



Medicaid HCBS and PACE Weekly

March 31, 2023

CMS Says PHE Waivers Still in Place Will Remain in Place Until May 11. On March 29 the Senate joined the House in approving a resolution to end the COVID National Emergency. LeadingAge members are asking if some of the waiver flexibilities authorized under the Public Health Emergency will also end a month earlier than planned. **They will not.** LeadingAge asked CMS staff on March 30 whether the Congressionally-approved resolution – if the President signs it as expected - means waiver flexibilities will also end. The waivers LeadingAge members are concerned about (including but not limited to the 3 day stay waiver, home health therapy assessment waivers, and hospice volunteer requirement waiver) are connected to the Public Health Emergency, not the COVID National Emergency. These waivers will end at the end of the Public Health Emergency on May 11, as planned and previously announced.

Regarding the 3 day stay waiver, LeadingAge has written to the [Secretary of HHS](#) and to [leaders in Congress](#) seeking changes to extend the waiver or eliminate the requirement. We are working with HHS and Congress to continue to press to eliminate this outdated, unnecessary policy.

Regarding home health therapy assessments, LeadingAge will advocate for their continuation with Congress. We have asked [CMS to clarify the rules around the use of telehealth in routine home care for hospices](#) and to use enforcement discretion as hospices ramp back up to full volunteer loads.

Legislation Introduced to Support Senior Food Insecurity and Workplace Discrimination Protections.

U.S. Senator Bob Casey (D-PA), Chairman of the U.S. Senate Special Committee on Aging, [introduced](#) two bills to support senior economic security across, including protections from workplace age discrimination and increased access to healthy, affordable meals for older adults and adults with disabilities. An estimated 5.2 million older adults struggle to put enough food on the table and many older Americans have trouble finding consistent employment due to age discrimination.

Kaiser Releases Poll Results: Shows Political Majorities on Both Sides Support Medicare and Medicaid.

In an article released today – [KFF Health Tracking Poll March 2023: Public Doesn't Want Politicians To Upend Popular Programs](#) – the authors lay out statistical analysis of support for both government funded programs. While support for Medicare remains strong on both sides of the aisle, Medicaid support dwindles among individuals without a personal familial or friend's use of the program. Of note, for individuals not reporting a connection to Medicaid, their views trend towards 'Medicaid as primarily a government welfare program' compared with 'Medicaid as primarily a government health insurance program that helps people pay for health care.' The data is timely as Congress engages in debt limit and budgetary negotiations.

Telehealth services helped reduce opioid overdose fatalities. On March 29, a study was published indicating that medication treatment for opioid use disorder via telehealth helped to significantly reduce overdoses during the pandemic, though not as much as in-person treatment in an office setting or via certified opioid treatment programs. The large study from CDC, CMS and NIH researchers in JAMA Psychiatry concluded that between September 2019 and February 2021, patients receiving telehealth drug therapy for opioid use disorder had 33 percent lower adjusted odds of a fatal overdose than those receiving no medication treatment. That's compared with a 38 percent lower risk of a fatal overdose among patients being treated in-person and 59 percent among those in opioid treatment programs

certified by the Substance Abuse and Mental Health Services Administration at HHS. [Read the full study here.](#)

Pew Charitable Trusts Releases State Budget Graphic. Each state’s budget is a composite of funding from state tax revenue, federal funding, and other sources. The graphic released on March 29 by Pew shows how each state’s funding breaks out. See how your state stacks up, [here](#).

Rural Housing Service, SNAP Program at Senate Hearing. On March 29, USDA Secretary Thomas Vilsack testified before the Senate Appropriations Committee on the Administration’s FY24 budget request for USDA. In his testimony, Secretary Vilsack noted the importance of the Rural Housing Service’s programs and the USDA’s Supplemental Nutrition Assistance Program (SNAP). “Affordable housing has been a long-standing problem for low-income residents in rural communities, one that is exacerbated by low energy efficiency of the aging housing stock which means higher costs to families,” the Secretary said, adding, “...the budget includes the authority to decouple rental assistance from USDA financed properties to help ensure low income rural tenants in USDA financed properties continue to have access to affordable rents when projects reach loan maturity and leave the portfolio. This proposal would allow vouchers when we lose rental assisted properties, but these would be processed by HUD to ensure that USDA is not funding vouchers that can leave rural areas.” LeadingAge supports this approach to housing preservation. For the SNAP program, the Secretary noted a projected 1.3 million SNAP participant decrease in enrollment “because of a recovering economy,” and an overall request for SNAP that is \$32 billion less than 2023 because of the expiration of emergency allotment payment boosts and the projected participant decrease. Read more about the hearing [here](#).

House Speaker to the President: “You are on the clock.” On March 28, House Speaker Kevin McCarthy wrote a letter to President Biden urging him to negotiate spending cuts in order to raise the debt limit. Speaker McCarthy and President Biden last met to discuss the debt limit in February. Speaker McCarthy and his Republican colleagues have vowed to use the debt ceiling to achieve their own priorities, like major spending cuts, and they want President Biden to come to the bargaining table before the country defaults. In his March 28 letter, Speaker McCarthy laid out five broad ideas to save money: 1) Cut non-defense spending; 2) Claw back unspent pandemic aid; 3) tighten work requirements for entitlement programs; 4) Enact policies to lower energy costs; and 5) Secure the boarder to stop illegal importation of fentanyl. The letter doesn’t go into any details on Speaker McCarthy’s proposals, some of which would result in [devastating cuts to programs that support older adults and their families](#), including [cuts to affordable senior housing programs](#). In response to the letter, the President’s press secretary said in a statement that President Biden is willing to talk about fiscal policy, but not as a condition of raising the debt limit. [Click here to read Speaker McCarthy’s letter in full.](#)

10M Could Lose Food Assistance Under Proposed Bill. An analysis of a new bill that would expand the population of people subject to SNAP’s work requirement determines the bill, HR 1581, could limit food stamp access to two million households age 50 – 65. Currently, individuals aged 18 or over and under 50 are limited to three months of SNAP benefits every three years unless they are working or in a work or training program at least 20 hours a week. The bill would raise the age limit for complying with these requirements from 50 to 64. The paper, from the Center on Budget and Policy Priorities, says, “SNAP’s existing work requirement, which operates as a time limit where, if over three months someone is unable to document they work or participate in a qualifying employment and training program for at least 20 hours a week, they are cut off from SNAP benefits — and aren’t eligible again until a total of three years has passed.” Many other households would also be negatively impacted by the bill’s

changes. “Nationwide more than 10 million people, about 1 in 4 SNAP participants, live in households that would be at risk of losing food assistance benefits under this bill,” the [paper](#) says.

Cuts a “Five-Alarm Fire” for Older Adults, White House Says. Contemplated House cuts to domestic discretionary programs in FY24 would equate to a [“five-alarm fire” for older adults](#), the White House said on March 23. Individual [departmental assessments](#), requested and received by House Committee on Appropriation Democrats, describe how the House Freedom Caucus’s suggested cuts would impact programs. The March 23, White House assessment takes a cross-department view of the discussed cuts’ impact on older adults and says the suggested cuts would worsen Social Security and Medicare wait times, rob seniors of healthy meals, cut housing for seniors, and reduce other vital services for older adults. “By suggesting cuts that would rob a million older adults of nutrition services, deny thousands of seniors access to paid work opportunities, and put seniors across the country at risk of homelessness, the Republican proposal shows that they are willing to turn their backs on this vulnerable portion of our population at a time when they need the support the most,” a March 23 [press release](#) from Appropriations Democrats says.