

LHCSA'S MAY FACE STIFF PENALTIES IF 2017 STATISTICAL REPORT IS NOT TIMELY SUBMITTED

Home Care Alert
October 25, 2018

This year's budget bill brought significant changes to the LHCSA industry (e.g., imposing a LHCSA contract limit on MLTC's). One of the changes was a requirement that all LHCSAs register with the NYS DOH by January 1, 2019. According to a Dear Administrator Letter ("DAL") issued by DOH, however, registration can only be satisfied by submitting a 2017 LHCSA Statistical Report by November 16, 2018. At a recent corporate compliance conference where DOH officials presented, the DOH emphasized that LHCSAs that fail to submit the statistical report on time will be prohibited from providing home care services. The DOH expressed concern that they had only received 67 statistical reports as of October 17, 2018, and that they were expecting to receive approximately 1400 LHCSA registrations.

This alert summarizes guidance that has been issued by NYS DOH concerning the statistical report, in an attempt to assist LHCSAs in preparing and submitting these reports in a timely fashion.

According to to the DOH's DAL available by clicking [here](#):

1. All LHCSA Providers Must Register with DOH

- In accordance with Public Health Law § 3605-b, all LHCSA's must register with the DOH annually
- The DOH will post the registration status of each LHCSA on its website

2. The DOH will Impose Penalties for Failure to Complete the Report

- A \$500 fine will be assessed for each month, or part of a month, that the LHCSA is not registered
- Agencies that are not registered will not be allowed to operate until they become registered
- Agencies that fail to register timely for two years, may have their licenses revoked
- The DOH may revoke the LHCSA's license even if the registration does not necessarily occur during two consecutive years

Attorneys

Jane Bello Burke
Reetuparna Dutta
Robert Fluskey, Jr.
Peter Godfrey
John Godwin
Stephen Kelkenberg
Michelle Merola
Sarah Miller
Kinsey O'Brien
Matthew Parker
David Stark
Amy Walters
Margot Watt
Sujata Yalamanchili

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3. The DOH is Using a New Statistical Report Platform

- The Report will use the NYSDOH-developed Universal Data Collection System (UDCS) Platform
- The report is available by logging into, or creating an account to log into, the DOH Health Commerce System (HCS) Website.
- Each LHCSA must download the UDCS application software and the LHCSA Statistical Report Form from the HCS and install it on a user's computer
- LHCSA-designated users can then enter the required data
- Only those designated as HCS Administrator can submit the report
- If the LHCSA's HCS Administrator role is outdated or inaccurate, please update your Agency's HCS Administrator Role immediately
- If the HCS Administrator role changed after August 6, 2018, the LHCSA must:

(1) update the information through your Health Provider Network Coordinator, and

(2) notify the DOH's Division of Home and Community Based services by sending an email to HCSTATRpts@health.ny.gov

• LHCSA's will not be able to submit the report for this year if they fail to notify the DOH about the changes to the HCS Administrator role accordingly

Instructions for completing the report are available below along with other useful documents.

[2017 LHCSA Statistical Report Frequently Asked Questions](#)

[LHCSA Statistical Report and Registration Forms on UDCS Instructions](#)

[LHCSA Statistical Report Introduction](#)

For more information, please contact any member of our Home Care Group.