

DSS-4357EL

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GENERAL INFORMATION SYSTEM
DIVISION: Office of Medicaid Management

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TO: Local District Commissioners, Medicaid Directors

FROM: Kathryn Kuhmerker, Deputy Commissioner
Office of Medicaid Management

SUBJECT: Margaret Murray vs. Whalen, et al.

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Support Unit
Upstate (518)474-9130 NYC (212)268-6855

In GIS Message 95 MA/036, dated September 20, 1995, you were asked to track applicants who presented proof of payment for Medicaid services provided during the retroactive eligibility period by non-Medicaid enrolled providers, pending a decision by the court on the department's motion for leave to appeal to the Court of Appeals in Seittelman, et al. Vs. Sabol, et al.

In the current case of Margaret Murray vs. Whalen, et al., which also relates to reimbursement in the retroactive period, the court has issued an order dated July 24, 2001, requiring the Department of Health to produce all tracking records required under GIS 95 MA/036. These records must be submitted to the court within 30 days of its order.

Accordingly, please provide to the Office of Medicaid Management (OMM), Division of Consumer and Local District Relations (C&LDR), all such records you have kept. To meet the court order, C&LDR must receive your records by August 8, 2001. Please contact your local district representative by Monday, August 6, 2001, regarding the availability of your records.

If you have any questions, please call your local district representative.