

News from the Home Care Association Of New York State



For Immediate Release: July 28, 2008

Contact: Roger L. Noyes (518) 810-0665
(518) 275-6961 cell

HCA and NY Congressional Delegation Advocate for CMS Policy Allowing Waiver Providers to Collaborate in the Care of Critically-ill Patients

HCA is working with New York Congressional Reps. Eliot Engel (D-17) and Peter King (R-3) to alert the Centers for Medicare and Medicaid Services (CMS) of the need for changes to a federal Medicaid policy that prohibits collaboration among certain home and community-based service providers in the care of thousands of critically-ill New Yorkers.

In a June 25 letter, Reps. Engel and King seek clarification from CMS and urge the reversal of a policy which effectively limits a patient to the services of only one federally authorized home and community-based waiver program at a time.

Such a policy may affect thousands of patients in New York State. For example, in New York City alone, approximately 900 HIV/AIDS patients currently receiving services under the state's Long Term Home Health Care Program (LTHHCP) are also identified as eligible for assistance under a separate HIV/AIDS advocacy program. However, CMS' policy interferes with the two types of providers collaborating on the patient's behalf.

New York State operates a growing number of programs enhanced through federal waivers or other special federal provisions. The most significant of these programs is the LTHHCP, also known as the "Nursing Home Without Walls," which provides a nursing-home-level of care to chronically-ill patients at home.

Patients benefiting from LTHHCP services might also have specialized needs which could be served by other waiver programs that provide housing, vocational and legal advocacy, traumatic brain injury services, mental health services, special eligibility for children's health care, and other services.

"If permitted to operate in tandem, these programs would increase the providers' ability to tailor care plans to the patient's individual needs," Cunningham said. "New York's home care community greatly appreciates the proactive leadership of Representatives King and Engel to ensure the successful integration of home and community-based services for individuals in greatest need."

In their letter, Reps. Engel and King write: "While on the surface, this policy would appear to institute a reasonable partitioning between programs, at the clinical level, such a policy undercuts the practicality, efficiency, appropriateness and flexibility of utilizing services to meet the needs of patients with complex health problems requiring inter-disciplinary and cross-specialty services."

###