

# ***ID/A COALITION***

*THE INTELLECTUAL DISABILITY AND AUTISM SERVICES COALITION OF PENNSYLVANIA*

Daniel Tsai  
Deputy Administrator and Director  
Center for Medicaid and CHIP Services (CMCS)  
Centers for Medicare & Medicaid Services  
U.S. Department of Health & Human Services  
7500 Security Boulevard, Mail Stop S2-26-12  
Baltimore, Maryland 21244-1850

Dear Director Tsai,  
Congratulations on your recent selection to lead CMCS. We look forward to working with you to improve the lives of people with intellectual disabilities/autism (ID/A), while ensuring value for taxpayers.

We are writing in concern regarding Pennsylvania's plan for implementation of section 9817 of the American Rescue Plan. We noted that in the CMS letter to the State Medicaid Directors, states are required to "Maintain HCBS provider payments at a rate no less than those in place as of April 1, 2021." Specifically:

"CMS expects states to demonstrate compliance with section 9817 of the ARP, beginning April 1, 2021, and until the state funds equivalent to the amount of federal funds attributable to the increased FMAP are fully expended. To demonstrate compliance with the requirement not to supplant existing state funds expended for Medicaid HCBS, states must:

- Not impose stricter eligibility standards, methodologies, or procedures for HCBS programs and services than were in place on April 1, 2021;
- Preserve covered HCBS, including the services themselves and the amount, duration, and scope of those services, in effect as of April 1, 2021; and
- Maintain HCBS provider payments at a rate no less than those in place as of April 1, 2021."

The Pennsylvania Office of Developmental Programs (ODP) implemented an increased rate to the fee schedule for Community Participation Services (CPS) provided in the Consolidated, Person/Family Directed waiver, and Transportation Trip rates in the Consolidated, Community Living, Person/Family Directed, and Adult Autism waivers effective January 1 to June 30, 2021. ODP has now proposed to reduce those rates to the pre-pandemic level.

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THE ID/A COALITION CONSISTS OF STATEWIDE ADVOCACY AND PROVIDER ORGANIZATIONS ADVOCATING FOR SERVICES FOR PEOPLE WITH INTELLECTUAL DISABILITY AND AUTISM IN PENNSYLVANIA.

FOR ADDITIONAL INFORMATION, CONTACT ANY OF THE ORGANIZATIONS LISTED:

DISABILITY RIGHTS PENNSYLVANIA (800.692.7443)  
REHABILITATION & COMMUNITY PROVIDERS ASSOCIATION  
(717.364.3280)

UNITED CEREBRAL PALSY OF PA (717.236.5040)

PA ADVOCACY AND RESOURCES FOR AUTISM AND INTELLECTUAL DISABILITY (717.236.2374)

THE ARC OF PA (717.234.2621)

We request that CMS support the continuance of these increased rates, rather than permit the rates to be reduced as proposed. The providers of these services continue to incur increased costs to providing services as a result of the on-going nature of the pandemic. Measures need to be taken in order to prevent the spread of COVID, and providers are dealing with the inability to attract and retain employees to provide these services. The rate was insufficient prior to the pandemic, and the additional stressors to the system have amplified this issue. The continued increased rates are critical to the provider's ability to provide these important services.

We understand that the ODP has requested your guidance regarding this proposed change of rate. We ask that you assure the ability of providers to meet the needs of the individuals requesting this service by requiring the continuance of the enhanced rates. Thank you for your attention to this matter.


Sincerely,

Members of the PA IDA Coalition



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Mark Davis, President and CEO  
PAR (Pennsylvania Advocates and Resources for  
Autism and Intellectual Disabilities)



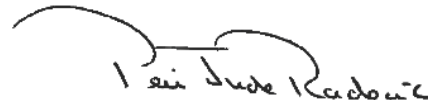
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Sherri Landis, Executive Director  
The Arc of Pennsylvania



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Richard Edley, Ph.D., President and CEO  
RCPA (Rehabilitation & Community Providers  
Association)



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Peri Jude Radevic, Esquire, CEO  
Disability Rights Pennsylvania

cc:

Senator Robert Casey

Michael Gamel- McCormick, Disability Policy Director, U.S. Senate Special Committee  
on Aging

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Melissa Harris, Deputy Director, Disabled and Elderly Health Programs Group (DEHPG)  
Meg Snead, Acting Secretary, Pennsylvania Department of Human Services  
Kristin Ahrens, Deputy Secretary, Office of Developmental Programs, Pennsylvania  
Department of Human Services

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