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State/Territory Name: New York

State Plan Amendment (SPA) #: 13-0039

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
New York Regional Office
26 Federal Plaza, Room 37-100
New York, NY 10278



DIVISION OF MEDICAID AND CHILDREN'S HEALTH OPERATIONS

DMCHO: MT:SPA-NY-13-0039-Approval

November 29, 2017

Jason A. Helgersen
State Medicaid Director
Deputy Commissioner
Office of Health Insurance Programs
NYS Department of Health
Corning Tower (OCP-1211)
Albany, NY 12237

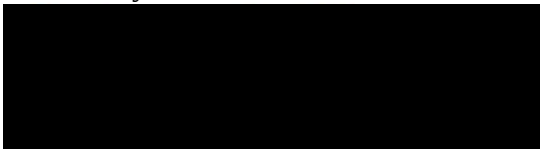
Dear Commissioner Helgersen:

This is to notify you that New York State Plan Amendment (SPA) #13-0039 has been approved for adoption into the State Medicaid Plan with an effective date of July 1, 2013. The SPA proposes to carve out the administration of the Long-Acting Reversible Contraceptive (LARC) from the Outpatient APG reimbursement methodology when it is provided on the same Date of Service (DOS) as an abortion.

Enclosed are copies of SPA #13-0039 and the HCFA-179 form, as approved.

If you have any questions or wish to discuss this SPA further, please contact Maria Tabakov at (212) 616-2503.

Sincerely,



Michael Melendez, LMSW
Associate Regional Administrator
Division of Medicaid and Children's Health Operations

cc: J. Ulberg
R. Weaver
R. Deyette
M. Levesque
R. Holligan
M. Tabakov

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: HEALTH CARE FINANCING ADMINISTRATION		1. TRANSMITTAL NUMBER: 13-0039	2. STATE New York
TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
4. PROPOSED EFFECTIVE DATE July 1, 2013		5. TYPE OF PLAN MATERIAL <i>(Check One)</i> : ☐ NEW STATE PLAN ☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN ☒ AMENDMENT COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT <i>(Separate Transmittal for each amendment)</i>	
6. FEDERAL STATUTE/REGULATION CITATION: Section 1902(a) of the Social Security Act, and 42 CFR 447	7. FEDERAL BUDGET IMPACT: (in thousands) a. FFY 07/01/13-09/30/13 \$ 57.26 b. FFY 10/01/13-09/30/14 \$ 229.07		
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment 4.19-B: Page 1(m)(i)	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT <i>(If Applicable)</i> :		
10. SUBJECT OF AMENDMENT: APG Carve-Out of LARC (Hosp OP) (FMAP = 90%)			
11. GOVERNOR'S REVIEW <i>(Check One)</i> : ☒ GOVERNOR'S OFFICE REPORTED NO COMMENT ☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED ☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL ☐ OTHER, AS SPECIFIED:			
12. SIGNATURE OF STATE AGENCY OFFICIAL: 	16. RETURN TO: New York State Department of Health Division of Finance & Rate Setting 99 Washington Ave – One Commerce Plaza Suite 1432 Albany, NY 12210		
13. TYPED NAME: Jason A. Helgeson	14. TITLE: Medicaid Director Department of Health		
15. DATE SUBMITTED: SEP 30 2013	17. DATE RECEIVED:		
FOR REGIONAL OFFICE USE ONLY			
18. DATE APPROVED: NOVEMBER 29, 2017		19. EFFECTIVE DATE OF APPROVED MATERIAL: JULY 01, 2013	
20. SIGNATURE OF REGIONAL OFFICIAL: 		21. TYPED NAME: MICHAEL MELENDEZ	
22. TITLE: ASSOCIATE REGIONAL ADMINISTRATOR DIVISION OF MEDICAID & CHILDREN'S HEALTH		23. REMARKS:	

**New York
1(m)(i)**

Effective for hospital outpatient services, on or after July 1, 2013, the administration of a Long-Acting Reversible Contraceptive (LARC) will be carved out of the APG reimbursement methodology when it is provided on the same Date of Service (DOS) as an abortion. The facility will be reimbursed with state funds only for the abortion procedure through APGs which is a prospective payment system that pays based on a facility's base rate and the service intensity weight of the procedure(s) rendered. The facility will submit a separate claim that will pay \$208 which will cover the cost of the LARC insertion (\$158) and the associated Evaluation and Management services (\$50). The facility will submit a third claim to be reimbursed for the cost of the LARC device at the provider's actual acquisition cost.

TN #13-0039
Supersedes TN NEW

Approval Date 11/29/2017
Effective Date 07/01/2013