



PADSA Public Policy Annual Report

2018

April 26-27,

Respectfully submitted by The Afflerbach Group, LLC

The past year has been one of continued heightened demands in public policy, producing mixed results. Efforts by the PA Legislature and the Congress to reduce Medical Assistance combined with very tight revenue receipts has precluded rate increases and has continued waiting lists in the Lottery funded Options program. On the other hand, we have succeeded in obtaining opportunities through both the legislative and regulatory process.

Throughout the year, your PADSA Board of Directors, the Afflerbach Group (TAG), and your National Adult Day Services Association (NADSA) have been at the table to advocate the views and values of Adult Day Services. We have worked collaboratively in Pennsylvania with the Senior Support Coalition and the Southwestern Pennsylvania Partnership for Aging (SWPPA); And nationally with NADSA, the Leadership Council of Aging Organizations (LCAO), and the National Association of States United for Aging and Disabilities (NASUAD). Following are highlights of our involvement and accomplishments.

- Engaged with the PA Senate and House Appropriations Committee and Aging oversight committees to obtain information through hearings for the Department of Human Services and Department of Aging.
 - 78% of Medicaid goes to Long-Term Supports and Services (LTSS) for seniors and individuals with disabilities.
 - Medicaid payments to nursing homes not significantly changed.
 - Medicaid budget increases driven by cost of community programs and enrollment.
 - Expect decision “soon” for Independent Enrollment Broker (perhaps replace Maximus); RFP and contracts include provisions to address the problems with Maximus.
 - House Republicans reluctant to accept the fact Medicaid is paid directly to health care providers and is not welfare paid to enrollees. Their focus is upon work requirements.
 - Social issue *De Jour* for 2018-19 is opioids.
 - Changes in Lottery law in 2017 are restoring stable funding to the Lottery Fund.
 - General Fund revenue is currently \$498 million above estimate, however, mandatory program forecast increases remain a \$1 billion concern.
- Participated in legislative meetings with the Senior Support Coalition (SSC) in advocating for adequate funding and restricting Lottery funds to Home and Community Based Services (HCBS).
- Received support from the SSC to include Adult Day (ADS) in HB 1829 permitting ADS providers to participate in deemed eligibility. Passed 191-0 by the House, the bill is now in the Senate.
- Succeeded in retaining the Department of Aging (PDA) as an independent department.
 - Supported unifying specific administrative duties for efficiency and cost saving.
 - Supported DHS and PDA to establish Aging Well for AAAs to conduct assessments and service coordination as approved by the Centers for Medicare and Medicaid Services.
 - Supported increased funding for Older Adult Protective Services.
- Collaborated with PDA and SWPPA to provide listening sessions for Community Health Choices (CHC) implementation in the South Western region.
 - Commonwealth Court challenges are pending regarding the bidding process.
 - Assisted providers in meeting with Managed Care Organizations.



- LIFE programs have not experienced increased enrollment.
 - DHS will oversee rates to be recalculated annually and be actuarially sound.
 - South Eastern implementation scheduled for January 1, 2019.
 - Remainder of the state implementation scheduled for January 1, 2020.
- Fully engaged with Leading Age, NASUAD, and other provider associations regarding implementation of the 2014 HCBS settings Rule by the Centers for Medicare and Medicaid Services (CMS).
 - Implementation period extended from 2019 to 2022.
 - CMS instructed to collaborate with states for flexibility. DHS reports this has been happening.
 - Petitioned the Administration on Community Living to continue pressing CMS for flexible implementation of the HCBS Rule.
- Succeeded in supporting passage of Act 115-159 to open the door for agreements with state Veterans Homes to provide Adult Day medical model services. We will remain engaged as regulations are drawn and offered for public comment.
- Worked collaboratively with LCAO and succeeded in maintaining Older Americans Act (OAA) Social Service Block Grant (SSBG) and Community Service Block Grant (CDBG) funding. We are fighting against the Trump Administration and Congressional Republican Leadership efforts to reduce these funds post-passage of the budget.
- Succeeded in convincing CMS to expand the definition of Supplemental Benefits for 2019 Medicare Advantage (MA) plans. This expansion is tailor made for Adult Day and we will remain engaged as CMS prepares guidance for the plans. Providers should begin contacting MA plans.
- Presently addressing the new challenge by House and Congressional Republicans to eliminate Non-Emergency Medical Transportation (NEMT) funding.
- Assisted and urged providers to complete the Office of Management and Budget requested data collection survey to help keep ADS in the 2018 National Study of Long-Term Care Providers conducted by the Centers for Disease Control and Prevention (CDC).

TAG has assisted both PADSA and NADSA with drafting policy position letters, preparing legislative testimony, preparing membership informational alerts and calls to action, and visits with Legislators. We routinely submit letters and electronic comments to the Legislature, Congress, and the Wolf and Trump administrations. We talk with these individuals face-to-face and via telephone as the need arises and often they contact us for comment and ideas. This is exactly where we want to be and where we want PADSA and NADSA to be: A Recognized Reliable Resource!

Importantly, it is the membership of PADSA and NADSA that provide the fuel for us to pursue these activities and achieve successes. The fuel is your membership dues, contributions to the advocacy fund, and your willingness to answer the calls to action we provide. Participation Creates Power! The more you participate in PADSA and NADSA the more powerful Adult Day becomes!

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