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April 16, 2020

Dear Medicaid Managed Long Term Care Plan Administrator:

As President of the New York State Adult Day Services Association (NYSADSA), I am reaching out to plans regarding the unmet needs of isolated functionally impaired older adults and individuals with disabilities whom are provided services by social adult day services programs. Following the state public health emergency declared by Executive Order No. 202 in response to the COVID-19 pandemic, the New York State Department of Health (NYSDOH) on April 7, 2020 issued guidance to the Adult Social Day Care Program Administrators and the Medicaid Managed Long Term Care plans (MLTCPs) regarding social adult day services provided and covered during the COVID-19 public health emergency, including telephonic services. Please note that social adult day services (SADS) is also referred to as social adult day care (SADC) and adult social day care (SDC).

The guidance states “Adult SDC can provide an invaluable service in this uncertain time, where isolation and anxiety are widespread.” We are encouraging you to work with your contracted Social Adult Day Care providers to continue to provide critical services during this uncertain time.

NYSADSA has developed clear policy and procedure guidelines based on the DOH guidelines. Each SADC provider you contract with will be following these policies and procedures to ensure that the quality is uniform and standard across all programs. This includes a Stay-At-Home Service Plan, an individualized person-centered SADC care plan for telephonic and virtual wellness, social connectiveness and recreational programming. Services include emotional support for participants and caregivers, delivery of art and craft supplies, and delivery of needed food and personal care supplies.

NYSADSA is contracted by the New York State Office for the Aging to provide professional development and technical assistance for SADC programs and MLTCPs. We are committed to offering this support during the COVID-19 crisis. In the last two weeks we have provided webinars on working with caregivers during COVID-19 and how to develop and offer telephonic and virtual day services.

**Please note that Insurance Law §§3217-h and 4306-g provide that an insurer cannot exclude an in-network service that is otherwise covered under the policy or contract because the service was delivered via telehealth. Insurers may not implement a policy of excluding an entire category of service from being eligible for coverage when performed via telehealth.**



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Individuals receiving SADS services have significant needs based on their specific functional impairments, especially needs regarding social determinants of health (SDH). These day services are not some type of supplemental, non-essential services for which there will be no consequence to vulnerable individuals if they do not receive them. The essential nature of these services cannot be understated during this time of stay-at-home orders making isolation a risk factor for loneliness, depression, malnutrition, emotional frailty, anxiety and increased cognitive difficulties. The SADS programs act as a lifeline for the vulnerable individuals they serve and such we request in accordance to NYSDOH and DFS guidance that all authorizations are reinstated.

Thank you, and should you have any questions, please reach out to me directly at [nysadsa@caphill.com](mailto:nysadsa@caphill.com) or by phone at (518) 694-5366.

Sincerely,

Amy Davis  
PRESIDENT  
New York State Adult Day Services Association