

2016 Public Policy Agenda

All Long Term and Post-Acute Care Providers and Plans

- Advocate for funding to address impact of wage mandates, including increased minimum wage and elimination of the federal companionship exemption for home care.
- Advocate for flexible operating certificates and reimbursement to creatively serve seniors and disabled individuals in various settings, taking full advantage of current infrastructure.
- Support viable value-based payment models for managed long term care (MLTC) plans and providers that serve dual eligible beneficiaries.
- Focus on the implementation of managed care initiatives (i.e., MLTC, mainstream managed care, FIDA/PACE/MAP and Medicare Advantage) relative to seniors and disabled persons:
 - Advocate for government payment policies that promote access to high quality of care.
 - Advocate for regulatory relief for providers and managed care plans so that services can be provided in a less costly and more efficient and effective manner.
 - Work towards improved integration of hospice and managed care.
 - Support policies that promote a smooth transition of populations and benefits into managed care.
- Support legislation pertaining to the advanced home health aide.
- Advocate for funding for health IT and health information exchange for long term and post-acute care providers.
- Work with OMIG to ensure transparent, equitable and coherent audit procedures.

Adult Care Facility/Assisted Living

- Increase the SSI Congregate Care Level 3 Rate and Personal Needs Allowance, with a built in cost-of-living adjustment moving forward.
- Work to prepare Assisted Living Programs (ALPs) to contract with MLTCs and PACE in the future, including clarifying and updating the ALP Medicaid rate to reflect changes in the system since its initial development.
- Enhance the role of the nurse so that ACF/AL providers with nurses have the option to provide nursing services directly.
- Advocate regulatory reform across settings to update, consolidate and simplify operating requirements.
- Support change in policy to permit ACF/AL/ALP residents to receive hospice services.

Affordable Housing

- Advocate for a new State capital program to build new and rehabilitate existing affordable independent senior housing.
- Advocate for funding the legislatively-authorized Resident Advisor program, which would support and expand the network of service coordinators in senior housing statewide.
- Revive, or replace with a new program, the HUD Section 202 program, the primary vehicle for development of senior housing in the nation. No new Section 202 funding has been awarded for five years.
 - Advocate for allocation of a substantial number of new Project Based Rental Assistance (Section 8) vouchers for seniors statewide, to offset the lack of new Section 202 housing units.
- Build support for and public knowledge about innovative senior housing plus services models and support the development of a database and other methods for evaluating effectiveness of such programs.

Continuing Care Retirement Communities

- Develop legislation and regulatory reforms necessary to promote the expansion of CCRCs in NYS, including legislation to allow for direct admissions to CCRC ACF and nursing home beds.
- Continue to work on Regulation 140 with the Department of Financial Services to allow more flexibility in how CCRCs can invest their funds.
- Continue to monitor cases of resident divestiture of assets to qualify for Medicaid, and intervene as appropriate.

Home and Community-Based Services

- Advocate for a mitigation of the impact of rebasing certified home health agency Medicaid rates.
- Support legislation pertaining to the advanced home health aide.
- Advocate for regulatory reforms to expand Naturally Occurring Retirement Communities (NORCs) and Neighborhood NORCs, modifying matching fund requirements and limits on uses of funds and increasing state funding to support the program.
- Advocate for additional funding to support wage parity, new overtime and live-in aide wage requirements and other wage initiatives.
- Focus on transition of Medicaid waiver program populations and benefits into mandatory managed care.
- Increase funding for the Congregate Services for the Elderly and EISEP programs, and eliminate the county matching requirement for the added funding.

MLTC/PACE

- Reform the rate-setting process to ensure rate adequacy, including elimination of arbitrary caps and savings factors, appropriate risk adjustment, ongoing nursing home price mitigation, timely rate updates, and adjustments to reflect new requirements, including elimination of companionship exemption and new wage initiatives.
- Address duplicative care management responsibilities due to implementation of new models of care and payment.
- Work to influence the implementation of FIDA and the interpretation of associated policies, including rate adequacy, enrollment and marketing restrictions, and interdisciplinary team requirements.
- Work with DOH to resolve issues around multiple and inconsistent UAS-NY assessments, UAS scoring of cognitive impairment and behavioral health conditions, and the use of the UAS in determining risk scores.
- Work with DOH to optimize use of workforce funding made available through the DSRIP waiver.

Nursing Home

- Oppose legislation setting arbitrary minimum staffing ratios in nursing homes.
- Evaluate the need for a delay or other modification to the electronic prescribing mandate.
- Work to effectuate the universal settlement of Medicaid rate appeals and litigation.
- Advocate for an adjustment to and timely approval of the Medicaid managed care price mitigation pool.
- Authorize a Supplemental Advanced Training Initiative program to train front-line workers throughout the State to detect changes in resident condition and prevent avoidable hospital use.

Retirement Housing

- Work with market-rate senior living communities to better understand changing demographics and shifting preferences of future residents, in order to be better positioned for the future.
- Develop a statewide market analysis to help senior living communities plan for the future.
- Promote the “not-for-profit difference” that highlights the unique benefits that not-for-profit senior living communities offer residents.