

**CENTERS FOR MEDICARE & MEDICAID SERVICES
WAIVER AUTHORITY**

NUMBER: 11-W-00114/2

TITLE: Partnership Plan Medicaid Section 1115 Demonstration

AWARDEE: New York State Department of Health

All requirements of the Medicaid program expressed in law, regulation, and policy statement, not expressly waived in this list, shall apply to the Demonstration project beginning October 1, 2006, through September 30, 2009.

The following waivers shall enable New York to implement the approved Special Terms and Conditions (STCs) for the New York Partnership Plan Medicaid Section 1115 Demonstration.

1. **Statewideness** **Section 1902(a)(1)**

To permit the exclusion of some counties in New York from the Partnership Plan.

2. **Medicaid Eligibility and Quality Control** **Section 1902(a)(4)(A)**

To enable New York to employ a Medicaid Eligibility and Quality Control (MEQC) System which varies from that required by law and regulation. New York is required to receive annual approval from CMS for its alternative MEQC program.

3. **Freedom of Choice** **Section 1902(a)(23)**

To enable New York to restrict freedom-of-choice of provider for Partnership Plan participants.

4. **Third Party Liability** **Section 1902(a)(25)**

To enable New York to delegate responsibility for pursuing third party liability to managed care organizations (MCOs) participating in the Partnership Plan. New York will reduce all capitation rates by an actuarially appropriate amount, based on historic MCO-reported third-party liability collections, to reflect the average amount of funds that are expected to be recovered from third parties.

Demonstration Approval Period: October 1, 2006 through September 30, 2009