

# **KNOW YOUR RIGHTS: Managed Long Term Care - Fact Sheets, Live and Recorded Webinars**

## **A. Fact Sheets on Managed Long Term Care**

## **B. Click here for WEBINARS on LONG TERM CARE**

## **A. Fact Sheets on Managed Long Term Care**

### **BASICS**

1. Basics on Managed Long Term Care (In process of being updated - 2-2020) see also Article on Managed Long Term Care
  - ◆ News on MLTC - updated monthly
2. FACT SHEET ON Medicaid eligibility rules for Aged 65+, Disabled and Blind Individuals in New York State and basics of MLTC enrollment
3. What is MLTC? (from ICAN Ombuds program- link to read online or download brochures in 9 languages)
4. See info here about 2022 webinars on Medicaid eligibility for community-based care and 2023 changes

### **Fact Sheets About Enrolling in MLTC Plans - and Alternative Path to Obtaining Home Care thru Immediate Need**

1. How Do I Join MLTC? (from ICAN program - link to read online or download brochures in 9 languages)
2. Troubleshooting Problems Enrolling in MLTC Plans - Tips for Solving Medicaid Spend-down Problems and Barriers that Block Enrollment - including NURSING HOME DISCHARGES
3. Applying for Personal Care or CDPAP based on IMMEDIATE NEED - alternative fast-track path to accessing Medicaid home care - with key forms (NYC). (Fact sheet being updated - this is link to article)

### **Fact Sheets on Navigating MLTC - Including Appeals**

1. Grievance and Appeal Rights in Managed Long Term Care - new Requirement to Request Plan Appeal Before a Fair Hearing -- see more here - Article on Appeal Rights in Managed Long Term Care
2. Your Rights as an MLTC Member
3. Tips on Requesting Services from a Medicaid Managed Care or MLTC plan, including Increases in Hours of Home Care (RUSSIAN TRANSLATION NEW

**August 2021)**

4. Special Rights to Expedited Increases in Home Care for Homebound Appellants in Fair Hearing Process - Varshavsky class action

**Fact Sheets with Special Strategies about Reducing the Medicaid Spend-down**

1. Fact Sheet with Tips to Reduce Spenddown - For people temporarily in a nursing home and in other situations:
  1. **Temporary Nursing Home Stay - Right to keep income** to pay rent - "Community Budgeting" - see also these separate fact sheets:
    - ◇ Keeping SSI During a Temporary Nursing Home or Hospital Stay
    - ◇ Fact Sheet for People Not Receiving SSI on how to keep income to pay rent - see more here for people not receiving SSI
  2. **Special Income Disregard for Housing Expenses for People Leaving a Nursing Home or Adult Home and enrolling in or staying enrolled in an MLTC plan** - FACT SHEET and see more here
  3. **Spousal Impoverishment protections** - for couples where one spouse is in an MLTC plan, a nursing home, or receiving "Immediate Need" services, and the other is not receiving any of these services. FACT SHEET and See more here
2. Fact Sheet on Pooled Income Trusts to Eliminate the Medicaid Spend-down and Step-by-step guide to enrolling in a pooled income trust for Medicaid spend-down

**Transitions - What are Your Rights If Your MLTC Plan Closes or you are Required to Enroll in MLTC or to Switch Plans**

- Transition Rights in General
- Transition Rights for MLTC Members - Beware of Changes Starting November 2021 (article)
  - ◆ Fact Sheet
- **When a Plan Closes:**
  - ◆ KNOW YOUR RIGHTS: Is Your MLTC Plan Closing? Fact Sheet for Consumers (Dec. 2020)
  - ◆ Rights of Former ICS Members After ICS Closed - February 2020 Update.
  - ◆ See this longer article.

**B. RECORDED WEBINARS ON MLTC and Long Term Care -**

- **May 11, 2023 - Elder Law Forum sponsored by @Pierro, Connor & Strauss.**

- ♦ View NYLAG's VALERIE BOGART slide deck and presentation at the annual Elder Law Forum in Albany NY held on May 11, 2023 about the Unwinding of the Public Health Emergency, the 2023 Expansion of Medicaid Eligibility, and the NY Independent Assessor. Slide Deck at [this link](#) (pp. 77 - 127) and view presentation at [this link](#). See all presentations at the all-day forum at [this link](#).
- ♦ **Case Study** -- Also view the [video](#) featuring Stanley, an actual Albany consumer approved for only 5 hours/day after NYIA assessment, with panel of experts discussing strategies to advocate for him - ranging from financial planning and pooled trust to advocating with the MLTC plan for more hours.
- ♦ View all of the videos [here](#).
- **February 8, 2023 -- NYLAG WEBINAR on NY Independent Assessor - View [recording here](#) and download Powerpoint [HERE](#).**
- **January 2022 - NEW CHANGES in HOME CARE ASSESSMENT - the "INDEPENDENT ASSESSOR" - Coming in May 2022 = View NYLAG webinar recorded 1/26/22 [here](#) and download PowerPoint [here](#) - note the webinar says these changes start in 3/1/22 - this date has since changed to May 1, 2022. See more [here](#)**
- **May 2021- Moving Beyond Institutional Care Part 2 - *Diverting Nursing Home Admissions & Transitioning to the Community from a Nursing Home*** view the recorded 2-hour webinar and download the PowerPoints [on the NYSBA website at this link](#). NYSBA members can [register to view it here](#) and then view it in their dashboard.

Remaining at home, instead of entering a nursing home, is the first choice for older adults and people with disabilities. Adequate home-based services are critical for avoiding a nursing home admission and for transitioning from a nursing home to the community. This program will focus on eligibility for and available home and community-based services (HCBS) under Medicaid in New York, and overcoming barriers to accessing HCBS. The panel will discuss programs and services essential for diverting people from nursing homes and transitioning back to the community, limitations on HCBS that lead to undue institutionalization, and recent policies, proposals, and workforce issues affecting HCBS in New York. The COVID-19 pandemic has heightened the need to expand and increase access to HCBS services in New York.

### **Speakers**

Valerie J. Bogart, Esq., Evelyn Frank Legal Resources Program New York Legal Assistance Group

Suzanne de Beaumont, New York Association on Independent Living, Inc.

Natalie Kean, Justice in Aging

Bryan O'Malley, Consumer Directed Personal Assistance Association of New York

## State

Moderator: Simeon Goldman, Formerly of Disability Rights New York

- **May 21, 2021** recording of Elder Law Forum sponsored by Pierro, Connor & Strauss LLP - with speakers Valerie Bogart of NYLAG about the **NYS changes coming in 2022 - new lookback and eligibility changes in personal care and CDPAP**, Al Cardillo of the Home Care Association, a Medicaid Home Care Application Case Study, and a panel on Medicaid home care fair hearings.
  - ♦ Click here for agenda and here to download materials. (Bogart PowerPoint starts at page 10). Click here for link to all videos.
- **View April 15, 2021 webinar and POWERPOINT** about NYS Budget Cuts - the New Lookback and eligibility cuts in personal care and CDPAP
- **April 2018 - webinar on new MLTC APPEALS rules requiring EXHAUSTION OF internal plan appeals** before requesting a Fair Hearing
  - ♦ View the recorded webinar on You-tube here
  - ♦ Download the PowerPoint used in the webinar here (slides 5 and 7 have been revised since the webinar)
  - ♦ Download the Appendix used in the webinar here - with federal regulations, State notice templates, State and consumer-advocate fact sheets for consumers, advocacy materials
- **May 18, 2016** Recorded webinar of NY Metropolitan Elder Law Institute, a project of UCS Trust Services, "Pooled Trusts and the Changing MLTC Landscape - Special Issues for Married Couples, by Valerie Bogart, recorded May 18, 2016 (discusses spousal impoverishment and other budgeting strategies to reduce the spend-down, including the housing disregard for those discharged from NH or Adult Home, and pooled trusts generally. See other recordings at the same institute on Medicaid planning.
- **Summer 2016** - NYLAG Webinar Series on Medicare and Medicaid
- **April 20, 2015 Seminar conducted by NYLAG Evelyn Frank Program on MLTC and FIDA** - was not recorded, but click here for the PowerPoint and for the Appendix of documents referenced in the program.
- **April 13, 2015 1 PM - 3PM -NYLAG Evelyn Frank Program on MLTC and FIDA**
  - ♦ Presentation was **conducted in Spanish** and targeted Spanish Speaking consumers, their caregivers, and professionals who work with this population.
  - ♦ Recording: Presentacion Sobre FIDA en Espanol. Esto es una grabacion de una presentacion que fue realizada el 13 de Abril 2015 en una organizacion local en Brooklyn para los residentes de ese edificio. La presentacion es en espanol. Esta presentacion se enfoca en los temas de Medicare, Medicaid, planes de cuidado a largo plazo (MLTC), y planes de doble ventaja totalmente integrado (FIDA).
  - ♦ Powerpoint: Presentacion de powerpoint que acompaña la grabacion.
- **Jan. 30, 2015 - Empire Justice Center webinar** on MLTC and FIDA - Geoffrey Hale, Esq.
  - ♦ You-tube recording - 1.5 hours

- ♦ PowerPoint presentation
- **Dec. 3, 2014 - Recorded webinar available for purchase from chapter of NY Chapter Geriatric Care managers at this link**
  - ♦ Sponsor: New York Chapter of Professional Geriatric Care Managers and NYLAG.
- **April 24, 2014 NYLAG Webinar on MLTC --(Valerie Bogart and David Silva of the Evelyn Frank Legal Resources Program at NYLAG). View and listen to a recording of the entire webinar at this link:**

<https://attendee.gotowebinar.com/recording/1348252302283983105> (2.25 hours)

PowerPoint: <http://www.wnyc.com/health/download/474/> (April 2014)

Appendix: <http://www.wnyc.com/health/download/473/>

**NOTE:** An updated Powerpoint - January 2015 is available [here](#) and [April 2015 powerpoint here](#))

- **July 16, 2013 - NYLAG Webinar on Pooled Trusts - How to Use Trusts to Reduce Spend-down (David Silva, Esq.)** .(not directly about MLTC but important tool for those who have a spend-down)

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Getting Started -> KNOW YOUR RIGHTS: Managed Long Term Care - Fact Sheets, Live and Recorded Webinars

<http://health.wnyc.com/health/entry/202/>