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Office of Administrative Hearings (OAH)						Transmittal Number: 95-20
Procedures Transmittal						Date: August 8, 1995
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Distribution:						
ALB OAH Staff 		ALJs/ ALJs		Upstate LDSS	[]	Subject: Bureau of Medical and Professional Review (BMPR) Notification
NYC OAH Staff 	[X] MA MA	ALJs SUPS		NYC Agencies (NOHC only)	[X] 	

Please refer to the attached notice from the New York City Office of Home Care (NOHC). It has come to our attention that the Bureau of Medical and Professional Review (BMPR) will be the party evaluating and representing on cases where, upon a client's discharge from a hospital, the client has had some change in services provided by a certified home health aide or a home attendant. These changes could involve a change from no services prior to hospitalization to services after hospitalization, a change from Certified Home Health Aide Services (CHHA) to Home Attendant Services (referred to as central conversion cases), and/or a change in the amount of authorized hours of skilled service.

The BMPR is a section of NOHC located at 109 East 16th Street but separate from staff who handle all other NOHC cases. This section is responsible for expedited hospital discharges. In an effort to assist the Office of Home Care in distinguishing the BMPR cases from the regular NOHC cases, when we are aware that BMPR took the action, we have agreed to note in both the Comment section of the DSS 1891 and the Message field the following message:

"Notice from BMPR".

This will indicate to the agency to internally forward the request to the BMPR section and should reduce the necessity for agency-generated adjournment requests due to their inability to provide the case record because they may have been unable to properly identify that the case action was taken by BMPR. These cases do not require special coding on the basis of their BMPR status, but should be coded in accordance with the instructions set forth in the Desk Reference Guide for NOHC cases.

Intake staff should be aware that the acronym "BMPR" could be in one of three places as circled on the attached notice: i.e. within the address of the letterhead; on the line signed by the worker identified as "Division", and/or contained in the conference information on the back. If the address on the notice is 109 East 16th Steet, this would be further indication that the case action was taken by BMPR. Telephone Intake staff should be alert to this information if it is mentioned in the course of the telephone interview, but it is likely that unless correspondence staff or walkin reviewers receive a copy of the notice with the fair hearing request, it may be difficult to ascertain this information at the time of request. (Telephone Intake staff may determine that if the client has a notice and can't identify which CASA generated the notice, it may be a BMPR-generated notice and staff could, therefore, ask the client whether the initials BMPR are mentioned on the notice). The Office of Home Care has been advised that we can only attempt to be helpful in this regard and failure on our part to identify BMPR will not routinely justify cause for adjournment at the request of the agency.

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The NYC ALJs should be alert to the concerns of the agency in evaluating any requests for adjournments; namely, that significant delays on the part of NOHC in identifying these cases as BMPR may result in an inability to produce the case record at the hearing. However, notification to NOHC satisfies the OAH's obligation to notify the responsible agency and providing any further information in the Message field/Comment field when available is merely a courtesy.

Any questions can be referred to your supervisor or Sue Fiehl at (518) 473-4779 or via e-mail (90j029).

Mark Lacivita, Director of Administration Office of Administrative Hearings

Attachment