

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-26-12  
Baltimore, Maryland 21244-1850



**Center for Medicaid, CHIP, and Survey & Certification**

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SEP 29 2011

Jason A. Helgeson  
State Medicaid Director  
Deputy Commissioner  
Office of Health Insurance Programs  
NYS Department of Health  
Empire State Plaza  
Corning Tower, Room 1466  
Albany, NY 12237

RE: TN 10-04

Dear Mr. Helgeson:

We have reviewed the proposed amendment to Attachment 4.19-A of your Medicaid State plan submitted under transmittal number (TN) 10-04. Effective April 1, 2010, this amendment proposes to continue DSH payments to non-government general hospitals for the uncompensated cost of care for substance abuse and mental health services through December 31, 2011, and then sunsets these existing provisions.

We conducted our review of your submittal according to the statutory requirements at sections 1902(a)(2) 1902(a)(13), 1902(a)(30), 1903(a) and 1923 of the Social Security Act and the regulations at 42 CFR 447 Subpart C. This is to inform you that New York 10-04 is approved effective April 1, 2010 and have enclosed the HCFA-179 and the approved plan pages.

If you have any questions, please contact Tom Brady at 518-396-3810 or Rob Weaver at 410-786-5914.

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

Cindy Mann  
Director  
Center for Medicaid, CHIP, and Survey & Certification

Enclosures

<b>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL</b>		1. TRANSMITTAL NUMBER: <b>10-04</b>	2. STATE <b>New York</b>
<b>FOR: HEALTH CARE FINANCING ADMINISTRATION</b>		3. PROGRAM IDENTIFICATION: <b>TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)</b>	
TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE <b>April 1, 2010</b>	
5. TYPE OF PLAN MATERIAL (Check One): <input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT			
COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)			
6. FEDERAL STATUTE/REGULATION CITATION: <b>Section 1902(a) of the Social Security Act, and 42 CFR 447 Subpart C</b>		7. FEDERAL BUDGET IMPACT: a. FFY 04/01/10-09/30/10 \$1,850,000 b. FFY 10/01/10-09/30/11 \$3,700,000	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: <b>Attachment 4.19-A, page 162, 163, 164</b>		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): <b>Attachment 4.19-A, page 162</b>	
10. SUBJECT OF AMENDMENT: <b>Mental Hygiene Inpatient DSH-Historical Eligibility &amp; Payment Language</b>			
11. GOVERNOR'S REVIEW (Check One): <input checked="" type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> OTHER, AS SPECIFIED: <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL			
13. TYPED NAME: <b>Jason A. Helgerson</b>		16. RETURN TO: <b>New York State Department of Health Corning Tower Empire State Plaza Albany, New York 12237</b>	
14. TITLE: <b>Medicaid Director &amp; Deputy Commissioner Department of Health</b>			
15. DATE SUBMITTED:			

**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED:	18. DATE APPROVED: <b>SEP 29 2011</b>
PLAN APPROVED - ONE COPY ATTACHED	
19. EFFECTIVE DATE OF APPROVED MATERIAL: <b>APR - 1 2010</b>	20. [REDACTED]
21. TYPED NAME: <b>Penny Thompson</b>	22. TITLE: <b>Deputy Director, CMCS</b>
23. REMARKS:	

**Additional disproportionate share payments.**

Beginning April 10, 1997 and for annual periods beginning April 1, [<sup>st</sup> 1998 and thereafter,] 1998 through December 31, 2011, additional disproportionate share payments shall be paid to voluntary non-profit general hospitals. Such payments shall be limited to [not exceed] each such general hospital's cost of providing services to uninsured and Medicaid patients after taking into consideration all other medical assistance payments received, including disproportionate share hospital (DSH) payments made to such general hospitals and payments from and on behalf of such uninsured patients with the limitations based initially on reported data from the base year two years prior to the payment year and further reconciled to actual reported data from such payment year [and shall also not exceed the amount of state aid for which the hospital or its successor would have been eligible pursuant to the Funding for Substance Abuse Services and the Local Unified Services Sections of the Mental Hygiene Law (as described below) for fiscal year 1996-97, the Base Year. Such additional disproportionate share payments will be calculated by aggregating net approved operating costs for such mental health and/or alcoholism or substance abuse programs in each hospital. Net operating costs are defined as operating costs offset by revenues, other income, federal aid and fees. The payments may be made as quarterly aggregate payments to an eligible hospital]. Such payments shall not exceed the limit specified on the Disproportionate Share limitations section of this attachment.

[Payments beginning April 1, 1998 and thereafter will be related to the hospital's willingness to continue to provide services previously funded by state aid grants. The Commissioners of the Office of Mental Health (OMH) and the Office of Alcoholism and Substance Abuse Services (OASAS), in consultation with county directors of community services, will annually designate to the Department of Health those general hospitals eligible for the additional disproportionate share payment, and the amount thereof. If a hospital does not continue to provide substantially the same level of program and/or services as in the Base Year, the local governmental unit can recommend to the Commissioner of OMH and/or the Commissioner of OASAS that the provider not be designated to receive disproportionate share payments for mental health and/or substance abuse and alcoholism services in the future. In addition, if a hospital reduces its deficit from that of the Base Year, either as a result of increased program revenues, or as a result of program or service cutbacks, or as a result of lower costs, the local governmental unit can recommend to OMH and/or OASAS that the additional disproportionate share payment be reduced commensurate with the decrease in the deficit.

Services funded under the Local and Unified Services Section of the Mental Hygiene Law include mental health services. Alcoholism services funded under the Local and Unified Services section of the Mental Hygiene Law include health and alcoholism treatment services. Substance abuse services funded under Funding for Substance Abuse Services Section of the Mental Hygiene Law include health and substance abuse services.]

Payments to voluntary general hospitals providing mental health services for the period April 1, 2010 – December 31, 2010 and January 1, 2011 – December 31, 2011. The payment amounts apply consistently to voluntary general hospitals providing mental health services, and are reasonably related to costs, and are pursuant to the following schedule:

**TN #10-04** \_\_\_\_\_

**Approval Date** SEP 29 2011

**Supersedes TN # 09-34** \_\_\_\_\_

**Effective Date** APR - 1 2010

Hospital	April 1, 2010 – December 31, 2010	January 1, 2011 – December 31, 2011
	<b>\$ 26,462,568</b>	<b>\$ 29,290,399</b>
	<b>OMH DSH Distributions to the Voluntary Hospitals</b>	<b>OMH DSH Distributions to the Voluntary Hospitals</b>
Bassett Healthcare	943,686	1,248,400
Benedictine Hospital	62,163	4,160
Beth Israel Medical Center	1,212,066	1,604,850
Bronx-Lebanon Hospital Center	740,049	696,611
Brookdale Hospital Medical Center	1,083,018	1,422,646
Carthage Area Hospital	77,418	0
Clifton Springs Hospital	57,528	76,074
Cortland Memorial Hospital	83,631	108,283
Ellis Hospital	675,282	637,756
Episcopal Health Services, Inc	606,489	774,063
Flushing Hospital and Medical Center	123,372	82,248
Glens Falls Hospital	603,378	607,170
Good Samaritan Hospital Reg Med Ctr	169,419	123,085
Interfaith Medical Center	1,256,433	1,029,351
Kaleida Health	227,604	151,738
Kingsbrook Jewish Medical	197,184	253,051
Long Island Jewish Medical Center	624,630	814,626
Maimonides Medical Center	2,061,948	2,053,498
Mercy Medical Center	86,421	57,607
Mount Sinai Hospital	1,381,293	1,187,020
Mount Vernon Hospital	106,260	137,117
New York Presbyterian Hospital	1,893,480	2,233,985
Niagara Falls Comm MH Center	385,965	506,400
North Shore Univ Hospital	586,014	0
Olean General Hospital	91,296	117,162
Orange Regional Medical Center	54,924	72,629
Oswego Hospital Mental Health Div	260,232	0
Our Lady of Lourdes Memorial Hospital	34,002	0
Phelps Memorial Hospital Center	221,226	284,774
Putnam Hospital Center	97,749	129,255
Richmond University Medical Center	989,730	828,765
Rochester General Hospital	64,731	85,594
Samaritan Medical Center	154,836	103,224
Sound Shore Med Ctr of Westchester	54,861	42,307
South Nassau Com Hospital	170,037	113,375
St Barnabas Hospital	610,992	798,468
St Joseph's Hospital Health Center	1,221,312	1,567,059
St Joseph's Medical Center	313,698	2,842,434
St Luke's-Roosevelt Hospital Center	919,176	1,215,464
St Vincent's Catholic MC of NY	1,908,708	0
Strong Memorial Hospital	1,848,738	2,417,142
The Unity Hospital of Rochester	1,186,143	1,524,260
United Health Services Hospital	1,015,446	1,338,748
<b>Total</b>	<b>26,462,568</b>	<b>29,290,399</b>

TN #10-04 \_\_\_\_\_  
Supersedes TN # 09-34 \_\_\_\_\_

Approval Date SEP 29 2011  
Effective Date APR - 1 2010

**New York  
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**Attachment 4.19-A  
(04/10)**

Payments to voluntary general hospitals providing alcohol and substance abuse services for the period April 1, 2010 – December 31, 2010 and January 1, 2011 – December 31, 2011. The payment amounts apply consistently to voluntary general hospitals providing alcohol and substance abuse services, and are reasonably related to costs, and are pursuant to the following schedule:

<b>Hospital</b>	<b>April 1, 2010 – December 31, 2010</b>	<b>January 1, 2011 – December 31, 2011</b>
	<b>\$ 15,469,267</b>	<b>\$ 18,308,116</b>
	<b>OASAS DSH Distributions to the Voluntary Hospitals</b>	<b>OASAS DSH Distributions to the Voluntary Hospitals</b>
Beth Israel Medical Center	9,243,739	12,334,244
Interfaith Medical Center	144,173	96,115
Montefiore Hospital & Medical Center	1,162,710	1,085,387
Mount Sinai Hospital	384,500	256,333
New York Presbyterian Hospital	335,471	447,294
Richmond University Medical Center	1,403,298	1,871,064
St Luke's – Roosevelt Hospital Center	897,294	1,196,392
St Vincent's Hospital & Medical Ctr of NY	1,507,819	500,937
Staten Island University Hospital	390,263	520,350
<b>Total</b>	<b>15,469,267</b>	<b>18,308,116</b>

**TN #10-04** \_\_\_\_\_

**Approval Date** SEP 29 2011

**Supersedes TN # 09-34** \_\_\_\_\_

**Effective Date** APR - 1 2010