

THE SENATE  
STATE OF NEW YORK



**SENATOR JOHN W. MANNION**  
50<sup>TH</sup> DISTRICT

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August 20, 2024

Daniel Tsai  
Deputy Administrator and Director of the Center for Medicaid and CHIP Services  
Centers for Medicare and Medicaid Services  
7500 Security Blvd.  
Baltimore, MD 21244

RE: Changes to the Consumer Directed Personal Assistance Program in New York State

Dear Mr. Tsai:

We are writing to bring to your attention the imminent and large-scale disruption in care that will arise from recently enacted changes to New York State’s Consumer Directed Personal Assistance Program (CDPAP). These changes will significantly restrict access to care for over 250,000 New Yorkers who are enrolled in this vital program. We respectfully request that the Centers for Medicare and Medicaid Services promptly review these changes, which we believe will deprive tens of thousands of consumers of the care they need and will likely disproportionately impact vulnerable populations, including people with disabilities, the elderly, those living in rural or underserved areas, and new American populations.

New York State (“the State”) plans to restrict the choice of CDPAP participants to a single, Statewide Fiscal Intermediary (“SFI”), eliminating choice and creating uncertainty for consumers. The once thriving network of providers is now in chaos and consumers are uncertain of the services that they have come to expect. This transition is scheduled to take place by April 1, 2025.

For nearly thirty years, New Yorkers enrolled in CDPAP have enjoyed a robust selection of Fiscal Intermediaries to help them direct and manage their care, which is a core component of the program. Broad selection enables CDPAP providers to cater to the diverse needs of New Yorkers, including providers who specialize in specific geographic, racial, and ethnic communities, and others. For example, grassroots, language-competent providers often spring up to support the arrival of new American populations. Without this targeted service, many consumers would not be enrolled in CDPAP today.

Additionally, the restriction of Fiscal Intermediaries into a single SFI will have significant and adverse impacts on CDPAP, including; negative economic effects on jobs for those employed by cultural and linguistic competent providers; increased Medicaid spending as Medicaid plans will be required to enter into a contract with the SFI at whatever rate the SFI requires; unique challenges for rural consumers, such

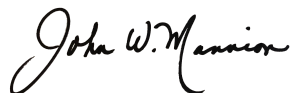
as limited access to transportation and fewer available providers; and, the implosion of consumer trust in the CDPAP system, as previously available local, tailored Fiscal Intermediaries will be gone. Moreover, while the State requires the single SFI to demonstrate cultural and linguistic competence, a single statewide entity will find it impossible to achieve the standards set by the existing community-based Fiscal Intermediary network.

Furthermore, the State has not published any information regarding this transition, conducted an outreach or educational campaign to discuss the changes, nor sought federal approval, as required under federal law. This limited transparency and lack of engagement with stakeholders raises serious concerns about the decision-making process to reduce service to a single SFI. As with all programs, we know that there are opportunities for review and reform within CDPAP; however, effective policy changes require collaboration and input from all relevant parties to ensure that diverse perspectives are considered and distinct needs are met.

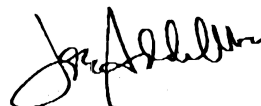
For these reasons, we urge your prompt attention and strict review of the State's errant decision to restrict the Consumer Directed Personal Assistance Program to a single, Statewide Fiscal Intermediary. In such review, we urge all options explored, including, but not limited to, additional oversight of CDPAP and the rejection of these changes. Any diminution of care for CDPAP participants, especially for people with disabilities, the elderly, rural or underserved areas, and new American populations, is unacceptable.

Thank you for your consideration of this request. Should you have any questions please do not hesitate to contact my district office at **315.428.7632** or send me an email at **[mannion@nysenate.gov](mailto:mannion@nysenate.gov)**.

Sincerely,



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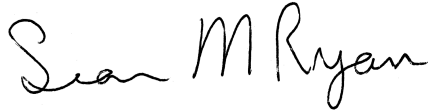
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