



HCBS/TBI Waiver

Conflict of Interest Notice to Providers

Dear Nursing Home Transition and Diversion (NHTD) and Traumatic Brain Injury (TBI) Waiver Providers:

The date that CMS has set for New York State's full compliance with Conflict of Interest (COI) requirements is November 11, 2023. Upon approval by CMS, the Nursing Home Transition and Diversion (NHTD) waiver application will reflect this date. The currently approved Traumatic Brain Injury (TBI) waiver application includes this compliance date.

The Department of Health (DOH) has been working with CMS to finalize timelines and milestones for compliance in our Corrective Action Plan (CAP). Within the next few weeks, DOH will be reaching out to you with information to discuss the system that will be implemented to mitigate potential conflict of interest under 1915(c) HCBS waivers while meeting the needs of our program participants. DOH anticipates this meeting will occur on September 6, 2023. This work will include direction on safeguards that CMS has determined are necessary to ensure participant protections while meeting COI compliance criteria.

Any questions that you have throughout our planning process may be directed to:
waivertransition@health.ny.gov

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