

CLIENT ALERT: Amendments to New York Social Services Law §363-d: Changes in Compliance Program Requirements

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Effective as of April 1, 2020, Social Services Law (SSL) §363-d was amended to make changes to the mandatory [compliance program requirements](#) and permit the imposition of a monetary penalty for failing to adopt and implement an effective compliance program.

Compliance with the requirements of SSL §363-d is a condition of payment of the medical assistance program.

All providers who are subject to the mandatory compliance program requirements in SSL §363-d will be impacted by these changes and should take the steps necessary to review the changes, then comply. The procedural components to the compliance program requirements will also be effective as of April 1, 2020 subject to revisions to Part 521.

Providers subject to the provisions of this section include those for which the medical assistance program is a substantial portion of their business operations.

The Office of the Medicaid Inspector General (“OMIG”) will issue updated guidance in the coming months.

In the interim, providers subject to the mandatory compliance program requirements must continue to maintain and operate their compliance programs.

The [healthcare attorneys](#) at Abrams Fensterman, LLP are committed to providing you with the most current and accurate information and guidance during this COVID-19 pandemic. Should you have questions, feel free to contact [Patrick Formato, Esq.](#), [Barbara Stegun Phair, Esq.](#), [Frank A. Mazzagatti](#),

Esq., [Jonathan Rogoff, Esq.](#), or any other attorney in our health law practice group.