

NEW YORK

New York State Department of Health

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Home and Community-Based 1915(c) Waivers for Respite Support and 1115 Managed Long-Term Services and Supports

Medicaid is a program in every state that pays for medical assistance for certain individuals and families with low incomes and resources. It is the largest source of funding for medical and health-related services for America's poorest people. Because Medicaid is funded jointly by the federal and state governments, the services paid for vary from state to state. In addition to medical services, Medicaid will pay for home and community-based services (HCBS) through the state plan as well as through Medicaid waivers that offer services as a lower-cost alternative to treatment in a medical or long-term care facility, such as a nursing home. Respite is usually paid for through one or more of the following types of waivers: research and demonstration (1115), managed care (1915b) and HCBS (1915c) waiver programs. Many states are transforming their Medicaid programs and moving traditional HCBS waiver services to some form of Managed Long-term Services and supports.

Many of New York's Home and Community-Based Services (HCBS) 1915(c) waivers have been, or are being, incorporated into the 1115 Demonstration: "Medicaid Redesign Team" and will be operated as Managed Long-term Services and Supports (MLTSS). The transition to MLTSS is occurring in phases with specific populations transitioning through 2020. Thus far only NY Long-term Home Health Care Program, NY Nursing Home Transition and Diversion, and Traumatic Brain Injury waivers are part of the demonstration, however the others will move over in the future. All of the waiver services offered by the HCBS 1915(c) waivers including respite care are to continue to be provided in the MLTSS delivery system.

[NY Medicaid Redesign Team \(Partnership Plan Demonstration\)](#)

The demonstration is designed to permit New York to use a managed care delivery system to deliver benefits to Medicaid recipients, create efficiencies in the Medicaid program, and enable the extension of coverage to certain individuals who would otherwise be without health insurance. The state's goal in implementing the Partnership Plan section 1115(a) demonstration is to improve access to health services and outcomes for low-income New Yorkers by: improving access to health care for the Medicaid population; improving the quality of health services delivered; expanding access to family planning services; and expanding coverage with resources generated through managed care efficiencies to additional low-income New Yorkers.

[NY OPWDD Comprehensive Waiver \(0238.R05.04\)](#)

Provides day habilitation, live-in caregiver, prevocational, residential habilitation, respite, supported employment, community transition services, agency with choice financial management services (FMS), individual directed goods and services, support brokerage, assistive technology-adaptive devices, community habilitation, environmental modifications (home accessibility), family education and training, intensive behavioral services, pathway to employment, and plan of care support services for individuals with autism, intellectual disabilities (ID), developmental disabilities (DD) ages 0 - no maximum age. Also serves those eligible for both Medicaid and Medicare.

[NY Nursing Home Transition and Diversion Medicaid Waiver \(0444.R02.00\)](#)

Provides respite, service coordination (SC), assistive technology, community transitional services (CTS), environmental modifications services, moving assistance services, transportation services, community integration counseling services (CIC), congregate and home delivered meals services, home and community support services (HCSS), home visits by medical personnel, independent living skills training services (ILST), nutritional counseling/educational services, peer mentoring, positive and behavioral interventions and supports services (PBIS), respiratory therapy services, structured day program services (SDP), wellness counseling service for aged individuals age 65 and older, and physically disabled ages 18 – 64

[NY TBI Waiver \(0269.R04.01\)](#)

Provides respite, service coordination, assistive technology (AT), community transitional services (CTS), environmental modifications, transportation services, community integration counseling (CIC), home and community support services (HCSS), independent living skills and training, positive behavioral interventions and support services, structured day program (SDP), substance abuse program services for individuals w/brain injury ages 18 and older.

[NY Children's Waiver \(4125.R05.03\)](#)

Provides case management, community habilitation, day habilitation, prevocational services, respite, supported employment, adaptive and assistive equipment, caregiver/family supports and services, community self-advocacy training and supports, crisis intervention, environmental modifications, family support, non-medical transportation, palliative care - expressive therapy, palliative care – bereavement service, palliative care – massage therapy, palliative care – pain and symptom management, vehicle modifications, youth peer support and training for individuals with physical and other disabilities ages 0-20, brain injury 0-20, HIV/AIDS 0-20, medically fragile 0-20, technology dependent 0-20, autism 0-20, developmental disabilities (DD) 0-20, intellectual disabilities (ID) 0-20, mental illness 18-20, and serious emotional disturbance (SED) 0-18.

NY Medicaid Redesign Team (formerly Partnership Plan)
State Operating Agency: The New York State Department of Health

Description	The demonstration is designed to permit New York to use a managed care delivery system for benefits to Medicaid recipients, create efficiencies in the Medicaid program, and to extend coverage to certain individuals who need long-term care and supports. The state's goal in implementing the Medicaid Redesign Team section 1115(a) demonstration is to improve access to health services and outcomes for low-income New Yorkers by: improving access to health care for the Medicaid population; improving the quality of health services delivered; expanding access to family planning; and expanding coverage with resources generated through managed care efficiencies to additional low-income New Yorkers. This demonstration provides a variety of traditional Medicaid services, including long-term services and supports for specific populations.
Waiver Type	1115
Target Population-Eligibility	<p>HCBS Expansion program: Respite eligibility under the HCBS Expansion program is based on the participant's similarity to an individual determined eligible for and enrolled in the Nursing Home Transition and Diversion and Traumatic Brain Injury waivers. These include individuals who are: 65 and older; are ages 0-64 and have physical disabilities; and those diagnosed with traumatic brain injury (TBI) or a related condition ages 18-64 and injured after age 18.</p> <p>Health and Recovery Plans (HARPs): Individuals age 21 and older with a specified severe mental illness (SMI) or substance use disorder (SUD).</p>
Level of Care	Individuals require the level of care available in nursing facility (NF).
Respite Services	<p>HCBS Expansion program: this program may provide respite care/services to participants in a setting selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.</p> <p>Health and Recovery Plans (HARPs): Within the HARPs, a benefit package of behavioral health (BH) home and community based services (HCBS) is provided, which includes crisis respite. Crisis respite may include Intensive crisis respite or Short term crisis respite in a dedicated facility. Crisis respite has a threshold of 7 days per service, and up to 21 days per year.</p>
Respite Provider Eligibility	In order to participate in the Medicaid Program, providers are required to enroll with the DOH. For provider enrollment information, please refer to eMedNY at https://www.emedny.org/info/ProviderEnrollment/index.aspx
Caregiver Eligibility	Caregiver eligibility is not available.
Enrollment Limit	Enrollment limit unavailable.
How to Apply	<p>To apply for this waiver, you must be enrolled in Medicaid. You can make an appointment to apply for Medicaid through your local LDSS: http://www.health.ny.gov/health_care/medicaid/ldss.htm</p> <p>Once enrolled in Medicaid, you can request to be enrolled in the Partnership Plan through your LDSS.</p>
Contact Information	For general help contact the Medicaid Helpline: 1-800-541-2831, for information about Medicaid Managed Care call: 1-800-505-5678.

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To find out more about Managed Care in New York access the Managed Care page of the NY Department of Health website: http://www.health.ny.gov/health_care/managed_care/index.htm
Information on the Partnership Plan can be found on this page:
http://www.health.ny.gov/health_care/managed_care/appextension/

Link to Waiver Application	https://www.health.ny.gov/health_care/managed_care/appextension/docs/2019-04-19_ny1115_stc.pdf
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Expiration Date	03/31/2021
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Date of Last Update	08/07/2019
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NY OPWDD Comprehensive Waiver (0238.R05.05)**State Operating Agency: The New York State Office for People with Developmental Disabilities (NYS-OPWDD)**

Description	The waiver utilizes natural supports and community-based resources to allow the participant to be as independent, and when possible, as self-directing as possible. It aims to provide person-centered and individualized alternatives to enable people to lead more typical lives in their communities. Waiver services provided include day habilitation, live-in caregiver (42 CFR §441.303(f)(8)), prevocational services, residential habilitation, respite, supported employment (SEMP), community transition services, fiscal intermediary (FI), individual directed goods and services, moving assistance, support brokerage, assistive technology - adaptive devices, community habilitation, environmental modifications (home accessibility), family education and training, intensive behavioral services, pathway to employment, plan of care support services, vehicle modifications.
Waiver Type	1915(c); operating concurrently with 1915(a)(1)(a) voluntary managed care waiver
Target Population-Eligibility	Individuals of any age who are diagnosed with autism, developmental disability (DD), or an intellectual disability (ID).
Level of Care	Individuals require level of care available in an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID).
Respite Services	Respite services are provided to participants unable to care for themselves that are furnished on a short-term basis because of the absence or need for relief of those persons who normally provide care for the participant. Respite services are provided in the following locations: individual's home or place of residence or any other non-certified community location; Family Care home; Medicaid certified ICF/DD; Individualized Residential Alternative (IRA) or Community Residence (CR); and free-standing Respite facility under the auspices of OPWDD. Respite care is not furnished or provided for the purpose of compensating relief or substitute staff in certified community residences. Respite may be participant-directed or provider-managed.
Respite Provider Eligibility	Provider eligibility information can be found at: https://www.emedny.org/info/ProviderEnrollment/omrdd/index.aspx
Caregiver Eligibility	Respite may not be provided by a legally responsible person or legal guardian, but may be provided by a relative. Relative must be qualified, must be at least 18 years of age, and must not live in the same residence as the participant to provide respite.
Enrollment Limit	85657: Year ending 03/30/2021.
How to Apply	Contact the Eligibility Coordinator of your Developmental Disabilities Regional Office (listings at https://opwdd.ny.gov/opwdd_services_supports/eligibility/documents/eligibility_contacts_ddsos)
Contact Information	Contact the Office for People with Developmental Disabilities at INFORMATION LINE 1-(866)-946-9733 or email at opwdd.sm.info.line@opwdd.ny.gov for more information. For more general information about the services provided by this waiver or to check on the progress of the waiver renewal process, reference the People First Transformation page on the NYS-OPWDD website: http://www.opwdd.ny.gov/opwdd_services_supports/people_first_waiver/HCBS_waiver_services There is also a very helpful Access to Services Resource Booklet provided by the NYS-OPWDD that describes how to access waiver services and navigate the entire process that can be found here: http://www.opwdd.ny.gov/welcome-front-door/resource-booklet
Link to Waiver Application	https://opwdd.ny.gov/sites/default/files/documents/Approved%20Amendment%2005_6-28-19.pdf
Expiration Date	03/30/2021
Date of Last Update	07/08/2019

NY Nursing Home Transition and Diversion (NHTD) Medicaid Waiver (0444.R02.00)**State Operating Agency: The Office of Health Insurance Programs, Division of Long-term Care**

Description	<p>The Nursing Home Transition and Diversion (NHTD) waiver provides community-based long-term care services, as an alternative to institutional care. The goal of the waiver program is to assure access to the least restrictive and most community integrated care appropriate. Waiver services are delivered in a traditional method. A Service Coordinator works with the participant to develop and implement a plan for waiver services and other resources.</p> <p>The state has submitted a plan to eliminate the NHTD waiver and transition its participants into managed care programs operated by New York State sometime in the future.</p> <p>The services provided by this waiver include: respite, service coordination (SC), assistive technology, community transitional services (CTS), environmental modifications services, moving assistance services, transportation services, community integration counseling services (CIC), congregate and home delivered meals services, home and community support services (HCSS), home visits by medical personnel, independent living skills training services (ILST), nutritional counseling/educational services, peer mentoring, positive and behavioral interventions and supports services (PBIS), respiratory therapy services, structured day program services (SDP), and wellness counseling service.</p>
Waiver Type	1915(c); 1115 operates concurrently with Partnership Plan
Target Population-Eligibility	Individuals aged 65 and older, age 18-64 physically disabled. Residential settings of four or more unrelated individuals are excluded.
Level of Care	Individuals require level of care available in a nursing facility (NF).
Respite Services	Respite is an individually designed service intended to provide scheduled relief to non-paid supports who provide primary care and support to a waiver participant. The primary location for the provision of this service is in the waiver participant's home, but Respite services may also be provided in another non-congregate care community dwelling acceptable to the waiver participant. Receipt of respite services does not preclude a participant from receiving other services on the same day. Respite services are provided in 24-hour blocks of time, not to exceed thirty (30) days per year. Respite services are provider managed.
Respite Provider Eligibility	<p>Provider enrollment info: https://www.emedny.org/info/ProviderEnrollment/nursing_home_transition/index.aspx</p> <p>More info here: https://www.health.ny.gov/facilities/long_term_care/waiver/nhtd_manual/section_03/index.htm</p>
Caregiver Eligibility	Respite may not be provided by a legally responsible person, relative, or legal guardian.
Enrollment Limit	3576: Year ending 06/30/2023
How to Apply	Contact the Regional Resource Development Center that serves your country (listing at https://www.health.ny.gov/facilities/long_term_care/regional_resource_development_centers.htm)
Contact Information	New York State Department of Health Division of Long-term Care (518) 486-1354 or E-mail: NHTDwaiver@health.state.ny.us
Link to Waiver Application	https://www.health.ny.gov/health_care/medicaid/redesign/mrt90/docs/2018-07-12_1915c.pdf
Expiration Date	06/30/2023
Date of Last Update	06/13/2019

NY TBI Waiver (0269.R04.01)**State Operating Agency: The Office of Health Insurance Programs, Division of Long-term Care**

Description	<p>The TBI Waiver provides community-based alternatives to individuals to allow participants to avoid or transition from unwanted institutional placement. It makes every effort to promote the right of waiver applicants/participants to choose participation in the waiver, identify needed services, and select service providers. The waiver participant is the primary decision-maker in the development of goals, and selection of supports and individual service providers. A Service Coordinator works with participants in the development, implementation, and evaluation of the service plan.</p> <p>The state has submitted a plan to eliminate the NHTD waiver and transition its participants into managed care programs operated by New York State sometime in the future.</p> <p>The services provided by this waiver include: respite, service coordination, assistive technology (AT), community transitional services (CTS), environmental modifications, transportation services, community integration counseling (CIC), home and community support services (HCSS), independent living skills and training, positive behavioral interventions and support services, structured day program (SDP), substance abuse program services.</p>
Waiver Type	1915(c); 1115 Concurrent operation with Partnership Plan
Target Population-Eligibility	Individuals who are 18 and older with a brain injury. Individuals must be 18-64 years old at time of application, but once enrolled there is no maximum age limit.
Level of Care	The individual requires the level of care available at a nursing facility (NF).
Respite Services	<p>Respite is an individually designed service intended to provide scheduled relief to non-paid supports who provide primary care and support to a waiver participant. The service is provided in a 24-hour block of time as required. The primary location for the provision of this service is in the waiver participant's home, but Respite services may also be provided in another non-congregate care community dwelling acceptable to the waiver participant. Receipt of respite services does not preclude a participant from receiving other services on the same day. Respite services are not to exceed 30 days per year.</p> <p>Respite services are provider managed.</p>
Respite Provider Eligibility	<p>Provider enrollment info:</p> <p>https://www.emedny.org/info/ProviderEnrollment/HCBS-TBIWaiver/index.aspx</p>
Caregiver Eligibility	Respite may not be provided by a legally responsible person, relative, or legal guardian.
Enrollment Limit	5132: Year ending 08/31/2022
How to Apply	<p>Contact your Regional Resource Development Center</p> <p>(Find a list of RRDCs for the TBI Medicaid Waiver Program and the counties they serve on page 7 on https://www.health.ny.gov/publications/1111.pdf)</p>
Contact Information	Contact the New York State Department of Health, TBI Medicaid Waiver Program at 518-474-5271.
Link to Waiver Application	https://www.health.ny.gov/health_care/medicaid/reference/tbi/docs/1915c_waiver_application_2017.pdf
Expiration Date	08/31/2022
Date of Last Update	06/13/2019

NY Children's Waiver (4125.R05.03)**State Operating Agency: New York Office of Health Insurance Programs**

Description	<p>The purpose of the waiver is to avoid unnecessary institutionalization for eligible children by providing appropriate access to NY Medicaid State Plan and waiver services. Formerly named "Care at Home I/II", the Children's Waiver is the result of the consolidation of several previous waivers and programs, including: Serious Emotional Disturbance (SED) waiver, OPWDD Care At Home waiver, Bridges to Health (B2H) SED waiver, B2H Developmental Disability (DD) waiver, and B2H Medically Fragile waiver. All of the Home and Community Based Services provided in these waivers are now incorporated into the Children's Waiver.</p> <p>The services provided by this waiver include case management, community habilitation, day habilitation, prevocational services, respite, supported employment, adaptive and assistive equipment, caregiver/family supports and services, community self-advocacy training and supports, crisis intervention, environmental modifications, family support, non-medical transportation, palliative care - expressive therapy, palliative care – bereavement service, palliative care – massage therapy, palliative care – pain and symptom management, vehicle modifications, youth peer support and training.</p> <p>This waiver is part of the Children's Medicaid System Transformation and will be implemented concurrently with an 1115 waiver in the future.</p>
Waiver Type	1915(c)
Target Population-Eligibility	Individuals: who have physical or other disabilities ages 0-20; who have a brain injury ages 0-20; who have HIV/AIDS ages 0-20; who are medically fragile ages 0-20; who are technologically dependent ages 0-20; who have autism, intellectual disabilities (ID), or developmental disabilities (DD) ages 0-20; who have a mental illness ages 18-20; or who have a serious emotional disturbance (SED) ages 0-18.
Level of Care	The individual requires the level of care available in a Hospital, Nursing Facility (NF) or Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID).
Respite Services	<p>This service focuses on short-term assistance provided to children/youth regardless of disability (developmental, physical and/or behavioral) because of the absence of or need for relief of the child or the child's family caregiver. Respite workers supervise the individual and engage them in activities that support his/her and/ or primary caregiver/family's constructive interests and abilities. Such services can be provided in a planned mode or delivered in a crisis situation.</p> <p>Planned respite services provide planned short-term relief for the child or family/primary caregivers that are needed to enhance the family/primary caregiver's ability to support the individual's functional, developmental, behavioral health and/or health care needs. This may occur in short-term increments of time (usually during the day) or on an overnight or longer-term increment.</p> <p>Crisis Respite is a short-term care and intervention strategy for children/youth and their families that helps to alleviate the risk for an escalation of symptoms, a loss of functioning, and/or a disruption in a stable living environment. It may be used when challenging behavioral or situational crises occur which the individual and/or family/caregiver is unable to manage without intensive assistance and support. Crisis Respite can also be used as a result of crisis intervention or from visiting the emergency room. Services offered may include: site-based crisis residence, monitoring for high risk behavior, health and wellness skill building, wellness activities, family/caregiver support, conflict resolution, and other services as needed.</p> <p>Both planned and crisis respite can be provided during the day or overnight. Planned/Crisis Day respite services can be provided in the home of an eligible youth or a community setting. Planned/Crisis Overnight settings include: Foster boarding home, OCFS licensed/certified setting, Teaching Family Home, OMH-certified Community Residence: (community-based or state operated), including Crisis Residence. Both forms of respite are provider managed.</p>
Respite Provider Eligibility	Provider eligibility information can be found at: https://www.emedny.org/info/ProviderEnrollment/index.aspx

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For more provider resources, access the Children's Waiver page on the DOH website at https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/1115_waiver_ame.nd.htm

Caregiver Eligibility	Respite may not be provided by a legally responsible person, relative, or legal guardian.
Enrollment Limit	13894: Year ending 03/31/2022
How to Apply	Contact your local Department of Social Services: https://www.health.ny.gov/health_care/medicaid/ldss.htm
Contact Information	Contact your local DSS https://www.health.ny.gov/health_care/medicaid/ldss.htm). For more information, see the brochure for this program at https://www.omh.ny.gov/omhweb/bho/docs/hcbs_brochure_english.pdf or the Children's Waiver page on the DOH website at https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/1115_waiver_ame.nd.htm
Link to Waiver Application	https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/docs/hcbs_waivers_application_ny_4125_r05_02.pdf
Expiration Date	03/31/2022
Date of Last Update	06/12/2019
