

Eligibility and Application Guidance

*Companion documents include Guidance Definitions and Reimbursement Guidance

A. General Program Information

The Living Donor Support Act authorized the establishment of the Living Donor Support Program (the Program) in 2022. The goal of the program is to reduce financial barriers to living donation by reimbursing eligible living donors for expenses incurred during the living organ donation process.

Individuals considering becoming a living organ donor of a kidney, liver or other medically approved lifesaving organ as defined in public health law section 4360 may apply to the New York State Living Donor Support Program for help with the following expenses:

1. Travel expenses (transportation, lodging, meals);
2. Lost wages (including demonstrated lost non-employment income) or the economic value of sick or vacation days expended;
3. Dependent care expenses (childcare, dependent adult care, eldercare); and
4. Costs of medications and medical care associated with the living donation surgery that are not covered by health insurance from the Living Donor Support Program.

The Living Donor Support Act does not allow the Program to reimburse living donors for expenses that were paid or required to be paid by any third-party payor accessible to them. Examples of third-party payors might be an employer or union benefit for living donation, private insurance, etc. There is no direct assistance for transplant recipients through this program.

Eligibility applications and supporting documentation must be submitted and approved prior to the applicant's living donation surgery. The Living Donor Support Program can not reimburse expenses incurred prior to the eligibility application approval except in limited and emergent situations.

B. Eligibility Criteria

1. Living donor applicant is a resident of New York State as defined by Living Donor Residency Standards; and
2. The ultimate recipient of the living donor applicants donated organ is a New York State resident. This may occur either via a directed, non-directed or paired donation.

C. Living Donor Support Program Eligibility Application Process: Living Donor and Transplant Center Responsibility

1. An initial screening is done by the transplant center to ensure the potential living donor applicant's situation is consistent with the Living Donor Support Programs eligibility criteria. When the transplant center staff determines the living donor is likely to be eligible for the program the application process will be initiated by the designated transplant center staff.
2. Living donor, and recipient (if identified and needed), fill out the application, sign attestations and attach proof of residency.
3. The application is then returned to the transplant center staff for their completion and review. A complete application includes:
 - a. Living Donor Support Program Eligibility Application in which all required parties have completed their section(s);
 - b. Signed attestations from all required parties;
 - c. Living donor and recipient proof of New York State residency.
 - d. Applicable reimbursement worksheets, specific to anticipated donor needs; and
 - e. Living donor proof of income if applying for lost wage reimbursement.
4. The transplant center designated staff attaches to the application a form that documents the living donor's third-party payor review conducted by transplant center staff, signs attestation(s) and submits to the department the completed Living Donor Support Program Eligibility Application.

D. Proof of Residency Documentation

1. Two different proofs of current residency are required for both the living donor and recipient. Proofs must be dated within the last 90 days of the filing of the application. Documents being submitted to prove New York State residency need to display both the full name and current residence.
2. Acceptable Residency Documentation include:
 - i. Letter of residency
 - ii. Lease or mortgage statements
 - iii. Paystub from their employer
 - iv. Bank or investment statements
 - v. Unemployment check stubs
 - vi. Voter Registration card
 - vii. W2 or 1099
 - viii. Social Security or disability statements
 - ix. Real estate tax bills
 - x. Telephone bills

- xi. Utility bills
- xii. Tax returns

Additional forms of proof of residency may be required at the department's request

- 3. Unacceptable Evidence of New York State Residency
 - a. Post Office boxes may not be used for proof of residency.
 - b. Forwarded mail is not acceptable proof of residence.
 - c. In the case where documents submitted as proof of residency show inconsistent addresses additional verification may be needed.

E. Application Review: Department of Health Responsibility

The department official will review and verify information received for all program eligibility application submissions. The department shall make one of the following decisions, based upon the application information:

- 1. Accepted for participation in the program. This means that eligibility has been established through review and verification to the satisfaction of the Department.
- 2. Not Accepted for participation in the program. Applications will be denied when the information given by the applicant establishes that the applicant is ineligible, or when the applicant refuses to provide any documentation essential determination of eligibility.
- 3. No decision when:
 - a) An application is withdrawn by the applicant; or
 - b) The department determines that the applicant has died, cannot be located, or has left the State prior to the completion of the review and verification.

F. Notification

- 1. Notification of the decision to accept or deny an applicant's participation in the program will be sent to the applicant's email address or home address of record. Notification of denial will describe the reason(s) why the application was denied.
- 2. Notification of approval for participation in the program will include next steps needed to obtain reimbursement from the program. Items included in the packet will be:
 - a. Directions for setting up a profile in The Statewide Financial System (SFS); and
 - b. Overview of prior authorization for anticipated expenses and reimbursement processes.

G. Subsequent Events

- a. Ineligible Application

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1. In the case that an eligibility application is denied, the transplant center and living donor may reapply to the program when the transplant center feels living donor support program eligibility requirements have been fulfilled. This would be considered a new application which would require a complete application package as described above and still needs to be submitted and approved prior to the donation surgery.
- b. Reevaluation for continued eligibility
1. If the donation has not occurred within 1 year of the eligibility application approval an attestation verifying maintained New York State residency will be required.
 2. Additionally, if requesting wage reimbursement, new documentation verifying income will need to be submitted at time of annual residency attestation.