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State/Territory Name: New York

State Plan Amendment (SPA) #: 14-0039

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 AND HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-26-12
Baltimore, MD 21244-1850



Financial Management Group

APR 18 2016

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

RE: State Plan Amendment (SPA) TN 14-0039

Dear Mr. Helgerson:

We have reviewed the proposed amendment to Attachment 4.19-D of your Medicaid State Plan submitted under transmittal number (TN) 14-0039. Effective January 1, 2015 this amendment revises temporary Vital Access Provider / Safety Net Provider (VAP/SNP) enhanced payments for eight nursing homes and adds new payments for 47 additional facilities.

We conducted our review of your submittal according to the statutory requirements at sections 1902(a)(2), 1902(a)(13), 1902(a)(30) and 1903(a) of the Social Security Act and the implementing Federal regulations at 42 CFR Part 447. This is to inform you that New York 14-0039 is approved effective January 1, 2015 and have enclosed the CMS-179 and approved plan pages.

If you have any questions, please contact Betsy Pinho at 518-396-3810.

Sincerely,

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

Kristin Fan
Director

Enclosures

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**

FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER:
14-0039

2. STATE
New York

3. PROGRAM IDENTIFICATION: **TITLE XIX OF THE
SOCIAL SECURITY ACT (MEDICAID)**

TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE
January 1, 2015

5. TYPE OF PLAN MATERIAL (Check One):

- NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:
§1902(a) of the Social Security Act, and 42 CFR 447

7. FEDERAL BUDGET IMPACT: (in thousands)
a. FFY 1/01/15-09/30/15 \$ 29,644.59
b. FFY 10/01/15-09/30/16 \$ 0

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:
**Att 4.19-D – Part I Page 47(aa)(4); 47(aa)(5); 47(aa)(6); 47(aa)(7);
47(aa)(8)**

9. PAGE NUMBER OF THE SUPERSEDED PLAN
SECTION OR ATTACHMENT (If Applicable):
Att 4.19-D – Part I Page 47(aa)(4); 47(aa)(5)

10. SUBJECT OF AMENDMENT:
**Safety Net VAP/LTC – CINERGY; Neurodegenerative Groups
(FMAP = 50%)**

11. GOVERNOR'S REVIEW (Check One):

- GOVERNOR'S OFFICE REPORTED NO COMMENT OTHER, AS SPECIFIED:
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE: [Redacted] OFFICIAL:

13. TYPED NAME: **Jason A. Helgeson**

14. TITLE: **Medicaid Director
Department of Health**

15. DATE SUBMITTED: **MAR 02 2015**

16. RETURN TO:
**New York State Department of Health
Division of Finance & Rate Setting
99 Washington Ave – One Commerce Plaza
Suite 1460
Albany, NY 12210**

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED:

18. DATE APPROVED: **APR 18 2016**

PLAN APPROVED – ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:
JAN 01 2015

20. SIGNATURE OF REGIONAL OFFICIAL: [Redacted]

21. TYPED NAME: **Kristin FAN**

22. TITLE: **Director, FMG**

23. REMARKS:

**New York
47(aa)(4)**

Temporary Rate Adjustments for Mergers, Acquisitions, Consolidations, Restructurings, and Closures – Nursing Homes

A temporary rate adjustment will be provided to eligible residential health care providers that are subject to or impacted by the closure, merger, and acquisition, consolidation or restructuring of a health care provider. The rate adjustment is intended to:

- Protect or enhance access to care;
- Protect or enhance quality of care; or
- Improve the cost effectiveness.

Eligible residential health care providers, the amount of the temporary rate adjustment, and the duration of each rate adjustment period shall be listed in the table which follows. The total adjustment amount for each period shown below will be paid quarterly during each period in equal installments. The temporary payment made under this section will be an add-on to services payments made under this Attachment to such facilities during the quarter.

To remain eligible, providers must submit benchmarks and goals acceptable to the Commissioner and must submit periodic reports, as requested by the Commissioner, concerning the achievement of such benchmarks and goals. Failure to achieve satisfactory progress in accomplishing such benchmarks and goals will result in termination of the provider's temporary rate adjustment prior to the end of the specified timeframe. Once a provider's temporary rate adjustment ends, the provider will be reimbursed in accordance with the otherwise applicable rate-setting methodology as set forth in this Attachment.

Temporary rate adjustments have been approved for the following providers in the amounts and for the effective periods listed.

Nursing Homes:

Provider Name	Gross Medicaid Rate Adjustment	Rate Period Effective
Adirondack Medical Center - Mercy Living Center	\$6,694	01/01/2014 – 03/31/2014
	\$723,872	04/01/2014 – 03/31/2015
Adirondack Medical Center - Uihlein Living Center	\$2,273,884	01/01/2014 – 03/31/2014
	\$2,359,369	04/01/2014 – 03/31/2015
	\$821,793	04/01/2015 - 03/31/2016
Adirondack Tri-County Nursing & Rehabilitation Center, Inc.	\$225,680	01/01/2014 – 03/31/2014
	\$1,369,690	04/01/2014 – 03/31/2015
Amsterdam Nursing Home Corp (Amsterdam House)*	\$1,430,938	01/01/2015 – 03/31/2015
Beth Abraham Health Services*	\$2,460,249	01/01/2015 – 03/31/2015

*Denotes provider is part of CINERGY Collaborative.

TN #14-0039 Approval Date APR 18 2016
 Supersedes TN #14-0012 Effective Date JAN 01 2015

New York
47(aa)(5)

Nursing Homes (Continued):

Provider Name	Gross Medicaid Rate Adjustment	Rate Period Effective
Bronx Lebanon Special Care Center*	\$788,294	01/01/2015 – 03/31/2015
Brooklyn United Methodist Church Home*	\$702,169	01/01/2015 – 03/31/2015
Buena Vida Continuing Care & Rehab Ctr.*	\$970,765	01/01/2015 – 03/31/2015
Cabrini Center for Nursing*	\$1,130,860	01/01/2015 – 03/31/2015
Carmel Richmond Healthcare and Rehabilitation Center*	\$1,084,185	01/01/2015 – 03/31/2015
Center For Nursing & Rehabilitation Inc.*	\$1,179,939	01/01/2015 – 03/31/2015
Chapin Home for the Aging*	\$771,403	01/01/2015 – 03/31/2015
Charles T. Sitrin Health Care Center Inc.	2,000,000	01/01/2015 – 03/31/2015
Crouse Community Center	\$645,000	01/01/2014 – 03/31/2014
	\$710,000	04/01/2014 – 03/31/2015
	\$65,000	04/01/2015 – 03/31/2016
Eger Health Care and Rehabilitation Center*	\$1,463,808	01/01/2015 – 03/31/2015
Elizabeth Seton Pediatric Center*	\$927,714	01/01/2015 – 03/31/2015
Ferndcliff Nursing Home Co Inc.*	\$3,029,944	01/01/2015 – 03/31/2015
Field Home – Holy Comforter	\$534,500	04/01/2012 – 03/31/2013
	\$534,500	04/01/2013 – 03/31/2014
Gurwin Jewish Nursing and Rehabilitation Center*	\$1,778,009	01/01/2015 – 03/31/2015
Heritage Commons Residential Health Care	\$976,816	01/01/2014 – 03/31/2014
	\$834,744	04/01/2014 – 03/31/2015

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New York
47(aa)(6)Nursing Homes (Continued):

Provider Name	Gross Medicaid Rate Adjustment	Rate Period Effective
<u>Isabella Geriatric Center Inc.*</u>	<u>\$2,902,269</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Island Nursing and Rehab Center*</u>	<u>\$903,195</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Jamaica Hospital Nursing Home Co Inc.*</u>	<u>\$764,892</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Jewish Home Lifecare Henry and Jeanette Weinberg Campus Bronx*</u>	<u>\$2,939,255</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Jewish Home LifeCare Manhattan*</u>	<u>\$1,947,662</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Jewish Home LifeCare Sarah Neuman Center*</u>	<u>\$1,169,410</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Lutheran Augustana Center for Extended Care & Rehab*</u>	<u>\$1,016,961</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Margaret Tietz Center For Nursing Care Inc.*</u>	<u>\$700,877</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Mary Manning Walsh Nursing Home Co Inc.*</u>	<u>\$1,453,160</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Menorah Home And Hospital For Rehabilitation and Nursing*</u>	<u>\$1,210,053</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Methodist Home for Nursing and Rehabilitation*</u>	<u>\$441,177</u>	<u>01/01/2015 – 03/31/2015</u>
<u>New York Congregational Nursing Center Inc.*</u>	<u>\$717,376</u>	<u>01/01/2015 – 03/31/2015</u>
Northeast Center for Special Care	<u>\$5,597,952</u>	<u>04/01/2012 – 03/31/2013</u>
	<u>\$3,885,888</u>	<u>04/01/2013 – 12/31/2013</u>
	<u>\$5,312,562</u>	<u>01/01/2014 – 03/31/2014</u>
	<u>\$5,027,984</u>	<u>04/01/2014 – 03/31/2015</u>
	<u>\$815,934</u>	<u>04/01/2015 – 03/31/2016</u>
<u>Palisade Nursing Home Company Inc.*</u>	<u>\$977,614</u>	<u>01/01/2015 – 03/31/2015</u>

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New York
47(aa)(7)**Nursing Homes (Continued):**

Provider Name	Gross Medicaid Rate Adjustment	Rate Period Effective
<u>Parker Jewish Institute for Health Care and Rehabilitation*</u>	<u>\$1,929,819</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Providence Rest*</u>	<u>\$693,647</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Rebekah Rehabilitation & Extended Care Center Inc*</u>	<u>\$387,029</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Riverdale Nursing Home*</u>	<u>\$1,858,017</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Rutland Nursing Home Co Inc.*</u>	<u>\$2,234,772</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Saints Joachim & Anne Nursing and Rehabilitation Center*</u>	<u>\$644,472</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Samaritan Keep Nursing Home Inc.</u>	<u>\$4,500,000</u>	<u>02/01/2014 – 03/31/2014</u>
	<u>\$4,500,000</u>	<u>04/01/2014 – 03/31/2015</u>
<u>Schaffer Extended Care System*</u>	<u>\$441,290</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Schervier Nursing Care Center*</u>	<u>\$1,421,550</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Schnurmacher Center for Rehabilitation and Nursing*</u>	<u>\$539,168</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Schulman and Schachne Institute for Nursing and Rehabilitation*</u>	<u>\$1,852,978</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Silvercrest*</u>	<u>\$1,293,304</u>	<u>01/01/2015 – 03/31/2015</u>
<u>St. Mary's Hospital for Children Inc.*</u>	<u>\$1,777,136</u>	<u>01/01/2015 – 03/31/2015</u>
<u>St Vincent Depaul Residence*</u>	<u>\$417,641</u>	<u>01/01/2015 – 03/31/2015</u>
<u>Terence Cardinal Cooke Health Care Ctr*</u>	<u>\$3,130,256</u>	<u>01/01/2015 – 03/31/2015</u>

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New York
47(aa)(8)

Nursing Homes (Continued):

Provider Name	Gross Medicaid Rate Adjustment	Rate Period Effective
The Wartburg Home*	\$1,020,644	01/01/2015 – 03/31/2015
United Hebrew Geriatric Center*	\$1,152,635	01/01/2015 – 03/31/2015
Victoria Home	\$500,000	01/01/2015 – 03/31/2015
VillageCare Rehabilitation and Nursing Center*	\$1,132,647	01/01/2015 – 03/31/2015

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