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| LOCAL COMMISSIONERS MEMORANDUM |
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DSS-4037EL (Rev. 9/89)

Transmittal No: 94 LCM-3

Date: January 12, 1994

Division: Health and Long Term
Care

TO: Local District Commissioners

SUBJECT: Patient Managed Home Care

ATTACHMENTS: NYS Department of Health Letter on Patient Managed Care
(Not Available On-line)

On September 1, 1993, this Department released Local Commissioners Memorandum 93 LCM-113. This transmittal provided a brief description of patient managed home care and included guidelines prepared by the Department of Health as well as a schedule of informational meetings to be held to discuss these guidelines. Since a number of districts have advised that they have not seen the previous transmittal, this memorandum has been prepared to remind districts of the availability of this potentially valuable service delivery model.

Pursuant to Chapter 795 of the Laws of 1992, the Commissioner of Health, in consultation with the Commissioner of Social Services, issued a letter on October 15, 1993 to Certified Home Health Agencies and Licensed home care agencies transmitting program guidelines for the establishment of patient managed home care programs by sponsoring agencies. A copy of this transmittal is attached. Under this program, eligible recipients assume responsibility for the hiring, training, supervision, paying, and, when necessary, termination of persons who provide services to them.

Licensed home care services agencies which have a contract with the local department of social services (LDSS) to provide personal care services or home care agencies which are exempt from licensure may submit proposals for patient managed home care programs. All proposals must include a contract with or a letter of support or other documentation from the local department of social services indicating approval of the proposal and delineating the roles and responsibilities of the agency and the district concerning operation of the managed care program.

The statute also permits long term home health care programs, certified home health agencies and AIDS home care programs to provide patient managed home care services.

As described in the guidelines, individuals eligible to participate in the patient managed home care program must:

1. be eligible for or currently receiving personal care services. It should be noted that under the provision of Chapter 795, persons providing services under the patient managed care program may provide a broad array of tasks which personal care aides in other home care programs are not permitted to perform;
2. be Medicaid eligible;
3. have an expected home care length of stay of at least 180 days;
4. reside in the district in which the LDSS contracts with an approved patient managed home care program; and
5. be a medically stable and self-directing person which means an individual who is able, willing, and capable of making choices about his/her clinical care and activities of daily living; understands the impact of the choice and assumes responsibility for the results of the choice; or has a designated guardian or adult willing and able, in an informed and reasonable way, to assist in making choices and to carry out the patient's responsibilities, in accordance with State law.

I hope you will consider participating in the patient managed home care program. If you have questions concerning this program, please contact Mr. Richard Alexander of my staff at (518) 473-5506 (user ID DMA037) or Mr. Fred Waite at (518) 473-5490 (user ID 01t150). Questions concerning the guidelines should be directed to Ms. MaryAnn Cresanti of the NYS Department of Health at (518) 473-6473.

Sue Kelly
Deputy Commissioner
Division of Health & Long Term Care