

Important Medicaid Updates

FEATURED ATTORNEYS



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1. NEW YORK INCREASES MEDICAID RESOURCE AND INCOME ALLOWANCES FOR 2013

As of January 1, 2013 the Medicaid Income and Resource Allowances are as follows:

INSTITUTIONALIZED INDIVIDUALS

Resource Allowance	\$ 14,400.00
Income Allowance	\$ 50.00
Maximum Community Spouse Resource Allowance	\$ 115,920.00
Community Spouse Income Allowance	\$ 2,898.00

INDIVIDUALS IN THE COMMUNITY

Single Individual Resource Allowance	\$ 14,400.00
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Married Couple Resource Allowance (Both Applying)	\$ 21,150.00
Individual Income Allowance	\$ 800.000
Married Couple Income Allowance (Both Applying)	\$ 1,175.00

2. NEW YORK CITY MEDICAID OFFICE REINSTATES CLOSINGS EFFECTIVE IMMEDIATELY

On November 2, 2012, in the wake of Hurricane Sandy, the New York City Human Resources Administration (“NYCHRA”) suspended all Medicaid case closings and granted an automatic two (2) month extension to all Medicaid recipients who’s recertification was due in November and December 2012.

On January 7, 2013, NYCHRA issued a Medicaid Alert (the “Alert”) revoking this grace period effective immediately. The Alert, posted on the MAP Authorized Resource Center on that same day, advises that the case closing processing will be restarted effective January 7, 2013 for all consumers whose closing was suspended following Hurricane Sandy “who have not addressed the reason for the case closing.”

The Alert further advises that all Medicaid recipients with recertifications due in January 2013 or thereafter should adhere to normal procedures in order to maintain coverage.

As a result of the reinstatement of Medicaid closings, you may see an increase in denials and discontinuances from NYCHRA. The Medicaid department at Abrams Fensterman is always available to assist you in securing and preserving Medicaid coverage for your residents.

3. GOVERNOR’S SUSPENSION OF STATUES OF LIMITATION EXPIRES

On October 26, 2012, in advance of Hurricane Sandy, Governor Cuomo temporarily suspended the time limit for requesting a Fair Hearing. This Executive Order expired on December 25, 2012.

Even if you are time-barred from appealing an adverse Medicaid determination, there may be a legal basis for extending the statute of limitations. Our attorneys at Abrams Fensterman can provide you with additional information about pursuing a Medicaid appeal.

As leading attorneys in the field of Medicaid and Health Law, your legal team at Abrams Fensterman is committed to providing you with timely information and expert counsel on new laws and policies. Please do not hesitate to call or email Moriah Adamo, Esq. (madamo@abramslaw.com) or Katie Barbieri, Esq. (kbarbieri@abramslaw.com) in our Medicaid department, or Nancy Levitin, Esq. (nlevitin@abramslaw.com), with any questions or concerns regarding this Client Alert or any other matters.