

Office of Administrative Hearings (OAH) Procedures Transmittal	Transmittal Number:	05-28
Distribution:	Date:	October 27, 2005
	Page:	1 of 2
	Subject:	Revised Instructions for Agency BCCP and Issue Code 217: Breast and Cervical Cancer Treatment Program Coding
ALB OAH Staff <input checked="" type="checkbox"/> UPS ALJs <input checked="" type="checkbox"/> Upstate LDSS <input checked="" type="checkbox"/>		
	SUP ALJs <input checked="" type="checkbox"/>	
NYC OAH Staff <input checked="" type="checkbox"/> NYC ALJs <input checked="" type="checkbox"/> NYC Agencies <input checked="" type="checkbox"/>		
	SUP ALJs <input checked="" type="checkbox"/> (NMAP Only)	

This is being issued to amend OAH Transmittal 03-14 issued on May 23, 2003 with respect to fair hearing requests involving actions taken statewide by the Breast and Cervical Cancer Treatment Program (BCCTP) administered by the New York State Department of Health. This is a program for men and women who meet certain income criteria, are not covered by other health insurance, and need treatment for breast or cervical cancer. The Office of Medicaid Management (OMM) has responsibility for making a final determination of eligibility and sending appropriate notice to the client. If the client is determined eligible for Medicaid under one of the Medicaid Mandatory Categorical groups, they are not eligible for the Breast/Cervical Cancer Program. Communications Intake Unit (CIU) staff can refer to the following coding for BCCTP-related fair hearing requests, which has not changed:

Agency: LDSS/BCCP (Upstate); NMAP/BCCP (NYC)
Category: MA
Subcategory: None
Action: REDU, DENY, DISC, or INAD
Issue Code: 217 (Breast and Cervical Cancer Treatment Program)
Hearing Location: LDSS (Upstate); 330 West 34th Street (NYC)

In those situations where the issue relates to medical transportation for a recipient/applicant for BCCTP benefits, CIU staff should use issue code 245 and enter the local DSS or NMAP, in New York City, in the Agency field, as responsibility for these cases has been changed from the New York State Medical Assistance program to the local level.

Our OAH intranet website has been updated, under MA Issue Code 217 and the MA Desk Guide for BCCP, to indicate that any BCCTP medical transportation issue would be coded with Issue Code 245 and set up against the LDSS or NMAP, in New York City, as follows:

Agency: **LDSS (Upstate); NMAP (NYC)**
Category: MA
Subcategory: None
Action: REDU, DENY, DISC, or INAD
Issue Code: **245 (Medical Transportation)**
Hearing Location: LDSS (Upstate); 330 West 34th Street (NYC)

In addition to notice to the appropriate LDSS or NMAP, use of BCCP in the secondary agency field will ensure that the appropriate Department of Health contact people are provided notification of fair hearing requests, redirects, notices, adjournments, decisions, and complaints of non-compliance. These contacts are:

Office of Medicaid Management
Att: **Margaret Williams**, MA Specialist
One Commerce Plaza, **Room 826, 8th Floor**
99 Washington Avenue
Albany, New York 12260

Tel: (518) **473-0891**
Fax: (518) **486-7480**
Email: maw12@health.state.ny.us

-and-

Office of Medicaid Management
Att: Kathleen Orkwis, Health Program Admin.
One Commerce Plaza, Room **826, 8th Floor**
99 Washington Avenue
Albany, New York 12260

Tel: (518) **474-3468**
Fax: (518) **486-7480**
Email: kxo01@health.state.ny.us

If there are any questions with respect to this transmittal, you may contact your supervisor or Susan Fiehl at (518) 473-4779 or via email Susan.Fiehl@otda.state.ny.us.



Mark Lacivita, Director of Administration
Office of Administrative Hearings