



January 31, 2024

Juliet Marsala, Deputy Secretary  
Office of Long-Term Living  
555 Walnut Street  
6<sup>th</sup> Floor  
Harrisburg, PA 17101

Dear Secretary Marsala,

The Coalition For Choice (CFC) is an unincorporated group of organizations that share the common interest of promoting and protecting participant choice. The CFC Mission Statement is as follows:

“To develop and advance self-directed programs of community-based long-term care services and supports for Medicaid eligible people with disabilities and seniors that ensure full participant input, choice, and control in Pennsylvania”.

The intent of this letter is to communicate the Coalition’s ongoing concern that participant choice continues to erode in home and community-based services through Community HealthChoices and offer support for actions that can be taken by the Office of Long-term Living to secure and promote participant choice.

The Coalition places a high value on participant choice of provider and service model to ensure services meet the individual’s needs. In each service model there are issues of participant choice and control we wish to weigh in on. They are as follows:

#### Consumer-directed Services

We note that a number of factors have contributed to the significant decline in the number of Participants choosing to use the consumer-directed service model since 2011 – from over 22,000 to less than 8,000 today.

A fundamental problem with access to services and responsiveness in the consumer-directed model is attributed to delays in approving new direct care workers (DCW), which fosters an uneven playing field compared to the agency model. We strongly believe that both existing models are important to maintain, and both can thrive with the appropriate supports. We also strongly believe that the choice of provider is important, and we urge you to require the choice of at least two financial management services providers going forward. Quality standards, including the use of Electronic Visit Verification, should be the same as the agency model, and participant satisfaction with provider responsiveness should be a key factor in consideration for retaining the vendor.

Another factor that drives participants to agency services even when they prefer to direct their own services is the lack of locally accessible support to effectively use the consumer-directed model. Gone

are the previously available supports for recruitment, advertising, hiring, training, scheduling, conflict management, and back-up systems development. The previously proposed - then withdrawn - Supports Broker could provide such supports. We urge you not to make the assumption that Service Coordinators can fill this void.

We applaud the Department's attention to this issue through requiring the CHC managed care organizations to develop strategies to increase the use of the consumer-directed model, and we are hopeful that each of them seeks meaningful input from Participants on what may be effective.

#### Agency Model

In keeping with the Coalition's value of participant choice and control, we support the retention of the option of personal assistance service providers to hire family members of the participant. We further support regulatory changes that would allow for certain services to be provided under home care licensure that are now available only through consumer-directed model or nursing services.

#### Agency With Choice

The addition of a third service model, Agency With Choice (AWC), has been proposed, discussed, and tabled. While the Office of Developmental Programs has offered the AWC model for many years, we note that the proposed program in OLTL would have differed by the use of one state-wide provider for all participants choosing the model. If and when Pennsylvania implements an AWC model in OLTL programs, we strongly urge the Department to require choice of at least three qualified AWC providers/vendors for OLTL CHC MLTSS participants in each service region rather than one state or MCO procured vendor, and that Pennsylvania-based bidders are considered.

#### Rates and Rate Update

We note that pressures on the workforce needed to provide home and community-based services continue to escalate. On the same day that the U.S. Bureau of Labor Statistics were published for a Pennsylvania county showing the lowest unemployment rate since December 1999 (Lancaster, November 2023, 2.3%), a local convenience store chain announced a starting wage of \$18.00/hour (Rutters, effective January 1, 2024.). It is imperative that the Medicaid fee schedule rates for all home and community-based services in OLTL programs are reviewed and updated, that a schedule of rate review of at least every three years is adopted, that the vendor conducting the reviews is required to seek and consider provider input, and that these rates comprise the floor for calculation of managed care capitated rates. In the short term, we urge you to include, in the 2024-2025 budget for the Commonwealth, a significant personal assistance services (PAS) rate increase to meet the urgent and growing demand by participants for direct care workers in cost-saving community settings to ensure that participants who rely on PAS have access to quality services delivered by a stable workforce.

Finally, we respectfully request that a representative of the Coalition For Choice be included in the workgroup(s) discussing the workforce and service models in the Community HealthChoices home and community-based services, and more immediately, the workgroup discussing improvements to the consumer directed services participation.

The Coalition offers our assistance in the pursuit of any of these suggestions. Thank you for your consideration.

The Coalition For Choice is an unincorporated group of organizations operating at 1700 Market Street, Suite 1005, Philadelphia, PA 19103. Points of contact are Joan W. Martin and Ashley Wiggins, both reached at [info@xtraglobex.com](mailto:info@xtraglobex.com) and 1.703.595.3616. [Coalition for Choice PA](#)

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