



## Department of Health

ANDREW M. CUOMO  
Governor

HOWARD A. ZUCKER, M.D., J.D.  
Commissioner

SALLY DRESLIN, M.S., R.N.  
Executive Deputy Commissioner

October 12, 2017

Dear Administrator:

This letter is to request additional information from your facility regarding the State's Minimum Wage increase from January 1, 2018 through January 1, 2021. The Minimum Wage Act (Article 19 of the New York State Labor Law) sets benchmarks for minimum wage through 2021. The Department is surveying health care providers to determine the financial impact of scheduled minimum wage increases regarding **contracted staff** over the coming years.

Contracted staff are defined as individuals who are delivering direct care services under the direction and supervision of your facility, who are employed through a staffing contract, as opposed to being directly employed by your agency/facility. Payment of these staffing services would be at an hourly wage, or per diem, and should not be confused with general service contracts where by external entities are contracted for ancillary deliverables (e.g. housekeeping, food services, transportation).

Please complete the survey found at <http://www.surveygizmo.com/s3/3876457/MW-NursingHome-ContractedStaff> using Contracted Staff employee wage data from April 1, 2017 through June 30, 2017 for your facility. If your facility has locations in more than one minimum wage region you will be required to provide the minimum wage data for each region within the survey. There are three Minimum Wage regions identified as New York City, Northern Metropolitan (includes Nassau, Suffolk, and Westchester Counties), and the remainder of the state.

To further identify contracted staff impacted by minimum wage increases, Nursing Home Personnel Function Titles from the Institutional Cost Report were assigned 3 digit numeric codes based on groups of similar Occupational titles. Instructions on completing this section are provided in the survey along with a list of titles and their respective codes.

Surveys are due by **COB Thursday, October 26, 2017**. Please be aware that due to time constraints, no extensions will be granted. If your facility is not impacted by the minimum wage increase regarding contracted staff for calendar years 2018 through 2021 or you choose to opt-out of the survey, you are still required to complete questions 1-3 and 5-6 of the survey. CEO/CFO will be required to attest to the validity of the information provided. All data will be reviewed for reasonableness and may be subject to audit.

If you have any questions regarding the Minimum Wage Survey, please send an email with the subject line **Minimum Wage** to [nfrates@health.ny.gov](mailto:nfrates@health.ny.gov).

Sincerely,

Ann Foster  
Deputy Director  
Division of Finance and Rate Setting  
Office of Health Insurance Programs