

ACCESSING HEALTH CARE SERVICES DURING THE COVID-19 EMERGENCY

All New Yorkers regardless of immigration status are eligible for free or low cost care at NYC Health + Hospitals (NYC H+H) locations. You can find H+H locations at https://www.nychealthandhospitals.org/health_care/ or you can call 1-844-NYC-4NYC. No one should forgo medical care because of fear of immigration consequences or inability to pay.

COVID-19 and Public Charge:

Regardless of immigration and health insurance status, any person who needs testing and treatment for COVID-19 should seek medical care. You may have heard about recent changes to the public charge rules, which can make it harder to become a Legal Permanent Resident (green card) if you use some public benefits. The federal government announced that testing and treatment for COVID-19 does not raise a risk for being found a public charge. For more on public charge:

<https://legalaidnyc.org/wp-content/uploads/2020/03/LAS-PC-FAQ-3.31.20-final.pdf>

MEDICAID HOME CARE SERVICES

New Requests for Home Care

If you are not currently receiving care at home through Medicaid, and you believe that you need it, you should ask your doctor to put in a new order for care. Your doctor can put in this order after you have an appointment over the phone if you are not able to see the doctor in person. The doctor should submit the order to the local Medicaid agency, or your Medicaid plan if you have one.

Already Receiving Home Care

If you already receive home care services, for example through a Medicaid Managed Long Term Care plan, your plan is allowed to skip your regular six-month assessment during the emergency. Your plan can also give you an assessment over the phone.

If you receive a notice that your plan wants to reduce your care (“Initial Adverse Determination”), you should request a plan appeal right away. You have to request an appeal within 10 days, or before the “Effective Date” of the reduction, to keep your care the same for now. If the plan does not change its mind in the appeal, you will receive a “Final Adverse Determination” and you can request a Fair Hearing.

If you want to request more hours of home care, you can still request this through your plan. If your request is denied, you should receive an Initial Adverse Determination and can request a plan appeal. If your plan appeal is not successful, you can request a Fair Hearing when you receive a Final Adverse Determination.

If Aides are Not Available

If you are told that some or all of your aides are not available during the emergency, you still have a right to have your case fully staffed. You should complain to your plan or to a state complaint line ((800) 206–8125 for Medicaid Managed Care; (866) 712–7197 for Managed Long Term Care) if you do not have all the aides you need.

Some plans have been asking their members to agree to “voluntary” cuts in hours during the emergency. If your plan asks you to do this, do not agree unless you really do not want the care at this time. It might be hard to get the care back later.