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State/Territory Name: **New York**

State Plan Amendment (SPA) #: **23-0002**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

June 30, 2023

Amir Bassiri
Medicaid Director
Office of Health Insurance Programs
New York State Department of Health
One Commerce Plaza Rm. 1605
Albany, NY 12237

Re: New York State Plan Amendment (SPA) 23-0002

Dear Director Bassiri:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number NY-23-0002. This amendment proposes to add coverage to Medicaid for preventive health services provided by certified dietitians and nutritionists, and Community Health Workers (CHWs) to pregnant and post-partum women.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act. This letter is to inform you that New York Medicaid SPA 23-0002 was approved on June 28, 2023, with an effective date of April 1, 2023.

If you have any questions, please contact Melvina Harrison at 212-616-2247 or via email at Melvina.harrison@cms.hhs.gov.

Sincerely,

A large black rectangular redaction box covers the signature area.

James G. Scott, Director
Division of Program Operations

cc: Regina Deyette, NYDOH

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER

2 3 — 0 0 0 2

2. STATE

NY

3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT

XIX XXI

TO: CENTER DIRECTOR
CENTERS FOR MEDICAID & CHIP SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

April 1, 2023

5. FEDERAL STATUTE/REGULATION CITATION

\$1905(a)(13) Other Diagnostic, Screening, Preventive, & Rehab Svc.

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY 04/01/23-09/30/23 \$ 3,345,000
b. FFY 10/01/23-09/30/24 \$ 6,690,000

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Attachment 3.1-A Supplement: Pages 2(c.1.7), 2(c.1.8)
Attachment 3.1-B Supplement: Pages 2(c.1.7), 2(c.1.8)

Attachment 4.19-B: Page 19(a)

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)

NEW

9. SUBJECT OF AMENDMENT

Preventive Services: Community Health Workers and Certified Dietitians/Nutritionists

10. GOVERNOR'S REVIEW (Check One)

- GOVERNOR'S OFFICE REPORTED NO COMMENT
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL

12. TYPED NAME

Amir Bassiri

13. TITLE

Medicaid Director

14. DATE SUBMITTED

March 31, 2023

15. RETURN TO

New York State Department of Health
Division of Finance and Rate Setting
99 Washington Ave – One Commerce Plaza
Suite 1432
Albany, NY 12210

FOR CMS USE ONLY

16. DATE RECEIVED

03/31/2023

17. DATE APPROVED

06/28/2023

PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL

04/01/2023

19. SIG

20. TYPED NAME OF APPROVING OFFICIAL

James G. Scott

21. TITLE OF APPROVING OFFICIAL

Director, Division of Program Operations

22. REMARKS

Pen and ink changes

Box 7: Page number of the Plan Section or Attachment :
Attachment 3.1-A Supplement: Pages 2(c.1.7), 2(c.1.8)
Attachment 3.1-B Supplement: Pages 2(c.1.7), 2(c.1.8)
Attachment 4.19-B: Page 19(a)

**New York
2(c.1.7)**

1905(a)(13) Other Diagnostic, Screening, Preventive, and Rehabilitative Services

Community Health Worker Services

Effective April 1, 2023, New York State Medicaid will provide coverage of Community Health Workers services provided in accordance with 42 CFR section 440.130(c).

Services

Community health worker services include health advocacy, health education and health navigation. Health advocacy includes addressing the individuals' needs, needed healthcare services, connection with community-based resources and programming, and support to ensure access to care that is high-quality, respectful, and equitable. Health education includes evidence-based and culturally-informed education to optimize the individual's health, to address barriers to accessing healthcare and/or community resources, and to facilitate knowledge, skills and abilities necessary to support informed decision-making. Health navigation includes referrals to community-based and healthcare organizations, screening completion, identification of social care needs, resource coordination, help with enrollment/maintaining enrollment in assistance programs, and assisting the individual to navigate the health system. The Community Health Worker will serve as a liaison between healthcare systems, social service providers, and community-based organizations to coordinate access to resources.

Provider qualifications

A Community Health Worker reflects the community served through lived experience that may include but is not limited to pregnancy and birth; housing status; mental health conditions or substance use; other chronic conditions; shared race, ethnicity, language, sexual orientation, or community of residence. Community Health Worker services are provided by individuals having completed required training and/or work experience as a Community Health Worker. Requirements include a minimum of 20 hours of training that includes the Centers for Disease Control-endorsed Community Health Worker core competencies and/or a minimum of 1,400 hours of work experience as a Community Health Worker in formal paid or volunteer role(s) in the previous three years. All Community Health Workers are required to complete basic HIPAA and mandated reporter trainings. Community Health Workers practice under the supervision of a Medicaid-enrolled, licensed provider. Community health worker services must be recommended by a physician or other licensed practitioner of the healing arts acting within his or her scope of practice under State law.

TN #23-0002

Approval Date 06/28/2023

Supersedes TN #NEW

Effective Date April 1, 2023

**New York
2(c.1.8)**

1905(a)(13) Other Diagnostic, Screening, Preventive, and Rehabilitative Services

Nutrition Services

Effective April 1, 2023, New York State Medicaid will provide coverage for nutrition services provided by certified dietitians and nutritionists in accordance with 42 CFR section 440.130(c).

Services

Covered services include individual assessments in nutritional history and dietary intake; anthropometric, biochemical, and clinical variables; feeding skills and feeding problems; food habits and food preferences; developing and monitoring appropriate plans to address the nutritional needs of an eligible member; and making referrals to appropriate community resources to carry out nutrition goals. Nutrition services must be recommended by a physician or other licensed practitioner of the healing arts acting within his or her scope of practice under State law.

Provider qualifications

Nutrition services are provided by qualified New York State certified dietitians/nutritionists acting within the scope of their profession.

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New York
19(a)

1905(a)(13) Other Diagnostic, Screening, Preventive, and Rehabilitative Services

Community Health Worker Services

1905(a)(13)

Effective April 1, 2023, the Medicaid rate for community health worker services will be in accordance with the qualified providers applicable fee schedule found online at:

https://www.emedny.org/ProviderManuals/Physician/PDFS/Physician_Manual_Fee_Schedule_Sept2.xls

https://www.emedny.org/ProviderManuals/NursePractitioner/PDFS/Nurse_Practitioner_Fee_Schedule.xls

https://www.emedny.org/ProviderManuals/Midwife/PDFS/Midwife_Fee_Schedule.xls

https://www.emedny.org/ProviderManuals/ClinicalPsych/PDFS/Clinical_Psychology_Fee_Schedule.pdf

<https://www.emedny.org/ProviderManuals/ClinicalSocWork/PDFS/ProcedureCodesFeeSchedule.pdf>

https://www.emedny.org/ProviderManuals/LMHP/PDFS/LMHP_Procedure_Codes_Fee_Schedule.pdf

https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.emedny.org%2FProviderManuals%2FABA%2FPDFS%2FABA_Fee_Schedule.xls&wdOrigin=BROWSELINK

https://www.emedny.org/ProviderManuals/CommunityHealthWorker/PDFS/Community_Health_Worker_Fee_Schedule.xls (NOT LIVE UNTIL AFTER SPA APPROVAL)

Nutrition Services

1905(a)(13)

Effective April 1, 2023, the Medicaid rate for nutrition services will be in accordance with the qualified providers applicable fee schedule found online at:

https://www.emedny.org/ProviderManuals/Nutrition/PDFS/Nutrition_Fee_Schedule.xls (NOT LIVE UNTIL AFTER SPA APPROVAL)

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