



National Legislative Update

March 7, 2024



Introduction & Welcome

Jason Lee, HCAOA CEO



Agenda

- ▷ Introduction & Welcome
- ▷ 2024 Policy Goals
- ▷ Capitol Hill Update
- ▷ State Advocacy “Round Robin”

Jason Lee, HCAOA CEO
**Cheryl Stanton, HCAOA
Legislative Chair**

**Michael Strazzella,
HCAOA Federal
Lobbyist**

**HCAOA State
Chapters**

Medicaid Proposed Rule

- ▷ Partnered with NAHC for our comments
- ▷ Focus: 80/20 Rule
- ▷ Met with CMS Administrator
- ▷ Met with President's Special Assistant for Health Care – Jessica Schubel
- ▷ Senate Aging Committee
- ▷ UPDATE:
 - Rule transmitted to OMB
 - HCAOA met with OMB 2/27



NATIONAL HOME CARE ADVOCACY DAY

April 16 - 17, 2024 | Washington, DC



Register Here



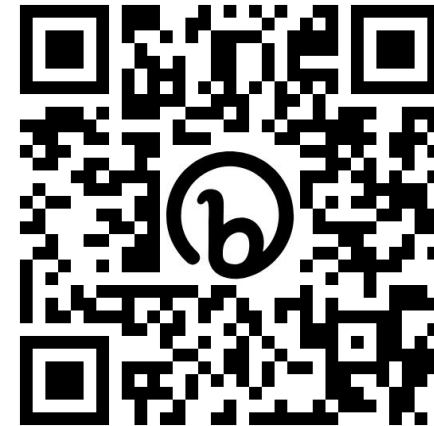
Registration Deadline: March 27

bit.ly/2024AdvocacyDay



**Registration for the 2024 HCAOA
National Home Care Conference is now open!**
Register by August 9 and Save \$150.

Register Here



HCAOA Advocacy Fund

Contribute today!



2024 Policy Goals


Cheryl Stanton, HCAOA Legislative Chair



HCAOA POLICY COMMITTEE

Cheryl Stanton, Legislative Chair

POLICY COMMITTEE'S FIVE GOALS FOR 2024

- 
- Goal 1:** Complete 4 Position Papers
 - Goal 2:** Implement State and Federal Policy Alignment Process
 - Goal 3:** Develop Approved Parameters for State Chapter Funding
 - Goal 4:** Develop Advocacy Toolkit
 - Goal 5:** Develop/Implement Recommendations for PDN Committee

HCAOA'S 3 POLICY PILLARS



Pillar 1: Provider and Agency Supports

Pillar 2: Workforce Supports

Pillar 3: Client and Family Supports

PILLAR 1: PROVIDER AND AGENCY SUPPORTS

- State licensure assistance
- National quality metrics / data collection
- Reducing regulatory burden
- Financial support (rates, value-based care)
- Workforce Tax Incentives
- CMS Medicaid Access Rule

PILLAR 2: WORKFORCE SUPPORTS

- Immigration
- Educational incentives (workforce pathways/funding)
- Adequate Recognition of Caregivers within broader healthcare continuum (funding of salaries, but also nonmonetary recognition)
- Efficient scope of practice (expanding scope bc of shortages, incorporating technology)
- Reducing barriers to entry for caregivers (training, licensure, background checks)

PILLAR 3: CLIENT AND FAMILY SUPPORTS

- Veterans
- Client access to home care services
- Family caregivers (paid)
- Additional supports for families of home care clients (unpaid, i.e. respite care)

HCAOA'S 4 POSITION PAPER TOPICS



Paper 1: Immigration

Paper 2: Family Caregivers

Paper 3: Licensure

Paper 4: CMS Medicaid Access Rule (80/20)

HCAOA STATE AND FEDERAL POLICY ALIGNMENT

STATE AND FEDERAL POLICY ALIGNMENT

ACTION STEPS

- Step 1:** Develop advocacy pillars, current federal priorities, and a timeframe for state initiative mapping
- Step 2:** Establish joint committees to ensure that state and federal advocacy goals align with HCAOA priorities
- Step 3:** Create schedule for state bill draft requests (BDRs) approved by Policy Committee, HCAOA staff, and state chapter heads
- Step 4:** Execute and leverage feedback loop



STATE CHAPTER FUNDING PARAMETERS

STATE AND FEDERAL POLICY ALIGNMENT

ACTION STEPS

Step 1:

Develop Charter on State Chapter Funding


Step 2:

Establish Working Group

Melissa Allman (lead), Veronica Charles, Cheryl Stanton, Mindy Kursban, Jason Lee,
Eric Reinerman

Step 3:

Develop Recommendations



ADVOCACY TOOLKIT

ADVOCACY TOOLKIT

ACTION ITEMS

Step 1:

Develop 2024 Legislative Day Toolkit

Cheryl Stanton (lead), Melissa Allman, Tim Cooke, Eric Reinerman

Step 2:

Develop a State Advocacy Toolkit

Step 3:

Convert Position Papers and Website Development



RECOMMENDATIONS FOR PDN COMMITTEE

RECOMMENDATIONS FOR PDN COMMITTEE

ACTION ITEMS

Step 1: Develop Recommendations for a PDN Committee

Veronica Charles (lead), Melissa Allman, Kerri Pendley, Cheryl Stanton,
Eric Reinerman

Step 2: Board Approval

Step 3: Implement Recommendations

Capitol Hill Update

Michael Strazzella, HCAOA Federal Lobbyist



State Chapter Advocacy “Round Robin”

Michigan
Arizona
California
Connecticut
Florida
Georgia
Illinois
New Jersey
New York
Ohio
South Carolina
Tennessee
Texas
Washington
West Virginia



Michigan

Melissa McKinley, MI Chapter Lobbyist



Arizona

Ashlee Jensen, AZ Chapter Chair





AZ LEGISLATIVE UPDATE

- Budget deficit \$177M
- SB1585: appropriation bill of \$13M I/DD HCBS passed Senate
- EPDPA budget ask: funding increase of \$6.5M
- Senator Sinema's office is convening an in-home roundtable this month
- Home care rate studies completed with AHCCCS and currently sit at governor's office.
- Mercy Care and Banner U of A protests were denied. Both appealed to stay ALTCS contract award decision. Hearings will be conducted later this month through April.

California

Tony Gonzalez, CA Chapter Lobbyist



Connecticut

Matthew Hallisey, CT Chapter Lobbyist



HCAOA Connecticut Chapter

2024 legislative and public policy priorities.

- Support industry standards, including a license, that help improve delivery of in-home care to clients.
- Protect home care agencies, owners, caregivers and clients.
- Increase Medicaid reimbursement rates.
- Monitor and participate in transition of registration and oversight of HCAs from the Department of Consumer Protection to the Department of Public Health.
- Address the caregiver shortage.



HCAOA Connecticut Chapter

Principal bills before the Connecticut General Assembly.

- Senate Bill 1, caregiver safety.
- House Bill 5001, An Act Supporting Connecticut Seniors and Improvement of Nursing and Home-Based Care.
- House Bill 5366, An Act Concerning Covenants Not to Compete in the Home Care Industry.



Florida

Jennifer Ungru, FL Chapter Lobbyist



Georgia

Dave Lamb, GA Legislative Chair





2024 Legislative Session Key Points

- **SFY 2025 Governor's Budget Includes Medicaid ICWP & EDWP HCBS Rate Increase**
 - **DCH Budget Item 17.7.10 State Funds @ \$39,596,901 Total Funds @ \$116,470,036**
 - **Sets Rates to Match the Recommendations of the 2022/2023 HCBS Provider Rate Study**
 - **Cleared the House, Heading to the Senate**
- **Discussing Rate Parity Between All HCBS Medicaid Waivers**
 - **Common Caregiver & Nurse Workforce**
- **Watching Other Pertinent Workforce and Business-Related Legislation**
- **Using the HCAOA Legislation Action Network to Benefit the Georgia Chapter**
- **Managed Care for EDWP Medicaid Programs (Excluding Other Waivers & SFN's)**

Illinois

Andrew Kretschmar, IL Chapter Lobbyist



ILLINOIS

STATE LEGISLATIVE UPDATE



Sanborn
Williams
CONSULTING
PUBLIC AFFAIRS & POLITICAL STRATEGIES



LEGISLATION & ISSUES

- Election Year
- Session Attendance
- Medicaid Omnibus
- HB 4434 - Nurse Compact
- HB4338 - Self Neglect
- HB5047 - IDFPR Licensure
- HB3739 - Nursing Delegation

New Jersey

Dennis Marco, NJ Chapter Lobbyist



New Jersey Domestic Workers' Bill of Rights

- Over two years we have been opposing the New Jersey Domestic Workers' Bill of Rights bill and were successful in obtaining amendments that lessen its impact on our member especially with the Live-in care business we provided to the Board and members of the legislative committee these documents:
- Summary New Jersey Domestic Workers Bill of Rights Act document details the lobbying efforts and activity we took during this time.
- Concerns with S723-A822 are the talking points document we used in all our meetings with legislators and other stakeholders opposed to the bill.
- S723-R2 was the final bill with amendments sent to the Governor and signed by him.
- Domestic Workers communication was sent to our HCAOA –NJ members after the Governor signed the bill.
- Next steps are to get a copy of the actual Pamphlet Law and to monitor when the Department of Labor and Workforce Development (DL&WFD) issues rules and regulations.

New Jersey Domestic Workers' Bill of Rights

- The legislative effort, led by HCAOA NJ Chapter Board of Directors worked tirelessly with industry stakeholders and lawmakers to exclude several provisions in the bill that would have devastated HCSFs.
- Specific amendments to the Domestic Workers' Bill of Rights Act include:
 - An employee can work seven straight days as long as the employee agrees. (Note - the employer cannot make the seventh straight workday mandatory).
 - Employers, including HCSF's, are exempt from providing "bonafide" break times when it would be detrimental to the client/patient.
 - Employers are exempt from providing four weeks of severance pay to live-in employees when the live-in case ends.

New Jersey Domestic Workers' Bill of Rights

- At a recent Board meeting we discussed what the financial impact could have had on Health Care Services firms regarding to the Live-In . Tina Marie Romero with Synergy Home Care along with other Board Member initiated a potential impact on Live-In caregiver business.
- At least a \$6,384 severance pay per 1 Live-In caregiver (assuming \$190 daily rate x 7 days= \$1,330 x 4 weeks = \$5,320 + \$1,064 employer taxes).
- So, if an agency had 4 Live In cases that ended and those Live In caregivers weren't restaffed immediately, it would potentially cost the agency \$25,536 (4 x \$6,384)

New York

Zubin Kapadia, NY Chapter Co-Chair



New York Chapter Key Advocacy Initiatives:

- ▷ Tax relief for Agency Owners to offset recent minimum wage increases
- ▷ Scope of practice for LPNs
- ▷ Authorizing CNAs to provide home care
- ▷ Business ownership transfers and LHCSA license processing
- ▷ Safety and Security of Community-based seniors

Ohio

Aaron Stapleton, OH Chapter Chair



South Carolina

Melissa Allman, SC Chapter Chair



The background of the slide features the South Carolina state flag, which is white with a blue palmetto tree in the center and a blue crescent moon in the upper left corner. The flag is waving against a cloudy sky. The entire content is framed within a white rounded rectangle.

HCAOA – South Carolina Chapter Update

Melissa Allman, Chapter Chair

Director, Government Relations & Advocacy Engagement

BAYADA Hearts for Home Care, Inc.

South Carolina

Join us on March 20th for the annual Home Care and Hospice Advocacy Day!



A promotional graphic for Advocacy Day. The left side has a yellow background with a blue silhouette of the South Carolina State Capitol dome. Above the dome is the logo for the Home Care Association of America - South Carolina, which includes a stylized house icon with three people inside. The right side has a dark blue background with white text. At the top, it says "Advocacy Day" in a large, bold font, followed by "State Capitol, Columbia" in a smaller font. Below that, the date "March 20, 2024" is displayed in a large, bold font. A paragraph of text reads: "Help educate legislators on the important role in-home care providers serve in their districts." Below this, it says: "This event is held in conjunction with SCHCHA & H4HC." At the bottom right, there is a red button with the text "REGISTER NOW" and a white right-pointing arrow.



South Carolina – Legislative Update

Ask: Support the Department of Health & Human Services' request of \$4.8 million to ensure 40,000 vulnerable seniors and medically fragile children and adults have access to essential in-home care programs.

- **Bills we are monitoring:**
 - **Executive Office of Public Health ([H.4927](#))** – Consolidate several health departments under a new Executive Office of Health
 - **Healthcare market study committee ([S.855](#))** – Bill will establish a six-person healthcare market study along with a 29 -person advisory board made up of medical professionals



Tennessee

Bryan Hensley, TN Chapter Chair



Texas

Michele Simmonds, TX Chapter Chair



Medicaid

- ▶ Texas has the second lowest reimbursement rate in the U.S.

Veterans

- ▷ Driving cohesion on a national level for Texas within Veteran services to promote a continuum of care in both rural and urban areas
- ▷ Texas Veteran Statistics
 - Texas has the largest Veteran population in the U.S.: 1,543,160 individuals with a median age of 58
 - Nearly half of these vets live in the following counties: Bexar, Harris, Tarrant, Dallas, Bell, El Paso, Travis, Denton, Collin, and Williamson.

TX Advocacy Focus

- ▷ Membership Growth
- ▷ TULIP
- ▷ Expansion of Scope – Currently Limited
- ▷ State Advocacy Day



Washington

Leslie Emerick, WA Chapter Lobbyist



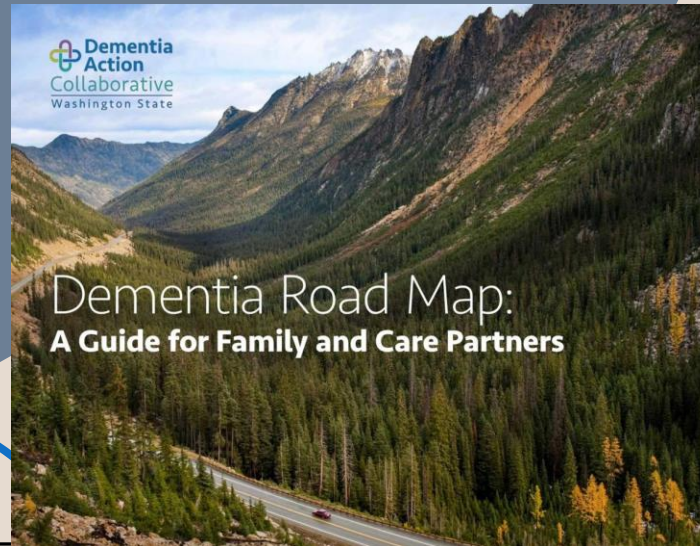
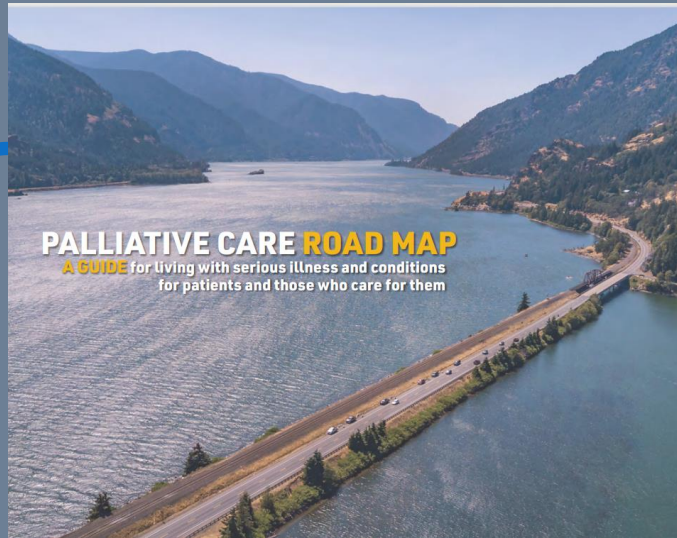
Home Care Association of America WA Chapter

Public Policy Update

Leslie Emerick, MPA
HCAOA-WA Lobbyist
March 7, 2024



In-Home Services Roadmap



- Many patients and their families don't know how to access home care, home health and hospice.
- An in-home services roadmap will help individuals assess their needs and locate providers to serve those needs in their communities.
- Modeled off the dementia and palliative care roadmaps.

\$83,000 OF THE GF-S FOR FISCAL YEAR 2025

HB 2339 Adjusting certification renewal for home care aides and nursing assistants.

Sponsors: Chambers, Riccelli, Schmick, Bateman

- Requires home care aide certifications and nursing assistant credentials to be renewed every 2 years.
- Could have raised fees for home care aides and CNA's equaling 2 years fees.
- **Did not pass.**

- WA Cares Act created a 0.58% payroll deduction on employees to help pay for home care, meal delivery, or other future needs. Beneficiaries can claim up to \$36,500.
- The [Long-Term Services and Supports Trust](#) made recommendation that private pay home care providers be excluded from accessing funding if they do not have a contract to provide Medicaid services.



HCAOA-WA Strongly Opposed
Recommendation!!

HB 2467 - Increasing access to the long-term services & supports trust.

- Allows persons who have left WA to continue participation in the WA Cares Act if they have been assessed the premium for at least 3 years working the minimum number of qualifying hours in WA.

Initiative 2124 would make it easier for people to opt out of the state's long-term care program. This could seriously damage the WA Cares Act if the number of participants in the program significantly decrease. Will be on the ballot in November 2024.



DOH Rulemaking

DOH has a backlog of approximately 2,000 nursing assistant applications and 5,100 home care aide applications unprocessed.

- E2SHB 1694 - Addressing home care workforce shortages.
- E2SSB 5278 - Home care aide certification
- SB 5582 Reducing barriers & expanding educational opportunities to increase supply of nurses in WA



Thank You!



Leslie Emerick, MPA

lesemerrick@lkemerick.com

360-280-6142

West Virginia

Matthew Walker, WV Chapter Legislative Chair



WV Medicaid HCBS Rate Study (Myers & Stauffer)
Recommended 31% increases for all HCBS
No \$ in Gov Justice's budget
Working Legislature
\$\$\$

Registered Lobbyist

Jason Webb - Capitol Advocates

Certificate of Need

In-Home Personal Care Services open
Various CON apps approved for PC
HB 5286 (prohibits CON subcontracting)

ADW & PC Manuals

Pilot to allow full EVV usage (tasks)
Vendors may need legislative audit



HCAOA Advocacy Fund

Contribute today!

