

Starting Soon...

Major Changes Ahead for NY Home Care – Are You Ready?

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Welcome

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- ▶ **Type Questions in the Q&A Section at the Bottom of Your Screen**
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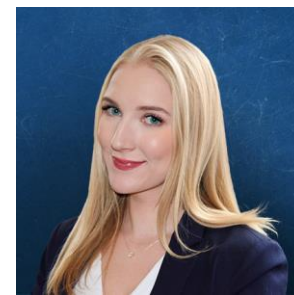
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AGENDA: CHANGES COMING...

- #s Recap: Income and Resources
- Impact of OBBBA Medicaid Funding Cuts
- NYS Medicaid Home Care Eligibility
 - Increase in ADL levels
 - Lookback: When?
- CDPAP updates



MEDICAID INCOME & ASSET ELIGIBILITY RECAP

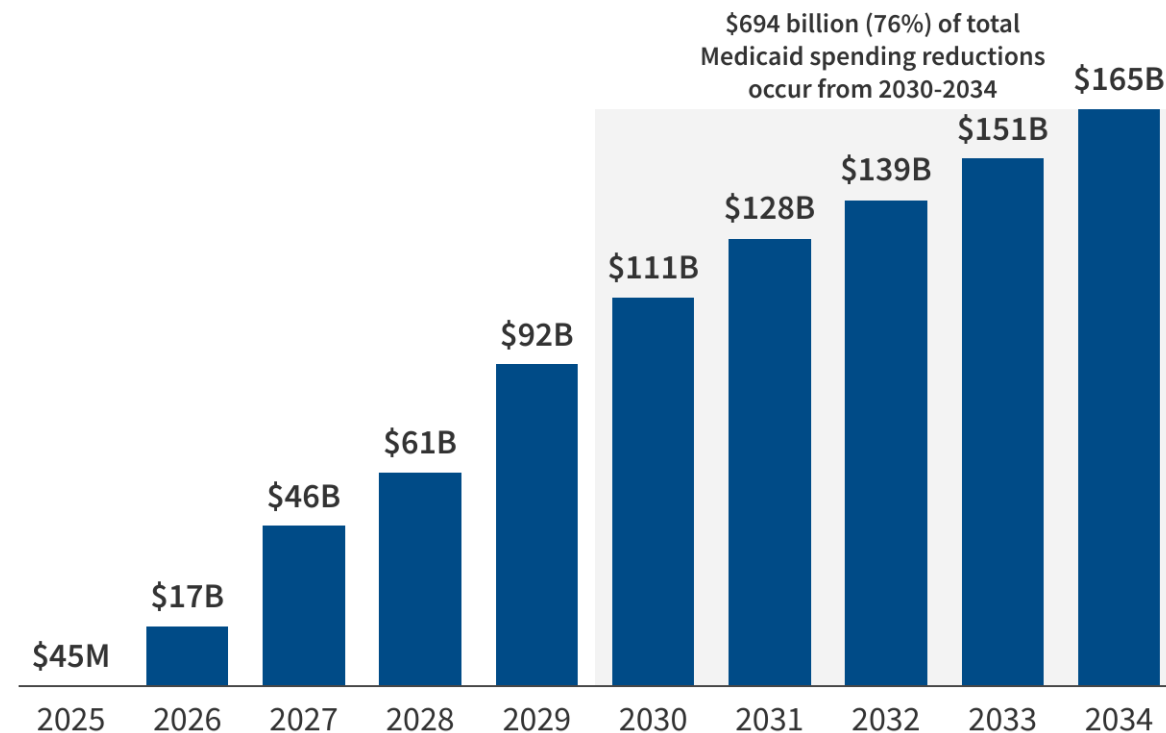
INCOME / MTH			ASSET LIMIT	
YEAR	SINGLES	COUPLES	SINGLES	COUPLES
2025	\$1,820	\$2,453	\$32,396	\$43,781

- Community Spouse Income Allowance: \$3,948
- Community Spouse Resource Allowance: \$75,820 - \$157,920
- Institutionalized Spouse Income Allowance: \$50 (no change)



#1: One Big Beautiful Bill Act: Medicaid Cuts Over 10 Years

Federal Medicaid Cuts in the Enacted Reconciliation Package, By Year



Source: KFF Analysis



OBBBA Impact for New York

Key Points:

Projected Annual Loss:

New York is expected to lose **\$13 billion–\$15.4 billion per year** in federal Medicaid funding due to OBBBA cuts

Coverage Impact:

Up to **1.5 million New Yorkers** could lose Medicaid coverage—more than doubling the state's uninsured population

Source: Fiscal Policy Institute



OBBBA Impact for New York (cont.)



Hospital & Providers:
\$8 billion in direct losses to NYS hospitals and health systems

- ~34,000 hospital jobs and ~29,000 associated community jobs at risk
- ~\$14.4 billion in lost economic activity statewide

Source: NYS Office of the Governor



Home Care Programs: Implications

Home Care Rollbacks:

Less funding may mean fewer covered hours or tighter eligibility for PCS, CDPAP, MLTC—compounded by new ADL standards.

Ripple Effect:

Hospitals under pressure will cut back referrals, community-based home care supports, and capacity—heightening risks for seniors and disabled individuals.

State Liability Shifts:

As federal support shrinks, New York may be forced to allocate state funds or cut services in other domains (e.g. childcare, education)

Sources: Fiscal Policy Institute, Bond Buyer



#2: Alert: NYS Eligibility Rule Change Coming!

New policy issued by NYS Department of Health raises the bar on
MINIMUM NEEDS REQUIREMENTS

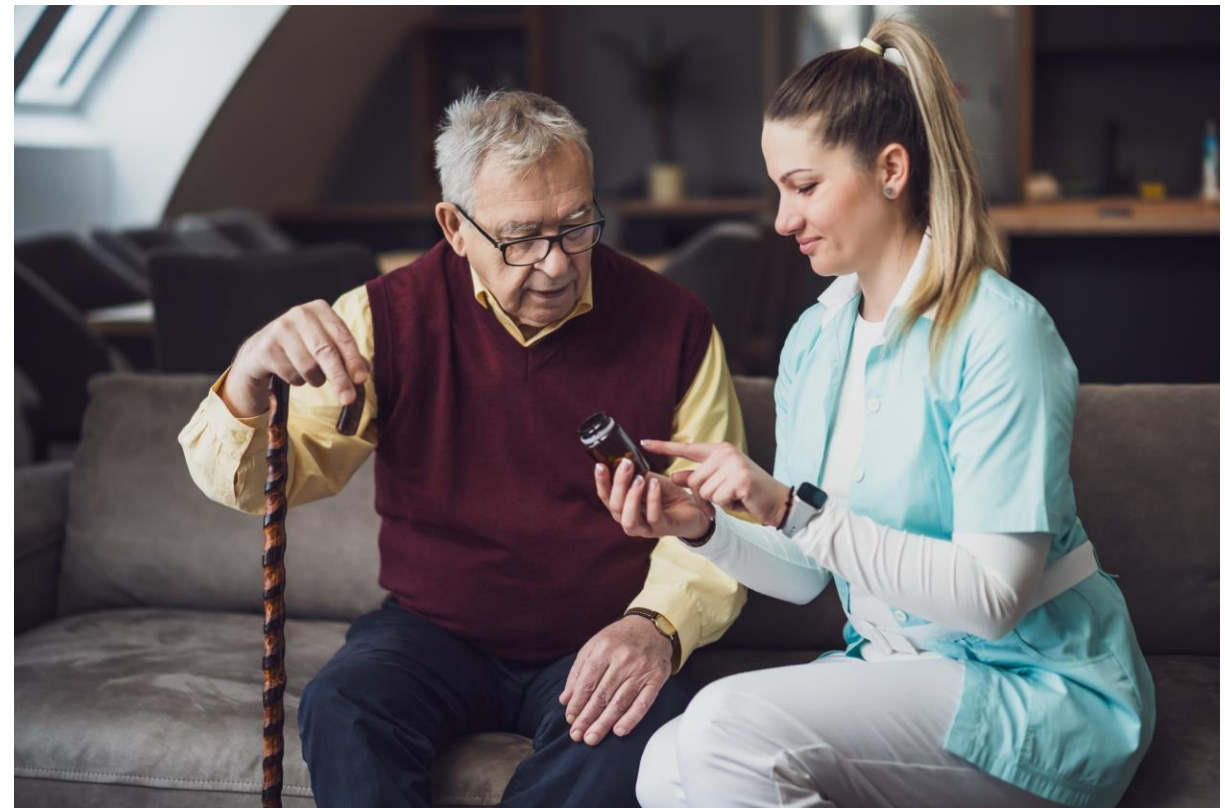
- Applicant is required to need assistance with at least THREE “Activities of Daily Living” – ADLs – for “Limited assistance with physical maneuvering” to be eligible
- **Up** from TWO ADLs
- **Taking effect on September 1, 2025.**





Alert: Eligibility Rule Change (cont.)

- Individuals with Alzheimer's disease or dementia:
 - Requires Supervisory Assistance with TWO (2) ADLs to qualify





Eligibility Rule Change:

WHO DOES THIS APPLY TO?

- Medicaid recipients – seeking **INITIAL** assessment for :
 - Personal Care Services (PCS)
 - Consumer Directed Personal Assistance Services (CDPAS)
- To enroll in Managed Long-Term care (MLTC) plans
- Also applies to their reassessments



What If You Qualified BEFORE 9/1/25?

- Individuals assessed by NYIAP prior between Sept. 1, 2024 & Sept. 1, 2025 and who enroll in MLTC plan or are authorized by by local DSS within 1 year of theirs assessment, OR
- Those who are continuously enrolled in MLTC;
 - ARE GRANTED “LEGACY STATUS” aka *Grandfathered In*
 - **NOT SUBJECT TO MINIMUM NEEDS REQUIREMENTS**
 - Applies to those enrolled in PCS, CDPAS, or MLTC before 9/1/25 including PACE

What About the 30 Month Look Back?



Medicaid Home Care Lookback and Transfer Penalty enacted in 2020: NOT YET IN EFFECT

NYLAG:
Cannot happen until:

- 1.** CMS approves NYS' spending of "American Rescue Plan funds"
- Letter issued by CMS in approx. July, 2025
- 2.** CMS approves State Plan Amendment of the Medicaid Plan

(cont.)

What About the 30 Month Look Back?

...NYLAG: Cannot happen until:

- 3.** CMS approves DOH's request to amend the 1115 waiver to allow a lookback
 - Currently Pending
- 4.** DOH issues directives to local Medicaid agencies
 - Has not occurred as of now.

NYS intends to implement in mid-to-late 2025, but we estimate in 2026

#3: CDPAP Class-Action Settlement & Transition Fallout

Settlement preliminarily approved in early July 2025: plaintiffs sued DOH over inadequate notice and fair hearing rights during CDPAP transition to PPL (NY's single fiscal intermediary for CDPAP)

Settlement provisions include

- court-ordered **written notices**
- **proactive consumer outreach,**
- connecting users to navigational support resources

More CDPAP – PPL Developments

- **PPL Leadership Changes:** former President Maria Perrin resigned.
 - CEO Change: Miki Kapoor, PPL board member is new CEO.
- **Joint Senate Legislative hearing** – To occur on August 21, 2025
 - Outcome may influence future reform or contract reconsideration

Stay Ahead of Changes

- **Schedule a free consultation with Pierro, Connor & Strauss:**
 - Medicaid Asset Protection Trusts
 - Advance directives and Medicaid Planning
 - Medicaid Applications
 - Estate planning for the well spouse
- Take control. Plan ahead with confidence



NEXT MONTH MEDICAID MONDAY

**“How to Maximize
Medicaid Home Care:
Planning, Applying and
Advocating”**

September 8 @ 12PM

- ▶ **REGISTER:**
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