



Home Health Weekly: Recap of LeadingAge Updates

September 22, 2023

LeadingAge Policy Update Calls; all calls are at 3:30 p.m. ET. With an updated vaccine formula rolling out this fall, it's important to know how this can impact our members and the people they serve. Join us on **September 25** to hear from Todd King, Senior Director of Clinical Services, and Nicole Kostelic, Executive Director of Quality LTC at Omnicare, a CVS Health Company. They will talk about what's new with the flu, COVID, and additional vaccination considerations, and discuss overcoming vaccine hesitancy. Members and other interested individuals can sign up to join LeadingAge's Policy Update calls [here](#). You can also find previous call recordings of every 3:30 LeadingAge call [here](#). Note that to access recordings of the calls you need a LeadingAge password. Any staff member of any LeadingAge member organization can set up a password to access previous calls and other members-only content.

At Senate Hearing on Home Health, Senators Strongly in Support of Services and Improving Access. On September 19, the Senate Finance Subcommittee on Health [held a hearing](#) titled "Aging in Place: The Vital Role of Home Health in Access to Care." The hearing focused on the role of home health care in helping older adults age in place and the challenges facing the industry in the past and in the future. Nearly all witnesses supported improving access to home health care with some caveats from Dr. David Grabowski, a former member of the Medicare Payment Advisory Commission. Much of the discussion focused on rural access to care including testimony from Carrie Edwards, a rural, non-profit home health provider in Nebraska and Dr. Tracy Mroz from the University of Washington who conducted extensive research on access in rural areas. A key theme throughout the hearing was the lack of a consistent way to define home health access. Read a full article on the hearing [here](#).

Workforce: Reimagining Federal Pell Grants. The Young Invincibles released a report, *Reimagining Federal Pell Grants: Reshaping the Talent Pipeline for Young Adults*, which examines how increasing access to financial aid for short term credential programs may jump start the careers of many and help address the critical shortage of skilled workers in the US. The brief found that providing the young adult workforce with career training and reskilling opportunities creates pathways to economic mobility and that this is especially true for workers from marginalized communities. Many young people are reimagining education and are seeking nontraditional training opportunities outside of a typical university program, YI found. This report asserts that expanding access to the Pell grant to include certificate and credential readiness programs, which currently do not comply with the minimum Pell grant length requirements, would engage a new generation of workers capable of working in a variety of new roles. Read the full report click [here](#).

Sunsetting Medicaid Flexibilities. Pandemic-era Medicaid flexibilities allowing augmented access to home and community-based services through 1115 and 1915 authorities have or will be sunsetting. While states had options to make many of these flexibilities permanent, many states have selected to not seek permanent authority to continue these flexibilities. KFF released an [issue brief](#) on September 19 outlining a number of findings from a recent survey and stressing how these changes could affect the already dire workforce shortage, including:

49 states elected to allow for virtual eligibility and care planning visits. Just over half - 26 states have or will maintain this flexibility, leaving 23 states to terminate this option, 21 states are reverting to service utilization limits as outlined in their approved waivers, 19 states are returning to pre-pandemic prior authorization requirements, 17 states have or will be terminating payments to family caregivers or legally responsible parties to be paid for Medicaid reimbursable services.

Restart of Free COVID Tests Mailed to Households. Beginning September 25, every U.S. household can again place an order to receive four more free COVID-19 rapid tests delivered directly to their home. Starting September 25, the free tests can be ordered via www.covidtests.gov. HHS officials say the tests are able to detect the latest COVID variants and are intended to be used through the end of the year. In related news, the Food & Drug Administration has a website to [see if existing COVID tests' expiration dates have been extended](#).

CMS Releases Final Rule Streamlining Enrollment in the Medicare Savings Program. On September 18 the Centers for Medicare and Medicaid Services (CMS) finalized a rule simplifying access to and reducing costs for health care coverage for eligible individuals. The Medicare Savings Program (MSP) could reduce Medicare-related costs for about 10 million older adults and people with physical disabilities estimated to be eligible for MSP. This rule reduces administrative barriers previously causing beneficiaries to lose or fail to renew MSP participation. CMS estimates the new rule will save applicants and enrollees upwards of 19 million hours of paperwork each year. This could be a significant improvement for service coordinators in our member Housing properties. CMS notes complexities currently plaguing state Medicaid programs including the unwinding of continuous coverage and leaves states ample time to update processes with most provisions awaiting a compliance date on April 1, 2026. The full rule can be reviewed [here](#).

ACL Holds Call Outlining Proposed Adult Protective Services Rule. On September 18 the Administration on Community Living (ACL) hosted a webinar outlining the background and key provisions of the proposed rule-making that would establish federal minimum standards for states' Adult Protective Services (APS) programs. The administration noted this rule is the next step in demonstrating their commitment to improving access, quality, and equity in home and community-based services. Because of inclusion of base funding to states for APS in the 2023 Omnibus spending bill that passed in December 2022, ACL is establishing itself as the federal compliance agency for APS activities. The rule proposes to establish standardized minimum categories of maltreatment, standardized definitions of commonly used terms in APS, and requires states to both establish policies and mechanisms for response to APS reports. Additionally, states must develop APS state plans and annual data reporting to ACL as a condition of receiving federal APS funds. The rule was released for public comment on September 12 with comments due on November 13. ACL offers an explainer and links to the [proposed rule](#) and other resources, [here](#). We will review and update as we assess potential effects on members.

CMS Plans to Launch a Health Equity Confidential Feedback Reports in October 2023. In October, the Centers for Medicare & Medicaid Services (CMS) will release two new Health Equity Confidential Feedback Reports to post-acute care (PAC) providers in the Home Health (HH), Inpatient Rehabilitation Facility (IRF), Long-Term Care Hospital (LTCH), and Skilled Nursing Facility (SNF) settings. The reports will

be titled the Discharge to Community (DTC) Health Equity Confidential Feedback Report and the Medicare Spending Per Beneficiary (MSPB) Health Equity Confidential Feedback Report. The PAC Health Equity Confidential Feedback Reports will stratify the DTC and MSPB measures by dual-enrollment status and race/ethnicity. CMS will release the Health Equity Confidential Feedback Reports through the Internet Quality Improvement & Evaluation System (iQIES) reports folders. Additionally, an educational webinar recording and fact sheet providing an overview of the Health Equity Confidential Feedback Reports will be released alongside the reports next month on each of the following post-acute care setting's pages: HH Training & Education [webpage](#); SNF Training & Education [webpage](#).

CMMI Publishes Final Home Health Value Based Purchasing Demonstration Report. The Center for Medicare and Medicaid Innovation (CMMI) published the seventh and final summative report on the Home Health Value-Based Purchasing (HHVBP) demonstration model. This model was originally introduced in 2016 across nine states and concluded in 2021. HHVBP is one of the only CMMI demonstrations to be expanded nationally which started in January of this year. The final report found the model produced more than \$1.38 billion in Medicare savings. With regard to utilization of more costly services, the report found a decline in utilization rates for hospitalizations and skilled nursing facilities but an increase in outpatient emergency department visits. On the quality front, the final report found gains in functional status like mobility and selfcare, but patient experience measures declined. According [to a summary of the report](#), utilization rates of home health services remained the same across HHVBP and non-HHVBP states. Finally, the report noted that HHVBP could exacerbate existing racial inequities with regard to high-quality care access.

No Change in HHS Policy for Distributing COVID Test Kits to LTC Providers. With the uptick in COVID cases, LeadingAge has received some questions about whether HHS is still distributing COVID-19 test kits to long-term care providers and what to do to obtain additional test kits or ask questions. We queried the individual who leads this work in the HHS Office of the Assistant Secretary for Preparedness and Response (ASPR). First, HHS is continuing to distribute test kits to assisted living and nursing home providers, sending weekly allocations to sites unless they have asked to no longer receive test kits or have asked for a decrease in their allocations. If providers have questions or want to request more test kits, they are advised to email tdx@hhs.gov with specific numbers and details on where to send the test kits.

PHI Releases Annual Snapshot of the Direct Care Workforce in the United States. The annual report provides a holistic and sober look at the current state of paid caregiving across residential and licensed settings. The snapshot, released September 11, includes key findings about the future of the long-term care sector, detailed demographics, and barriers to sustainable growth. PHI estimates that nearly one million jobs will be added to the caregiving industry over the next eight years while 9.3 million caregiving roles will need to be filled. To report can be found [here](#).

Reminder – PRF Reporting Deadline Sept. 30. Provider Relief Fund Reporting Period 5 reports are due just 10 days from now. Providers who received PRF and ARP Rural payments from January 1 - June 30, 2022 must submit their reports no later than 11:59 p.m. ET on September 30. Failure to submit a report will require the provider to return the funds received. As providers complete their reports, they are encouraged to look very closely at the expenses that they submit to make sure there is a clear nexus to COVID-19. Some providers who had their prior reports audited had some of their expenses disallowed, as the expenses were not deemed related to preventing, preparing for or responding to COVID-19. More information on allowable PRF and ARP Rural expenses can be found [here](#).

Department of Labor Will Offer Free Webinar on PUMP Act. The U.S. Department of Labor's Wage and Hour Division (DOL) has announced a free educational webinar concerning the federal Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act. The [PUMP for Nursing Mothers Act](#), which became effective in late December 2022, extends right-to-pump protections under the federal Fair Labor Standards Act to additional workers and provides employees access to additional remedies for violations. The series will include webinars tailored for specific employment sectors, including one for healthcare on Wednesday, November 15 from 2 -3 p.m. ET. The webinar is free, but [registration is required](#).

Last Week's Home Health Weekly Update. Here is the September 15, 2023 [Home Health Update](#).