



Department of Health

KATHY HOCHUL
Governor

JAMES V. McDONALD, M.D., M.P.H.
Commissioner

JOHANNE E. MORNE, M.S.
Acting Executive Deputy Commissioner

September 18, 2023

Dear Administrator:

This letter provides information about the nursing home rate appeal attestation exercise for your free-standing and hospital-based nursing facilities for rate years 2009 through 2021 and is **due back to the Department of Health by COB, Monday, October 30, 2023.**

Appeals Exercise:

- The attached Nursing Facility Open Appeals Impact Workbook contains an **open** appeals tab which lists appeals that were submitted (and certified by the owner) through the Department's Electronic Appeals System (EAS) for rate years 2009 through 2021. It does not contain appeals that were previously reviewed and closed (*i.e., approved, partially approved, denied*) by the Department. Additionally, the attached list does not include appeals for rate years prior to 2009.

Please review the attached list of appeals and fill out the appropriate information on the Residential Health Care Facility Open Appeals Impact Form. A Sample Form is provided, along with detailed instructions for filling out the Impact Form.

The Department will be **hosting a webinar on Wednesday, September 27, 2023, at 11:00 AM** to assist facilities in filling out and submitting the forms. A question and answer session will be held at the end of the webinar. The link to the webinar will be provided in a separate email. Nursing home rate sheets are available on the Healthcare Financial Data Gateway Publications in the collection of ***NH Rate Sheets 4/2009-Forward***.

Attestation Form:

In addition to the Open Appeals Impact Form, all affected nursing facilities are also required to sign the attached Nursing Home Rate Appeal Attestation form which provides the Department with the assurance that the facility's proposed rate calculations are accurate and comply with the Department's statutes, regulations, and policies regarding Medicaid reimbursement.

All attestation forms and excel files must be submitted via email to nfrates@health.ny.gov by **COB Monday, October 30, 2023**. The subject line of the email should state "Nursing Home Rate Appeal Attestation."

The Department will review the information submitted with this exercise and may request additional information from the nursing home if necessary for this review.

Sincerely,

Laura Rosenthal, Director
Bureau of Nursing Home and LTC Rate Setting
Division of Finance and Rate Setting
Office of Health Insurance Programs

Attachments