



HCBS/TBI Waiver

NHTD & TBI Ending SDP Rate Add-on

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Dear Nursing Home Transition and Diversion (NHTD) and Traumatic Brain Injury (TBI) Waiver Providers:

The Centers for Medicare and Medicaid Services (CMS) approved an amendment to the Appendix K for the Nursing Home Transition and Diversion (NHTD) and Traumatic Brain Injury (TBI) Waivers on August 18, 2022. This Appendix K was amended to enact provisions of the CMS approved spending plan and narrative for Section 9817 of the American Rescue Plan Act (ARPA).

NHTD & TBI Structured Day Program: The Appendix K approval established new rates to supplement the rates in use for NHTD and TBI Structured Day Program (SDP) services provided face-to-face. A rate differential of \$10.00 per hour was added to new rate codes (NHTD – 9749; TBI – 9885) effective April 1, 2021.

Pursuant to the authority in the Appendix K, the enhanced \$10.00 rate was effective April 1, 2021 through November 11, 2023. Effective immediately the two new rate codes (NHTD – 9749; TBI – 9885) will be zeroed out on all active MMIS Provider ID's due to the expiration of the Public Health Emergency (PHE) and Appendix K authority.

The system will automatically do a negative retro take back on any claims submitted with a service date after November 11, 2023 using rate code 9749 or 9885. If one of the new rate codes were billed after November 11, 2023 you may re-bill using one of the original two rate codes.

Any claims with a date of service on or after November 12, 2023 will need to resume billing under the original two rate codes (NHTD – 9777; TBI – 9870).

Note: Records detailing face-to-face service provision between April 1, 2021 through November 11, 2023 must be available upon audit.

For specific billing questions contact eMedNY/GDIT directly at: 1-800-343-9000.

Rates will be updated here:

NHTD: [approved rates.pdf \(ny.gov\)](#)

TBI: [tbi app rates.pdf \(ny.gov\)](#)

Any questions regarding the NHTD Waiver may be submitted to: nhtdwaiver@health.ny.gov

Any questions regarding the TBI Waiver may be submitted to: tbi@health.ny.gov

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