

Starting Soon.....



Deadline Approaching – The CDPAP Transition, with Valerie Bogart, NYLAG

March 10, 2025

Frank E. Hemming III, Esq. Partner

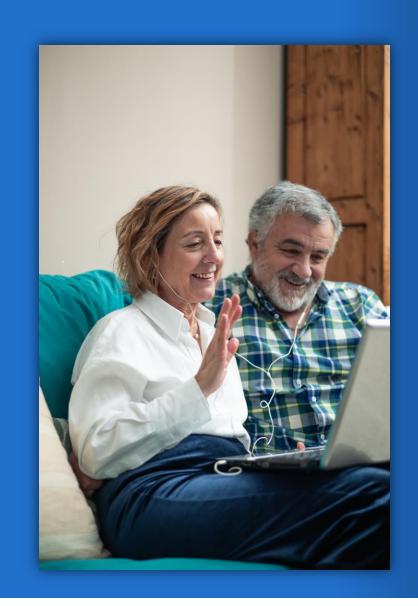
Louis W. Pierro, Esq. Founding Partner





Welcome

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- ► Type Questions in the Q&A Section at the Bottom of Your Screen
- Presentation is Posted:
 Pierrolaw.com/Resources Under
 Medicaid Planning
- Fill Out Our Survey with Feedback







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Serving New York State Residents Through Offices in:

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Agenda 3.10.25

- Recap of the Medicaid Numbers
- What is CDPAP?
- The CDPAP Transition
- Four options for completing the transition
- How to get help making the switch
- The role of the CDPAP Facilitator
- What's not changing eligibility, services, and caregivers





2025 MEDICAID ELIGIBILITY NUMBERS

Monthly Income				
	2025	2024	Difference	
Individual (at home)	\$1,820	\$1,752	\$68	
	\$2,453	\$2,371	\$82	
Community Spouse Income Allowance	\$3,948.00	\$3,853.50	+\$94.50	
Institutionalized Spouse Income Allowance	\$ 50			

2025 MEDICAID ELIGIBILITY NUMBERS

Resources			
	2025	2024	Difference
Individual	\$32,396	\$31,175	\$1,221
Couple Comm. Spouse Resource Allowance	\$43,781 \$74,820 ¹	\$42,312	\$1,469

I - \$74,820 (or the spousal share of I/2 combined resources up to a maximum of \$157,920 (up \$3,780 from 2024)

Updated 2025 NYS Medicaid Regional Rates

Region	Counties	2025	2024
New York City	Bronx, Kings (Brooklyn), NY (Manhattan), Queens, Richmond (Staten Island)	\$14,582	\$14,273
Long Island	Nassau, Suffolk	\$14,914	\$14,668
Northern Metropolitan	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester	\$14,569	\$14,165
Western (Buffalo)	Alleghany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, Wyoming	\$12,842	\$12,241
Northeastern (Albany)	Albany, Clinton, Columbia, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, Washington	\$13,916	\$13,235
Rochester	Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne, Yates	\$15,127	\$14,419
Central (Syracuse/Utica)	Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga, Tompkins	\$13,042	\$12,196

All CDPAP Consumers Must Transfer to PPL as their Fiscal Intermediary by March 28, 2025!!!

Valerie Bogart

Evelyn Frank Legal Resources Program

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ABOUT NYLAG

The New York Legal Assistance Group (NYLAG) is a leading non-profit that provides free civil legal services, financial counseling, and engages in policy advocacy efforts to help people experiencing poverty.



About the Evelyn Frank Legal Resources Program

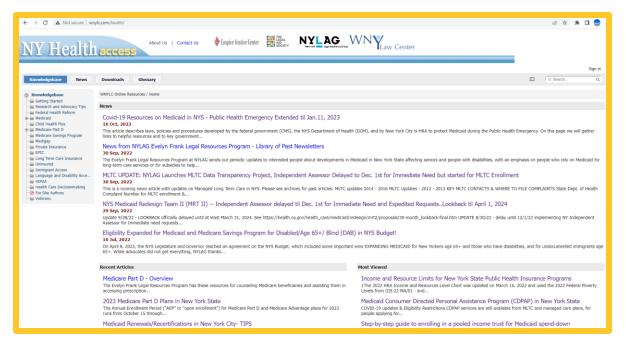
Focuses on fighting for seniors and people with disabilities, ensuring that they have access to health care and home care services they need to age safely in their home and communities. Services include:

- Counseling client on Medicaid, Medicare and home care eligibility and services
- Training legal, social services and health care professionals about changes in Health Care programs and how to best serve the health and long-term care needs of seniors
- Representing clients in denials and reduction of Medicaid,
 Medicare Savings Program and Medicaid Home Care
- Assisting clients with accessing Medicaid home care through Managed Long Term Care plans.



EFLRP Services (continued)

 Educating the public through the website <u>www.nyhealthaccess.org</u> or http://health.wnylc.com/health/



- Policy Updates
- Consumer Materials
- Expansive resources on coverage criteria and eligibility

Updates about CDPAP here -- CDPAP consumers and Their Personal

Assistants Must Switch to "PPL" as their Fiscal Intermediary by March 28,

2025 - or Lose CDPAP Services http://health.wnylc.com/health/news/97/



March 28th – Big Deadline for CDPAP Consumers!



Agenda

- 1. What is CDPAP and how does it work now?
- 2. What is changing in 2025 Move to a Single "FI"
- 3. What YOU must do to transition to PPL by March 28th Steps and Tips for Making the transition
- 4. Why is this Happening?
- 5. Resources



1. WHAT IS CDPAP & HOW DOES IT WORK NOW?



Consumer Directed Personal Assistance Program What is CDPAP?

- Alternate model for providing Medicaid home care services that started in 1980 in NYC by Concepts of Independence
- Founded by people with disabilities who wanted more control over their lives
- Consumer or a family member as their "designated representative" selects
 & hires aide, trains and schedules them.
- The person with disabilities is the employer
- MLTC Plan, managed care plan or local govt. Medicaid agency decides hours
- Fiscal intermediary or "FI" has contract with and is paid by MLTC plan or local Medicaid agency to handle payroll, time sheets, EVV* & benefits.



CDPAP vs. Traditional Personal Care

	CDPAP	Traditional Personal Care
What is aide called?	Personal Assistant (PA)	Personal Care Aide (PCA) or Home Health Aide (HHA)
Who "hires" the aide?	CONSUMER (Person receiving home care)	Licensed Home Care Services Agency (LHCSA)
Who recruits, trains, schedules & supervises the aide?	CONSUMER	LHCSA
* What if consumer has dementia or other cognitive impairment so can't do these tasks?	"Designated representative" performs these functions if consumer is not self-directing (usually a family member)	If not self-directing, must have someone to "direct care" but less responsibility than in CDPAP
Who PAYS the aide and handles timesheets & benefits?	Fiscal intermediary or "FI"	Licensed Home Care Services Agency (LHCSA)

CDPAP vs. Traditional Personal Care con'd

	CDPAP	Traditional Personal Care
What tasks may aide do?	May perform tasks beyond what PCA can do (skilled tasks) ie may administer meds put pill in consumer's mouth, inject insulin, suction, tube feeding	PCA may not "administer" medications but may bring pre- poured med to consumer. Mostly assists with Activities of Daily Living (ADL)
Aide training & certification	Consumer trains aide – no formal training or certification	Must have formal training (2-3 weeks) and certificate
May Family be Hired as Aide?	 Most family members OTHER THAN SPOUSE MAY be hired as PA as long as they are not the "designated representative," including: Adult child of an elderly consumer Parent of an adult disabled child Legal guardian can be PA as long as someone else is "designated representative: Spouse MAY NOT be hired as PA 	These family members MAY NOT be PCA: • Spouse, parent, son, daughter, son-in-law, daughter-in-law Other relatives may be hired but may only reside with consumer if presence needed because of amount of care required

How are CDPAP and Traditional Home Care the Same?

- BOTH services are available to members of MLTC plans, other Medicaid managed care plans, and the local county Medicaid agency (HRA in NYC) if consumer is exempt from MLTC or other managed care.
- BOTH services must be approved and authorized by the plan or local Medicaid agency, which decides:
 - Number of hours/week of home care
 - Whether the consumer is eligible for CDPAP Can handle all of the responsibilities or has a "designated representative" who can
- Both CDPAP FI's and LHCSA's for personal care have a contract with the MLTC or other managed care plan, or local Medicaid agency (HRA – NYC).
 - The plan/county pays the FI or LHCSA to provide the services in amount authorized
 - The FI or LHCSA pays the aides, manages benefits and timesheets (Electronic Visit Verification or EVV).

How do CDPAP FI's work now?

- Currently, there are over 600 Fiscal Intermediaries throughout the state that administer CDPAP.
 - Both non-profits and for-profit companies.
- NETWORK Each MLTC or other Medicaid managed care plan, or for those not in a plan – the county Medicaid agency (HRA in NYC) has a limited number of Fl's in their PROVIDER NETWORK. You must use one of the Fl's in your plan's or county's network.
- The only differences between FI's are amount of wages and benefits paid to PA's, support provided to consumers/PA's, and EVV systems

If you don't like your FI, you can switch to a different one.

2. IN 2025, NEW YORK IS MOVING ALL CDPAP RECIPIENTS AND WORKERS TO A SINGLE FISCAL INTERMEDIARY - PPL



What's changing?

- NY has selected one company, PPL, to replace all of the 600+ current FI's. All MLTC plans, other managed care plans and local Medicaid agencies (HRA NYC) must sign contract with PPL
- All current FI's except about 30 that have been selected as

 Facilitators will **go out of business** (although many also operate a traditional Licensed Home Care Services Agency that provides personal care services ("LHCSA")
- By 3/28/25, about 250,000 CDPAP consumers will need to register with PPL to transition their services to PPL
- 500,000 PA's will also have to transfer to PPL from their current FI by 3/28/25
- If the consumer AND PA's don't register, the consumer will not transition and will lose CDPAP services!

No more choice of



What's NOT changing

- The eligibility rules for CDPAP have not changed
- If you are already receiving CDPAP, you do not need to re-apply or do another assessment with the NY Independent Assessor program (NYIAP)
- If you are already receiving CDPAP, your hours will not change
- If you are already receiving CDPAP, there should be no interruption of your services IF you AND your PA's register with PPL by the deadline
- CDPAP recipients are **NOT required to switch to Personal care** (PCS) but some may want to. See below.

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What *might* change

- PA wages may be lower than hourly rates paid by their current
 FI's but guaranteed minimum wage (NYC \$20.10, Long island & Westchester \$19.50, Rest of state \$18.10).*
- Overtime (>40 hours/week) PPL says some overtime will be allowed when necessary. If PPL denies overtime, some consumers may need to find additional PA's to staff all hours
- How PA's sign in/out for their shifts will change to PPL's EVV system called <u>Time4Care</u>, which can be accessed via a smartphone app (call-in option for those without internet)

 Some PA's will choose not to become employees of PPL, or will be unsuccessful in navigating the transition, resulting in some https://pplfirst.com/ programs/newyork/ny-consumerdirected-personalassistanceprogram-cdpap/

3. WHAT CONSUMERS AND AIDES MUST DO TO TRANSITION TO PPL

DON'T WAIT! START NOW

Registration can take WEEKS - for consumer and PA's



STATUS of TRANSITION as f\of March 10, 2025*

"Nearly 115,000 Consumers and Nearly 115,000 Workers Have Either Started or Completed the Registration Process" per DOH Press Release.*

- They don't say how many completed registration.
- If the consumer completed registration but their PA's did not registration not complete.
- It took 2 months to get this far since registration started Jan. 6, 2025.
- With only 3 weeks to go about 150,000 Consumers and 400,000 workers must still START the process plus an unknown number of the 95,000 consumers & 95,000 workers who started registration must finish it.
- April 1st workers will not get paid for work done after April 1st if consumer and worker did not COMPLETE registration.
- There is NO BACK UP plan for people still in the pipeline.

* https://www.health.ny.gov/press/releases/2025/2025-03-10 cdpap.htm - find most recent weekly press release at https://www.health.ny.gov/press/releases/2025/

Steps in transition to single FI

- Consumers and PA's must each contact PPL or a Facilitator to begin transition – and complete it by 3/28/25
 - Do not wait til last minute! Many steps in transition! Can take weeks! START NOW
- 2. Since Jan. 2025, consumers should have received notices from their current FI and MLTC plan/ Medicaid agency saying they must move to PPL.
 - PPL sent texts and did other outreach to consumers, using contact info obtained from current FI's
- 3. MLTC & managed care plan required to remind CDPAP recipients to contact PPL.
- 4. Plans will send a letter mid-March to those who did not complete registration.
- 5. Current FI's continue to be paid through 3/31, but will no longer be paid after 3/31

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Facilitators

- 37 of the 600+ current FIs will remain in business as "facilitators." List on next slide includes 11 Independent Living Centers that provide multiple services to people with disabilities and 4 "regional leads."
- However, the role of these "facilitators" is limited: customer service, transition assistance, and EVV support
- They will NO longer be Fl's will not be responsible for payroll, benefits
- They SHOULD help you and aides register with PPL, upload documents, etc.
 Some are doing more than others. Worth calling them for help!

https://pplfirst.com/cdpap-facilitators/ (shows counties served by each facilitator, languages spoken, & contact info)

https://www.governor.ny.gov/news/governor-hochul-announces-next-steps-plans-strengthen-home-care-services-new-yorkers

https://www.governor.ny.gov/news/governor-hochul-announcesnew-cdpap-partnership-independent-living-centers-part-plan

List of Facilitators (Independent Living Centers) (Regional facilitator)

- 1. A Special Touch Home Care Services
- AccentCare of NY
- 3. Access: Supports for Living
- 4. AccessCNY, Inc.
- 5. AHS Eldercare
- AIM Independent Living Center
- 7. Angels in Your Home
- 8. ARISE, Inc
- 9. BestCare Inc.
- 10. Burd Home Health LLC.
- 11. Center for Disability Rights
- 12. Chinese American Planning Council
- 13. Committed Home Care, Inc.
- 14. Community Care Companions Inc
- 15. Community Home Health Care

- 16. Companion Care of Rochester (CCOR)
- 17. Concepts of Independence, Inc.
- 18. Consumer Directed Choices, Inc.
- 19. Eagle Eye FV Inc
- 20. Finger Lakes Independence Center, Inc
- 21. Hamaspik HomeCare
- 22. Heritage Christian Services
- 23. Horizon Home Care Services Inc.
- 24. Ideal Home Health Inc.
- 25. Independent @Home
- 26. Independent Living Center of the Hudson Valley, Inc. (ILCHV)
- 27. Independent Living, Inc.
- 28. Long Island Center for Independent

 Living, Inc.

- 29. People Care, Inc.
- 30. Personal Touch Home Care
- 31. Premier Home Health
 Care
- 32. Quality Family Care LLC
- 33. Quality Touch Inc.
- 34. Resource Center for Independent Living
- 35. Rockland Independent

 Living Center dba Bridges
- 36. Southern Tier Independence Center
- 37. Western New York Independent Living

How consumers and PAs start Transition -

START NOW! Transition must be COMPLETED by March 28th!

Option 1: Start Transition Over the Phone

Call PPL's customer support center at **1-833-247-5346** (English) (TTY: 1-833-204-9042). Different phone numbers for 8 other languages at link below* - May also call FACILITATOR to start transition by phone.

Option 2: Start Transition Online

Consumers/PAs can switch to PPL by creating an online account with PPL@Home. They may sign up with their email address or cell phone number here.* See more below.

Option 3: Start Transition with a CDPAP Facilitator

<u>CDPAP facilitators</u> can help consumers switch to PPL. Some offer in-person help (like Consumer Directed Choices "CDChoices" at their Albany office)

Option 4: Start Transition in Person

Request an appointment for in-person support by emailing NYCDPAP@pplfirst.com or register for session – see next slide. Some facilitators have in-person help (e.g. CD Choices at Albany office)

*https://pplfirst.com/programs/new-york/ny-consumer-directed-personal-assistance-program-cdpap/

PPL In -Person& Virtual Registration Sessions

- Information-only Sessions (online)
 - 3/13 and 3/19 see website
 - Recorded sessions at link below in various languages
- In-person Registration Sessions for consumers, designated reps and PAs. Only sessions after 3/10 are:
 - Hempstead (3/12),
 - AmityVille (3/13)
 - Various NYC sites thru 3/26/25
- Virtual Registration Sessions
 - Tuesdays (10 to 11 a.m.)
 - Wednesdays (12 to 1 p.m)
 - Thursdays (3 to 4 p.m.)

https://pplfirst.com/cdpap-resources-events/



Should Consumer Switch to Traditional Personal Care?

Some FI's urging consumer to transfer to a traditional home care agency (LHCSA) operated by same company so they keep the business.

May be good for some consumers/PA's but not all!

- 1. Family relationship Is PA consumer's child? Or consumer's parent? If so that family member MAY not be the aide in traditional home care.
- 2. **Network -** Is the LHCSA in the plan's or county's provider network?
- 3. Aide must go through 2 weeks training to be certified for personal care.
- 4. Does consumer need aide to perform "skilled tasks?" (see slide 9). If so, traditional aide may not perform these tasks must arrange for family or friends to do them informally.
- 5. Aide will now be employee of the LHCSA which might assign aide to another consumer! Or change hours. Consumer no longer in control.
- 6. MLTC plan/county may require a new authorization to change type of service.

See http://health.wnylc.com/health/news/97/#switch%20CDPAP%20to%20PCA;

https://www.health.ny.gov/health_care/medicaid/program/longterm/cdpap/docs/cdpap_vs_pcs_facts heet.pdf;

Tips & Warnings Re Transition - In General

- Languages other than English
 - PPL Call center phone lines for different languages not always actually available. In NYLAG test, Spanish line had no Spanish-speaking staff available.
 - https://pplfirst.com/ some browsers like Google Chrome have language selector (Google translate) but not all and not built into site.
 - APP / portal used by PAs and consumers has a language selector but it does not appear to be functional. Documents that must be e-signed are only in English (Memorandum of Understanding), PA's forms
- **Tech issues** PPL app/portal can be hard to navigate. Uses multi-factor authentication
 - PA must be connected to the consumer in portal. If PA works for 3 consumers, must be connected to each.
 - May need to call PPL to troubleshoot problems. Ie. PA can't link to consumer, forgets PIN number -- USE FACILITATOR to help! They can escalate problems.
- Long tracking numbers and ID that PA and consumer must keep handy to call PPL. Tracking number: NY-2025010414556655665 (8-digit date plus 11 digits)

Your PPL ID is: PRC-NY-10112345

"You will need these numbers when calling us."

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Tips & Warnings Re Transition – Consumers -1

If call PPL to register account OR open account online, Consumer is asked for "CIN" number. CIN = Medicaid ID.

CIN Number = ID no. Also on some Medicaid + MLTC notices HERE but different than Medicaid case number SIGNATURE HERE

Tips & Warnings re Transition to PPL – for Consumers -2

- E-mail addresses & cell phone numbers If family member serving as PA or DR helps consumer register, they should give a separate email address or cell number for the consumer than their own.
 - If consumer has no e-mail address, set one up for them before registering.
 This will avoid problems
 - If give Cell phone they text you. If give email they email you.
- Designated Representatives (DR)—Must sign and upload new Designated Representative form*
- Consumer or DR Must sign Memorandum of Understanding
 https://pplfirst.com/wp-content/uploads/2025/02/MOU-V5-FINAL.pdf (other languages under "Program Documents" on PPL website https://pplfirst.com/CDPAP. Facilitator or PPL may verbally "sign" this by phone and they open the consumer's account. Or consumer opens account in portal and e-signs in portal.

Tips & Warnings re Transition to PPL – for PA

- Helps to have smart phone to upload photos of documents (and to use EVV app later). If not tech-savvy – CHALLENGING! Use Facilitator!
- SEVEN FORMS + Other Documents to upload:
 - **UPLOAD** ID, work authorization (immigrants) or proof of citizenship,
 - These documents may e-sign pre-populated form in portal OR upload signed form:
 - **1-2.** 2 tax withholding forms (federal, state)
 - **3. PA Agreement** requires PPL ID rules joint employer
 - 4. Attestation of Health Assessment acknowledge must have health assessments every 12 months and that PA will document current assessment before 10/1/25 (or upload current proof now may get from current FI)
 - 5. Payment Method Form
 - 6. I-9 Employment Eligibility Verification (US Immigration form)
 - 7. **Job offer letter** must sign (gives pay rate straight time and overtime) This does not appear in portal until all of the other documents are signed/uploaded. BIG DELAYS in PPL posting this letter for PA to SIGN!!! If Call PPL they won't e-mail it will only MAIL it.

Documents are in English only!

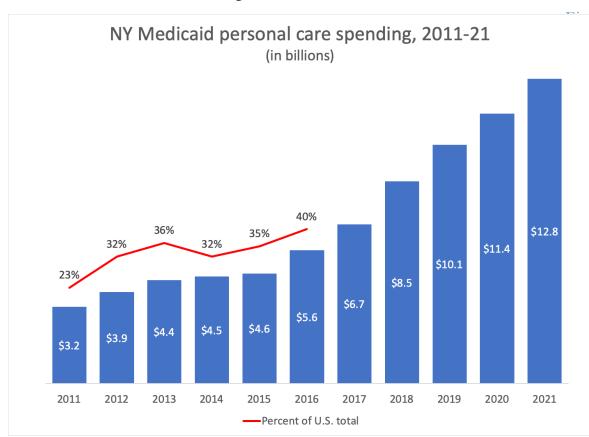
If PA works for more than one consumer, only needs to sign and upload all of the above documents once EXCEPT must sign separate Job Offer Letter for each consumer.

4. WHY IS THIS HAPPENING?

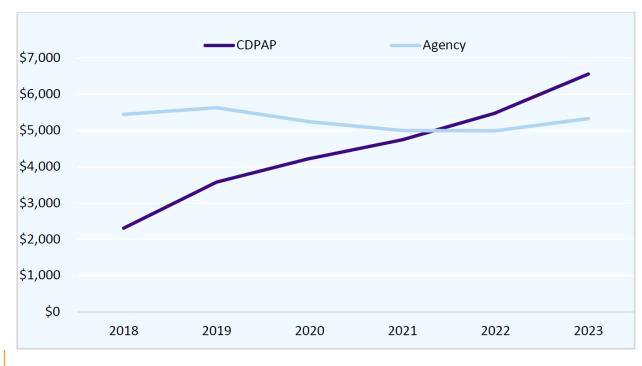
Why did Governor push for this change in the 2024 State Budget?



Why? CDPAP has grown a lot since 2019 State says will save \$500 million







NY was concerned about fraud within CDPAP, though no significant fraud found by investigative agencies

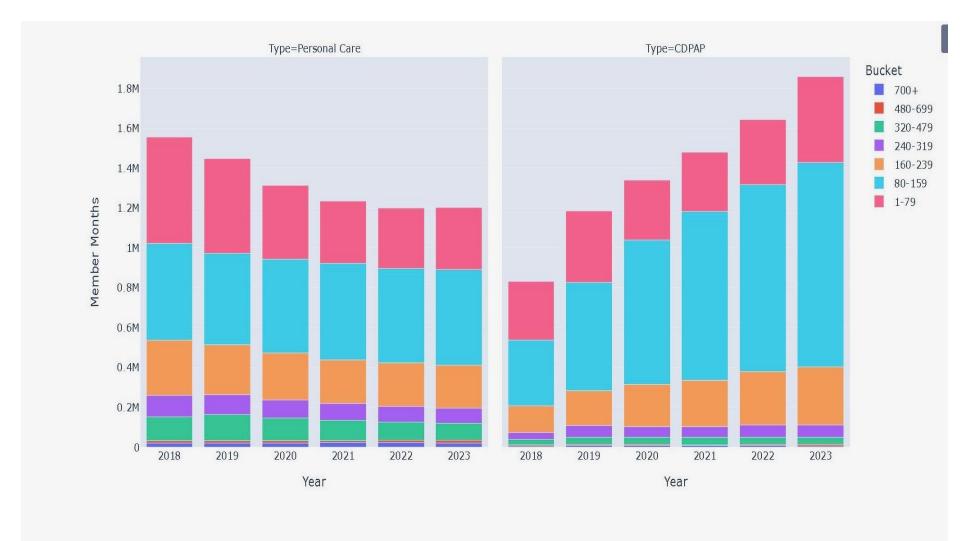


Sources: Empire Center; Fiscal Policy Institute

Reasons for CDPAP Growth

- WORKER SHORTAGE worsened during COVID forcing consumers to switch to CDPAP from traditional home care.
- **INCENTIVES in MLTC MODEL** plans get a flat monthly premium for all consumers, giving them incentive to recruit *more* consumers who need *low* hours.
- **Plans reward FI's** and other contractors when they recruit *more* members with *low* hours
- Plans earn profits by denying *increases* in hours of home care to those who need it. See next slide.



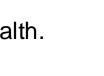


Data from Fiscal Policy Institute, based on Managed Care Cost & Operating Reports (MCCOR) filed by plans with State Dept. of Health. 2023 data is extrapolated from data for the 1st half of 2023.



MLTC Plans Have Cut Hours since 2018 – increasing profits

- In 2023, MLTC plans gave 95% of all members receiving CDPAP under 159 hours/month (under 38 hours/week) (Pink and turquoise blocks at top of bar graph on previous slide) –
 - up from 76% in 2018.
- In 2023, MLTC plans gave 3.2% of all members receiving CDPAP more than 320 hours/month (dark blue and purple blocks at bottom of bar graph on previous slide)
 - Down from 2.4% in 2018



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5. RESOURCES



Reference: Terms & Acronyms

Acronym	Term	Definition
CDPAP/ CDPAS	Consumer Directed Personal Assistance Program/Services	Medicaid-covered service in which consumers recruit, train, schedule, and supervise their own aides, who can be family members or friends. Most adults with Medicare must access CDPAP from an MLTC plan. Some access from Medicaid managed care or though local county/HRA Medicaid agency.
DR	Designated Representative	The person responsible for fulfilling the Consumer's duties in CDPAP if the Consumer is not able to fulfill them (ie consumers who have dementia)
PA	Personal Assistant	The official title for a home care worker under CDPAP.
FI	Fiscal Intermediary	The agency that handles onboarding, payroll and benefits for PA's.
SFI	Single Fiscal Intermediary	The single statewide agency that will take over all FI responsibilities from the 600+ current FI's that serve this function, effective 4/1/25.
PPL	Public Partnerships, LLC	The company that was awarded the contract by New York State to be the Single FI.
	Facilitator	One of the 30+ Fls who have been selected to continue operating, not as Fls, but as facilitators under contract with PPL.
EVV	Electronic Visit Verification	Required by Federal law, all home care agencies including FI's must use electronic systems for home care workers to clock in/out of their shifts.

More resources

- PPL Website -- https://pplfirst.com/CDPAP
 - has forms, fact sheets, Facilitator contact info,
- State Dept. of Health websites on CDPAP =
 - Consumer https://www.health.ny.gov/health_care/medicaid/program/longterm/cdpap/
 - https://www.health.ny.gov/health_care/medicaid/program/longterm/cdpap/docs/cdpap/seconds
 ap vs pcs factsheet.pdf (Should you switch to traditional home care?)
 - State Policies https://www.health.ny.gov/health_care/medicaid/redesign/mrt90/cdpas.htm
- NYLAG news about Transition http://health.wnylc.com/health/news/97/
 and http://health.wnylc.com/health/entry/40/
- COMPLAIN to STATE Dept. of Health e-mail <u>StatewideFl@health.ny.gov</u>
- CDPA Assoc'n FAQ's https://cdpaanys.org/consumer-resource-center/frequently-asked-questions-on-the-single-fi/

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More information at nylag.org











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III ELDER LAW FORUM

Register and Learn More: https://www.pierrolaw.com/events/

- Thurs., May 15
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- The Desmond, Albany
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Contact Tim at

tflynn@pierrolaw.com

NEXT MEDICAID MONDAY

12:00-12:30pm April 14, 2025

Medicaid Home Care: Legal and Financial Strategies to Qualify

REGISTER:

https://www.pierrolaw.com/events/

FUTURE TOPICS:

May 12: Home Care Assessments, NYIA, MLTC

June 9: Medicaid Asset Protection Trusts

July 14: Nursing Home Medicaid



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