

JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

July 27, 2015

Department of Health Care Services

Delivered via email to:

Sarah Brooks, Sarah.Brooks@dhcs.ca.gov

Hannah Katch, Hannah.Katch@dhcs.ca.gov

Re: APL MEDI-CAL PROVIDER AND SUBCONTRACT SUSPENSIONS, TERMINATIONS, DECERTIFICATIONS

Greetings:

Thank you for the opportunity to comment on the All Plan Letter (APL) addressing provider suspensions, terminations, and decertifications. The undersigned have provided some general comments below and extensive redlined edits to the attached proposed APL and the model notice (Attachment A).

Applicability

We welcome the inclusion of new standards addressing nursing facility decertification. It should also be made clear that these standards should apply if a facility closes. Similarly, the APL should extend to the decertification or closure of a CBAS center.

Person-Centered Standards

Throughout the APL there is language regarding the assignment of a beneficiary to a new provider. Under the Coordinated Care Initiative and federal law¹, beneficiaries have the right to choose their own providers. The APL should ensure that MCPs provide beneficiaries with an opportunity to make a new provider choice prior to any provider assignment by the MCP. In addition to notice requirements, the APL should direct MCPs to utilize its case managers to communicate provider changes of any type (primary, specialty, LTSS, etc.) to its members and offer assistance to the beneficiary in selecting a new provider.

¹ See three-way contracts and 42 CFR 483.10 (d)

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Again, thank you for the opportunity to comment. Please feel free to contact us to discuss our recommendations further.

Sincerely,

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Justice in Aging

Molly Davies, Vice President, Elder Abuse Prevention and Ombudsman Services
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