



Department of Health

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To: Medicaid Managed Care Organizations
Certified Home Health Agencies
Long Term Home Health Care Programs
Licensed Home Care Services Agencies
Fiscal Intermediaries

From: Susan U. Montgomery
Director, Division of Long Term Care

Subject: Wage Parity Compliance and Certification Guidance - **UPDATE**

Date of Issuance: August 18, 2022

This guidance revises the date of required wage parity compliance activities as follows:

- Licensed Home Care Services Agencies (LHCSA) and Fiscal Intermediaries (FI)
 - The compliance date for the submission of Department of Labor (DOL) form LS300 has been extended to **December 1, 2022**.
 - **NOTE:** Form LS300 is being revised to address questions and concerns and will be posted to the DOL website shortly.
 - Independently audited financial statements verifying wage parity expenses for calendar year 2021 has been further delayed. Statements for calendar years 2021 and 2022 are now due on **October 1, 2023**.
- Managed Care Organizations (MCO), Certified Home Health Agencies (CHHA) and Long Term Home Health Care Programs (LTHHCP)
 - The compliance date for the receipt and review of contracted entity submissions of Form LS300 has been extended to **December 1, 2022**
 - The compliance date for the receipt and review of independently audited financial statements for the LS300 forms for calendar years 2021 and 2022 is **October 1, 2023**.

The 2022 certification forms, required to be completed by all LHCSAs, FIs, CHHAs, LTHHCPs and MCOs in the eMedNY system, will be updated in the coming weeks to address the delays outlined above.

As a reminder, the most current certification form signed on or before June 1, 2021 states, "...June 1, 2021 and subsequent...", and therefore it is expected that all agencies and organizations will remain in compliance with certification items numbered 1, 2 and 4 in the interim.

The annual certification date for 2022 and subsequent years is now October 1 of each year. The date will not revert to June for 2023 as previously stated in the guidance letter of April 27, 2022.

Please note, any LS300, LS301 or audited financial statements already submitted by LHCSAs or FIs prior to this guidance may be reviewed and considered completed for the 2022 year. LHCSAs and FIs who have completed these requirements as previously outlined do not have to revise or resubmit to their contracted CHHAs, LTHHCPs or MCOs once revised forms or procedures are posted.

As outlined in the April 27 guidance letter, all other wage parity requirements, as outlined in guidance documents posted [here](#), remain in full effect.

Question may be sent to hcworkerparity@health.ny.gov.