

The Honorable Joanna E. McClinton
Speaker of the House
Pennsylvania House of Representatives
139 Main Capitol Building
Harrisburg, PA 17120-2191
Via Electronic Mail

March 12, 2024

Dear Speaker McClinton,

On behalf of the more than 125,000 participants in Pennsylvania's Medicaid Home and Community-Based Services (HCBS) and the hundreds of thousands of caregivers who care for Pennsylvania's older adults and individuals with disabilities, we are writing today to share our opposition to House Bill 876, Printers Number 852, sponsored by Rep. Mike Cabell, which is pending consideration by the House of Representatives.

While the home-based care community supports the underlying goal of this bill, which is to combat fraud, waste, and abuse in the state's Medical Assistance program, we have concerns about the effectiveness of this legislation in practice, and the undue burdens that it places on home-based care providers who are already spread thin due to systemic underfunding of the Medical Assistance Program.

House Bill 876 requires that all individuals seeking to provide Medical Assistance (MA) services for reimbursement must obtain a National Provider Identification (NPI) Number or a State Provider Identification (SPI) Number, all individuals using an SPI must enroll in standardized training developed by the Department of Human Services, and that all claims filed for MA reimbursement must contain the NPI or SPI, Medicaid Provider Number, the date the services were provided, and the start and end time for the services provided.

A federal mandate already requires this reporting in the home and community-based space. As a result of the 21st Century Cures Act, all states are required to implement Electronic Visit Verification (EVV) for all Medicaid personal care services (PCS) and home health care services (HHCS) that require an in-home visit by a provider.

These systems, and the training that accompanies them, have placed a massive financial and administrative burden on home-based care providers. Statutorily requiring a duplication in the claims-submission process is not only unnecessary, but also a diversion of finite resources away from consumer and patient care. The information that the Office of the Attorney General (OAG) seeks regarding home-based care providers can be found through the EVV system that is required by federal statute and has been implemented by the Department of Human Services.

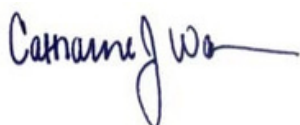
Additionally, the standardized training program language, while well-intentioned, would create obstacles to hiring and does not recognize the already-existing training requirements outlined in law. Licensed home-based care providers participating in the Medical Assistance program must ensure direct care workers are appropriately trained and demonstrate competencies prior to providing care, rendering the bill's training provisions duplicative and unnecessary.

As members of the home and community-based care community, we oppose this legislation as it is currently written. However, we support Amendment A02254, sponsored by Rep. Jim Struzzi, which provides an exemption from these duplicative requirements for all providers that are subject to federal EVV requirements.

Ensuring the safety of Pennsylvania's most vulnerable populations is of utmost importance to us as providers of home and community-based services in Pennsylvania. While we strongly support efforts to curb fraud, waste, and abuse, doing so must be done in a manner that does not cause undue administrative burden or further hinder our ability to recruit and retain the workforce necessary to meet growing demand.

We welcome the opportunity for further discussion.

Sincerely,



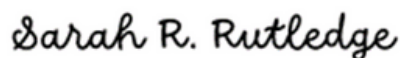
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Jim Melancon

Jim Melancon
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**CC: Rep. Matt Bradford,
Majority Leader
Rep. Bryan Cutler,
Minority Leader**