



# STATE OF NEW YORK DEPARTMENT OF HEALTH

Corning Tower      The Governor Nelson A. Rockefeller Empire State Plaza      Albany, New York 12237

Antonia C. Novello, M.D., M.P.H., Dr. P.H.  
*Commissioner*

Dennis P. Whalen  
*Executive Deputy Commissioner*

<b>LOCAL COMMISSIONERS MEMORANDUM</b>
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**Transmittal No:** 06 OMM/LCM-1

**Date:** June 30, 2006

**Division:** Office of Medicaid  
Management

**TO:** Local District Commissioners

**SUBJECT:** Consumer Directed Personal Assistance Program (CDPAP)

**ATTACHMENT:** Questions and Answers Related to Administration of the CDPAP

The purpose of this Local Commissioner's Memorandum is to transmit to the local social services districts a compilation of answers to questions submitted by local social services districts, fiscal intermediaries and Consumer Directed Personal Assistance Program (CDPAP) consumers regarding the CDPAP. The Department continues to accept questions regarding administration of CDPAP and will be issuing additional questions and answers in the near future.

In 1996 the legislature passed Social Services Law 365-f establishing the CDPAP to support chronically ill and/or physically disabled individuals receiving home care under the Medical Assistance program greater flexibility and freedom of choice in obtaining such services. CDPAP, is operated in New York State as a Medicaid State Plan service, under the Personal Care Services (PCS) Program benefit.

As such, until discrete regulations governing that program's operations are issued by the Department, the district must follow all applicable PCS assessment and authorization processes and policies. The scope of services that may be authorized under CDPAP include the scope of tasks that may be provided by a Personal Care Aide, Home Health Aide, Licensed Practical Nurse or Registered Professional Nurse.

The attached Questions and Answers document will serve as an additional guide for local districts to use in the administration of the CDPAP. This document will be shared with the CDPAP Association, all fiscal intermediaries and additionally with the New York State Association of Home Care Providers (HCP) and the New York State Home Care Association (HCA). It is strongly recommended that the district discuss the attached document with the district's Fiscal Intermediary(ies) to assist them in performing the activities identified in the MOU/contract executed between them and the district.

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If you have any questions regarding the content of this memorandum or its attachment, you may contact Leslie Galusha or Priscilla Ferry in the Division of Consumer and Local District Relations, Bureau of Long Term Care at 518-474-5271.

Sincerely,

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Brian Wing  
Deputy Commissioner  
Office of Medicaid Management