

<b>Office of Administrative Hearings (OAH) Procedures Transmittal</b>			<b>Transmittal Number:</b> 09-04
<b>Distribution:</b>			<b>Date:</b> February 12, 2009
			<b>Page:</b> 1 of 2
<b>ALB OAH Staff</b> <input checked="" type="checkbox"/>	<b>UPS ALJs</b> <input checked="" type="checkbox"/>	<b>Upstate LDSS</b> <input checked="" type="checkbox"/>	<b>Subject:</b>  <b>New Agency: NHTD (Nursing Home Transition and Diversion Waiver) and New Issue Code 297</b>
	<b>SUP ALJs</b> <input checked="" type="checkbox"/>		
<b>NYC OAH Staff</b> <input checked="" type="checkbox"/>	<b>NYC ALJs</b> <input checked="" type="checkbox"/>	<b>NYC Agencies</b> <input checked="" type="checkbox"/>	
	<b>SUP ALJs</b> <input checked="" type="checkbox"/>	<b>NHTD/NMAP Only</b>	

The Department of Health has received authorization from the Federal Government to provide another community based alternative to Medicaid eligible seniors and persons with disabilities who meet the nursing home level of care. It is called the Nursing Home Transition and Diversion Waiver (NHTD). The program is administered through not-for-profit agencies called Regional Resource Development Centers (RRDC's).

Participants in the NHTD waiver are eligible to receive one or more waiver services developed to assure health and welfare and provide support for those living in the community. These waiver services are: Service Coordination, Assistive Technology, Community Integration Counseling, Community Transition Services, Congregate and Home Delivered Meals, Environmental Modifications Services, Home and Community Support Services, Home Visits By Medical Personnel, Independent Living Skills Training, Moving Assistance, Nutritional Counseling/Educational Services, Peer Mentoring, Positive Behavioral Intervention and Supports, Respiratory Therapy, Respite Services, Structured Day Program Services and Wellness Counseling Services

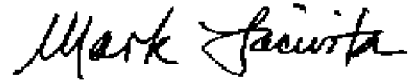
Denials and discontinuances of participation in the NHTD waiver as well as denials, discontinuances, reductions, and inadequacies of services within the waiver are hearable and should be coded by Communication Intake Unit (CIU) staff as follows:

Agency: Upstate: LDSS/ **NHTD**  
NYC: NMAP/**NHTD**  
Action: DENY/REDU/DISC/INAD  
Category: MA  
Subcategory: UPSTATE: None  
NYC: HOLD  
Issue Code: **297**

This coding will result in scheduling on the LDSS calendar or the NMAP calendar at 330 West 34<sup>th</sup> Street in NYC. Note the new agency code, **NHTD**, which will serve to notify the Department of Health that has responsibility for preparation of the evidentiary packet, presentation, and eventual compliance with decision directives regarding this program.

Actual notices of intent were made available to CIU staff at recent training. CIU staff should be aware that no other unrelated issues should be included in these requests.

If there are any questions with respect to this transmittal, you may contact your supervisor or Susan Fiehl at (518) 473-4779 or via email [susan.fiehl@otda.state.ny.us](mailto:susan.fiehl@otda.state.ny.us).

A handwritten signature in black ink that reads "Mark Lacivita". The signature is written in a cursive, flowing style.

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Mark Lacivita, Director of Administration  
Office of Administrative Hearings