



February 7, 2022

Hon. Liz Krueger, Chair, Senate Finance Committee  
Hon. Helene E. Weinstein, Chair, Ways and Means Committee  
New York State Capitol  
Albany, NY 12224

Dear Chairs Krueger and Weinstein:

Thank you and the Members of Joint Committee for this opportunity to testify on the proposed 2022-2023 State Health and Medicaid Budget.

HCA is the statewide association representative of state and federally certified home health agencies, licensed home care services agencies, hospice providers, Managed Long Term Care (MLTC) plans, waiver programs, fiscal intermediaries, Long Term Home Health Care Program (LTHHCP) providers, and an array of allied support and service organizations aligned to the care-at-home mission. These agencies comprise hundreds of dedicated providers and organizations who employ thousands of home care workers and serve hundreds of thousands of patients statewide.

HCA's mission is "to promote and enhance the quality and accessibility of health care and support at home."

This year's Executive Budget Proposal includes several positive initiatives that relate to the home care sector, and HCA is supportive of the state's investments to address the statewide workforce crisis. While a very positive start, the budget however must go further to begin to address the immediate and long term workforce needs and structural capacity (currently in urgent and emergency status) to serve NY's medically needy and the functionality of the health system overall. A number of highly adverse, counter-productive measures to providers, MLTCs, patients and services must also be addressed, repealed and/or omitted in this budget.

HCA's comprehensive (attached) include the **New York Home Care First Act** (A.9148) introduced by Assembly Health Chair Richard Gottfried, which provides for a true structural and policy reprioritization of home care in NYS. This Act refocuses home care's pivotal role in the health system; ensures consumer access to services, provides critical agency and workforce funding and compensation; targets further solutions to shortages areas and disciplines; includes home care in the state's strategic primary, preventive, public health, workforce, capital and health delivery policies, resources and programs; alignment telehealth advancements to home care; explores coverages beyond Medicaid; launches a comprehensive public education mechanism for home care; and more. HCA proactive solutions also include A.293-A (Gottfried)/S.2117-A (Rivera), providing for essential home care financial stability and benchmarking.

The attached document concisely outlines these and other HCA budget priorities and urgent actions for home care, MLTC and hospice. HCA is prepared to follow-up with details and further language to assist with each area addressed, and we are eager work with the Legislature and Executive toward the state's health and Budget goals.

Thank you again for this opportunity to testify.

Sincerely,

*Al Cardillo*

Al Cardillo  
President & CEO

Attachment

# Home Care Association of New York Stat 2022-23 State Budget Recommendations



HCA Recommendations on Executive Budget Proposal	HCA Proposal for Priority Inclusion in the 2022-23 State Budget
<ul style="list-style-type: none"> <li>✓ <b>Insert structural solutions to the urgent home care workforce shortage and long term capacity need</b> (see <i>New York Home Care First Act</i> and related HCA legislative and budget proposals, including A.293-A Gottfried/S2117-A Rivera, the home care financial stability and benchmarking bill)</li> <li>✓ <b>Adopt</b> the 1.5% Medicaid rate restoration, the 1% Medicaid rate increase and the restored MLTC and managed care quality incentive funds.</li> <li>✓ <b>Adopt</b> but simplify the Workforce Bonus Program, proposing retention bonuses of up to \$3,000 for workers serving during the pandemic</li> <li>✓ <b>Adopt</b> the proposed rate increase for Private Duty Nursing services</li> <li>✓ <b>Amend</b> the proposed Health Care Capital &amp; Transformation Funds to <b>equitably include</b> home care/hospice in the program funding</li> <li>✓ <b>Include</b> home care and hospice telehealth in the proposed Telehealth Parity Initiative</li> <li>✓ <b>Amend</b> the proposed Nurse Loan Forgiveness Program to <b>include eligibility</b> of nurses working in home care and hospice.</li> <li>✓ <b>Amend</b> the proposed Supportive Housing Program include home care and hospice as collaborative service partners to the housing programs</li> <li>✓ <b>Adopt</b> distinct provisions for the PACE program.</li> <li>✓ <b>Oppose &amp; Omit</b> the proposed Managed Care/Managed Long Term Care Procurement, dismantling of health plans</li> <li>✓ <b>Repeal</b> the Independent Assessor contractor proposed pre-pandemic</li> <li>✓ <b>Repeal</b> the LHCSA Request for Offers (RFO) Procurement, dismantling Medicaid LHCSAs, and <b>Repeal</b> the RFO to dismantle qualified Fiscal Intermediaries</li> <li>✓ <b>Oppose and Omit</b> the proposed transfer of the Health Professions from SED to DOH</li> </ul>	<ol style="list-style-type: none"> <li>1. <b>Adopt</b> “<i>The New York Home Care First Act</i>” (A.9148 Gottfried) into the Health and Mental Hygiene Article VII Bill. <ul style="list-style-type: none"> <li>○ Ensures home care a first-option alternative to institutionalization</li> <li>○ Establishes new funding for home care workforce (compensation, recruitment/retention, &amp; related supports (<i>works toward principles of “Fair Pay” but without the adverse impacts to agencies, workers &amp; to Medicare and other patients</i>))</li> <li>○ Ensures calculation of reasonable &amp; necessary rates for home care funding</li> <li>○ Coordinates state’s overall home care policy, prioritizes access and workforce, and includes consideration of home care in the state’s major primary, preventive &amp; public health care policies, planning &amp; strategy</li> <li>○ Establishes and maintains a comprehensive public education program about home care and consumer assistance for access, including guidance for referral to home care</li> <li>○ Addresses home telehealth needs</li> <li>○ Explores expansion of home care insurance and other coverages outside of Medicaid</li> </ul> </li> <li>2. <b>Insert language to amend</b> the Enhanced FMAP (eFMAP) plan authorized in the 2021-22 Budget by directing NYS DOH to equitably include this urgent workforce aid to all home care &amp; hospice agencies <ul style="list-style-type: none"> <li>○ Currently, DOH’s Spending Plan <b>excludes</b> 75% of NYS’s licensed home care sector, all of the hospice sector &amp; all of the home health agencies, discriminating against critical access agencies, especially those serving Medicare elderly and disabled</li> </ul> </li> <li>3. <b>Insert Article VII Language to Continue and Expand</b> critical COVID-19 regulatory relief measures that provide essential support for service operations &amp; workforce</li> </ol>