



Berwitz & DiTata LLP

A STEP AHEAD



A Special Edition of Our Newsletter - September 2018:

CLOSURE OF GUILDNET AND ICS

Last Month, the Managed Long Term Care (MLTC) provider GuildNet sent a letter to employees stating it will be closing effective December 1, 2018. Currently, GuildNet only has members remaining in New York City. While no formal announcement has been made, it is anticipated that Independence Care Systems (ICS) MLTC will be closing by the end of this year.

This means that individuals covered by these plans will have to transition to other plans. Enrollees will be afforded “transition rights” while they change to a new plan. However, to date, neither provider has received approval for closure from the State Department of Health (DOH) and it is important that enrollees **do not switch** to another MLTC to plan at this time.

GuildNet Closure

Once the State Department of Health approves the closure, notices will be sent to members notifying them that they have sixty (60) days to enroll in a new plan. If a member does not enroll in the new plan within sixty (60) days, they will automatically be assigned to a new plan. The new plan will be required to provide the same services as GuildNet for the earlier of one hundred twenty (120) days after enrollment or until there is a reassessment by the new plan and the enrollee has agreed to a new plan of care. The assessment must be conducted within thirty (30) days of the transfer enrollment effective date, unless the DOH expressly authorizes a longer time. MLTC Policy 17.02. After one hundred twenty (120) days, an MLTC plan may not reduce or discontinue an enrollee’s services without a legitimate reason for doing so and providing the enrollee with reasons for the proposed change. MLTC Policy 16.06.

What Does This Mean for GuildNet Enrollees

If you or a family member is enrolled in GuildNet MLTC it is important that you do not switch to a new plan until you receive the notice that you have sixty (60) days to do so. If you switch plans too early you will lose your rights to continuity of care.

Possible Closing of Independence Care Systems (ICS)

Earlier this summer, the news media reported on the possible closing of ICS this fall. Currently there is no further information as to whether ICS will be closing. It is anticipated the DOH will announce the closing this fall and that operations will cease by the end of the year. A memo circulated by ICS’ plan members counsel, dated June 22, 2018, advises that, when it closes, members will be given ninety (90) days notice to choose another plan. If they do not do so, they will be enrolled in VNSNY Choice. The memo also states that members will be guaranteed the same level of care for at least one hundred (120) days or until a new assessment is done.

What Does This Mean for ICS Enrollees

Members enrolled in ICS should not switch from the plan until notification of closure comes from the DOH. If members switch too early they will lose extended continuity of care rights.

In order to maintain your rights, both GuildNet and ICS members should remain in their plans at this time until the requisite notices are received. Clients should contact to our office with any questions or concerns.