

SADC HCBS Settings Final Rule Compliance

Good Afternoon,

Your MLTC Plan recently received a SADC Self-Assessment Status Report indicating if your contracted SADC sites meet the HCBS compliance validation process.

Throughout the process, DOH has and will continue reaching out to your plan for additional information or clarification to complete validation reviews. It is important to be mindful of the requests and to reply immediately to all inquiries. If a site does not respond to requests, DOH will determine and report to CMS that the SADC site is not compliant.

Identification of SADC sites for Heightened Scrutiny and Public Comment activities are planned for August and September. DOH is required to report the status of all SADC sites to CMS as part of the HCBS Statewide Transition Plan in August. All documentation and inquiry responses must be received by DOH as soon as possible or by the due date on the request. If documentation requests are not received, then DOH may determine if the SADC site(s) is non-compliant for the HCBS Settings Regulation.

DOH expects that your MLTC Plan has regular, informative communication with all your contracted SADC sites regarding HCBS compliance, on-going compliance monitoring, and the need for timely responses.

Please be sure to update and submit the SADC Status Report with current information, update PNDS to indicate newly contracted sites and/or remove any sites with which your Plan is no longer contracted with and submit corrected SADC Self-Assessments as soon as possible.

All contracted SADC sites must be in 100% compliance with the HCBS Settings Regulation well before March 17, 2023, so that members who utilize the sites can continue to access services. This includes sites that were temporarily closed (for example, due to the public health emergency) or newly contracted sites. This also applies to merging plans (plans that are acquiring other plan's MAP or Partial Capitation lines of business), MAP plan service area expansions, or new MAP plans pending approval for a MAP application. Please note that for any SADC site not in compliance, your plan must transfer the members to a HCBS-compliant SADC site and remove the non-compliant site from your Plan's network.

Please refer to [HCBS Self-Assessments for SADC](#) for information about the HCBS Final Rule and SADC Self-Assessment, or reach out to DOH with any questions by emailing HCBSADCSiteAssessments@health.ny.gov.

We'll be happy to assist with any clarification needed.

Thank you,

The New York State (NYS) Department of Health (DOH)
Social Adult Day Care (SADC) QA Team

New York State Department of Health
Office of Health Insurance Programs

HCBSADCSiteAssessments@health.ny.gov