



Medicaid HCBS and PACE Weekly Recap

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.

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 sunseting. 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.

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.

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](#).

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.

“Up to Date” Definition Change Reporting Trainings. CDC will change the NHSN surveillance definition of “up to date” for reporting weeks beginning on September 25, 2023 to align with new [ACIP recommendations](#) for COVID-19 vaccines. Once the new vaccine and new vaccination recommendations are applied to surveillance data collection, the percentage of long-term care residents and healthcare personnel who are reported as up to date for COVID vaccine may change. Trainings:

<p>When: Sep 25, 2023 1:00 PM Eastern Time (US and Canada)</p>	<p>Topic: Up to Date Vaccination Status: Surveillance Definition Change for Long Term Care Facilities (REPLAY) Webinar</p> <p>Register in advance for this webinar: https://cdc.zoomgov.com/webinar/register/WN_JGOOXuiSAW1VF2zS-baw</p>
<p>When: Oct 2, 2023 1:00 PM Eastern Time (US and Canada)</p>	<p>Topic: Up to Date Vaccination Status: Surveillance Definition Change for Long Term Care Facilities (REPLAY) Webinar</p> <p>Register in advance for this webinar: https://cdc.zoomgov.com/webinar/register/WN_TDnotOroSbiPut3-2-5RtQ</p>

Action Alert to Tell Congress to Fund Affordable Senior Housing Programs at Highest Possible Level. The October 1 start of the next fiscal year is looming. LeadingAge’s [action alert for HUD funding](#) says that now is the time for aging services advocates to tell Congress to enact a stopgap bill that keeps the Department of Housing and Urban Development (HUD) programs fully funded and avoids a federal shutdown until Congress passes a final HUD appropriations bill. The alert also urges Congress to reject harmful cuts proposed in the House Appropriations Committee’s fiscal year 2024 HUD funding bill and to:

- Fully fund the renewal of project-based rental assistance and service coordinators.
- Expand the supply of Section 202 Supportive Housing for the Elderly homes.
- Expand the number of service coordinators in affordable senior housing.
- Provide funding to support Section 202 housing preservation conversions under the Rental Assistance Demonstration program.
- Fully fund the HOME program.

All aging services stakeholders should [Take Action](#) today for affordable senior housing.

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](#).

Last Week's HCBS and PACE Weekly Update. Here is the September 15, 2023 [HCBS and PACE Update](#).