

December 3, 2022

The Honorable Kathy Hochul
Governor
NYS State Capitol
Albany, NY 12224

Re: A.8006 (Gottfried)/S.7626 (Rivera)

Dear Governor Hochul,

LeadingAge New York and its not-for-profit and public long-term care provider members write to you today in strong support of legislation A.8006 (Gottfried)/S.7626 (Rivera), which would allow Medicaid beneficiaries residing in Assisted Living Programs (ALPs) to access hospice services without having to transfer from the ALP.

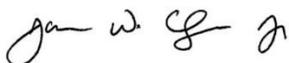
The changes directed in this legislation are long over-due. Under current Medicaid regulations and payment policy, terminally ill ALP residents are barred from accessing hospice services. As a result, ALP residents across the state must make the impossible decision of which essential service they want to receive. Current policy can lead to an ALP resident transferring to a nursing home in their last few weeks of life, creating additional burdens and distress on the resident and their family during an already difficult time. Alternatively, the resident may choose to continue to receive ALP services in the place they call home—but forgo the critical services and supports that only Hospice can provide. Updating the policy, as this law directs, would enable Medicaid eligible individuals to access both hospice and ALP services at the same time. This would allow these individuals to remain in their home at the end of life, when they are at their most vulnerable and receive all the services they are assessed to need.

Not only would this legislation be of great benefit to residents and families, but it could also provide a significant savings for the State's Medicaid program. At the end of March of 2022 there were 10,700 ALP residents in New York State. We estimate that if just 10 percent of ALP residents were to remain in the ALP rather than transfer to a nursing home to access hospice services, the Medicaid program would save approximately \$1.5 million. While this savings is compelling, allowing individuals to remain in the place they call home in their last weeks of life is even more valuable.

The utilization of hospice care in New York is shockingly low in comparison to other states, and we must examine and address what barriers to access exist within our current statutory framework. Medicaid-eligible individuals living at home, as well as those living in nursing homes, are able to access hospice care. It is time to eliminate the barriers to accessing the critical supports of hospice services for low-income seniors living in the ALP.

For these reasons, LeadingAge New York strongly supports A.8006 (Gottfried)/S.7626 (Rivera) and urges that it be signed into law.

Sincerely,



James W. Clyne, Jr.
President and CEO
LeadingAge New York