

Office of Administrative Hearings (OAH) Procedures Transmittal			Transmittal Number: 05-04 (Amended)
Distribution:			Date: March 9, 2005
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ALB OAH Staff <input checked="" type="checkbox"/>	UPS ALJs <input checked="" type="checkbox"/>	Upstate LDSS <input checked="" type="checkbox"/>	Subject: Medicaid Managed Care Pharmacy Co-Payment Changes
	SUP ALJs <input checked="" type="checkbox"/>		
NYC OAH Staff <input checked="" type="checkbox"/>	NYC ALJs <input checked="" type="checkbox"/>	NYC Agencies <input checked="" type="checkbox"/>	
	SUP ALJs <input checked="" type="checkbox"/>		

Effective April 1, 2005, Medicaid recipients enrolled in a Medicaid Managed Care plan will be responsible for the same pharmacy co-payments as other Medicaid recipients. According to GIS 05 MA/006, a recipient notification letter will be mailed the last week of February, 2005 to PA and MA-Only recipients statewide. They will not be sent to households with all recipients under 21 years of age. Attached is a sample letter from the Department of Health and a final page of the LDSS-4688 MCP (02/05) notice containing Fair Hearing rights.

Although the change in the law itself is not a hearable issue, if a client feels s/he is wrongfully being required to make co-payments, s/he may request a fair hearing. Reasons that exempt a recipient from having to pay the co-payment are listed in the letter. Communication Intake Unit (CIU) staff should set up the fair hearing as follows:

Agency: LDSS (Upstate) or NMAP (NYC)
Category: MA (Use MA category for SNA and FA cases)
Sub-category: SP29 (Medicaid co-payment)
Action: INAD
Issue code: 252 (No other issues to be added)
Aid Status: NA

Please bear in mind that these hearings are NOT being set up against the managed care plan and are NOT subject to aid-continuing. To simplify scheduling, the MA category will be applied to all SNA and FA cases, as well as MA cases.

If there are any questions with respect to this transmittal, you may contact your supervisor or Sue Fiehl at (518) 473-4779 or via email 90J029@dfa.state.ny.us.



Mark Lacivita, Director of Administration
Office of Administrative Hearings

Attachments