

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Joseph A. Ladapo, MD, PhD
State Surgeon General

Vision: To be the **Healthiest State** in the Nation

MEMORANDUM

DATE: October 17, 2022

TO: Ryan White Part A Lead Agencies
Ryan White Part B Lead Agencies
Ryan White Part B ADAP Staff
HIV/AIDS Program Coordinators
HIV/AIDS Patient Care Contract Managers

THROUGH: Mara Michniewicz, Interim HIV/AIDS Section Administrator,
Bureau of Communicable Diseases

FROM: Jimmy LLaque, ADAP Director and Interim Patient Care Manager,
HIV/AIDS Section

SUBJECT: Patient Care Eligibility Reciprocity for Parts A and B and Extended Period

Purpose of this Patient Care Policy Notice (PCPN)

This memorandum outlines significant changes to the Florida Ryan White Part B Patient Care Program eligibility process and provides guidance for implementation. The intent is to reduce the burden placed on applicants and clients to provide eligibility documentation currently to multiple Ryan White entities.

Reciprocity allows a valid, current notice of eligibility (NOE) from the Florida Department of Health (FDOH), or from a Florida Ryan White Part A Program to serve as the source documentation to provide allowable Ryan White services statewide. The maximum time allowed before eligibility confirmation has been extended to 366 days, with a self-attestation allowed every other 366-day period.

Additional changes include the definition for an NOE, Program updates to the Federal Poverty Level (FPL) and Housing Opportunity for Persons with HIV/AIDS (HOPWA) County Income Limits to 2022 guidelines, and clarification of definitions for household income and size.

The changes described in this PCPN shall become effective on November 1, 2022.

Background

Rule 64D-4, Florida Administrative Code, defines and states the requirements for obtaining and maintaining Part B and AIDS Drug Assistance Program (ADAP) eligibility. On September 25, 2002, the described changes were adopted to Rule 64D-4.002, Definitions, and Rule 64D-003, Eligibility and Documentation Requirements.

This PCPN extends as applicable to Ryan White Part B HIV/AIDS Section policies and procedures found in the Florida ADAP Policy Manual (dated January 2017), the 2020–21 Patient Care Program Administrative Guidelines and the Eligibility Procedures Manual (2016).

Policy Clarification

A **Notice of Eligibility (NOE)** is now defined as “a document issued by the department, a Ryan White Part A program, or a contractor or subcontractor of either entity, that indicates an applicant/client meets the eligibility requirements to receive allowable Ryan White services, as stated in Rule 64D-4.003, F.A.C., and that lists, at a minimum, the applicant’s/client’s name, address, household size and income, which must meet the definition of low income.”

Effective November 1, 2022, A client with a valid NOE from any Ryan White Part B Lead Agency, ADAP, or a Ryan White Part A Program **anywhere in the state** (including subcontractors) is eligible to receive Ryan White Part B or ADAP services. The valid NOE will serve as the documentation of address, household size and income, and proof of HIV positivity in the client’s CAREWare, Provide®, and Ryan White Eligibility Portal records. The client does not need to provide any other supporting documentation of:

- HIV positivity
- Address
- Household size or income.

Client profile information must still be maintained by both Part B and Part A, should a client newly present to the local agency for core or support services paid by that agency. This will facilitate any further statewide services and will provide the local office with information required for the grant.

Extension of the period of eligibility from 183 days to **366 days** is part of Florida’s implementation of the Health Resources Service Administration (HRSA) Policy Clarification Notice (PCN) 21-02.

A client remains responsible to notify the lead agency, the ADAP office or any subcontracted agency of changes that affect eligibility, including household size, income, address, and payer/insurance. The Ryan White program remains payer of last resort.

At the end of 366 days, a client may:

- Self-attest to no changes
- Provide only the documentation of changes which affect eligibility.

After the second 366-day period, the client must again provide full documentation to support eligibility.

Information systems used for eligibility by the Department including CAREWare, Provide®, and the Ryan White Eligibility Portal, as well as the systems used by Ryan White Part A Programs in the state, will be updated to increase the length of the period of eligibility to the new 366 days.

If you have any questions regarding this PCPN, please contact the FDOH HIV Patient Care Section at DiseaseControl@flhealth.gov or by phone 850-245-4422.