

June 16, 2023

Guidance for Transition Notice for MLTC Partial Capitation Plans

The 2023-2024 NYS Budget changed Public Health Law (HMH Part I) to require that Managed Long Term Care Partial Capitation plans (MLTCPs) certified under Article 4403-f must meet new criteria effective January 1, 2024. This guidance focuses on one of these criteria which requires MLTCPs to have an active Medicare Dual Eligible Special Needs Plan (D-SNP). MLTCPs that do not have a D-SNP must submit a Transition Notice to the NYS Department of Health (DOH). The Transition Notice must state whether the MLTCP will withdraw from the Partial Capitation program or engage in a merger or acquisition transaction with a certified Article 4403-f MLTCP that does meet the D-SNP requirement.

The Department will be issuing guidance and requesting plan attestation regarding the other criteria in Public Health Law in the coming weeks.

Questions on the Transition Notice should be submitted to MLTCinfo@health.ny.gov and copied to the assigned Bureau of Managed Long Term Care (BMLTC) plan manager.

Submission	Deliverable
<p>No later than June 30, 2023</p> <p>Transition Notice from MLTCPs who do not meet statutory requirement</p> <p>Submitted to MLTCP's plan manager in BMLTC and MLTCinfo@health.ny.gov</p>	<p>Two Components of Transition Notice:</p> <p>A. MLTCPs that do not meet the D-SNP requirement must inform DOH of either:</p> <ol style="list-style-type: none">1. Intent to withdraw from the Partial Capitation program; or2. Intent to submit a transaction to DOH to merge or be acquired by another certified MLTCP that does have an active D-SNP plan in operation. <p>B. Affirmation that the MLTCP will follow MLTC Policy 17.02 for Plan Closures, Mergers and Acquisitions Approved by the Department. https://www.health.ny.gov/health_care/medicaid/redesign/mrt90/mltc_policy/17-02.htm.</p>
<p>No later than June 30, 2023</p> <p>Reply from MLTCPs who do meet statutory requirement</p> <p>Submitted to MLTCP's plan manager in BMLTC and MLTCinfo@health.ny.gov</p>	<p>MLTCPs that meet the D-SNP requirement must reply to DOH indicating they meet the requirement and include the "H" contract number for their company's D-SNP and their Medicare Advantage Bid Filing. These MLTCPs do not need to submit a Transition Notice.</p>

Submission	Deliverable
<p>No later than August 1, 2023</p> <p>MLTCPs who are withdrawing</p> <p>DOH Provides Fiscal Guidance for Plan Withdrawals</p>	<p>In addition to the MLTCP's responsibilities required in MLTC Policy 17.02, no later than August 1, 2023. DOH will provide the withdrawing MLTCPs guidance for a fiscal wind down plan, to be submitted by the MLTCP by October 1, 2023.</p>
<p>No later than October 1, 2023</p> <p>MLTCPs submitting Merger or Acquisition Transaction</p> <p>Submitted to MLTCP's plan manager in BMLTC and MLTCinfo@health.ny.gov</p>	<p>If a MLTCP is to merge or be acquired, the transaction must be submitted to DOH no later than October 1, 2023.</p>
<p>No later than October 1, 2023</p> <p>MLTCPs who are withdrawing</p> <p>Submitted to MLTCP's plan manager in BMLTC and MLTCinfo@health.ny.gov</p>	<p>MLTCPs who are withdrawing submit their fiscal wind down plan.</p>