

Advocacy to Improve the Medicaid Spend-down Program in New York State

In May 2009, the New York State Health Foundation issued a report titled Streamlining New York's Excess Income Program, written by Manatt Health Solutions. The report presents a clear picture of the daunting complexity of the Excess Income or "spend-down" program. This program makes Medicaid available to 150,000 New Yorkers with disabilities and chronic health conditions, by requiring them to contribute their so-called "excess income" toward the cost of medical care. While the system works well for about 60 percent of these individuals, the Report shows that for the other 40 percent, it fails. These most vulnerable people are forced to jump through huge bureaucratic hoops each and every month in order to obtain Medicaid. Local districts are burdened by immense administrative costs, disproportionate to the small number of people in the excess income program.

The **New York Medicaid Spend-down Consumer Workgroup** was formed to respond to this Report and contribute the voice of consumers to the discussion. Their report was signed by 48 organizations in New York State. It was written by:

- Susan Batkin, Director of Casework -- Medicare Rights Center
- Valerie J. Bogart, Director -- Evelyn Frank Legal Resources Program, Selfhelp Community Services, Inc.
- Susan M. Dooha, Executive Director -- Center for Independence of the Disabled, NY
- Nina Keilin, Esq., Law Offices of Nina Keilin
- Cary LaCheen, National Center for Law and Economic Justice
- Lisa Sbrana, Supervising Attorney -- Health Law Unit, The Legal Aid Society, New York

In response to the Consumer Workgroup Report, in June 2009, the New York State Department of Health agreed to review the issues raised and meet with stakeholders. The New York City Human Resources Administration has agreed to address data needs related to the program and to participate in discussions when they occur to try to resolve the concerns we have raised.

In November 2010, in response to the advocates' suggestions, the NYS Dept. of Health made these positive changes to improve information about spend-down or "excess income"

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- NEW WEBPAGE POSTED on STATE WEBSITE -- What is the Medicaid Excess Income Program? or http://nyhealth.gov/health_care/medicaid/excess_income.htm
- NEW FACT SHEET - WHAT IS THE EXCESS INCOME PROGRAM - OHIP--0026 (rev. 11/10)

For further information, contact any of the authors of the consumer workgroup report, whose contact information is at the end of the report.

This article was authored by the Evelyn Frank Legal Resources Program of New York Legal Assistance Group.



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