



# Department of Health

KATHY HOCHUL  
Governor

MARY T. BASSETT, M.D., M.P.H.  
Commissioner

KRISTIN M. PROUD  
Acting Executive Deputy Commissioner

November 25, 2022

Dear Administrator/Director of Nursing:

This letter provides information regarding the Minimum Data Set (MDS) data collection periods for the January 2023 Medicaid reimbursement rates.

Please be reminded that the Department is now utilizing all Medicaid assessments to calculate the case mix index. Consistent with past practice, facilities will continue to review and make necessary updates (payor source, BMI, Dementia, Authorized Specialty) to their file on the HCS.

The case mix index for the January 2023 rates will include ALL assessments submitted to CMS with an Assessment Reference Date (ARD) between **April 1, 2022 through September 30, 2022**.

The table below provides a high-level timeline for the collection process:

Date	Task	Owner
November 29, 2022	Load MDS data to Health Commerce System (HCS)	DOH
November 30, through December 14, 2022	Review census data (update payer, BMI, TBI, DEM, and Specialty) and make changes if necessary	Providers
Immediately following submission of MDS data; <b>NO LATER THAN 7 DAYS AFTER MDS SUBMISSION</b>	Submit MDS Certifications electronically to DOH	Providers
December 21, 2022	Final date for Department to <u>RECEIVE</u> Certifications	Providers

The facility certification is **due no later than seven (7) calendar days after submission**. Please ensure your updates are done prior to December 14, 2022 in order to meet the certification deadline.

Please note, if your certification is not received by December 21, 2022, the Department will use your facility's prior case mix index to calculate rates.

Additionally, Public Health Law §12 authorizes the Department to assess a penalty of up to \$2,000 for each violation of any regulation. The Department considers each day that the certification is not submitted by the due date to be a separate violation of 10 NYCRR 86-2.40 (m).

If you have any questions, please send an email to the **NEW email address:**  
[NFMDS@health.ny.gov](mailto:NFMDS@health.ny.gov) and a member of the MDS team will respond to your questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Rosenthal". The signature is fluid and cursive, with the first name "Laura" being more prominent than the last name "Rosenthal".

Laura Rosenthal, Director  
Bureau of Nursing Homes & Long Term Care Rate Setting  
Division of Finance and Rate Setting  
Office of Health Insurance Programs