

Provider name and address

LIABILITY NOTICE FOR PREEXISTING SERVICES

Individual receiving services: _____ **Date** _____

This notice only applies to people receiving day habilitation or living in an individualized residential alternative, a family care home, a community residence or an intermediate care facility for persons with developmental disabilities. As of April 15, 2009, anyone receiving any of these services must have the kind of Medicaid that pays for the services or must private pay.

We are giving you this notice because you are the individual named above getting services from us, because you are someone else who has to pay for the services with your own money, or because you are responsible for the individual's money. If you are responsible for the individual's money, you only have to pay for the services with the individual's money, not with your own money.

By April 15, 2009:

You must give us the information we ask for. If Medicaid does not already cover the services, we need to see if Medicaid or someone else will pay. Even if you agree to pay for the services, we can ask for information so we can see who has to pay for the services, if anyone who has to pay can afford it and if Medicaid will pay.

Anytime after April 15, 2009 while we are providing services:

If you are the individual receiving services you must give us the following information about yourself. If you are someone else who has to pay for the services, you must give us the following information about the individual receiving services.

- Any notice from a Medicaid district about losing Medicaid. You have to tell us about the notice no later than 5 days after you get it or learn about it.
- Any changes in type of Medicaid coverage.
- Any changes in income, savings or other assets, living situation, immigration status or any other change that affects Medicaid eligibility.

No matter who you are, if you are paying for the services, you must tell us if you think you no longer have to pay, if you think someone else has to pay, or if you or someone else can no longer afford to pay.

Privacy of information

We must protect the privacy of information we get. Only certain people working for us are allowed to ask for and see this information. We can only give this information to New York State and others to apply for benefits such as Medicaid, Medicare, Social Security and food stamps.

Paying for the services

If you are the individual receiving services:

- You will only have to private pay if you do not have the right kind of Medicaid and we do not waive the fee.
- You will only have to apply for Medicaid if no one private pays and we do not waive the fee.
- If you already have the right kind of Medicaid, you must give us your Medicaid Client Identification Number (or something else that proves you have Medicaid) and you must keep your Medicaid in the future.
- If you want Medicaid to pay, but you do not have the right kind of Medicaid, you must do whatever is needed to get and keep Medicaid, or give us the information we need and let us either help you with the Medicaid application or apply for you.
- Unless you are living in an intermediate care facility for persons with developmental disabilities, you must do what is needed to be enrolled in the Home and Community Based Services Waiver.

If you are someone else who must pay for the services:

- You will only have to private pay if the individual does not have the right kind of Medicaid and we do not waive the fee.
- You will only have to apply for Medicaid for the individual if no one private pays and we do not waive the fee.
- If the individual already has the right kind of Medicaid, you must give us his or her Medicaid Client Identification Number (other something else that proves he or she has Medicaid) and you must keep his or her Medicaid in the future.
- If you want Medicaid to pay, but the individual does not have the right kind of Medicaid, you must do whatever is needed to get Medicaid for the individual, or give us the information we need and let us either help with the Medicaid application or apply for the individual.
- Unless the individual is living in an intermediate care facility for persons with developmental disabilities, you must do what is needed to have the individual enrolled in the Home and Community Based Services Waiver.

The right kind of Medicaid is the kind that will pay for the services we are providing. Doing whatever is needed to get and keep Medicaid means everything that is legal that will qualify a person for Medicaid. This could include setting up a special kind of trust or spending down income or resources.

The full fee is _____. If we reduce the fee, you must pay the reduced fee. Even if we reduce or waive the fee, you may have to pay the full fee if it turns out you are able to pay it.

You will still be liable for fees, and we will still bill you, even if the State pays us for the services and even if the law requires us to serve you. We cannot stop services because you are not paying. However, if we are trying to stop the services for another reason, you must pay for the services while there are proceedings to stop the services.

Bills

If you are paying for the services, we will send you a bill for a month by the 30th of the following month. For example, we will send you the April bill by May 30. If you do not pay the bills, we will try to collect from you. We cannot interfere with the services or harass, annoy or intimidate you or anyone else about your bills. If you still do not pay the bills, we may assign our claim for payment to New York State. We have to give you 30 days' written notice if we change any reduced or waived fees.