage was planned to increase by an additional \$1, for a total of \$3; however, the SFY 2023-24 Enacted Budget delays implementation of this additional increase until January 1, 2024. Individuals eligible to receive this increase include home health aides, personal care aides, home attendants, and personal assistants performing Consumer Directed Personal Assistance Program (CDPAP) services. Given the availability of ARPA HCBS eFMAP funds, the minimum wage increase will be supplemented with State resources during the second phase. After the conclusion of the ARPA HCBS eFMAP funding period, the State will continue to fund the minimum wage increase using State resources.

Eligible Providers:

Existing providers of personal care services and CDPAS, enrolled in the FFS program or serving as participating providers in Medicaid Managed Care.

Implementation Date: October 1, 2022

Amount of Funding (SFE) Projected to Be Spent: \$1.27B

Status Update Overall:

DOH developed and initiated rate increases in early November 2022 that include the minimum wage increase for all eligible providers retroactive to October 1, 2022.

Status for Federal Approval of Spending Plan:

Approved by CMS on August 15, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

DOH submitted a SPA for FFS rate increases (SPA 22-0075) on September 30, 2022, and included the minimum wage increase for managed care providers in the managed care rates. CMS approved the SPA on December 15, 2022.

L. Further Improve the OPWDD Workforce

There are nearly 15,000 full-time positions employed by OPWDD's network of non-profit provider agencies engaged in non-direct care activities that support the I/DD delivery system in New York State. These staff perform non-administrative support functions, such as food service, cleaning, maintenance, and security, as well as critical clinical activities. To ensure the availability of a comprehensive workforce to meet the residential, day and employments needs of people with I/DD, New York seeks to offer a one-time supplemental payment to providers to retain staff engaged in these activities. The State will use Section 9817 funds to offer this one-time incentive.

Eligible Providers:

Providers licensed or certified by OPWDD under the 1915(c) OPWDD Comprehensive Waiver.

Implementation Date: March 31, 2023

Amount of Funding (SFE) Projected to Be Spent: \$69.6M

Status Update Overall:

OPWDD has valued this proposed payment for non-administrative support and clinical positions in the non-profit sector at approximately \$34.8M (SFE).

Status for Federal Approval of Spending Plan:

Approved by CMS on April 6, 2023.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

OPWDD submitted an Appendix K to the NYS OPWDD Comprehensive Waiver in January 2023. CMS approved the Appendix K on February 24, 2023.

II. HCBS Capacity, Innovations, and Systems Transformation

A. Expand Capacity in Nursing Home Transition and Diversion and Traumatic Brain Injury

Amend both the 1915(c) Nursing Home Transition and Diversion (NHTD) and Traumatic Brain Injury (TBI) waivers to adjust payments for Nursing Visits for Home and Community Support Services (HCSS), add independent providers to Substance Abuse Services in the TBI waiver, establish rate differentials, provide a recruitment and retention stipend for all direct service staff who provide face-to-face services, implement a training stipend program, and build an enhanced provider community. The NHTD and TBI waiver programs will also complete a contract amendment to add provider recruitment and housing specialist positions to the Regional Resource Development Centers (RRDCs).

Eligible Providers:

Existing and new 1915(c) NHTD and TBI Waiver providers including:

- **Structured Day Program Providers:** these are centers designed for older individuals who need help with activities of daily living or who are isolated and lonely.
- **Home and Community Support Services (HCSS):** these are services utilized to discreetly oversee and/or supervise the health and welfare of a participant living in the community.
- **Community Integration Counseling (CIC):** these are services individually designed to assist waiver participants to manage the emotional responses inherent in adjusting to a significant physical or cognitive disability while living in the community.
- **Independent Living Skills Training (ILST):** these are services individually designed to improve or maintain the ability of the waiver participant to live as independently as possible in the community.
- **Positive Behavioral Interventions and Supports (PBIS):** these are services individually designed and provided to waiver participants to support them to respond more appropriately to events in their environment in order to remain in their community of choice.
- **Regional Resource Development Centers (RRDCs):** these are centers responsible for the administration of the NHTD waiver program initiatives with an emphasis on ensuring participant choice, availability of waiver service providers, and cost effectiveness of waiver services within its contracted region.

Implementation Date: May 13, 2022

Amount of Funding (SFE) Projected to Be Spent: \$39.4M

Status Update Overall:

DOH submitted an Appendix K waiver request modifying the 1915(c) NHTD and TBI waivers to CMS on December 8, 2021. DOH resubmitted the Appendix K to CMS three times, after receiving feedback. The Appendix K was first resubmitted on January 12, 2022, was later resubmitted on February 9, 2022, and most recently submitted on March 11, 2022. A formal Request for Additional Information (RAI) was received from CMS after the March 11, 2022, submission. The response was submitted with a corrected Appendix K on April 5, 2022 and approved on May 13, 2022. DOH resubmitted the Appendix K on July 13, 2022, with the effective date for nursing visits. CMS approved the Appendix K on August 18, 2022.

DOH held a webinar for providers on June 16, 2022, setting the groundwork on each of the adjustments, including establishing necessary rate codes and assigning rates to existing providers. DOH hosted a second webinar for providers on August 24, 2022, to review final steps for providers to complete to receive payments.

As of December 16, 2022, all provider submissions were reviewed by the Regional Resource Development Centers and have been submitted for final review by DOH. The data analysis was completed on January 13, 2023. Provider level data was sent to provider agencies for confirmation of contents the week of January 9, 2023. Corrections were implemented by DOH in conjunction with the Regional Resource Development Centers and completed on February 14, 2023. Corrected workforce stability stipend data was sent to the rates unit on February 27, 2023. The workforce stability stipend payments were made to providers on June 6, 2023. Corrected training stipend data was sent to the rates unit by program on April 27, 2023.

Status for Federal Approval of Spending Plan:

Approved by CMS on August 25, 2021.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

DOH submitted the Appendix K waiver amendments to CMS on December 8, 2021. CMS provided feedback and DOH resubmitted the Appendix K waiver on January 12, 2022, February 9, 2022, and March 11, 2022. Feedback was requested by CMS and a subsequent Appendix K was submitted to CMS on April 5, 2022. CMS approved the Appendix K on May 13, 2022. DOH resubmitted the Appendix K on July 13, 2022, with the effective date for nursing visits. CMS approved the re-submitted Appendix K on August 18, 2022.

B. Support the Unique Program of All-Inclusive Care for the Elderly (PACE)

Support a fully integrated care model to enhance PACE Organizations as an option for dually eligible beneficiaries in New York. The State proposes to invest \$40M in State Funds Equivalent in PACE Organizations to assist PACE centers to reopen safely and institute effective control measures and provide PACE programs workforce development funds to recruit and retain qualified staff.

Eligible Providers:

All authorized PACE Organizations in New York, operating as of April 1, 2021; these organizations provide comprehensive medical and social services to certain frail, elderly people living in the community.

Implementation Date: June 21, 2023

Amount of Funding (SFE) Projected to Be Spent: \$40.0M

Status Update Overall:

DOH requested guidance from CMS on appropriate funding mechanisms for investing in PACE, given inherent limitations under federal rules regarding maximum funding that PACE Organizations may receive under their premiums. CMS provided guidance on February 8, 2022, and DOH developed an updated funding distribution methodology that will provide funding to all PACE organizations.

DOH distributed funding across the nine PACE organizations in New York proportional to the size of each organization in June 2023. The payment complies with regulation § 460.182(c), which states that “PACE organization[s] must accept the capitation payment amount as payment in full for Medicaid participants and may not bill, charge, collect, or receive any other form of payment from the State administering agency or from, or on behalf of, the participant” as it will not be tied to members or the utilization of services for members enrolled in the PACE plan.

DOH did not materially modify the original spending plan proposal as approved by CMS with regard to the allowable investment areas. PACE organizations are able to use funding for site re-opening, workforce supports, and growing the PACE program. The below table provides a more detailed list of activities for which PACE organizations are permitted to use funding under this proposal.

| Site Reopening and Infrastructure Upgrades | Investments in the Workforce | Growing the PACE Program |
|--|---|---|
| <ul style="list-style-type: none"> ▪ Purchasing PPE ▪ Funding COVID-19 testing, compensation and education for staff ▪ Renovating/improving PACE centers for infection prevention (e.g., HVAC) ▪ Installing symptom screening devices ▪ Improving infection prevention strategies in PACE transportation ▪ Renovating PACE center to enhance social distancing ▪ Making infrastructure enhancements that allow PACE centers to withstand and continue operating during natural disasters, public health emergencies, and other emergency situations | <ul style="list-style-type: none"> ▪ Adopting workforce recruitment and retention activities to attract and retain a qualified workforce ▪ Addressing current shortage of aides and transport drivers | <ul style="list-style-type: none"> ▪ Expanding capabilities for telehealth and telemedicine ▪ Increasing outreach and education ▪ Expanding capacity to address social determinants of health and health disparities |

DOH shared an updated proposal summary with CMS for approval on June 14, 2022. CMS approved the proposal on November 23, 2022. DOH distributed funds to PACE organizations on June 21, 2023.

Status for Federal Approval of Spending Plan:

Approved by CMS on November 23, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The State does not anticipate the need for separate federal authority in order to execute this proposal.

C. Improve the OPWDD Delivery System

OPWDD will fund several contracts, grants, and cooperative agreements to improve and stabilize HCBS delivery, enhance state and local infrastructure to support people and their families through person-centered practices and services, and increase access to HCBS. The State will reinvest ARPA funds for this activity and is not seeking an additional match.

Eligible Providers:

Not-for-profit organizations, including OPWDD providers, Local Departments of Social Services (LDSS), institutions of higher education, and/or qualified vendors meeting state-specified requirements.

Implementation Date:

May 1, 2022 for Improvement of Assistive Technology, Environmental Modifications, and Vehicle Modification Process Implementation, additional program evaluation contracts to be implemented no later than the fourth calendar quarter of 2023.

Amount of Funding (SFE) Projected to Be Spent: \$42.6M

Status Update Overall:

OPWDD released the Improvement of Assistive Technology, Environmental Modifications, and Vehicle Modification Process Request for Proposals (RFP) on December 31, 2021. The contract start date was May 1, 2022.

OPWDD completed an RFP and executed a contract with the selected vendor on November 7, 2022 to conduct the Managed Care Assessment. OPWDD released an RFP for the Coordinated Care Organization (CCO) Program Evaluation. The contract was fully executed in August 2023.

OPWDD has also directly contracted with Supported-Decision Making New York and Maximus for service delivery improvement-related grant programs.

Status for Federal Approval of Spending Plan:

Approved by CMS on August 25, 2021.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

As funds will be distributed through grants, direct contracts, and existing procurement processes, OPWDD does not anticipate the need for federal authority to execute this proposal. Final grant award amounts are pending review of applications.

D. Invest in Diversity, Equity, and Inclusion for People with I/DD

OPWDD seeks to leverage the CoP work and initial agency assessments of equity issues to develop and implement a comprehensive strategic initiative, inclusive of culture, ethnicity, language, sexual orientation, gender identity, and ability. This one-time investment will provide for equity analyses of data, focus group research, and partnerships with people and organizations in underserved communities to inform longer-term equity and access efforts, as well as investments in early-stage strategies to address identified equity and access needs. The State will reinvest ARPA funds for this activity and is not seeking an additional match.

Eligible Providers:

Not-for-profit organizations (including OPWDD providers), local government authorities, and/or institutions of higher education with demonstrated expertise in addressing the needs of underserved and historically marginalized populations.

Implementation Date: On August 1, 2022, contract work with Georgetown for DEI Evaluation began; Implementation of DEI Innovation Grants to assist traditionally underserved people in understanding and accessing the OPWDD system will begin in early 2024.

Amount of Funding (SFE) Projected to Be Spent: \$10.7M

Status Update Overall:

OPWDD is drafting an RFA for Diversity, Equity, and Inclusion (DEI) Capacity building grants. Grant selection, awards, and contract execution are planned to occur in the first calendar quarter of 2023.

OPWDD will directly contract with Georgetown Consulting Services to execute a DEI-related evaluation grant.

Status for Federal Approval of Spending Plan:

Approved by CMS on August 25, 2021.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

As funds will be distributed through grants and existing procurement processes, OPWDD does not anticipate the need for additional federal authority to execute this proposal.

E. Adjust Residential Addiction Treatment Services Rate

To maintain crucial services, New York proposes to temporarily increase rates for existing residential services and to increase services for individuals in early recovery to assist with reintegrating into their community by incorporating the residential reintegration service into the Medicaid benefit package; apply the 10 percent rate adjustment to OASAS residential addiction treatment services; and utilize enhanced FMAP monies to support necessary staffing and start-up costs for OASAS residential reintegration addiction treatment services through enhanced Medicaid rates once incorporated into the Medicaid benefit. The letter to State Medicaid Directors (21-003; see Appendix B) provides that enhanced FMAP funds may be utilized for rehabilitative services or Section 1115 waivers that cover rehabilitative services. New York State has an existing State Plan Amendment for Substance Use Disorder (SUD) rehabilitative services (SPA 16-0004) for non-hospital facilities licensed under 820 with an associated 1115 waiver demonstration authority for SUD services otherwise covered under the Rehabilitative section of the State Plan approved August 2, 2019. ARPA funding will not be available to hospital-based facilities and IMDs because they are not covered under the rehabilitative State Plan. To the extent that a non-hospital rehabilitation facility is providing a rehabilitation service, it is covered under the State Plan Amendment for rehabilitative services or is a Cost Not Otherwise Matchable under the 1115 for Rehabilitative Services. The intent is to supplement the implementation of these rehabilitative services to support institutional diversion and strengthen community transition to non-hospital-based rehabilitation services for individuals with substance use disorders who have been substantially impacted by both COVID and increasing overdose rates.

Eligible Providers:

Residential Addiction Treatment providers licensed or certified by OASAS; these providers offer direct intervention for individuals with substance use or co-occurring mental and substance use disorders in non-hospital, licensed residential facilities. IMDs are not eligible for this funding.

Implementation Date: May 24, 2022; payments effective November 1, 2021

Amount of Funding (SFE) Projected to Be Spent: \$5.4M

Status Update Overall:

These are services authorized to be delivered consistent with 42 CFR § 440.130(d) and pursuant to SPA 16-0004, with the exception of expansion of HCBS services through the addition of Disaster SPA 21-0073 and SPA 21-0064 for residential addiction reintegration benefits, which would assist individuals in reintegration to independent living.

Federal Public Notice was published with the New York Department of State on November 1, 2021. The Disaster Relief SPA 21-0073 was submitted to CMS as a

draft on September 18, 2022, with a revision submitted at CMS's request on November 28, 2022, and approved on June 28, 2023. The rate package has been approved and OASAS provided the approved rates and billing guidance to plans, providers, and other stakeholders.

Status for Federal Approval of Spending Plan:

Approved by CMS on May 18, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The Disaster Relief SPA 21-0073 was submitted to CMS as a draft on September 18, 2022, with a revision submitted at CMS's request on November 28, 2022, further revision submitted in May 2023 (based on CMS requested additions and wording changes) and approved on June 28, 2023. The rate package was approved. This proposal is now fully implemented.

F. Expand and Implement HCBS and Community Oriented Recovery and Empowerment (CORE) Services

HCBS and CORE services expansion and implementation support aimed to complement current infrastructure funding via enhanced rates, marketing, and outreach funds; expanded provider capacity via workforce funding; and improved access and engagement via transportation and telehealth infrastructure. Ensuring access to critical treatment and rehabilitation services for individuals identified as having significant behavioral health needs and service utilization (Health and Recovery Plan (HARP) enrollees). Funding is being disbursed through rate increases paid across MCO Medicaid claims as services are provided to eligible Medicaid recipients, and through state directed grants in areas where there is insufficient provider capacity. Funding is being allocated to Adult Behavioral Health HCBS and CORE providers.

Eligible Providers:

Adult Behavioral Health (BH) HCBS providers; these providers offer services that assist with daily living and social skills, individual employment support, and education support to start, return to, or graduate from school to learn skills to get or keep a job in order to allow individuals to be more involved in their community.

Adult CORE providers: these providers offer nursing assessment, medical administration, case management, peer supports, psychological testing, individual, family, or group counseling for people with diagnosed mental illness, and/or co-occurring substance use disorder, whose level of functioning is significantly affected by the behavioral health illness.

Implementation Date:

Payments are effective for dates of service beginning October 1, 2021. Implementation began in January 2023.

Amount of Funding (SFE) Projected to Be Spent: \$4.6M

Status Update Overall:

CMS approved the corresponding directed payment template on March 18, 2022. OMH has finalized its monitoring and evaluation strategy under the State's directed payment preprint as approved by CMS. OMH guidance was communicated to Medicaid Managed Care Plans (MMCP) and providers on February 11, 2022. CORE services are section 1115(a)-authorized rehabilitation services, authorized pursuant to 42 CFR § 440.130(d). On May 9, 2023, CMS approved a second directed payment preprint for provider payments effective April 1, 2022.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The First Section 438.6(c) preprint was approved by CMS on March 18, 2022.

The Second Section 438.6(c) preprint was approved by CMS on May 9, 2023.

G. Support the Transition to Voluntary Foster Care Agencies (i.e., Article 29-I providers, as licensed under State Law) Core Limited Health Related Services

Implement a temporary rate adjustment of 25 percent retroactive to April 1, 2021, until September 30, 2022, for Article 29-I Health Facility Core Limited Health Related Services Per Diem Rates. Services will be delivered consistent with 1905(a)(13) of the SSA, 42 CFR § 440.130(d) and rehabilitative services authorized in SPA 21-0003. This temporary increase would assist providers to build capacity to meet the increasing needs of children.

Eligible Providers:

Article 29-I Health Facilities

Implementation Date:

Payments were loaded on July 27, 2022 and went into effect on August 24, 2022. The 25% temporary rate increase payments were paid retroactive to April 1, 2021 and continued through September 30, 2022.

Amount of Funding (SFE) Projected to Be Spent: \$15.5M

Status Update Overall:

DOH is awaiting CMS approval of the Disaster SPA 21-0054. This addresses the 29-I program with services delivered consistent with 1905(a)(13) of the SSA, 42 CFR§440.130(d) and rehabilitative services authorized in SPA 21-0003. DOH drafted guidance for providers and MMCP regarding billing.

Additionally, DOH is defining more clearly the scope of services covered in this rate increase to cover both Rehabilitative and Prevention Services. Since these services are being delivered by the same providers and same practitioners this increased rate in both areas will allow providers to expand overall capacity to serve both children with behavioral health issues and children who are at risk of developing them as a result of trauma and other adverse childhood experiences.

Based on the data submitted by providers, licensing information available to DOH regarding licensure by other state agencies of residential programs, and the CMS guidance regarding IMD criteria, DOH is currently working to make preliminary assessments of all providers of child welfare residential programs. When complete, these determinations will be shared with providers and providers will be given the opportunity to clarify or provide additional information before site visits are scheduled to validate determinations. Many providers offer a variety of services to children/youth/families. A number of providers are authorized to provide community-based services, including HCBS and CFTSS and 29-I health-related services, while also providing residential services or running group boarding homes, as an example. NYS will ensure that the funding is provided to build service capacity for children/youth who need community-based services to

prevent higher level of care and or assist with stepping down from a higher level of care. This funding will be utilized to build and expand preventive and community-based services to serve children/youth in the least restrictive setting. ARPA funding will not be used for services provided in inpatient facilities, including facilities that may meet the definition of an IMD or PRTF.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

DOH developed a Disaster SPA 21-0054 "Enhanced FMAP" that was submitted to CMS October 8, 2021. CMS approved the SPA on June 28, 2023. Specific rate increases will be confirmed when the proposed rate package receives approval.

H. Expand Crisis Services for People with I/DD

There is a growing need for enhanced behavioral health services that exceeds current service capacity. In order to address the behavioral health needs of people with I/DD the State will: expand Crisis Services for People with I/DD (CSIDD), enhance rates for Intensive Behavioral Support Services (IBS), and connect I/DD Service System and Community-Based Services.

Eligible Providers:

CSIDD State Plan providers licensed by OPWDD; these providers offer targeted services for individuals with I/DD who have significant behavioral or mental health needs. CSIDD are delivered by multi-disciplinary teams who provide personalized and intensive time-limited therapeutic clinical coordination of Medicaid services for individuals ages six and older.

Providers licensed or certified by OPWDD under the 1915(c) OPWDD Comprehensive Waiver.

Implementation Dates:

August 1, 2021 for Expand CSIDD Services;
November 1, 2021 for Enhanced Rates for Intensive Behavioral Services (IBS);
May 1, 2022 for Connecting I/DD Service System and County-Based Crisis Services Funding Support Services.

Amount of Funding (SFE) Projected to Be Spent: \$12.0M

Status Update Overall:

CSIDD services are covered under the State Plan Rehabilitation benefit. The CSIDD SPA 19-0014, was approved on December 16, 2019, with an effective date of January 1, 2019.

OPWDD developed and released an RFA for a grant focused on expanding CSIDD services. The contract start date for the Region 2 CSIDD Expansion was November 1, 2021. For Region 3 CSIDD Transition, the contract was executed in July 2023.

For the enhanced rate for IBS, OPWDD submitted an Appendix K for the NY OPWDD Comprehensive Waiver (0238.R06.00) and received approval.

OPWDD has directly contracted with a single entity and invested a portion of the funding to support pilot projects at the county level to address gaps in crisis response and children's services.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

For the enhanced rate for IBS, OPWDD submitted an Appendix K Waiver September 7, 2021, and received approval on November 1, 2021. A 1915(c) Waiver Amendment will be submitted to continue these enhancements and align with the end of the Appendix K Authority.

I. Enhanced Rates for Private Duty Nursing (PDN)

New York proposes to invest state and federal enhanced matching funds, on a one-time basis, to supplement FFS Medicaid private duty nursing (PDN) rates for adult recipients receiving services in the home to align with the rates recently enhanced for the under-23 population. The investment would apply until March 31, 2024. This proposal would ensure adequate reimbursement and access to PDN services for FFS members who turn 23 years old and remain in the program and help with staffing cases, which has been even more challenging during the COVID-19 pandemic. The FFS Medicaid base fees are currently lower than the Medicaid Managed Care fees creating a disincentive for providers to service FFS adult members.

Eligible Providers:

PDN providers; these providers offer substantial, complex, and continuous skilled nursing care provided in the home for medically fragile Medicaid beneficiaries.

Implementation Date: November 1, 2021

Amount of Funding (SFE) Projected to Be Spent: \$27.2M

Status Update Overall:

SPA 21-0066 was submitted to CMS on December 30, 2021, and subsequently withdrawn. This proposal was moved under the Disaster Relief SPA 21-0073, a draft of which was submitted to CMS on September 18, 2022, with a revision submitted on November 28, 2022. The SPA was approved on June 28, 2023. DOH submitted SPA 22-0037 to CMS on June 30, 2022. There have been several requests for additional information and several resubmissions. None, however, have involved a PDN. The entire end date was extended to May 11, 2023. As such, PDN SPA 22-0037 was withdrawn and replaced with SPA 23-0067. CMS approved SPA 23-0067 on September 27, 2023.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

DOH submitted SPA 21-0066 to CMS on December 30, 2021, and subsequently withdrew it. The Disaster Relief SPA 21-0073 was submitted to CMS as a draft on September 18, 2022, with a revision submitted at CMS's request on November 28, 2022 and was approved on June 28, 2023. DOH submitted SPA 22-0037 to CMS on June 30, 2022. SPA22-0037 was subsequently withdrawn and replaced with SPA 23-0067. CMS approved SPA 23-0067 on September 27, 2023.

J. Supportive Residential Habilitation Transformation Grant

Establishes a grant opportunity to increase the ability of providers to employ flexible strategies to enhance person-centered service delivery and to further incentivize the provision of supports and services that will allow individuals with I/DD to live in a more integrated setting of their choosing. These resources will be used to incentivize Residential Habilitation Providers to expand the use of innovative tools and technologies, investments in capital and start-up costs associated with staffing “hubs”, planning and development of service delivery options costs, and the identification, hiring, and training of neighbors or staff to expand Supportive Residential Habilitation and Family Care Residential Habilitation options that support people in a more independent manner in the most integrated settings, consistent with their needs and preferences. Funds will not be used for participants’ room and board costs. The State will reinvest ARPA funds for this activity and is not seeking an additional match.

Eligible Providers:

Residential Habilitation Providers; these providers offer care, skills training, and supervision to participants in a non-institutional setting.

Implementation Date: July 31, 2023

Amount of Funding (SFE) Projected to Be Spent: \$9.3M

Status Update Overall:

OPWDD released an RFA for a Supportive Residential Habilitation Transformation grant on March 22, 2022. Contracts were fully executed in July 2023.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

As funds will be distributed through grants, OPWDD does not anticipate the need for federal authority to execute this proposal. Final grant award amounts are pending review of applications.

K. Invest in OASAS Outpatient Addiction Rehabilitation Treatment Services Adjustments

Utilize enhanced funding to increase access by incentivizing providers that deliver services in the community for all outpatient addiction rehabilitation services through a 10 percent temporary rate enhancement.

Eligible Providers:

OASAS licensed or certified Outpatient Addiction Rehabilitation Treatment Service providers; these providers offer clinical services for people with addiction to substances and their families.

Implementation Date: March 31, 2022; payments effective November 1, 2021

Amount of Funding (SFE) Projected to Be Spent: \$4.2M

Status Update Overall:

A Federal Public Notice for OASAS Outpatient rate changes was published by the New York Department of State on November 1, 2021. State Plan Amendment 21-0073 was submitted to CMS as a draft on September 18, 2022 (with revision submitted November 28, 2022) and approved on June 28, 2023. The rate package has been approved and OASAS has developed billing and programmatic guidance that was circulated to providers to support implementation of this proposal. These services are authorized to be delivered consistent with 42 CFR §440.130(d) and pursuant to SPA 16-0004. This proposal is now fully implemented.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

NYS submitted the draft consolidated Disaster Relief SPA 21-0073 in draft to CMS on September 18, 2022, with a revision submitted at CMS's request on November 28, 2022, with a further revision submitted in May 2023. The SPA was approved on June 28, 2023. The rate package was approved.

L. Invest in Personalized Recovery Oriented Services (PROS) Redesign

Supporting a PROS redesign via enhanced rates within PROS to include an increase in offsite capacity and one-on-one service, program specific staffing investments including peers and rehabilitation staff, and grants for physical plant improvements. Physical plant improvements would not be directly funded by this proposal; rather, the State is providing 10 percent rate enhancements for existing State Plan services, which providers may use to cover operational, workforce, and other costs required to preserve access to HCBS. Investment is based upon Consolidated Financial Report (CFR) gap-to-actual costs and recent provider closure. The PROS model must be updated to accommodate changing population and system need and demographics (i.e., telehealth, desire for more one-on-one, off-site capability, unemployment), while right-sizing financial models to support it. Funding will be disbursed through rate increases paid across FFS or MMCP.

Eligible Providers:

OMH-licensed rehabilitation for PROS providers; these providers offer a comprehensive model that integrates rehabilitation, treatment, and support services for people with serious mental illness. These are State Plan authorized rehabilitative services pursuant to 42 CFR § 440.130(d) and as outlined in SPA 16-0041.

Implementation Date:

Payments are effective for dates of service beginning October 14, 2021. Implementation began March 28, 2022.

Amount of Funding (SFE) Projected to Be Spent: \$5.1M

Status Update Overall:

Federal Public Notice was published with NYS Department of State on October 13, 2021. The rate package for PROS was finalized, the rates were loaded and paid, and the providers were notified of the changes. OMH continues to facilitate communication between providers and stakeholders including specific provider impacts.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

NYS published a Federal Public Notice for the State Plan Amendment on October 13, 2021. NYS submitted the draft consolidated Disaster Relief SPA 21-0073 on September 18, 2022, with a revision submitted on November 28, 2022, and approved on June 28, 2023.

M. CFTSS Rate Adjustments

Apply the 25 percent rate adjustment to Children and Family Treatment and Support Services (CFTSS) rates, including “off-site” rates, retroactive to April 1, 2021, until the end of the ARPA HCBS eFMAP funding period.

Eligible Providers:

CFTSS providers designated to provide CFTSS consistent with 1905(a)(13) of the SSA, 42 CFR § 440.130(d) and as outlined in SPA 20-0018.

Implementation Date: Payments were loaded on February 18, 2022 and went into effect on March 23, 2022.

Amount of Funding (SFE) Projected to Be Spent: \$7.7M

Status Update Overall:

DOH received CMS approval of the Disaster SPA 21-0054 on June 28, 2023. Guidance was drafted and sent out for providers and MMCP regarding billing. Additionally, DOH is defining more clearly the scope of services covered in this rate increase to cover both Rehabilitative and Prevention Services. Since these services are being delivered by the same providers and same practitioners this increased rate in both areas will allow providers to expand overall capacity to serve both children with behavioral health issues and children who are at risk of developing them as a result of trauma or other adverse childhood experiences. Included programs are consistent with 1905(a)(13) of the SSA, 42 CFR § 440.130(d) as outlined in SPA 20-0018.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

DOH developed a Disaster SPA 21-0054 “Enhanced FMAP” that was submitted to CMS on October 8, 2021. CMS approved the SPA on June 28, 2023.

N. Children's Waiver HCBS Rate Adjustments

Implement a HCBS rate adjustment of 25 percent retroactive to April 1, 2021, until the end of the ARPA HCBS eFMAP funding period. This would assist providers to build capacity to meet the increasing need.

Eligible Providers:

Children's HCBS providers.

Implementation Date: By March 31, 2022, payments effective April 1, 2021.

Amount of Funding (SFE) Projected to Be Spent: \$150.1M

Status Update Overall:

CMS approved the Appendix K NY. 4125.R05.12 modification of the 1915(c) NY Children's Waiver (4125.R05.00) on February 1, 2022. DOH developed updated rates and prepared a notice to providers and MMCP about the rate adjustment.

FFS rate distribution occurred on March 23, 2022, and MMCP rate distribution occurred March 31, 2022. Payments are ongoing but will be covered by other funding sources following September 2023.

Status for Federal Approval of Spending Plan:

Approved by CMS on August 25, 2021.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

DOH submitted Appendix K to CMS on January 14, 2021. CMS approved the Appendix K on February 1, 2022. Payments are ongoing.

O. Invest in Assertive Community Treatment (ACT) Services

Increasing the existing service payment rates for ACT teams serving the highest need individuals in the mental health system. ACT services are State Plan authorized rehabilitative services pursuant to 42 CFR § 440.130(d) and as outlined in SPA 01-0001 and pending SPA 21-0015. Funding will be disbursed through rate increases paid across FFS or MCO Medicaid claims following a State Plan Amendment as services are provided to eligible Medicaid recipients.

Eligible Providers:

OMH-licensed ACT providers; these providers consist of a community-based group of medical, behavioral health, and rehabilitation professionals who use a team approach to meet the needs of an individual with severe and persistent mental illness.

Implementation Date: Payments are effective for dates of service beginning October 7, 2021. Implementation began March 14, 2022.

Amount of Funding (SFE) Projected to Be Spent: \$3.5M

Status Update Overall:

NYS published a Federal Public Notice for the State Plan Amendment on October 6, 2021. A SPA was submitted to CMS on December 30, 2021. This proposal impacts State Plan authorized rehabilitative services pursuant to 42 CFR § 440.130(d) and as outlined in SPA 01-0001 and approved SPA 21-0015. Rate packages were finalized, rates were loaded and paid, and OMH notified providers of rate changes. OMH continues to facilitate communication between providers and stakeholders including specific provider impacts.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

Federal Public Notice was issued with NYS Department of State on October 6, 2021. NYS submitted the draft consolidated Disaster Relief SPA 21-0073 on September 18, 2022, with a revision submitted on November 28, 2022, and approved on June 28, 2023.

P. Health Home Serving Children Rate Adjustments

Provide a temporary annual assessment fee of \$200 to Health Homes for conducting an HCBS eligibility determination.

Eligible Providers:

Health Homes Serving Children (HHSC).

Implementation Date:

Payments effective starting April 1, 2021. Implementation is expected to occur in the first quarter of calendar year 2024.

Amount of Funding (SFE) Projected to Be Spent: \$0.73M

Status Update Overall:

DOH completed a Disaster SPA 21-0054 for the assessment fee retroactive to April 1, 2021 and received approval from CMS on June 28, 2023. DOH received CMS approval on March 27, 2023 for SPA 22-0088 to continue this activity after September 30, 2022 and is finalizing billing guidance for HHSC.

Status for Federal Approval of Spending Plan:

Approved by CMS on August 25, 2021.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

CMS approved Disaster SPA 21-0054 on June 28, 2023. DOH submitted SPA 22-0088 to begin October 1, 2022, which was approved by CMS on March 27, 2023. DOH is finalizing billing guidance and system updated for HHSC.

Q. Support for Adult Day Health Centers (ADHCs) and Social Adult Day Centers (SADCs) Reopening

New York State proposes to use a directed payment template with MLTCs, with the possibility of capital investments, to fund ADHCs and SADCs based on utilization of services in an effort to strengthen, enhance, and expand the availability of these HCBS which were closed during the height of the pandemic. This is in an effort to assist SADCs and ADHCs to reopen safely and institute effective infection control measures and provide SADCs and ADHCs workforce development funds for recruitment and retention of qualified staff. Providers pursuing any capital investments will be required to confirm their resulting location is fully compliant with the HCBS settings criteria.

Eligible Providers:

All ADHCs and SADCs operating in NYS that are determined to be compliant with or in the process of becoming compliant with the HCBS Settings Final Rule; these centers provide a coordinated program of professional and compassionate services for adults in a community-based group setting.

Implementation Date: January 1, 2024

Amount of Funding (SFE) Projected to Be Spent: \$10.0M

Status Update Overall:

DOH submitted a Section 438.6(c) preprint for SADCs and a SPA for ADHCs. CMS approved both federal authorities. Guidance regarding the SADC Directed Payment has been provided to eligible SADC sites. Program requirements for funding eligibility have been shared with ADHC providers and DOH plans to provide additional detailed guidance to providers prior to the release of funds.

Status for Federal Approval of Spending Plan:

Approved by CMS on October 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

CMS approved the preprint submitted for SADC sites on October 31, 2023. Information was shared with both providers and health plans which details program requirements, measures used to drive funding amounts, and other elements of program design. Providers will not be allowed to use this funding on capital expenditures. DOH submitted SPA 23-0020 for ADHCs on March 30, 2023. CMS approved the SPA on June 21, 2023.

R. Invest in Mental Health Outpatient Treatment and Rehabilitation Services

Increase the existing service payment rates for Mental Health Outpatient Treatment and Rehabilitation Services, a critical access point in the mental health system. Funding will be disbursed through rate increases paid across FFS or MCO Medicaid claims following a State Plan Amendment as services are provided to eligible Medicaid recipients. As more Medicaid recipients seek access for behavioral health services, these investments will be used to target peer support service provision, offsite service delivery, electronic health record (EHR) changes, and strengthening provider staffing resources.

Eligible Providers:

OMH-Licensed Mental Health Outpatient Treatment and Rehabilitation Services Providers; these providers offer counseling, group therapy, medical consultations, and psychiatry to help patients learn to cope with stressors and manage their mental health.

Implementation Date: Payments are effective for dates of service beginning February 1, 2022. Implementation began in September 2022.

Amount of Funding (SFE) Projected to Be Spent: \$32.6M

Status Update Overall:

NYS published a Federal Public Notice for the SPA 22-0014 on January 26, 2022. The SPA was submitted to CMS on March 31, 2022 and approved by CMS on June 23, 2022. An enhanced rate package for OMH-Licensed Mental Health Outpatient Treatment and Rehabilitation Services was developed and rates were loaded in September 2022. OMH notified providers of rate changes.

Status for Federal Approval of Spending Plan:

Approved by CMS on May 18, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

SPA 22-0014 was approved by CMS on June 23, 2022.

S. Continuation and Expansion of the Community Care Connections Program Model Funding

New York proposes to invest a portion of this enhanced funding to support the continuation and expansion of the Community Care Connections (CCC) model and the integration of community-based social workers and nurse care coordinators into the medical system of care. The CCC model integrates traditional community-based aging services with medical systems of care to positively impact the aims of cost, quality, and patient satisfaction. Due to CCC's proven ongoing success of improving health outcomes while also reducing healthcare utilization for older adults, NYSOFA will utilize this funding to support the continuation and expansion of the CCC model into other counties within New York State by expanding the CCC model to an additional 6 counties, supporting consultation and guidance for community-based organizations (CBOs) to facilitate program replication, continuing support for the evaluation of the CCC model, and continuing to develop contracts with payers for sustainable funding.

Funding will be used to address the social, economic, and clinical needs of older adults, which supports New York State's movement from a volume-based system to value-based system. NYSOFA intends to leverage the NY Connects No Wrong Door (NWD) System as a key component within the CCC model and incorporate care transitions programming to successfully facilitate referrals between institutional care and home and community-based settings. Costs and services funded through this proposal will include staffing, staff mileage to home visits and client medical appointments, IT equipment for documentation and care planning, program management, subcontracts with CBOs, travel required for outreach and expansion, and the independent evaluation of the CCC model by the New York Academy of Medicine.

Eligible Providers:

N/A

Implementation Date: January 1, 2023

Amount of Funding (SFE) Projected to Be Spent: \$2.8M

Status Update Overall:

Lifespan continued outreach activity to rural counties targeted for expansion. In the third quarter, a total of sixteen (16) public events occurred in the following counties: Genesee, Livingston, Ontario, Seneca, Steuben, and Yates. In addition to outreach activity to medical practices, Lifespan has participated in presentations and meetings, and has tabled events in multiple counties to educate older adults and community-based organizations about the availability of CCC programs in their regions. Education meetings and events have taken place with Adult Protective Services, State Offices for the Aging, Department of Health and Human Services, Resources and Advocacy for the Aging and Disabled

(RAAD), Senior Housing, Housing Councils, Independent Living Centers, the Institute for Human Services in Bath, and home health care agencies. In the third quarter, Lifespan conducted outreach and education at senior housing locations such as Lyceum Heights in Seneca County; Village Square Apartments in Steuben County; St. Mark's Terrace in Yates County; North St. Apartments and Farmington Gardens in Ontario County; Jerome Apartments, 400 Towers Apartments, LeRoy Meadows Housing, Washington Towers, and La Rosa Villas in Genesee County. There were also community tabling events in Livingston County, a Fall Prevention Workshop, and in Ontario County, a Senior Health and Wellness Expo at the YMCA.

Lifespan's outreach activities have also included potential sub-contracted partners including the Centers of Excellence for Alzheimer's Disease at Glens Falls Hospital in Warren County for an initial conversation about the replication of CCC in the North Country. Additionally, Lifespan engaged Selfhelp Community Services and Broome County Office for the Aging, both of which are interested in expanding the CCC model in their respective regions.

In the third quarter, Lifespan met with potential payers (Monroe County Department of Human Services, Greater Rochester Independent Practice Association, MVP Insurer and the Veterans Administration Finger Lakes Healthcare System) to discuss program objectives and share information related to the value proposition of this integrated healthcare model.

Lifespan hired three LPN Healthcare Coordinators who live in rural counties: one in Livingston, one in Steuben and one at the border of Yates, Steuben, and Ontario Counties. Lifespan's base operations in Monroe, Ontario, Livingston, and Genesee Counties are supported by six additional LPN Healthcare Coordinators and three Social Work Care Managers. Lifespan will recruit and hire an additional three Social Work Care Managers to achieve the expansion plan to serve an additional 500 older adults for a total of 1,940 in the targeted counties over the 24-month period.

Lifespan has also reconvened the CCC Advisory Committee to review the workplan for the CCC expansion project.

Status for Federal Approval of Spending Plan:

Approved by CMS on October 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The State does not anticipate the need for additional federal authority in order to execute this proposal.

T. Personalized Recovery Oriented Services (PROS) – Enhance Community Access

Personalized Recovery Oriented Services (PROS) is a comprehensive model that integrates rehabilitation, treatment, and support. Primarily a site-based service model since inception in 2006, changes in recipient demographics and acuity began to drive changes in recipient behavior related to program attendance time and service choices. Prior to 2020, OMH began to consider options for redesign of the program and reimbursement for the PROS program.

January 31, 2020, brought the declaration of a Public Health Emergency (PHE), due to Novel Coronavirus-19, which remained in effect until May 11, 2023. During this time OMH issued guidelines for provision of services and related documentation and billing intended to afford providers sustained revenue to maintain operations, while ensuring the best possible provision of ongoing care and support. The PHE caused additional lasting effects on recipient choice and service acquisition behavior, as well as PROS direct care staff recruitment and retention and, accordingly, OMH is in the process of developing adjustments to the PROS program and reimbursement models to address this unprecedented shift.

New York State proposes to address these challenges through the investment of State grants to PROS providers based on program census. Allowable uses for this funding are workforce recruitment and retention, expanding tele-mental health services, updating electronic health records and management and billing systems, and the expansion of recipient outreach efforts and activities that establish and promote better coordination with referral sources.

Eligible Providers:

OMH-licensed rehabilitation PROS providers; these providers offer a comprehensive model that integrates rehabilitation, treatment, and support services for people with serious mental illness. These are State Plan authorized rehabilitative services pursuant to 42 CFR § 440.130(d) and as outlined in SPA #16-0041.

Implementation Date: July 1, 2023

Amount of Funding (SFE) Projected to Be Spent: \$9.9M

Status Update Overall:

OMH has finalized the programmatic design and has received the prerequisite State and federal approvals to advance this proposal OMH is currently contracting with providers.

Status for Federal Approval of Spending Plan:

Approved by CMS on October 2, 2023.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The State does not anticipate the need for additional federal authority in order to execute this proposal.

U. Invest in Certified Community Behavioral Health Clinics (CCBHC)

On April 1st, 2014, Congress passed the Protecting Access to Medicare Act of 2014 (H.R. 4302) which led to the creation of the Certified Community Behavioral Health Clinic (CCBHC). In December 2016, NYS was one of 8 states chosen by Substance Abuse and Mental Health Services Administration (SAMHSA) to begin a 2-year Section 223 Demonstration Program, with the understanding that all the CCBHC clinics had to start their Demonstration Programs no later than July 1st, 2017. Of the 29 mental health and substance use disorder treatment providers who helped to create the CCBHC model, 13 providers are included in the State's Demonstration.

This funding will be distributed proportionately to add additional service sites or services to their current CCBHC operation that were not included in their original proposal for inclusion in the Demonstration. Once these sites are identified and verified to be eligible for reimbursement as a CCBHC, funds would be made available to support the development of these additional program sites or services to become fully operational. This would include steps necessary to comply with the new CCBHC Certification Criteria issued by SAMHSA in March 2023. These funds may also be made available to new CCBHC programs awarded through a Request for Proposals if funding is available after the awards are made.

Allowable uses for this funding include staffing, policy and procedure development, expanding tele-mental health services, updating electronic health records and management and billing systems, site specific alterations to improve provider care, increasing integration with local crisis centers and development of triage capacity, development of care coordination agreements/designated collaborating organization (DCO) agreements, and the cost of accreditation should NYS require as part of the certification process.

Eligible Providers:

Certified Community Behavioral Health Clinics (CCBHC) established pursuant to Section 223 of the Protecting Access to Medicare Act of 2014 or new CCBHC programs awarded through a Request for Proposals.

Implementation Date: July 1, 2023

Amount of Funding (SFE) Projected to Be Spent: \$5.1M

Status Update Overall: Plans to add additional sites and/or enhance services in the existing CCBHCs have been submitted and approved, and Award Notices have been sent to the providers. Contracts necessary to distribute the funds are currently under development.

Status for Federal Approval of Spending Plan:

Approved by CMS on October 2, 2023.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The State does not anticipate the need for additional federal authority in order to execute this proposal.

III. Digital Infrastructure Investment

A. Modernize OPWDD IT Infrastructure to Support Medicaid Enterprise & Investments to Expand Operational Capacity

Investments to Expand Operational Capacity. OPWDD will collaborate with the DOH and New York State Information Technology Services (ITS) to seek investments to access and leverage ongoing federal Health Information Technology funding for OPWDD's Medicaid IT infrastructure, including billing, incident management, needs assessments and service determinations, care management, and statewide case management. In addition, resources will be used to develop new interactive dashboards, reporting, and data integration for stakeholder transparency to ensure quality supports and services are delivered to New Yorkers with developmental disabilities. Resources will also be used to make one-time investments in areas such as systems to manage scheduling and deployment of the direct support staff workforce and inventory tracking.

Eligible Providers:

Qualified Medicaid Health Information Technology (HIT) vendors; these design, develop, create, use, and maintain information systems for the healthcare and LTSS industries.

Implementation Date: December 31, 2023

Amount of Funding (SFE) Projected to Be Spent: \$12.3M

Status Update Overall:

Contracts are expected to be fully executed in December 2023 to retain a vendor to draft an HIT plan as well as to support additional OPWDD IT initiatives designed to support community integration.

Status for Federal Approval of Spending Plan:

Approved by CMS on August 25, 2021.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

As funds will be distributed through existing procurement processes, OPWDD does not anticipate the need for federal authority to execute this proposal. Final grant award amounts are pending review of applications.

B. Strengthen NY Connects Infrastructure

New York proposes to invest a portion of this enhanced funding for NY Connects to include additional resources in the directory, across the service sectors serving children with special needs and individuals: intellectual and developmental disabilities (I/DD), mental health and chronic behavioral health conditions, serious mental illness (SMI), and substance use disorder (SUD). NYSOFA would develop and deliver specific training for NY Connects operators about changes in accessing services and supports across the disability continuum. The State will reinvest ARPA funds for this activity and is not seeking an additional match.

Eligible Providers:

N/A

Implementation Date: October 1, 2021 for the approved portion of the proposal; April 3, 2023 for the enhancements to the NY Connects Resource Directory and Training and June 1, 2023 for the Data Collection and Reporting System Improvements portion of the proposal.

Amount of Funding (SFE) Projected to Be Spent: \$30.1M

Status Update Overall:

DOH and NYSOFA have finalized the initial investment areas for NY Connects, as proposed in and approved as part of the July 2021 Spending Plan and have begun the initial phase of the investment and implementation process.

Effective October 1, 2022, NYSOFA is expanding this proposal to the following area:

- 1. Enhance NY Connects Resource Directory and Training for NY Connects Staff (\$0.25M):** In coordination with all NY Connects NWD system partners, NYSOFA will invest a portion of this funding to further enhance the NY Connects Resource Directory with information and resources specific to children with special needs and individuals with I/DD, mental health and chronic behavioral health conditions, SMI, and SUD. To support the enhancements to the NY Connects Resource Directory, NYSOFA will collaborate with the NWD system partners to continue developing and providing effective training curricula for NY Connects staff across the state. NY Connects staff will receive updated training specific to each population so that they may help individuals and their family/caregivers who are served by other state agencies, with exploring their options and making informed choices on LTSS and other available resources. NY Connects staff will also receive training and education on caregiver resources and supports for each population.

The NYSOFA project team completed a thorough review of existing trainings to identify needed enhancements and new topics for development developed the scope of work for this project NYSOFA provided an overview of the project to NWD partner agencies during a standing interagency call on November 28, 2022. At that time, the NWD partner agencies were asked to review the training material for their respective agencies/networks and to share back updated information that could be incorporated into the final training modules. During the third quarter, updates from each of the NWD partner agencies were shared with the contractor (Center for Aging and Disability Education and Research - CADER) so they could begin development of the training modules.

Status for Federal Approval of Spending Plan:

Initial proposal approved by CMS on August 25, 2021. Expanded proposal approved by CMS on May 18, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The State does not anticipate the need for federal authority in order to execute this proposal.

C. Advance Children's Services IT Infrastructure

Create a flexible mechanism by which providers can enhance their IT infrastructure to meet the needs of children and families they serve. This can include integrating EHR systems, developing billing platforms/hiring billing vendors, Health Home build system to take oversight of Modifications, HCBS Requirements, POC, and Linkages to Services Oversight, Electronic Visit Verification (EVV) reimbursement, funding for administrative staff, funding for training staff, telehealth equipment, necessary facility changes, and a funding pool to incentivize Article 29-I providers meeting established performance targets and criteria.

Eligible Providers:

CFTSS Providers, HCBS providers, VFCA 29-I Health Facilities

Implementation Date: October 1, 2023

Amount of Funding (SFE) Projected to Be Spent: \$5.6M

Status Update Overall:

On April 6, 2022, CMS approved two Section 438.6(c) preprints for this proposal (NY_Fee_HCBS.BHO2_New_20210401-20220331 and NY_Fee_HCBS.BHO1_New_20210401-20220331) which establish a methodology to award 84% of the funding to 86% of targeted providers. DOH is drafting communications to both providers and Medicaid Managed Care Plans regarding these approvals and detailing necessary next steps. Additionally, DOH is pursuing alternative means of distribution for remaining funds to the providers not captured in the preprint via State Share Only payments. The State added \$165,000 to this proposal of state share funds to increase award amounts to each provider. Attestations for the approved two Section 438.6(c) preprints for this proposal have been sent to providers who will be receiving funds via this method and/or via State-Share Only payments. An additional Section 438.6(c) preprint for this proposal (NY_Fee_HCBS5_New_20220401-20230331) that establishes a methodology to award qualifying Health Homes additional funds was approved by CMS on May 9, 2023.

Funding disbursement for these initiatives was completed by October 20, 2023.

Based on the data submitted by providers, licensing information available to DOH regarding licensure by other state agencies of residential programs, and the CMS guidance regarding IMD criteria, DOH is currently working to make preliminary assessments of all providers of child welfare residential programs. When complete, these determinations will be shared with providers and providers will be given the opportunity to clarify or provide additional information before site visits are scheduled to validate determinations. Many providers offer a variety of services to children/youth/families. A number of providers are authorized to

provide community-based services, including HCBS and CFTSS and 29-I health-related services, while also providing residential services or running group boarding homes, as an example. NYS will ensure that the funding is provided to build service capacity for children/youth who need community-based services to prevent higher level of care and or assist with stepping down from a higher level of care. This funding will be utilized to build and expand preventive and community-based services to serve children/youth in the least restrictive setting. ARPA funding will not be used for services provided in inpatient facilities, including facilities that may meet the definition of an IMD or PRTF.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

Section 438.6(c) preprints for this proposal were approved by CMS on April 6, 2022, to distribute 84% of available funds. DOH is investigating additional means to distribute remaining funds and will submit subsequent authorities for those alternative means of distribution if required. Attestations for the two approved Section 438.6(c) preprints for this proposal have been sent to providers who will be receiving funds via this method and/or via State-Share Only Payments. An additional Section 438.6(c) preprint for this proposal which establishes a methodology to award qualifying Health Homes additional funds was approved on May 9, 2023.

D. Extend Support for BH Care Collaboratives (BHCC)

Beginning in 2018, New York State invested \$60M to develop BHCC service networks across the behavioral and physical health continuum to prepare the BH system to enter into value-based reimbursement through supporting fiscal and clinical integration that is the foundation of BHCCs. Funds supported BH provider system culture change, moving from competition to collaboration across networks. BH providers in these BHCC networks gained knowledge and insight about how to define and measure the value BH brings to the overall health care system and managed care organizations. Most of these provider networks incorporated as Behavioral Health Independent Practice Association (BH IPAs), in order to enter contract arrangements. These BH IPAs developed significant infrastructure to drive integrated care, measure and manage data across networks, and improve service delivery across the behavioral and physical health spectrum. This additional development funding would allow for BH IPAs to continue their pre-pandemic work including enhancing data platforms and quality assurance processes, measuring quality and continuity of care across the provider network and through the larger system of care, and supporting engagement with payers for alternative payment models or value-based reimbursement arrangements with a focus on rehabilitation and recovery services.

Eligible Providers:

Existing BHCCs operating as BH IPA: these providers expand, enhance, and strengthen HCBS in the Medicaid program by assisting HCBS providers become empaneled to provide services to more Medicaid Managed Care enrollees and engage with payors in beneficial value-based contracting arrangements. BHCC network providers are licensed behavioral health providers under Article 31 and Article 32 of the New York Mental Hygiene Law, including mental health clinics, substance use disorder providers, PROS, ACT and related HCBS providers, and, in that capacity, are authorized to deliver Appendix B services, including State Plan rehabilitative services pursuant to 42 CFR § 440.130(d) and Adult BH HCBS, which are section 1115(a) authorized HCBS.

Implementation Date: First payment was made in September 2022 and was retroactive to April 1, 2022. The second payment was made in June 2023.

Amount of Funding (SFE) Projected to Be Spent: \$10.0M

Status Update Overall:

OMH, in collaboration with the Department of Health, submitted a directed payment template to CMS on January 20, 2022, subsequently revised and resubmitted on March 29, 2022. CMS approved the directed payment preprint on March 30, 2022.

Status for Federal Approval of Spending Plan:

Approved by CMS on January 31, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

Section 438.6(c) preprint was resubmitted to CMS on March 29, 2022. CMS approved the directed payment preprint on March 30, 2022.

Specific provider payments were confirmed as part of authority approval.

E. Strengthen the NYS Multiple Systems Navigator

New York proposes to invest a portion of this enhanced funding to grow and improve the accessibility of the NYS Multiple Systems Navigator sponsored by the NYS Council on Children and Families (CCF). The NYS Multiple Systems Navigator (www.msnavigator.org) is a website for youth with multiple disabilities, parents, caregivers, and direct care professionals that serves as a one-stop resource on high-quality supports and services available from health, education, and human services agencies that serve vulnerable New Yorkers. Since its creation, the Multiple Systems Navigator has simplified a complex process of accessing information from numerous child- and family-serving agencies by compiling it on one consumer-friendly site, helping provide access to comprehensive, current, relevant, and easy-to-find information for those typically in need of multiple intensive services and supports including health, mental health, developmental disability, and other services. Specifically, the funds would enable youth, families, and the workforce supporting this target population to access available HCBS more easily and other services and supports across the State.

This project will meet the dual goals of supporting the direct care workforce and investing in the State's digital infrastructure. Specifically, enhancements to the MS Navigator will enable youth, families and the workforce supporting this target population to access available home and community-based services (HCBS) across the State. It is imperative that CCF with the support and guidance of the vendor work to incorporate stakeholder feedback about the redesign of the MS Navigator, by conducting surveys, focus groups or otherwise soliciting feedback from state and local agencies, providers, families, and youth.

The upgrade/enhancement of the user interface and user experience will follow timely and emergent user experience best practices such as adding a printable report function or text/share function to allow users the option to print or share with a contact/friend via email or text a listing of their map search. Increasing the search parameters to include NYS CCF member state agencies websites (OPWDD, NYSOFA, OMH, State Education Department (SED), Office of Temporary and Disability Assistance (OTDA), OCFS, and DOH) will greatly enhance the search capability and presentation of results, services will be easier to find and ultimately access for youth, families, and the workforce.

Making it easier for users to view multiple programs and services (with descriptions) within a short distance of their location, receive driving directions, while providing the option to print or share results. These enhancements of the user interface and the search capabilities will provide the first of its kind digital experience for parents, caregivers, and case managers of youth with multiple disability and developmental needs and behavioral challenges. Website enhancements will also improve the accessibility of the site for individual with disabilities. These investments will support improvements to advance the MS Navigator as a repository of easy-to-locate available home and community-based

supports and many other related services.

In addition, CCF would develop a program and service equity mapping application to help State and local agencies make more informed funding decisions to target resources to populations in the greatest need. This application would map current service and program information from multiple State agencies and organize these maps by categories with optional data overlays. An interactive dashboard would use the data to ensure necessary resources are reaching the populations most in need.

Eligible Providers:

N/A

Implementation Date: July 1, 2023

Amount of Funding (SFE) Projected to Be Spent: \$1.5M

Status Update Overall:

OCFS/CCF procured a vendor for the website revision in March of 2023. CCF procured a vendor for the equity tool in October 2023. OCFS/CCF procured a vendor for the media campaign in November 2023. OCFS/CCF plans to have all 3 projects completed by March 31, 2024.

Status for Federal Approval of Spending Plan:

Approved by CMS on May 18, 2022.

Update on Needed Federal Authorities (SPA, Preprint, etc. as indicated in the Spending Plan):

The State does not anticipate the need for additional federal authority in order to execute this proposal.