



Department of Health

KATHY HOCHUL
Governor

MARY T. BASSETT, M.D., M.P.H.
Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

June 22, 2022

Ms. Clarissa M. Rodriguez
Chair
New York State Workers' Compensation Board
328 State Street, Suite 2
Schenectady, New York 12305

Dear Ms. Rodriguez:

The Office of Health Insurance Programs has calculated rates of reimbursement for the period January 1, 2022 through December 31, 2022 for acute per case inpatient rates, exempt hospitals, exempt units and detoxification rates. For hospitals that closed their exempt unit and/or detoxification services subsequent to January 1, 2016, or temporarily suspended their services during 2022 due to the Public Health Emergency, the 2016 and 2017 capital reconciliations calculated with these rates were retroactively processed within each respective rate period since it was not possible to process the adjustments in the January 1, 2022 rates.

These rates have been calculated for services rendered to patients covered under the Workers' Compensation Law, the Volunteer Firefighters' Benefit Law, the Volunteer Ambulance Workers' Benefit, and the Comprehensive Motor Vehicle Insurance Reparations Act.

Pursuant to section 2807(4) of the Public Health Law, I hereby certify to you that the rates appearing on the enclosed schedules have been developed in accordance with section 2807-c of the Public Health Law, as amended by the Health Care Reform Act, and Part 86-1 of the Title 10 (Health) of the Codes, Rules and Regulations of the State of New York.

Sincerely,

Amir Bassiri
Acting Medicaid Director
Office of Health Insurance Programs



Department of Health

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Ms. Clarissa M. Rodriguez
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New York State Workers' Compensation Board
328 State Street, Suite 2
Schenectady, New York 12305

Dear Ms. Rodriguez:

Enclosed please find the certification letter and schedules of hospital reimbursement rates for services rendered to patients covered under the Workers' Compensation Benefit Law, the Volunteer Ambulance Workers' Benefit Law and the Comprehensive Motor Vehicle Reparation Act. These rates are for the period January 1, 2022 through December 31, 2022 for acute per case inpatient rates, exempt hospitals, exempt units and detoxification inpatient rates. Rates of payment for these services for these payers is to be based upon rates determined for state governmental agencies (Medicaid) in accordance with Article 2807-c (6-1) of the Public Health Law.

For discharges beginning on or after January 1, 2022, the Service Intensity Weights (SIWs), cost thresholds and average length of stay (ALOS) effective July 1, 2018 should continue to be used for payment purposes with the 3M All Patient Refined Diagnosis Related Groups (APR-DRGs) grouper version 34.

The rates on the attached schedules are based upon the same methodology and data used in the rates effective January 1, 2021 through December 31, 2021, but also take into consideration the following updates:

1. Inclusion of 2022 budgeted capital as reported by hospitals and calculated in accordance with Section 8 of Article 2807-c of the Public Health Law.
2. The inclusion of a 2022 trend factor of 2.5% based upon the initial Consumer Price Index (CPI) as published by the Congressional Budget Office and as required by Section 10 of Article 2807-c of the Public Health Law.
3. Adjustments to the acute, specialty hospital, critical access hospital, and medical rehabilitation hospital rates, where applicable, as a result of Article 19 of the NYS Labor Law that established new minimum wage increases beginning January 1, 2022.
4. Implementation of prospective capital rate adjustments associated with capital reconciliations for the periods January 1, 2016 – December 31, 2016 and January 1, 2017 – December 31, 2017. For some hospitals, this resulted in an overall negative capital rate.

- **Please note:** For hospitals that closed their exempt unit and/or detoxification services subsequent to January 1, 2016, or temporarily suspended their services during 2022 due to the Public Health Emergency, the 2016 and 2017 capital reconciliations calculated with these rates were retroactively processed within each respective rate period since it was not possible to process the adjustments in the January 1, 2022 rates. The revised 2016 and 2017 rate publication schedules are included with this letter.

Should you have any questions or require further information, please contact Monique Grimm via email at HospFFSunit@health.ny.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Ogborn', with a long horizontal flourish extending to the right.

Michael Ogborn
Medicaid Chief Financial Officer
Division of Finance and Rate Setting
Office of Health Insurance Programs

Enclosures