



Administrative Directive

TRANSMITTAL: 25 OHIP/ADM-04

TO: Commissioners of Social Services

DIVISION: Office of Health  
Insurance Programs

DATE: 3 July 2025

SUBJECT: Consumer Directed Personal Assistance Program (CDPAP) Amended Preliminary Injunction

SUGGESTED  
DISTRIBUTION:

Director of Social Services  
Medicaid Staff  
Home Care Staff  
Fair Hearing Staff

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PERSON:

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ATTACHMENTS:

None

FILING REFERENCES

Previous Ref. ADMs/INFs	Releases Cancelled	Dept. Regs. Law	Soc. Serv. & Other	Manual Ref	Misc.

I. Purpose

The purpose of this ADM is to supplement the presentation given to Local Departments of Social Services (LDSS) on Friday, June 27, 2025 to instruct LDSS about their responsibilities and actions that must be taken under the Amended Preliminary Injunction so ordered by the Court on June 27, 2025 in Engesser, et al v McDonald in the US District Court in the Eastern District of New York (the “agreement”).

## **II. Amended Preliminary Injunction Overview**

The full agreement is available on the Department of Health website. The actions required of LDSS are included in this ADM. The terms of the agreement require that letters be sent to: (1) consumers authorized for but not in receipt of CDPAP services; (2) consumers who are utilizing a Fiscal Intermediary (FI) other than PPL as authorized under the original preliminary injunction; and (3) consumers who are fully registered with PPL.

Per the terms of the agreement, consumers who are not in receipt of CDPAP or not in the process of registering with PPL by the deadline may be issued a Discontinuation of Services Notice with fair hearing rights.

The final deadline for consumers and personal assistants (PAs) to register with PPL is August 1, 2025. As of August 1, 2025, PPL is the only FI that can provide FI services for CDPAP. Effective June 27, 2025, no additional consumer authorizations for CDPAP can move to a prior FI and no payment may be made to a prior FI for CDPAP services that are delivered on or after August 1, 2025. PAs who were being paid by a prior FI, and who are not able to onboard with PPL by August 1 but do onboard with PPL by August 15, 2025, will receive payment from PPL for hours worked retroactive to August 1, 2025.

## **III. Consumers Currently Utilizing a FI Other Than PPL**

This category includes any consumer in Fee-for-Service (FFS) currently authorized to receive CDPAP services from a FI other than PPL.

LDSS will mail a letter to consumers, and designated representatives (DR) as applicable, by Monday July 7, 2025. The letter informs consumers that they must register with PPL as their CDPAP FI by the final registration deadline of August 1, 2025. It also provides information about resources available to assist with this registration. LDSS must use the letter template provided by the Department of Health (the Department) on Friday June 27, 2025 (English) and Monday June 30, 2025 (Spanish) and include the language access insert provided on Monday, June 30, 2025.

LDSS will send a discontinuation of services notice to consumers who do not take steps to register prior to August 1, 2025. The notice must be sent by August 15, 2025, with an effective date of September 1, 2025. The Department will provide a template of this notice in July.

LDSS must notify the Department of any consumers within this group that request a Fair Hearing. The Department will contact anyone in this group who requests a Fair Hearing to support the consumer in expeditiously registering with PPL.

## **IV. FFS Consumers with Unused CDPAP Services**

This category includes any consumers in FFS currently authorized for CDPAP but who have no record of using CDPAP in the entire month of June 2025.

LDSS will mail a letter to consumers, and designated representatives (DR) as applicable, by Monday July 7, 2025. The letter informs consumers that they must register with PPL as their CDPAP FI by the registration deadline of August 1, 2025. It also provides information about

resources available to assist with this registration. LDSS must use the letter template provided by the Department on Friday June 27, 2025 (English) and Monday June 30, 2025 (Spanish) and include the language access insert provided on Monday, June 30, 2025. For consumers who do not comply with the August 1, 2025 registration deadline and/or do not take any step to re-start CDPAP services or indicate an intent to re-start CDPAP services, LDSS will provide these consumers with a discontinuation of services notice by August 15, 2025, with an effective date of September 1, 2025. The Department will provide a template of this notice in July.

LDSS must notify the Department of any consumers within this group that request a Fair Hearing. The Department will contact anyone in this group who requests a Fair Hearing to support the consumer in expeditiously registering with PPL.

#### **V. Consumers Fully Registered with PPL**

LDSS will send a letter to this group of consumers. The letter will contain the following information:

- Contact information for PPL and the Department
- Availability of Facilitators, list of Facilitators, process for requesting a Facilitator, and an optional form to select a Facilitator
- Additional resources for timekeeping and approving time (Time4Care guide, Telephony guide, Approving Time with PPL, How to Manage Time with PPL)
- PPL@Home User Guide

This informational letter can be provided via the consumer's identified preferred method of communication including email, text or regular mail. The below information provides a guide for communicating via the consumers preferred method:

- Email: If the consumer's preferred method is email, the consumer will be sent an email that includes a link to a webpage containing the information required.
- Text: If the consumer's preferred method is text, the consumer will be sent a text that includes a link to a webpage containing the information required.
- Regular Mail: If the consumer's preferred method is regular mail, the consumer will be sent the letter template.
- Phone with Email Address: If the consumer's preferred method is phone and the consumer has an email address, the consumer will be sent an email that includes a link to a webpage containing the information required.
- Phone without Email Address: If the consumer's preferred method of communication is phone and the consumer does not have an email address, the consumer will be sent a letter via regular mail.

The Department will provide a template for these communications.

#### **VI. Effective Date**

This ADM is effective immediately.