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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

February 18, 2014

Honorable Members
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Comptroller Investigation into Medicaid Recertification

Dear Honorable Legislators:

On January 24, 2014, the Office of the Erie County Comptroller ("Comptroller") issued a document titled, "Investigation into the recertification of Medicaid benefits, January and February 2013" ("Report"). I wish to record with your honorable body a number of disagreements I have with the Report.

The Report insinuates that the Department of Social Services (DSS) recertification process was improper. In reality, DSS acted fully in accordance with state law and regulations. The process, including the delayed review (up to 90 days), is within State guidelines. New York State Department of Health (NYSDoH) is fully aware of our protocols and documentation was provided indicating they accept this practice. These protocols are similar to those of every other large New York state county with significant Medicaid caseloads. These protocols have allowed DSS to perform its state mandated functions during a time when there have been significant reductions in its workforce.

The Report claimed DSS impeded the Comptroller from performing a thorough investigation into the recertification of Medicaid benefits. False. DSS was more than cooperative throughout the entire process. DSS allowed its employees to be interviewed by the Comptroller and did not prevent nor discourage its employees from voluntarily being interviewed. In addition, DSS worked diligently to provide the Comptroller with as much information as legally allowed. Despite statements made in the Report, the Comptroller knew since the entrance conference that Medicaid data would be redacted due to state and federal privacy laws. DSS provided the amount and type of data the Comptroller agreed to. Furthermore, the suggestion that samples provided to the Comptroller were cherry-picked is slanderous. It should be noted that in the cases investigated by the Comptroller, all were properly reviewed after the automatic recertification.

DSS will continue to provide appropriate and timely access to the Medicaid program in compliance with NYSDoH regulations. As of January 31, 2014, there are 105,994 active Medicaid with 159,962 individuals.

If you have any questions regarding the Medicaid recertification process, or any of DSS's protocols, we would be more than happy to do a presentation to an appropriate Legislature committee.

Sincerely,

Carol M. Dankert-Maurer
Commissioner
Department of Social Services

cc: County Comptroller Stefan Mychajliw
County Executive Mark C. Poloncarz
Mr. Robert W. Keating, Director of Budget and Management
Erie County Fiscal Stability Authority