



## Legislation Text

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**File #:** Res 1352-2008, **Version:** \*

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### Res. No. 1352

Resolution calling upon the United States Congress to pass and the President to sign House Resolution 5173 and Senate Bill 2578, legislation which would temporarily delay application of proposed changes to Medicaid payment rules for case management and targeted case management services.

By Council Members Nelson, Comrie, Fidler, James, Koppell, Palma and Gerson

Whereas, Medicaid is a federal entitlement program that pays for medical assistance for certain individuals and families with low incomes and resources; and

Whereas, Assistance provided under Medicaid includes case management and targeted case management; and

Whereas, Case management assists beneficiaries in gaining access to needed medical, social, educational and other services; and

Whereas, Targeted case management is a more specific type of case management that targets beneficiaries with a particular diagnosis or condition such as individuals with developmental disabilities, individuals with mental illness, individuals with HIV/AIDS, children at risk of abuse and neglect and foster care children in state custody; and

Whereas, The Centers for Medicare and Medicaid Services issued an Interim Medicaid Program Final Rule on December 4, 2007, significantly altering Medicaid case management and targeted case management; and

Whereas, This regulation will drastically cut Medicaid funding for case management services that currently assist Medicaid-eligible children and adults with disabilities in accessing essential long-term supports, and social, medical, educational and other services; and

Whereas, Maine, Maryland, New Jersey and Oklahoma have filed suit against the United States Department of Health and Human Services and Secretary Michael Leavitt, alleging that the regulations are not in accordance with the 2005 Deficit Reduction Act and Title XIX of the Social Security Act, and are not in compliance with the federal Administrative Procedure Act; and

Whereas, Many advocacy groups believe that these new regulations will adversely impact people leaving institutional care, fragment existing services to children in foster care, restrict services to children with disabilities and limit the flexibility of states to effectively manage Medicaid; and

Whereas, These regulations have prompted Congressman Keith Ellison and Senator Norm Coleman to introduce legislation, H.R. 5173/ S.B. 2578, that would place a moratorium on the implementation of changes to case management and targeted case management and would continue the 2007 payment policies and practices; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass and the President to sign House Resolution 5173 and Senate Bill 2578, legislation which would temporarily delay application of proposed changes to Medicaid payment rules for case management and targeted case management services.

JM  
LS# 5212  
April 8, 2008