



# Department of Health

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**ADMINISTRATIVE DIRECTIVE**

**TRANSMITTAL:** 25 OHIP/ADM-01

**TO:** Commissioners of Social Services

**DIVISION:** Office of Health Insurance Programs

**DATE:** 02/21/2025

**SUBJECT:** Consumer Directed Personal Assistance Program (CDPAP) Statewide Fiscal Intermediary

**SUGGESTED DISTRIBUTION:**

Director of Social Services  
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Fair Hearing Staff

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**ATTACHMENTS:**

1. CDPAP Agreement Between the Consumer/Designated Representative and the LDSS Template
2. Final Consumer Communication Template

**FILING REFERENCES**

Previous Ref. ADMs/INFs	Releases Cancelled	Dept. Regs. Law	Soc. Serv. & Other	Manual Ref	Misc.
24 OHIP/ADM-01		18 NYCRR § 505.28	SSL § 365-f		

## I. PURPOSE

The purpose of this ADM is to provide information and guidance for Local Departments of Social Services (LDSS) regarding the on-going interaction with the single Statewide Fiscal Intermediary (SFI) for the Consumer Directed Personal Assistance Program (CDPAP). LDSS will be required to adhere to the following guidance to support consumers in working with Public Partnerships, LLC ( PPL) as the SFI.

## II. BACKGROUND

Social Services Law section 365-f authorizes the provision of CDPAP, and the regulatory authority is located at 18 NYCRR § 505.28. These regulations include a description of the program; eligibility requirements; the assessment/reassessment process; and guidelines for the local social services districts to determine an applicant's eligibility and appropriateness for participation in the program. The regulation also delineates roles and responsibilities of program participants, local districts, and the fiscal intermediary that acts as the joint employer of the personal assistant(s) serving the consumer.

The State Fiscal Year 2024-25 Enacted Budget authorized the Commissioner of Health to contract with a single SFI to provide fiscal intermediary services to CDPAP consumers.

Public Partnerships, LLC (PPL) was selected as the SFI vendor and effective April 1, 2025, is the only entity authorized to provide fiscal intermediary services for CDPAP.

### Definitions

The definitions in [18 NYCRR § 505.28](#) and [24 OHIP/ADM-01](#) are incorporated into this ADM and will retain their respective meanings as articulated there. Any conflicting interpretations or alternative definitions will be clearly delineated within this ADM.

## III. PROGRAM IMPLICATIONS and REQUIRED ACTIONS

### Updates to the CDPAP Consumer Agreement

Individuals participating in CDPAP are required to sign the “Consumer Directed Personal Assistance Program Agreement Between the Consumer/Designated Representative and the Local Departments of Social Services.” This agreement outlines the responsibilities of the consumer, designated representative, and LDSS. By signing this agreement, all parties acknowledge and agree to their responsibilities under CDPAP.

Consistent with implementation of the SFI, the Department has updated the agreement template that must be used between consumers, designated representatives (if applicable), and the LDSS. This updated agreement is effective immediately and it replaces, in whole, the agreement template the Department issued in 2021 as Attachment 1 of 21 OHIP ADM-04. The updated version of the CDPAP Consumer Agreement has been included as Attachment 1 and is also posted on the Department's website [here](#). It includes the following updates:

- Adds or revises LDSS responsibility to include:
  - Only authorizing CDPAP services provided through the SFI.
  - Clarification that the investigation of reports that the consumer is not meeting their responsibilities shall now come from the SFI
- Adds or revises consumer responsibilities to include:
  - Working with the SFI as their FI, regardless of whether they are working with a

- facilitator.
- o Clarifying that the consumer remains responsible for reporting, and assisting with return of, overpayments made to their personal assistant(s).

The revised agreement will be used for new consumers beginning March 1, 2025. Consumers with an existing signed agreement will transition to the new agreement no later than April 1, 2026. The LDSS will provide the consumer and/or designated representative a copy of the signed agreement as well as retaining a copy in the consumer's file.

#### PPL Registration and Communication

Consumers receiving CDPAP need to complete the registration process with PPL as the SFI. PPL will coordinate with the LDSS to verify the authorization is in place.

Starting March 1, 2025, the LDSS shall refer all new CDPAP consumers to PPL to act as their SFI. An LDSS may also refer a new CDPAP consumer to any facilitator, if the consumer so chooses.

Consumers transitioning to PPL by April 1, 2025, will need to complete registration with PPL no later than March 28, 2025.

Some consumers and PAs have expressed concerns with transitioning to PPL as the SFI for CDPAP for a variety of reasons. These concerns may be relayed to the LDSS by the SFI, a current FI, a facilitator or the consumer or PA directly. If the consumer informs PPL directly, PPL will inform the LDSS by generating a report that contains the consumer information and details of the specific concern. In these cases, the LDSS may need to provide additional support and engagement to the consumer and/or the PA to ensure the consumer completes the transition to PPL on time.

For consumers who have expressed concerns and/or require additional support with transitioning to PPL, the LDSS will take the following actions:

1. Within 3 business days of being notified the consumer has concerns and/or needs support, the LDSS staff will call the consumer to confirm that they understand that if they do not transition to PPL, they are opting out of receiving CDPAP services.
2. If the consumer *does* want to continue with CDPAP, the LDSS staff will help connect the consumer with PPL or a facilitator of the consumer's choice to complete the registration process. This can be done with a warm-transfer call, where the LDSS staff calls PPL/the facilitator with the consumer on the phone, or the LDSS staff can provide PPL's/the facilitator's contact information to the consumer. If the LDSS staff does not do a warm-transfer, they should follow-up with the consumer within 2 business days to confirm the consumer has contacted PPL and/or a facilitator.
3. If the consumer *does not* want to continue with CDPAP, the LDSS staff should (1) inform PPL within 1 business day (via their specifically identified PPL contact or by sending a notification to [NYCDPAP@pplfirst.com](mailto:NYCDPAP@pplfirst.com)) and (2) work with the consumer to change their plan of care and select a different long-term care service that meets their needs.

If a PA expresses concerns with transitioning to PPL, it is imperative that the consumer be made aware so they understand the impact on their services. Consumers may become aware of their PA's concerns directly from the PA, from the SFI, or through their current FI. If a PA contacts the

LDSS, the LDSS should explain that a PA cannot continue to work as a PA in CDPAP if they do not register with the SFI. If the PA does not proceed with registration, the LDSS should immediately reach out to the consumer to discuss plans for identifying and registering a new PA.

If the PA contacts PPL, PPL will try to address the PA's concerns and will explain that a PA cannot continue to serve a consumer if the PA does not register with PPL. If the PA does not proceed with registration, the next steps are:

- For Consumers Who Have Completed Registration with PPL: PPL will notify the consumer via an outbound call and the consumer's LDSS will be sent a report within 2 business days. The LDSS should reach out to the consumer within 2 business days to discuss options for identifying and hiring a new PA.
- For Consumers Who Have Not Completed Registration with PPL: PPL will generate a report to notify the consumer's LDSS within 2 business days; the LDSS will notify the consumer within 2 business days and discuss options with them.

#### Final Consumer Notification of CDPAP SFI Transition

There may be consumers who have not completed registration with PPL by 3/18/2025. In these cases, the LDSS is required to send a final communication to consumers.

Consumers who have not completed registration with PPL as of 3/18/2025 will receive a final communication to take action. The letter template will inform the consumer that they and/or their PA need to take immediate action to register with PPL so their PA can continue to be paid for providing services under CDPAP.

PPL will provide the LDSS with a list of consumers who meet the above criteria by 3/14/2025.

A Department approved template of this notification has been included as Attachment 2. If the LDSS uses the template without modifications, except to put on the LDSS letterhead, no additional Department review and approval is required. If the LDSS makes any modifications to the content of the template, the LDSS will provide their version of the member notification to statewidefi@health.ny.gov for Department approval no later than 2/27/2025. LDSS should prepare to mail the approved member notification to impacted consumers by 3/18/2025.

Starting 3/18/2025, the LDSS staff should conduct outreach to all consumers who have not transitioned to PPL. LDSS staff will work with consumers to complete the transition to PPL or to transition to a different long-term care service that meets their needs. Outreach should continue until all consumers have either completed registration with PPL or have transitioned to a service other than CDPAP. The LDSS will receive updated lists of consumers who have or have not transitioned from PPL on a daily basis until the transition is completed.

#### LDSS Role

LDSS will confirm each consumer using CDPAP receives outreach to educate the consumer about the program. The LDSS will work to assist CDPAP consumers to confirm the smooth continuation of services and care. LDSS are also directed to intake questions, concerns, and feedback for the SFI, and work with the consumer on appropriate outstanding issues.

The SFI will provide LDSS with resources, including contact information for the SFI, frequently asked questions, and talking points to use when meeting with consumers. The SFI will also provide training on using their system (i.e., PPL@Home) to access and monitor consumer and PA information.

### Prior Authorization Process

The preferred process for sharing prior authorizations with the SFI is to upload documentation and send by email. LDSS that are unable to send by email may follow the same process they have used with other FIs (i.e. via fax, mail, etc.). As part of operational discussions with the LDSS, PPL will share specifics such as the email address, mailing address, or fax number that is appropriate for each LDSS. The LDSS will need to manually update existing prior authorizations for consumers who transition to PPL as the CDPAP SFI. The LDSS is also responsible for entering the prior authorization for the services into the eMedNY system.

PPL will provide each LDSS lists of consumers who have completed registration and are ready to switch to PPL. PPL will continue to provide this information to the LDSS on a weekly basis until the transition is complete.

The Department has determined that sharing of information between the LDSS and PPL will not require a data use agreement. This information can be exchanged because PPL is the Department's vendor and/or business associate and therefore exchanges with PPL are akin to exchanges with the Department. An LDSS, at its option, may execute a data use agreement with PPL. Relevant authorization information below:

PPL's Provider ID: 08021029  
PPL's Locator Codes are listed in Appendix A  
Fee-for-Service Rate Codes for CDPAP available [here](#).

### Facilitator Role

The CDPAP community is complex and diverse. The SFI has subcontracted with a range of different facilitators who may meet the specific cultural, language, ethnic, and geographical needs of the consumers. This network of facilitators will allow consumers the ability to choose an entity that meets their personal requirements.

Facilitators are responsible for assisting with the enrollment process, including the completion of forms, and helping with Electronic Visit Verification (EVV) compliance and training. Facilitators will provide information to PPL on PA coverage and capacity, and review utilization and EVV compliance; PPL will share this information with the LDSS as needed. Facilitators are not responsible for billing, payroll, and benefits; that is managed exclusively by the SFI.

If a consumer wants to continue using their current FI, and their current FI has subcontracted with PPL as a facilitator, the consumer may remain with their current FI in a facilitator capacity; but PPL will become the official FI and serve as the joint employer. A consumer and their PA must still complete the registration process with PPL to allow PPL to become a joint employer.

### Communication

The LDSS will have a designated point of contact with the SFI for all communications, including communications regarding consumer holds, hospitalizations, and discharges. Inquiries regarding billing or authorization will also be sent to the SFI through these contacts or through other processes established between the LDSS and the SFI; billing and authorization questions will not be sent to facilitators.

The SFI will notify the LDSS if there is a change in PA for a consumer. LDSS will also be able to see PAs associated with each consumer through the SFI's platform (i.e. PPL@Home).

The SFI monitors the Call Center for outages. If there is an outage, and depending on the extent of the outage, updates will be communicated to LDSS promptly until the issue is resolved. If a consumer needs to contact the SFI during the outage, an inquiry can be submitted via an alternative option (i.e. email, web portal).

#### Contracting and Complaints

Since the Department manages the contract with the SFI, the LDSS are no longer required or expected to conduct audits or provide oversight monitoring of the SFI. If the LDSS does have concerns or complaints regarding the SFI, they should report them to the Department.

If a consumer encounters an issue or has a complaint regarding the SFI, they may contact their LDSS. The LDSS will then forward complaints to the Department at [statewideFI@health.ny.gov](mailto:statewideFI@health.ny.gov). The Department will monitor and respond to these complaints as needed. Consumers can escalate these issues or complaints through facilitator partners, the SFI, and the Department. If there is a complaint about a facilitator, the LDSS should forward that complaint to the SFI.

#### Electronic Visit Verification

Electronic Visit Verification (EVV) is a federal mandate. The SFI will follow and adhere to the federal and state requirements and to guidance issued by the Department.

Time4Care is the time verification system used by the SFI. The system will also be used for EVV Compliance as it allows for tracking of hours worked, by whom, with sign off of hours from the consumer. Time4Care, will be made available for all consumers and their PAs. It will be monitored to confirm the 90% EVV compliance goal.

Time4Care allows workers to log into the app, clock in, and indicate the consumer they are delivering care to. The support worker then provides the care and clocks out to indicate the service is complete. During the clock-in and clock-out process, the location is recorded. The clock-out function submits the personal assistants' timesheet, and it is immediately validated against the program's timesheet rules. Consumers and their PAs have real-time visibility and can easily see any issues with timesheets and schedules. The consumer will approve the timesheet on their mobile device.

In the instance the SFI platform, Time4Care, has an outage, the offline mode can be used by PA's and consumers. Users can make updates in real time in the offline mode. When the system is back to full functionality, the system will sync any updates.

#### **IV. EFFECTIVE DATE**

This ADM is effective immediately.

**Appendix A: PPL Locator Codes**

Assigned Locator Code	eMedNY County Code	County Name	Rate Setting Region
003	58	Bronx	New York City
004	59	Kings	New York City
005	60	New York	New York City
006	61	Queens	New York City
007	62	Richmond	New York City
008	28	Nassau	NSW
009	47	Suffolk	NSW
010	55	Westchester	NSW
011	01	Albany	Rest of State
012	02	Allegany	Rest of State
013	03	Broome	Rest of State
014	04	Cattaraugus	Rest of State
015	05	Cayuga	Rest of State
016	06	Chautauqua	Rest of State
017	07	Chemung	Rest of State
018	08	Chenango	Rest of State
019	09	Clinton	Rest of State
020	10	Columbia	Rest of State
021	11	Cortland	Rest of State
022	12	Delaware	Rest of State
023	13	Dutchess	Rest of State
024	14	Erie	Rest of State
025	15	Essex	Rest of State
026	16	Franklin	Rest of State
027	17	Fulton	Rest of State
028	18	Genesee	Rest of State
029	19	Greene	Rest of State
030	20	Hamilton	Rest of State
031	21	Herkimer	Rest of State
032	22	Jefferson	Rest of State
033	23	Lewis	Rest of State
034	24	Livingston	Rest of State

Assigned Locator Code	eMedNY County Code	County Name	Rate Setting Region
035	25	Madison	Rest of State
036	26	Monroe	Rest of State
037	27	Montgomery	Rest of State
038	29	Niagara	Rest of State
039	30	Oneida	Rest of State
040	31	Onondaga	Rest of State
041	32	Ontario	Rest of State
042	33	Orange	Rest of State
043	34	Orleans	Rest of State
044	35	Oswego	Rest of State
045	36	Otsego	Rest of State
046	37	Putnam	Rest of State
047	38	Rensselaer	Rest of State
048	39	Rockland	Rest of State
049	41	Saratoga	Rest of State
050	42	Schenectady	Rest of State
051	43	Schoharie	Rest of State
052	44	Schuyler	Rest of State
053	45	Seneca	Rest of State
054	40	St. Lawrence	Rest of State
055	46	Steuben	Rest of State
056	48	Sullivan	Rest of State
057	49	Tioga	Rest of State
058	50	Tompkins	Rest of State
059	51	Ulster	Rest of State
060	52	Warren	Rest of State
061	53	Washington	Rest of State
062	54	Wayne	Rest of State
063	56	Wyoming	Rest of State
064	57	Yates	Rest of State